

**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 18, 2008 AND THURSDAY, JUNE 19, 2008.**

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **June 18, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Mayor Hardberger. **ABSENT:** Clamp. Ms. Vacek noted that Councilmember Clamp was absent due to travel outside the city.

**1. BRIEFING ON THE STATUS OF THE EDWARDS AQUIFER-RELATED CONSERVATION EASEMENT PROGRAM.**

Assistant City Manager Penny Postoak-Ferguson recognized community representatives involved in the program and introduced Ms. Kristyl Smith, Special Projects Manager, Capital Improvements Management Services, who presented said item.

Ms. Smith stated that the agenda included information on the following topics: Funding, Aquifer Basics and Program History, the Importance of Medina and Uvalde Counties, Protected Acreage, and a Summary Report. She noted that all funds for Proposition 3 had been spent except for \$670,000 which had been identified in interest revenues. Of the \$44 million remaining funds for Proposition 1, only \$14 million had not been allocated for specific uses. Ms. Smith stated that rapid growth had impacted the Edwards Aquifer Recharge Zone and was a rising concern. To address the issue, San Antonio Water Systems (SAWS) and the Edwards Aquifer Authority (EAA) initiated the Edwards Aquifer Protection Projects. The abundant growth of the area also created a need to identify sensitive zones where the water more readily seeps in to replenish the aquifer. To accomplish this protection, two advisory boards-the Scientific Evaluation Team (SET) and the Conservation Advisory Board (CAB), and one implementation team, the Land Acquisition Team (LAT), were created to assist with land acquisitions.

Ms. Smith spoke of Conservation Easements and Building Envelopes, a voluntary program developed to restrict development, provide an impervious cover and building envelopes, and set aside no-development zones. Monitoring sites were set up to provide information through an Interlocal Agreement with the EAA to provide data on the condition of the land. She highlighted the importance of Medina and Uvalde Counties by noting that 53% of the recharge zone was in those counties compared to 10% in Bexar County.

Former Councilmember Bonnie Conner stated that the program to protect the recharge zone was critical to long-term growth and future sustainability of the City of San Antonio and surrounding area. Ms. Conner offered a tour of the acquired properties to interested individuals. She stated that it was not too soon to initiate a proposal for additional tax funds to purchase more land to preserve precious resources.

Councilmember Herrera stated that seeing the property gave her an added appreciation for the purpose of the program. Councilmember Cibrian asked if land on the perimeter of Camp Bullis could be purchased through this program. It was stated that the CAB and the LAT would meet later in the month to discuss this option. Councilmember Rodriguez asked what the City should do when the program

expired and how to extend it. Councilmember Galvan asked for the total number of acres affected by the recharge zone. Ms. Smith responded that the total acreage was 801,056. The amount of acres in the three counties involved in the program is 507,792. Councilmember Rowe asked for clarification regarding the difference in the number of acres purchased under the two propositions. It was explained that one proposition was for the purchase of easements, which allows owners to continue to use land and have it monitored for conservation purposes. The other proposition is for the purchase of the land for parks and trails.

## **2. UPDATE ON THE FY 2009 BUDGET DEVELOPMENT STRATEGY.**

Peter Zanoni, Director of Management and Budget, presented a Review of the Budget Strategy and Calendar, Update on Community and Employee Budget Input, and a Review of City Council Priorities.

It was noted that the proposed budget would be developed in July for presentation on August 14<sup>th</sup> and adoption on September 11, 2008. Feedback from Frontline Employee Focus Groups yielded 235 suggestions and the Community Budget Input Box initiative yielded 1,122 suggestions. City Council priorities confirmed during the May 13<sup>th</sup> Budget Goal-Setting Session a two-year balanced budget and a goal of City Reserves at a level of 10% of appropriations.

Mr. Zanoni presented an analysis comparing San Antonio's current reserves at 8%, to other Texas cities whose reserves ranged from 5.5% to 14.89%, San Antonio being fifth on the chart of Texas Cities. He stated that there were important factors to include with budgeted financial reserve levels including revenue composition and volatility. Mr. Zanoni presented a chart depicting annual projected interest and noted that every percentage of increased reserves would yield approximately \$200,000 in additional resources. He reviewed the top five City Council Priorities: 1) Rolling Five-Year Infrastructure Management Program to include the Neighborhood Accessibility & Mobility Program, 2) Police Officer staffing for neighborhood patrol, 3) Fire Fighter positions for fire protection services, 4) Graffiti Removal and prevention programs and services, and 5) Youth Recreation and enrichment programs.

Councilmember McNeil asked about past practices regarding reserves. Ms. Sculley noted that previously, reserves were divided into several accounts. Councilmember Cibrian stated that she was in favor of increasing reserves and providing funding for Public Safety. Councilmember Ramos stated that she was open to discussing the plan to increase the reserve to 10% but would like to utilize said finds for community projects. Councilmember Cortez asked if the goal to increase the reserve was to obtain a AAA Bond Rating. Ms. Sculley stated that it would help the City achieve the rating, but the goal was to increase the City's financial security. Mayor Hardberger noted that the City had an improved rating due to the fact that a plan was in place to increase reserves to 10%. He added that reserves had been successfully increased from 3% to 8% over a three-year period.

There being no further discussion, Mayor Hardberger adjourned the meeting at 4:50 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **June 19, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Captain Jonathan T. Runnels, Chaplain Resident, Lackland Air Force Base, guest of Councilmember Philip Cortez, District 4.

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, and Mayor Hardberger. **ABSENT:** Clamp. Ms. Vacek noted that Councilmember Clamp was absent due to travel outside the city.

### MINUTES

Councilmember Cisneros made a motion to approve the Minutes for the May 15, 2008 City Council Meeting. Councilmember McNeil seconded the motion.

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

### OATH OF OFFICE – MAYOR PRO TEM

City Clerk Leticia M. Vacek administered the Oath of Office to Councilmember Philip Cortez, District 4, whose term as Mayor Pro Tem becomes effective June 22, 2008 through September 1, 2008.

### ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

#### **2008-06-19-0546**

Item 5. AN ORDINANCE ORDERING A SPECIAL CHARTER AMENDMENT ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008 REGARDING THE EXTENSION OF TERM LIMITS.

Mrs. Vacek presented said item and stated that the ordinance would officially call the Charter Amendment Election for Tuesday, November 4, 2008 from 7 am to 7 pm. She read the proposition stating:

#### **PROPOSITION 1**

**Shall the City Charter be amended effective December 1, 2008 to revise term limits to allow a mayor or member of the City Council to serve four 2-year terms of office, instead of two 2-year terms, but prohibit the current and former mayors and members of the City Council, whether appointed or elected, from being elected to more than two 2-year terms.**

Ms. Vacek added that the recommendation was to adopt the ordinance at this time in order to proceed with the submission to the US Department of Justice.

Bob Martin, President of the Homeowner and Taxpayer Association of Bexar County spoke in opposition to said item and provided a history of term limits. He stated that in 1991, a petition was circulated to place term limits on the election ballot. He noted that in 2004, Mayor Ed Garza set up a Charter Reform Committee and that a City Council with strict term limits would be better than having career politicians.

Mari Garza-Bird, Dr. Julian Treviño, and Rebecca Viagran of the Hispanic Chamber of Commerce spoke in support of the Charter Amendment item. Ms. Garza Bird stated that said item would empower voters and Councilmembers who serve their community more efficiently and effectively. Dr. Treviño stated that the extension of term limits would give the City stability and provide for effective management oversight and long-term vision.

Former Councilmember Richard Perez, President and CEO of the Greater Chamber of Commerce, and Jim Goudge, Chairman-Elect, spoke in support of the extension of term limits. Mr. Perez stated that the current term limits were prohibitive in that they did not allow for the implementation of long-term projects. He noted that the ballot should be clear and concise so as not to confuse voters. Mr. Goudge added that the extension of term limits would allow qualified and well-versed individuals to stay in office and become more knowledgeable of their district.

Milton Guess, Chairman of the San Antonio Tourism Council and Mission Trails Oversight Committee Member, spoke in support of the extension of term limits. He stated that the Mission Trails Project had been through six Mayors and seven Councilmembers and had also seen a high turnover of staff. He noted that much time was lost in educating new Councilmembers and staff.

Mr. Mike Phillips and Gloria Mora representing COPS/Metro Alliance spoke in favor of the extension of term limits. Ms. Mora stated that she was a COPS Leader with St. Leo's Catholic Church and that COPS/Metro Alliance represented 42 member churches and unions. She noted that they supported a democratic process and that voters should have the right and responsibility to decide who was elected and how long they served in office. She asked the Council to support a long-term vision for San Antonio. Mr. Phillips stated that COPS/Metro had worked on the term limit extension proposal and urged the Council to support it. He added that COPS/Metro pledged to educate voters to support the extension of term limits.

Edward Day spoke in favor of term limits. He provided examples of projects that had either taken numerous years to complete or had not been completed to date. He expressed support for policymakers to have eight years in office to initiate and complete long-term projects.

Ben Brewer, President of the Downtown Alliance, spoke in support of the extension of term limits. He stated that allowing Councilmembers to serve up to an eight-year term would allow good governance to remain in office. He noted that Councilmembers who did not perform well would not be re-elected. He added that long-term projects took longer than four years to complete and the extension of term limits would allow Councilmembers to follow a project through to completion.

John Dickson, Chairman of the North San Antonio Chamber, spoke in support of the extension of term limits. He stated that current strict term limits have impacted important projects and caused leaders to focus on the short-term rather than long-term. He noted the importance of keeping the ballot simple and urged the Council to vote in favor of said item.

Jack M. Finger stated that he was not against an election but opposed to the method for placing items on the ballot. He noted that in the early 1990's, a grass roots effort led by C.A. Stubbs led to the placement of term limits on the ballot. Mr. Finger asked the Council to collect signatures on a petition to see if voters wanted the extension of term limits on the ballot.

Rhett Smith stated that democracy was a fragile commodity and he believed that was the intention of the extension of term limits. He noted that it was desirable to involve citizens, voters and taxpayers in the political process. He suggested that there be an option to allow candidates to run again if they have already served in office and did not serve consecutively.

Mrs. Vacek read written testimony from Faris Hodge, Jr. on Items 5 and 6. Regarding Item 5, Mr. Hodge wrote that he was against the extension of term limits and asked that the Citizens to be Heard portion of the agenda be broadcast on television and the Internet. On Item 6, he wrote that San Antonio businesses should have to pay taxes equally. He expressed concern with the individuals who did not pay taxes and that certain businesses were exempt from paying taxes for up to twenty-five years.

Councilmember Cibrian expressed support for the extension of term limits noting that with current time constraints, elected representatives did not have the full ability to represent the citizenry. Councilmember McNeil stated that even though San Antonio was the seventh largest city in the country, the City's term limits were one of the most restrictive. Councilmember Rowe stated that he had supported term limits in the early 1990's but since serving five months on the City Council, had realized that more time was necessary.

Councilmember Cibrian moved to adopt the Ordinance ordering a Special Charter Amendment Election. Councilmember Rowe seconded the motion.

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

The City Clerk read the following Resolution:

**2008-06-19-0031R**

Item 6. A RESOLUTION EXPRESSING THE CITY'S INTENT TO PARTICIPATE IN THE FINANCING OF PUBLIC IMPROVEMENTS IN TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-EIGHT CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE "VERANO TIRZ" LOCATED IN COUNCIL DISTRICT 3.

Deputy City Manager Pat DiGiovanni provided a summary of the Verano TIRZ Resolution noting that it would establish the proposed level of City participation in TIRZ #28. He stated that the City and Verano were seeking participation by the Alamo Community College District and San Antonio River Authority. He said that the TIRZ would address Bexar County participation for essential roads and bridges in and around Verano, as well as the need for additional City administrative resources related to the Verano TIRZ.

Mr. DiGiovanni noted that on September 6, 2007, the City Council approved a Memorandum of Understanding between the City, CPS Energy, Texas A&M University System, and the Verano Land Group related to university land donation in support of the A&M Campus. He added that the City had pledged \$15 million from the Capital Budget for public infrastructure to benefit Texas A&M University. The City/CPS committed up to \$8 million from the City's CIED Funds for utility infrastructure, and the Verano Land Group agreed to donate land by August 1, 2008 to Texas A&M University. He stated that the estimated life of the TIRZ was 29.9 years and that form based development use pattern/zoning for City South had previously been approved.

Mr. DiGiovanni outlined the City Due Diligence Guidelines which include a comprehensive analysis required by City Staff. He noted that the analysis would be used to develop the recommended City participation level in the Verano TIRZ. He provided a map of the area and details of the Verano Development. He noted a current base value of \$44.8 million with a projected captured value of \$3.3 billion at build out. He mentioned that the City supported the development of a Texas A&M San Antonio Campus and City South. He stated that projected General Fund Revenues totaled \$405 million which included property taxes, sales tax, and CPS Energy payments. He reported that City Service Expenses totaled \$349 million and included Police, Fire and Library services to name a few. He mentioned various capital infrastructure costs totaling \$235 million which includes an additional branch library and a new Community Center.

Mr. DiGiovanni concluded the presentation with a 30-year financial analysis summary and recommended City Participation. He stated that the City's contribution would not exceed \$135 million regardless of the term of the TIRZ.

Former Councilmember Roland Gutierrez spoke in support of said project. He thanked the Council and City Staff for moving the project forward. He acknowledged the City's financial support and the importance of education. He stated that Texas A&M University at San Antonio would be the premier water technology irrigation center of the world. He recognized the late Senator Frank Madla for his efforts and support of the Texas A&M University Campus in San Antonio.

Jane Macon spoke in support of said item. She stated that there would be 45,000 jobs created and over 25,000 students attending the new Texas A&M Campus. She thanked the Council and staff involved in making said project a reality. She recognized Ralph Lampton and his team who donated 694 acres to Texas A&M University.

Dr. Maria Ferrier, Texas A&M University at San Antonio Executive Director, expressed enthusiasm for said project. She stated that every day there were anywhere from 50-80 individuals inquiring about registration. She invited the Council to come out to the facility and thanked them for their efforts and support.

Councilmember Ramos referenced letters from Toyota and Senator Carlos Uresti in support of the Texas A&M University at San Antonio and the current progress. Councilmember Cortez highlighted the benefits to the entire city and specifically to the South Side of San Antonio. He stated that the tax base would be strengthened for the City and School Districts. Councilmember Cibrian read letters of support for the project from Cyndi Taylor, President of the South San Antonio Chamber, and Sergio "Chico" Rodriguez, Bexar County Commissioner Precinct 1. Councilmember Rodriguez expressed support for the campus and recognized Former Mayor Ed Garza for his work on the project.

Councilmember Ramos moved to approve the Resolution. Councilmember Cibrian seconded the motion.

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

Mayor Hardberger announced that Item 7 would be addressed at 1:30 pm.

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Rodriguez recognized Colonel Barry and students from Fort Worth ISD who were in San Antonio attending a Leadership Training Academy at Camp Bullis.

Councilmember Galvan introduced Hector Uriegas and stated that he was participating in Job Shadow Day.

Councilmember Herrera recognized Kim Wheeler on Item 27 regarding Park Improvements to the Officer John Randolph Wheeler Park. She also thanked City Staff and residents of the Meadow Village Association on Item 72, noting that said item would remedy various issues in the area.

Councilmember Cortez recognized Ramiro Cavazos on Item 81E regarding his appointment to the Brooks Development Authority and Chris Alderete on Item 81F regarding her appointment to the Port Authority of San Antonio.

Councilmember McNeil acknowledged the San Antonio Police and Fire Departments on Item 36 regarding the acquisition of land for various Fire Stations. She noted that on Item 56, the YMCA and Boys Club were not recommended for CDBG Funding and asked that they be included in the General Fund FY 2009 Budget.

Councilmember Ramos recognized Loretta Van Coppenolle on Item 81J regarding her appointment to Keep San Antonio Beautiful, Inc.

Former Councilmember Jimmy Hassloch recognized Bud Little on his 70<sup>th</sup> Birthday. The Mayor and Council wished Mr. Little a Happy Birthday and thanked him for his many years of service.

At this time Mayor Hardberger recessed the meeting at 12:00 noon to break for lunch and stated that the Council would reconvene at 1:30 pm. Mayor Hardberger reconvened the meeting at 1:30 pm and addressed Item 7.

The City Clerk read the following Ordinance:

### **2008-06-19-0547**

Item 7. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS OF THE GRANT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, BEXAR COUNTY AND THE BEXAR COUNTY PERFORMING ARTS CENTER FOUNDATION REGARDING MUNICIPAL AUDITORIUM AND THE SAN ANTONIO FIRE DEPARTMENT HEADQUARTERS BUILDING, INCLUDING THE CITY'S PAYMENT OF \$500,000.00 A YEAR FOR FIVE YEARS TO THE FOUNDATION.

Assistant City Manager Penny Postoak Ferguson and Bruce Bugg, Chairman and President of the Bexar County Performing Arts Center, presented said item. Ms. Ferguson stated that the three entities involved were the City of San Antonio, Bexar County and the Bexar County Performing Arts Center Foundation. She noted that a Memorandum of Understanding (MOU) had been approved by the City Council in February 2008 which conveyed the Municipal Auditorium and adjacent Fire Department Headquarters Building to the Foundation. She added that the conveyance was subject to Bexar County

providing up to \$100 million for construction from visitor tax revenues and the Foundation establishing a reserve fund of \$10 million.

Ms. Ferguson explained that after conveyance, the City would lease back and occupy the facilities until construction commenced at an annual rent of \$1.00. She noted that when construction was completed, the City and County would be able to utilize the facility for ten days each for governmental purposes. She added that the Foundation would be solely responsible for all cost overruns, operational costs, maintenance, and capital improvements to the facility. Ms. Ferguson stated that the Foundation would have naming rights to the Municipal Auditorium with limited parameters, but the City would have to approve the new name of the Fire Department Headquarters.

Mr. Bugg thanked all who were involved in the project. He highlighted the Mission of the Bexar County Performing Arts Center Foundation which encompassed a provision to provide a "world-class" permanent home to major performing arts organizations of San Antonio. He noted the importance of Economic Development in boosting the City's creative culture and recruitment for Management and other high level positions. Lastly, Mr. Bugg presented sketches from the Conceptual Master Plan.

District Attorney Susan Reed expressed her enthusiasm for said project and thanked the citizens for their favorable vote.

Debbie Montford expressed her pleasure with working on the project and with the public/private partnership. She thanked all who came together to make the project a reality.

County Judge Nelson Wolff noted that he was pleased with all the City/County partnerships and that the City's role in said project was significant due to the conveyance of the Municipal Auditorium and Fire Department Headquarters Building. He thanked all involved in said project.

Councilmember Cibrian asked for a copy of the Master Plan of the area. Mr. Bugg stated that he would provide copies of the Master Plan to the Council. Councilmember Cortez requested an update on parking in the area and inquired of the availability of the facility for school graduation ceremonies.

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

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

### **EXECUTIVE SESSION**

At this time, Mayor Hardberger recessed the Regular Meeting at 2:11 pm to convene in Executive Session for the purposes of:

- A. Deliberate the purchase, exchange, lease, or value of certain real properties and discuss related legal issues pursuant to Texas Government Code Section 551.072 (real property) and 551.071 (consultation with attorney).
- B. Discuss legal issues related to *City of San Antonio v. Interspiro, Inc.* pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Regular Meeting at 2:35 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

**CONSENT AGENDA: Items 8A –81J**

Consent Agenda Items 8, 10, 11, 12, 13, 14, 15, 20, 22, 23, 28, 29, 30, 35, 36, 37, 38, 39, 40, 47, 51, 53, 54, 60, 63, 64, 65, 67, 71, and 79 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

Michele Dalbis, a representative of SA Craftsman, stated that she represented taxi cab drivers in support of Item 53. She thanked all who worked to provide for adjustments to taxicab rates.

George Alva, Vice Chair of the Transportation Advisory Board, stated that he had served on the subcommittee that worked to revise the rate structure for the taxicab drivers of San Antonio. He noted that it had been four years since the last rate increase and urged the Council for their support.

Jack M. Finger spoke in opposition to Item 81H regarding the appointment of Jill Rips to the Advisory Board of Health of the San Antonio Metropolitan Health District. He expressed concern with her support of Planned Parenthood because they provide abortion services.

Betty Eckert spoke in support of Item 10 regarding the contract with Selrico Services, Inc. to provide meal preparation and delivery services the City's Senior Centers. She stated that she had initially been unhappy with the provider but that through communication, there had been numerous improvements made. She noted that Senior Services needed additional funding because only a limited number of seniors could be served through current funding sources.

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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

**2008-06-19-0550**

Item 9. AN ORDINANCE ACCEPTING THE BIDS FROM TOM BENSON CHEVROLET, GRANDE TRUCK CENTER, NORTHSIDE FORD, GRANDE FORD TRUCK SALES, INC., ANCIRA-WINTON CHEVROLET, INC., PLANET DODGE, AND MISSION CHRYSLER JEEP DODGE TO PROVIDE THE CITY WITH 139 REPLACEMENT AND 22 ADDITIONAL LIGHT DUTY TRUCKS FOR A COST OF \$3,258,138.14 FOR USE BY VARIOUS CITY DEPARTMENTS.

**2008-06-19-0557**

Item 16. AN ORDINANCE AUTHORIZING BUDGET ADJUSTMENTS TO TWO FEDERAL AVIATION ADMINISTRATION AIRPORT IMPROVEMENT PROGRAM GRANTS FOR MULTIPLE PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT; REPROGRAMMING AND REALLOCATING AIRPORT FUNDS; AND AUTHORIZING A NET APPROPRIATION OF \$685,666.11 FROM VARIOUS AIRPORT FUNDS.

**2008-06-19-0558**

Item 17. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO YANTIS COMPANY, PENDING TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)

CONCURRENCE, IN THE AMOUNT OF \$2,494,278.91, OF WHICH, \$2,203,920.34 WILL BE REIMBURSED BY TXDOT AND \$210,888.06 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, AND AMENDING A PROGRAM MANAGEMENT CONTRACT WITH CH2M HILL IN AN AMOUNT NOT TO EXCEED \$311,624.00, IN CONNECTION WITH THE PRUE EXTENSION – PRUE TO HUEBNER PROJECT. LOCATED IN COUNCIL DISTRICT 8.

**2008-06-19-0559**

Item 18. AN ORDINANCE APPROVING CHANGE ORDER NO. 7 IN THE AMOUNT OF \$134,751.55 TO THE \$1,780,644.08 CONSTRUCTION CONTRACT, AS CHANGED, WITH R.L. JONES, INC., AND AMENDING AN AGREEMENT WITH AT&T IN THE AMOUNT OF \$54,911.15, IN CONNECTION WITH THE WOODLAWN – SAN ANTONIO TO LAKE AND W. CRAIG – ELMENDORF TO JOSEPHINE TOBIN PROJECT, LOCATED IN COUNCIL DISTRICT 7; AND APPROPRIATING FUNDS.

**2008-06-19-0560**

Item 19. AN ORDINANCE APPROVING CHANGE ORDER PW-05 IN THE AMOUNT OF \$11,803.00 AND CHANGE ORDER PW-06 (FINAL) IN THE AMOUNT OF \$47,206.01 TO THE \$2,111,774.89 CONSTRUCTION CONTRACT, AS CHANGED, WITH E-Z BEL CONSTRUCTION, LTD. IN CONNECTION WITH THE BLANCO ROAD – HILDEBRAND TO SUMMIT PH I PROJECT, AN AUTHORIZED 1999 AND 2003 STREET BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1, AND APPROPRIATING \$59,009.01.

**2008-06-19-0562**

Item 21. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,111,000.00 TO INX, INC, IN CONNECTION WITH THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT CITY HALL ANNEX HUB RELOCATION PROJECT, LOCATED IN COUNCIL DISTRICT 1 AND APPROPRIATING FUNDS.

**2008-06-19-0564**

Item 24. AN ORDINANCE APPROVING CHANGE ORDER NO. 5 IN THE AMOUNT OF \$55,813.61 TO THE \$3,885,813.67 CONSTRUCTION CONTRACT, AS CHANGED, WITH E-Z BEL CONSTRUCTION, LTD IN CONNECTION WITH THE SUNSET PHASE II – TEAK TO BROADWAY PROJECT, A LOCAL AGENCY MANAGEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 9.

**2008-06-19-0565**

Item 25. AN ORDINANCE AUTHORIZING A CONSTRUCTION CONTRACT WITH TEXAS STERLING CONSTRUCTION, L.P. IN THE AMOUNT OF \$4,185,470.50 OF WHICH \$2,971,639.37 WILL BE REIMBURSED BY TEXAS DEPARTMENT OF TRANSPORTATION, \$939,040.05 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, AND \$110,663.88 WILL BE REIMBURSED BY CPS ENERGY IN CONNECTION WITH THE NACOGDOCHES-IH 410 TO DANBURY PROJECT, A LOCAL AGENCY MANAGEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 10; APPROPRIATING \$782,872.80; AND AUTHORIZING AMENDMENT OF CONTRACTS WITH BAIN MEDINA BAIN, INC. IN THE AMOUNT OF \$53,352.15 AND CH2M HILL IN THE AMOUNT OF \$437,728.00.

**2008-06-19-0566**

Item 26. AN ORDINANCE AUTHORIZING ISSUANCE OF A \$134,091.56 JOB ORDER TO ALPHA BUILDING CORPORATION FOR MODIFICATIONS TO THE NORTHEAST SERVICE CENTER, 10303 TOOL YARD, LOCATED IN COUNCIL DISTRICT 10, APPROPRIATING FUNDS, RATIFYING CHANGE ORDER NO. 1, IN THE AMOUNT OF \$64,397.00, AND AUTHORIZING \$49,000.00 FOR ASSOCIATED PROJECT COSTS IN CONNECTION WITH THE COMPRESSED NATURAL GAS REFUELING PROJECT.

**2008-06-19-0567**

Item 27. AN ORDINANCE APPROVING \$85,800.00 FROM REVENUES COLLECTED FOR THE UNIFIED DEVELOPMENT CODE (UDC) FEES IN LIEU OF PARKLAND DEDICATION FUNDS FOR THE OFFICER JOHN RANDOLPH WHEELER PARK IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 6, FOR DEVELOPMENT OF ADDITIONAL AMENITIES.

**2008-06-19-0571**

Item 31. AN ORDINANCE AUTHORIZING HALLMARK AERO-TECH, INC. TO ASSIGN ITS LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT TO THE FIDELIA LIMITED PARTNERSHIP; AND AMENDING THE LEASE TO ADD 26,211 SQUARE FEET OF GROUND SPACE WITH APPROXIMATELY \$6,900.00 IN ASSOCIATED ANNUAL RENT.

**2008-06-19-0572**

Item 32. AN ORDINANCE AUTHORIZING AN AIRPORT-AIRLINE LEASE WITH AIRTRAN AIRWAYS, INC. FOR OPERATIONS AT SAN ANTONIO INTERNATIONAL AIRPORT EFFECTIVE JUNE 1, 2008 WITH AN ESTIMATED \$348,706.14 IN ANNUAL RENTALS AND FEES.

**2008-06-19-0573**

Item 33. AN ORDINANCE AUTHORIZING (1) THE ASSIGNMENT OF LEASE 122044 BY NAYAK AVIATION, LP ("NAYAK") TO ALLIED AVIATION FUELING COMPANY OF SAN ANTONIO, LP ("ALLIED"); AND AN AMENDMENT TO EXTEND THE LEASE TERM THROUGH NOVEMBER 30, 2028 AND ENLARGE THE PREMISES; (2) THE CANCELLATION OF LEASE 122080 WITH ALLIED, IN ORDER TO TRANSFER PREMISES TO LEASE 122044 AND RELEASE CERTAIN PREMISES FOR USE BY ANOTHER AIRPORT TENANT; AND, (3) THE AMENDMENT OF LEASE 122073 WITH NAYAK IN ORDER TO TRANSFER PREMISES TO LEASE 122044 AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

**2008-06-19-0574**

Item 34. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE WITH OCOTILLO AVIATION, LLC AT STINSON MUNICIPAL AIRPORT TO ADD 60,181 SQUARE FEET OF GROUND SPACE AND EXTEND THE TERM BY APPROXIMATELY TEN YEARS THROUGH JUNE 30, 2028.

**2008-06-19-0581**

Item 41. AN ORDINANCE APPROVING THE ACCEPTANCE OF A DONATION OF A 0.1856 ACRE PARCEL OF LAND ADJACENT TO THE SAN ANTONIO BOTANICAL GARDEN.

**2008-06-19-0582**

Item 42. AN ORDINANCE DETERMINING THE NECESSITY FOR AND AUTHORIZING THE ACQUISITION AND/OR CONDEMNATION OF APPROXIMATELY 48.686 ACRES OF LAND LOCATED IN DISTRICT 7 ALONG LEON CREEK WEST OF TIMBER CREEK ESTATES SUBDIVISION AND BETWEEN CULEBRA AND INGRAM FOR THE LINEAR CREEKWAY PARKS LAND ACQUISITION AND PARK EXPANSION PROJECT BEING FIVE PARCELS OF REAL PROPERTY: 15.036 ACRES OUT OF LOT P-4 AND P-66, NCB 18560; 4.15 ACRES OUT OF LOT P-9A AND P-141, NCB 15004; 21.00 ACRES OUT OF LOT P-8, NCB 15004; 3.00 ACRES OUT OF LOT P-12D AND P-134, NCB 15004; AND 5.5 ACRES OUT OF LOT P-100, NCB 15328.

**2008-06-19-0583**

Item 43. AN ORDINANCE AUTHORIZING A \$153,216.00 CONTRACT WITH SAN ANTONIO HOUSING AUTHORITY (SAHA) TO PROVIDE SIXTEEN (16) TRANSITIONAL HOUSING UNITS AT THE WOODHILL APARTMENTS FOR A PERIOD FROM JUNE 1, 2008 THROUGH JULY 31, 2009; AND RATIFYING THE EXECUTION OF A SUPPORTIVE HOUSING PROGRAM GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, EXTENDING THE WOODHILL PROJECT AGREEMENT TO JULY 31, 2008.

**2008-06-19-0584**

Item 44. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND ACCEPTANCE UPON AWARD OF A GRANT UP TO \$100,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE FAIR HOUSING INITIATIVES PROGRAM FOR THE PERIOD FROM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009.

**2008-06-19-0585**

Item 45. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND ACCEPTANCE UPON AWARD OF A GRANT UP TO \$100,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE HOUSING COUNSELING PROGRAM FOR THE PERIOD FROM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009.

**2008-06-19-0586**

Item 46. AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACTS WITH DELEGATE AGENCIES IN A COMBINED AMOUNT UP TO \$5,239,467.00 TO SUPPORT THE 2007 CONTINUUM OF CARE HOMELESS ASSISTANCE SUPPORTIVE HOUSING PROGRAM (SHP); AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND TECHNICAL SUBMISSIONS, AND ACCEPTANCE UPON AWARD OF A GRANT UP TO \$5,624,187.00, FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE 2008 SHP; AND AUTHORIZING THE EXECUTION OF CONTRACTS TO SUPPORT THE 2008 PROGRAM.

**2008-06-19-0588**

Item 48. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF AN AMOUNT NOT TO EXCEED \$400,000.00 FOR LIBRARY SYSTEMS OPERATION FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE PERIOD SEPTEMBER 1, 2008 TO AUGUST 31, 2009.

**2008-06-19-0589**

Item 49. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF AN AMOUNT NOT TO EXCEED \$80,000.00 FOR THE TECHNICAL ASSISTANCE NEGOTIATED GRANT FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE PERIOD SEPTEMBER 1, 2008 TO AUGUST 31, 2009.

**2008-06-19-0590**

Item 50. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF AN AMOUNT NOT TO EXCEED \$332,267.00 FOR INTERLIBRARY LOAN SERVICES FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE PERIOD SEPTEMBER 1, 2008 TO AUGUST 31, 2009.

**2008-06-19-0592**

Item 52. AN ORDINANCE AUTHORIZING VARIOUS APPLICATIONS AND ACCEPTANCE OF APPROXIMATELY \$490,000.00 FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR REGIONAL SOLID WASTE PASS-THROUGH GRANTS FOR FISCAL YEAR 2009, THROUGH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG).

**2008-06-19-0595**

Item 55. AN ORDINANCE AUTHORIZING THE FIRST OF TWO OPTIONAL ONE-YEAR EXTENSIONS OF THE ON-CALL ENVIRONMENTAL CONSULTANTS 2007 CONTRACT WITH GEOSTRATA ENVIRONMENTAL CONSULTANTS, INC; MEDINA CONSULTING COMPANY, INC; WESTON SOLUTIONS, INC; AND URS CORPORATION, WITH THE SAME TERMS AND CONDITIONS AND NOT TO EXCEED \$250,000.00 PER CONSULTANT.

Item 56. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE ADOPTION AND REPROGRAMMING OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG):

**2008-06-19-0596**

- A. AN ORDINANCE ADOPTING THE PUBLIC SERVICE PORTION OF THE 34TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF \$2,157,872.00 AS CONTAINED IN THE FY 2008-2009 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE PUBLIC SERVICE PORTION OF THE 34TH FISCAL YEAR CDBG PROGRAM; AND AUTHORIZING THE SUBMISSION OF THE PUBLIC SERVICE PORTION OF THE CDBG GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FY 2008-2009 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

**2008-06-19-0597**

- B. AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF \$468,441.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AVAILABLE FROM DISTRICT 2 PILOT MAKEOVER PROGRAM IN THE AMOUNT OF \$68,441.00 AND JUDSON CANDY LOFTS PROJECT, A HUD SECTION 108 CAPITAL IMPROVEMENT LOAN PROGRAM PROJECT IN THE AMOUNT OF \$400,000.00 TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS; AUTHORIZING THE CLOSE-OUT AND

CANCELLATION OF AFFECTED PROJECTS AND THE CREATION OF NEW PROJECTS AND PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY; AND PROVIDING FOR PAYMENT.

**2008-06-19-0598**

Item 57. AN ORDINANCE AUTHORIZING A \$408,843.00 CONTRACT WITH CATHOLIC CHARITIES ARCHDIOCESE OF SAN ANTONIO, INC. TO ACT AS FISCAL AGENT FOR PAYMENT OF BASIC NEEDS SERVICES, INCLUDING PRESCRIPTION DRUGS, MEDICAL EQUIPMENT, FANS AND CLOTHING FOR A PERIOD ENDING SEPTEMBER 30, 2009.

**2008-06-19-0599**

Item 58. AN ORDINANCE APPROVING A CONTRACT WITH SAN ANTONIO EDUCATION PARTNERSHIP (SAEP) IN AN AMOUNT NOT TO EXCEED \$1,532,952.00 FOR OUTREACH, ELIGIBILITY DETERMINATION AND SCHOLARSHIPS FOR A PERIOD ENDING SEPTEMBER 30, 2008.

**2008-06-19-0600**

Item 59. AN ORDINANCE REALLOCATING \$66,000.00 FROM THE PATRICIAN MOVEMENT RESIDENTIAL DETOXIFICATION SERVICES, CENTER FOR HEALTH CARE SERVICES METHADONE TREATMENT AND CATHOLIC CHARITIES EMERGENCY SOCIAL SERVICES CONTRACTS AND AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENTS; AUTHORIZING A \$25,000.00 CONTRACT WITH LIFETIME RECOVERY CHEMICAL DEPENDENCY TREATMENT CENTER, INC. D/B/A ALCOHOLIC REHABILITATION CENTER AND A \$33,000.00 CONTRACT WITH THE CENTER FOR HEALTH CARE SERVICES FOR RESIDENTIAL DETOXIFICATION SERVICES, BOTH FOR THE PERIOD FROM JULY 1, 2008 THROUGH SEPTEMBER 30, 2008.

**2008-06-19-0602**

Item 61. AN ORDINANCE RATIFYING 2008 NCAA MEN'S FINAL FOUR BASKETBALL TOURNAMENT EXPENDITURES OF \$72,658.13 TO CONVENTION DECORATING SERVICES FOR THE RENTAL OF EQUIPMENT AND \$57,197.54 TO HARPER WOOD ELECTRIC COMPANY FOR THE PROVISION OF TEMPORARY ELECTRICAL SERVICES.

**2008-06-19-0603**

Item 62. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS OF AN AMENDED AND RESTATED TELECOMMUNICATIONS SERVICES AGREEMENT WITH SMART CITY NETWORKS, LLC FOR TELECOMMUNICATION SERVICES AT THE HENRY B. GONZALEZ CONVENTION CENTER.

**2008-06-19-0607**

Item 66. AN ORDINANCE APPROVING A 10-YEAR TAX PHASE-IN AGREEMENT ON 50% OF REAL PROPERTY IMPROVEMENTS FOR A MIXED-USE, RESIDENTIAL AND RETAIL/OFFICE SPACE DEVELOPMENT IN COUNCIL DISTRICT 2 AND A \$500,000.00 ECONOMIC DEVELOPMENT PROGRAM LOAN AGREEMENT FOR PUBLIC IMPROVEMENTS WITH EIGHTEEN HUNDRED LTD.

**2008-06-19-0609**

Item 68. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR FLEET SERVICES AND FUEL WITH EACH LOCAL GOVERNMENTAL UNIT, PROVIDING FOR THE CITY TO FURNISH SUCH ITEMS FOR UP TO 5 ONE-YEAR TERMS, AT BUDGETED RATES FOR EACH YEAR.

**2008-06-19-0610**

Item 69. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH CANDICE H. OWENS, D.D.S., FOR UP TO \$101,000.00 FOR THE PERIOD MAY 1, 2008 THROUGH MARCH 31, 2009 FOR THE PROVISION OF DENTAL SERVICES FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT.

**2008-06-19-0611**

Item 70. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH SANOFI PASTEUR, INC. IN AN AMOUNT UP TO \$48,000.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONDUCT A VACCINE STUDY FOR THE PREVENTION OF MENINGITIS INFECTION IN CHILDREN; AND AUTHORIZING PAYMENTS FOR THE PARTICIPANTS.

**2008-06-19-0613**

Item 72. AN ORDINANCE TERMINATING TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-THREE, CITY OF SAN ANTONIO, TEXAS ("MEADOW WAY") IN COUNCIL DISTRICT 6; DISSOLVING THE BOARD OF DIRECTORS AND THE TAX INCREMENT FUND FOR THE TIRZ; PROVIDING AN EFFECTIVE TERMINATION DATE FOR THE TIRZ AND OTHER RELATED ACTIONS; APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$625,938.16 FOR STREET AND DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE MEADOW WAY IMPROVEMENTS PROJECT FROM THE 2005 STORM WATER REVENUE BOND; AND APPROPRIATING FUNDS AND PROVIDING FOR THEIR DISBURSEMENT.

**2008-06-19-0614**

Item 73. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT (ILA) BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY FOR SHARED HOSTED ACCESS OF A COUNTY INTEGRATED JUSTICE SYSTEM (CIJS).

**PULLED**

Item 74. AN ORDINANCE ADOPTING A STRATEGIC PLAN FOR COMMUNITY DEVELOPMENT TO ESTABLISH A VISION FOR COMMUNITY DEVELOPMENT, CREATE A COMMUNITY DEVELOPMENT ADVISORY COMMITTEE, DEFINE REINVESTMENT PLANNING AS A TOOL TO FOCUS PUBLIC AND PRIVATE INVESTMENT IN TARGETED AREAS, ADOPT METHODS TO INCREASE INTER-DEPARTMENTAL COORDINATION AND PUBLIC-PRIVATE PARTNERSHIPS AND ESTABLISH A SCHEDULE TO UPDATE THE STRATEGIC PLAN.

**2008-06-19-0615**

Item 75. AN ORDINANCE AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE "AGREEMENT TO EXTEND LIMITED PURPOSE ANNEXATION AND TO FIX THE DATE

FOR FULL-PURPOSE ANNEXATION" FOR THE CROSSWINDS AT SOUTHLAKE SPECIAL IMPROVEMENT DISTRICT LOCATED IN COUNCIL DISTRICT 4.

**2008-06-19-0616**

Item 76. AN ORDINANCE APPROPRIATING, IN SUPPORT OF THE REGIONAL EMERGENCY COMMUNICATIONS, INFORMATION SHARING, AND MOBILE DATA SYSTEM (RECIM) PROJECT, THE RESIDUAL \$792,473.00 FROM THE CURRENT SAPD RADIO AND DATA INTEROPERABILITY SYSTEM PROJECT; \$2,851,930.00 FROM 1999 GENERAL OBLIGATION PUBLIC SAFETY IMPROVEMENTS BONDS, SERIES 2002; \$2,000,000.00 FROM CERTIFICATES OF OBLIGATION, SERIES 2007; \$4,000,000.00 FROM BEXAR METRO 911 DISTRICT; \$250,000.00 FROM BEXAR COUNTY FIRE MARSHAL'S OFFICE; AND \$146,000.00 FROM BEXAR COUNTY SHERIFF'S OFFICE; ESTABLISHING A PROJECT BUDGET OF \$18,040,403.00, WHICH INCLUDES \$8,000,000.00 PREVIOUSLY APPROPRIATED IN A DEPARTMENT OF JUSTICE GRANT THAT SUPPORTS THE PROJECT, ESTABLISHING A PERSONNEL COMPLEMENT; AND AUTHORIZING AN INTERLOCAL AGREEMENT AMONG THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND THE CITY OF SCHERTZ.

**PULLED**

Item 77. A RESOLUTION APPROVING A REQUEST TO THE VIA METROPOLITAN TRANSIT AUTHORITY FOR ADDITIONAL FUNDS TO ALLOW THE INSTALLATION OF ADDITIONAL CONCRETE BUS PADS THROUGHOUT THE CITY.

**2008-06-19-0617**

Item 78. AN ORDINANCE AUTHORIZING THE EXECUTION OF A INTERLOCAL AGREEMENT WITH THE NORTHEAST INDEPENDENT SCHOOL DISTRICT AND ACCEPTING \$135,227.00 FROM THE SCHOOL DISTRICT FOR THE CONSTRUCTION AND INSTALLATION OF A TRAFFIC SIGNAL, AT THE INTERSECTION OF ROAN PARK AND EVANS ROAD, LOCATED IN COUNCIL DISTRICT 9 AND APPROPRIATING FUNDS IN THE AMOUNT OF \$135,277.00.

**2008-06-19-0619**

Item 80. AN ORDINANCE AUTHORIZING THE SOLID WASTE MANAGEMENT DEPARTMENT (SWMD) TO EXECUTE A ONE YEAR CONTRACT, WITH TWO OPTIONAL RENEWAL PERIODS, WITH LABOR READY, INC., TO PROVIDE TEMPORARY SOLID WASTE COLLECTION PERSONNEL ON AN ON-CALL BASIS AS REQUIRED, WITH A CONTRACT VALUE NOT TO EXCEED \$450,000.00.

Item 81. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, FOR TERMS OF OFFICE TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

- A. REAPPOINTING LEO G. RAMOS (DISTRICT 8 - CATEGORY: CONSUMER OF HANDICAPPED SERVICES) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.
- B. REAPPOINTING MANUEL S. PEREZ (DISTRICT 8) AND APPOINTING ALBERT HINOJOSA (DISTRICT 4) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2009.

- C. APPOINTING RON AARON (DISTRICT 8 - CATEGORY: ANIMAL SHELTER OPERATOR) AND KATHLEEN MCGOWAN (DISTRICT 6), AND REAPPOINTING SHANNON ESPY (DISTRICT 2 - CATEGORY: VETERINARIAN) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE JUNE 18, 2010.
- D. APPOINTING DONNA MCCORMICK (DISTRICT 8) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.
- E. REAPPOINTING RAMIRO CAVAZOS (DISTRICT 4 - CATEGORY: TECHNOLOGY/RESEARCH) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 4, 2009.
- F. APPOINTING CHRIS ALDERETE (DISTRICT 4) TO THE PORT AUTHORITY OF SAN ANTONIO FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2008.
- G. APPOINTING LEON EWING (DISTRICT 10 - CATEGORY: DIRECTOR) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC. (D/B/A SOUTH TEXAS BUSINESS FUND) FOR A TERM OF OFFICE TO EXPIRE MAY 9, 2010.
- H. REAPPOINTING JILL RIPS (CATEGORY: AIDS SERVICE ORGANIZATION/PROVIDER) AND APPOINTING DR. TOBIE-LYNN SMITH (CATEGORY: PHYSICIAN) TO THE ADVISORY BOARD OF HEALTH OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE DECEMBER 31, 2010, AND APPOINTING STEVEN JEWELL (CATEGORY: HOSPITAL SERVICES) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 31, 2009.
- I. APPOINTING JUDITH YORK (CATEGORY: CHILDHOOD EDUCATION) AND ANA DE HOYOS O'CONNOR (CATEGORY: HIGHER EDUCATION - COLLEGE LEVEL) TO THE HEAD START POLICY COUNCIL FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE NOVEMBER 1, 2008.
- J. APPOINTING LORETTA VAN COPPENOLLE (DISTRICT 8) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 22, 2009.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read Ordinances 8A and 8B:

Item 8. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE PURCHASE OF AUTOMATED REFUSE COLLECTION TRUCKS:

**2008-06-19-0548**

- A. AN ORDINANCE ACCEPTING THE OFFER FROM LONGHORN INTERNATIONAL TRUCKS, LTD. TO PROVIDE FIFTEEN DIESEL POWERED CABS AND CHASSIS, AND THE OFFER FROM HEIL OF TEXAS TO PROVIDE FIFTEEN AUTOMATED REFUSE COLLECTION BODIES, FOR A TOTAL COST \$3,961,104.95.

**2008-06-19-0549**

- B. AN ORDINANCE ACCEPTING THE OFFER FROM LONGHORN INTERNATIONAL TRUCKS, LTD. TO PROVIDE FIFTEEN COMPRESSED NATURAL GAS POWERED CABS AND CHASSIS, AND THE OFFER FROM HEIL OF TEXAS TO PROVIDE FIFTEEN AUTOMATED REFUSE COLLECTION BODIES, FOR A TOTAL COST OF \$4,926,774.95.

Councilmember Herrera asked if the City had reached capacity for Compressed Natural Gas (CNG) Vehicles. Mr. David McCary stated that with this purchase, the City would reach capacity of 30 CNG trucks. He noted that this order was significant because it would showcase San Antonio as a leader in the industry.

Councilmember Herrera moved to adopt the proposed Ordinances for Items 8A and 8B. Councilmember Ramos seconded the motion.

The motion to approve Items 8A and 8B prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0551**

Item 10. AN ORDINANCE ACCEPTING THE BID FROM SELRICO SERVICES, INC. TO PROVIDE THE DEPARTMENT OF COMMUNITY INITIATIVES' SENIOR SERVICES DIVISION WITH MEAL PREPARATION AND DELIVERY SERVICES FOR AN ESTIMATED AVERAGE ANNUAL COST OF \$3,034,000.00.

Councilmember Cibrian requested additional information on said item. Mr. Dennis Campa stated that staff recommended that Selrico Services, Inc. be awarded the contract for Senior Service Meal Preparation and Delivery Services. He noted that two bids had been received and were reviewed based on Experience, Performance, Financial Status and Pricing. Based on those factors, Selrico Services, Inc. was the highest bidder and was recommended for the contract award.

Councilmember Cibrian expressed pleasure with awarding said contract to a local company and 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinances:

**2008-06-19-0552**

Item 11. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CARTER & BURGESS, INC. FOR PROGRAM MANAGEMENT SERVICES AT SAN ANTONIO INTERNATIONAL AIRPORT TO MODIFY REPORTING REQUIREMENTS AND OTHER ADMINISTRATIVE ITEMS.

**2008-06-19-0553**

Item 12. AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE GUARANTEED MAXIMUM PRICE PROPOSAL FOR SAN ANTONIO INTERNATIONAL AIRPORT TERMINAL B STRUCTURAL STEEL AND BELOW GRADE WATERPROOFING PACKAGE IN THE AMOUNT OF \$10,373,911.00 SUBMITTED BY CLARK CONSTRUCTION GROUP LLC/ THOS. BYRNE, A JOINT VENTURE; AND APPROPRIATING FUNDS IN THE 2007 AIRPORT CONSTRUCTION FUND AND THE 2007 PFC FUND.

**2008-06-19-0554**

Item 13. AN ORDINANCE APPROVING A \$534,827.48 CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH BARTLETT COCKE/WALBRIDGE, J.V., FOR REMOVAL AND INSTALLATION OF SIGNAGE AT PARKING FACILITIES IN CONNECTION WITH PROJECT 10 – VOLUME 7 – GARAGE FOUNDATIONS, STRUCTURE AND SYSTEMS AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A REVISED CONTRACT VALUE OF \$44,649,074.40.

**2008-06-19-0555**

Item 14. AN ORDINANCE AUTHORIZING A \$574,592.14 AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH 3D/INTERNATIONAL TO IDENTIFY AND LABEL COMMUNICATIONS INFRASTRUCTURE CABLING AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A REVISED CONTRACT VALUE OF \$21,813,905.08.

Councilmember Rowe recused himself on said items by excusing himself from the Council Chambers and noted that he submitted the recusal forms for Items 11, 12, 13, and 14 to the City Clerk.

Councilmember Herrera moved to adopt the proposed Ordinances for Items 11, 12, 13, and 14. Councilmember Cortez seconded the motion.

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

The City Clerk read the following Ordinance:

**2008-06-19-0556**

Item 15. AN ORDINANCE RATIFYING A \$1,113,591.40 CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES INC. FOR ADDITIONAL REMEDIATION SERVICES, MATERIALS AND RELATED FEES IN CONNECTION WITH THE SKY PLACE ENVIRONMENTAL REMEDIATION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A REVISED CONTRACT VALUE OF \$7,012,230.80.

Mr. Mark Webb clarified that the Ordinance was a change order with Eagle Construction for the Sky Place Remediation Project. He noted that said work was being done to make the property developable so that it could be leased out. He added that after work commenced, more waste was found than anticipated. Councilmember Cibrian asked if testing had been completed before the project started. Mr. Webb stated that testing had been done but since the work was underground, much of it was not identified. Councilmember Cibrian requested a comprehensive analysis of all change orders related to the Airport.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0561**

Item 20. AN ORDINANCE AUTHORIZING ISSUANCE OF JOB ORDERS TO JAMAIL & SMITH CONSTRUCTION FOR VARIOUS ELIGIBLE PROJECTS AT CERTAIN SAN ANTONIO METROPOLITAN HEALTH DISTRICT FACILITIES: BUENA VISTA (WIC) CLINIC, 2322 BUENA VISTA, COUNCIL DISTRICT 5; BUENA VISTA ADMINISTRATION BUILDING, 2322 BUENA VISTA, COUNCIL DISTRICT 5; SOUTHWEST BRANCH CLINIC, 9011 POTEET-JOURDANTON FREEWAY, COUNCIL DISTRICT 4; VECTOR CONTROL CLINIC, 400 CULBERSON, COUNCIL DISTRICT 5; AND MAIN METRO HEALTH CLINIC, 332 W. COMMERCE, COUNCIL DISTRICT 1; AUTHORIZING THE CITY TO INCUR RELATED CONSTRUCTION COSTS, AND APPROPRIATING \$1,260,000.00.

Councilmember Galvan expressed pleasure with the work being completed promptly related to said item. She requested an inventory of City Facilities within her district that were in need of repair.

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

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

The City Clerk read the following Resolution:

**2008-06-19-0032R**

Item 22. A RESOLUTION FORMALLY FINDING THAT USE OF THE DESIGN-BUILD DELIVERY METHOD FOR PROCURING A SLOPE-STABILIZATION SYSTEM AT THE PEARSALL ROAD LANDFILL, LOCATED IN COUNCIL DISTRICT 4, IS APPROPRIATE FOR THE PROJECT.

Councilmember Cortez asked if said work would provide the necessary repairs at the landfill. Ms. Debbie Sittre stated that a Design-Build Method would be utilized in order to make needed repairs and to straighten and clear the affected landowner's property as quickly as possible. Councilmember Cortez requested that staff maintain communication with the property owner throughout this project.

Councilmember Cortez 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0563**

Item 23. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$12,263,765.95 TO TEXAS STERLING CONSTRUCTION COMPANY, IN CONNECTION WITH THE CALLAGHAN – BANDERA TO INGRAM PROJECT, A LOCAL AGENCY MANAGEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 7, OF WHICH \$9,877,454.44 WILL BE REIMBURSED BY TEXAS DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE AMENDMENT OF PROFESSIONAL SERVICES CONTRACTS WITH PAPE-DAWSON IN THE AMOUNT OF \$203,340.00 AND CHM2 HILL IN THE AMOUNT OF \$966,263.00; AND, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH SAN ANTONIO WATER SYSTEM TO REIMBURSE THE CITY \$930,179.32 AND CPS ENERGY TO REIMBURSE THE CITY \$351,568.81, AND APPROPRIATING FUNDS.

Councilmember Rodriguez asked of the timeline and if issues with the Texas Department of Transportation (TXDOT) had been worked out. Ms. Debbie Sittre stated that work was being coordinated with TXDOT and they had agreed to move forward once they received new plan specifications from the City. She noted that work would commence in August and take two years to complete.

Councilmember Rodriguez 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0568**

Item 28. AN ORDINANCE APPROVING FIELD ALTERATION NO. 12 IN THE AMOUNT OF \$308,855.00 TO A TOTAL CONSTRUCTION CONTRACT AMOUNT OF \$5,164,055.00 WITH WALLACE L. BOLDT, GENERAL CONTRACTOR, INC., IN CONNECTION WITH THE PARKS AND RECREATION DEPARTMENT OPERATIONS HEADQUARTERS AND COMMUNITY WELLNESS CENTER PROJECT LOCATED IN COUNCIL DISTRICT 6.

Assistant City Manager Frances Gonzalez explained that said item encompassed two projects – the Parks and Recreation Department Operations Headquarters and the Community Wellness Center. She noted that over 400 Parks Department Employees would be housed in one building which would provide various efficiencies. She added that the Wellness Center would be open to the community and should be ready in August.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0569**

Item 29. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$3,541,451.00 TO INCLUDE AWARDED A \$3,372,810.50 CONTRACT WITH K-BAR SERVICES, INC. TO CONSTRUCT HIKE AND BIKE TRAIL SYSTEM ALONG THE LEON CREEK AS PART OF THE LEON CREEK GREENWAY PHASE I (BABCOCK ROAD TO BANDERA ROAD) PROJECT IN COUNCIL DISTRICTS 7 AND 8, AN APPROVED 2000 PROPOSITION 3 PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT SALES TAX INITIATIVE FUNDED PROJECT.

Assistant City Manager Frances Gonzalez stated that said item would provide four miles of linear creek improvements and was a great opportunity for the public to reap the benefits of the Propositions that were passed. She noted that individuals would have the ability to gain hike and bike access at four different points along Leon Creek.

Councilmember Cibrian expressed enthusiasm for said project and moved to adopt the proposed Ordinance. Councilmember Rowe seconded the motion.

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

The City Clerk read the following Ordinance:

**2008-06-19-0570**

Item 30. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,235,724.35 TO KL&J LIMITED PARTNERSHIP IN CONNECTION WITH THE FINTON, EDWARDS, GIFFORD, AND SAN JACINTO PROJECT, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5 AND APPROPRIATING FUNDS; AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PBS&J, INC. IN THE AMOUNT OF \$22,966.00 FOR PROJECT MANAGEMENT PROFESSIONAL SERVICES, FOR A REVISED CONTRACT VALUE OF \$5,537,733.00.

Councilmember Galvan expressed pleasure that the work was being completed on said project. She thanked staff and stated that the residents of District 5 will be pleased to see a new street. She added that she would like to see more infrastructure projects completed within her district.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0575**

Item 35. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE WITH HEB GROCERY COMPANY L.P. AT SAN ANTONIO INTERNATIONAL AIRPORT TO PERMIT IMPROVEMENTS/SERVICES ASSOCIATED WITH THE PERIMETER ROAD IN EXCHANGE FOR RENTAL CREDITS.

Councilmember Galvan requested clarification of said item. Mr. Mark Webb stated that the lease was being amended in an effort to facilitate timing of two necessary projects. HEB has agreed to provide work on the City project in exchange for rental credits.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0576**

Item 36. AN ORDINANCE DETERMINING THE NECESSITY FOR AND AUTHORIZING THE APPROPRIATION OF \$2,240,140.00 FOR THE ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF EIGHT PARCELS OF REAL PROPERTY FOR THE REPLACEMENT OF FIRE STATIONS NO. 1 AND NO. 3 AS WELL AS CONSTRUCTION OF A NEW FIRE STATION NO. 51: BEING 1.041 ACRES OUT OF BLOCK 22, NCB 559 AND BEING ALL OF LOTS 9-16; 05.68 ACRES OUT OF BLOCK 22, NCB 559 AND BEING A PORTION OF LOT 20-23; 0.283 ACRES OUT OF BLOCK 22, NCB 559 AND BEING A PORTION OF LOT 17 AND 18; LOT W 122 FT OF 19 AND W 122.44 FT OF 24, BLOCK 22, NCB 559; LOT WS 126 FT OF 11 AND W 124.11 FT OF 24, BLOCK 19, NCB 546; LOT 129.86 FT OF 12, BLOCK 19, NCB 546; LOT W 45.08 OF 13, BLOCK 19, NCB 546; LOT E 7 FT OF 13 AND W 46.5 OF 14, BLOCK 19, NCB 546; AND LOT 17, 18, AND 19, BLOCK 3, NCB 17403 LOCATED ON CHERRY STREET BETWEEN NOLAN STREET AND DAWSON STREET AS WELL AS FIRE STATION NO. 51 LOCATED AT VANCE JACKSON AND BECKWITH UNDER THE FIRE STATION CAPITAL IMPROVEMENT PROGRAM.

Councilmember Cibrian highlighted said project due to its significance in improving response times in the Northwest Area of the City and 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Rowe and Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0577**

Item 37. AN ORDINANCE AMENDING ORDINANCE NO. 2006-05-18-0585 DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF REAL PROPERTY, TO AMEND THE DESCRIPTION OF PROPERTY TO BE ACQUIRED AS ALL OF LOT 4, NCB 8669 LOCATED AT 36TH STREET AND U.S. HIGHWAY 90 FOR THE 36TH STREET – US90 TO KELLY AFB ENTRANCE (MPO) PROJECT; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$1,200,000.00.

Councilmember Cortez asked where the additional \$1.2 million would be budgeted from and why the project was not included in the original scope of work. Ms. Penny Postoak-Ferguson replied that the monies derive from Certificates of Obligation and that the Port Authority had changed their entrance and thus need a larger piece of property.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0578**

Item 38. AN ORDINANCE DETERMINING THE NECESSITY FOR AND AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$200,000.00 FOR THE ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF ALL OR PORTIONS OF 6 PARCELS OF LAND LOCATED IN COUNCIL DISTRICT 6 ALONG ROGERS ROAD BETWEEN CULEBRA ROAD AND WISEMAN BLVD. FOR THE ROGERS ROAD EXTENSION PROJECT, A COMPONENT OF THE 2007-2012 BOND PROGRAM, BEING 4 PARCELS OF REAL PROPERTY: LOTS 2, 3, 4, AND 5, ALL OUT OF BLOCK 3, NCB 17637 AS WELL AS ACCEPTING A DEDICATION OF 2 PARCELS CONSISTING OF A PORTION OF LOT 2 AND LOT P-4, BLOCK 1, NCB 17640 AND A PORTION OF LOT P-4A AND P-4B, NCB 17640.

Councilmember Herrera asked how the Bond Project would help alleviate traffic in the area. Mr. Kent Hickingbottom explained that one section of Rogers did not connect and the project would connect it to a four lane road.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0579**

Item 39. AN ORDINANCE AUTHORIZING ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF AN AQUIFER-PROTECTION CONSERVATION EASEMENT OVER THE

JORDAN RANCH, MEDINA COUNTY, FOR \$3,253,430.00, WITH \$70,450.00 IN REIMBURSEMENTS FOR COSTS AND FEES TO THE NATURE CONSERVANCY.

Councilmember Cibrian stated that she understood that the goal was to obtain as much land over the recharge zone as possible, but asked that the City prioritize purchasing and preserving land around Camp Bullis in the future.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0580**

Item 40. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CURRENT COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT WITH THE UNITED STATES AIR FORCE, SCHOOL OF AEROSPACE MEDICINE, EPIDEMIOLOGICAL SURVEILLANCE, WHICH WILL PROVIDE FACILITY SPACE FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT BIOTERRORISM PREPAREDNESS LABORATORY AT BROOKS CITY-BASE FOR A THREE YEAR PERIOD.

Councilmember Cortez asked of this new laboratory. Dr. Fernando Guerra stated that they had been utilizing the facility for several years and that lab work being conducted was confidential. He noted that approval of the item would allow the department to stay in the facility and work with the Air Force.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0587**

Item 47. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF AN AMOUNT UP TO \$421,505.00 FOR A DIRECT SOURCE AWARD TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FOR A PROGRAM TO ASSESS ENVIRONMENTAL HEALTH CONCERNS NEAR THE FORMER KELLY AIR FORCE BASE FOR A PERIOD OF ONE YEAR; AND AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS.

Councilmember Cortez asked about the proximity to the Air Force Base. Dr. Fernando Guerra stated that the department had worked to identify environmental contaminants and at-risk home sites. He noted that to date, no clear relationship or concern had been identified.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0591**

Item 51. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, FOR A THREE-YEAR, \$750,000.00 GRANT FROM THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), U.S. DEPARTMENT OF JUSTICE TO FUND THE UNIVERSAL HIRING PROGRAM.

Councilmember Galvan asked if Park Police Officers would be eligible to apply for the ten new positions. Chief McManus replied that they would not because the new positions would go to the SAFFE Units in the substations. Councilmember Rodriguez asked how the new officers would be dispersed throughout the City and commended the Police Department for obtaining the grant funds.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0593**

Item 53. AN ORDINANCE AMENDING CHAPTER 33 OF THE CITY CODE OF SAN ANTONIO TO PROVIDE FOR ADJUSTMENTS TO TAXICAB RATES.

Mr. Gary Brandenburg, AAA Taxi Manager, stated that the biggest issue was that cabs at the Airport sat idle for long periods of time. He noted that a rate increase would be of great help to them.

Mr. Cruz Chavira expressed pleasure with the agreement and thanked everyone involved. He stated that the cost of gasoline had greatly increased and that the extra costs came out of the driver's pockets.

Mr. Robert Gonzales with National Cab thanked Chief McManus, Deputy Chief Geraldine Garcia, Mr. Erik Walsh and representatives of the Finance Department for attending meetings and working with the taxi drivers.

Councilmember Herrera stated that the cab drivers were the ambassadors for the City and called on Mr. Ali Nassari to speak. Mr. Nassari thanked Mr. Erik Walsh and Chief McManus for their attention and solving their issues in a timely manner.

Mr. Walsh noted that the staff recommendation was to amend the current ordinance so that the fuel surcharge is reviewed every forty-five days rather than ninety days, and to provide for the rate adjustment to be reviewed every two years instead of every four years.

Councilmember Herrera 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0594**

Item 54. AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VII OF THE CITY CODE OF SAN ANTONIO TO REQUIRE LICENSING OF SALVAGE YARDS PURCHASING COPPER AND OTHER REGULATED METALS AND PLACING RECORDKEEPING RESTRICTIONS ON THE PURCHASE OF SUCH ITEMS.

Councilmember Cortez requested clarification of the process and the overall benefits to the community. Chief McManus stated that construction sites and utilities had all been victims of copper theft. He noted that said item would require companies that deal in salvaged metal to use a thumbprint which will be registered in a database accessible to Police Departments across the nation. Councilmember Cortez requested a future update on the method and its effectiveness.

Councilmember Cibrian asked if there were other measures that could be put into place to protect the development community and noted her support for the item. Councilmember Ramos acknowledged Councilmember Clamp and former Councilmember Gutierrez for their work on said item.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0601**

Item 60. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$175,000.00 FROM CPS ENERGY (CPS) TO SUPPORT THE IMPLEMENTATION OF THE CPS AFFORDABILITY DISCOUNT PROGRAM (ADP) FOR A SIX MONTH PERIOD AND AUTHORIZING AGREEMENTS OR AMENDMENTS WITH DELEGATE AGENCIES TO IMPLEMENT THE CPS ADP.

Councilmember Herrera asked for additional information on said item. Mr. Dennis Campa explained that said item would assist those individuals unable to pay for the CPS Rate Increase. Mr. Campa noted that those households eligible for the program would receive \$4.13 credit per month regardless of usage. Councilmember Herrera requested to extend the six-month period to a year and that DCI provide a report to the Quality of Life Council Committee. Councilmember Cisneros asked for general information on the program that she could distribute to her constituents.

Councilmember Herrera 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0604**

Item 63. AN ORDINANCE AUTHORIZING EXPANSION OF THE DOWNTOWN PERIMETER PARKING PROGRAM, OFFERING PARKING AT THE ALAMODOME TO THE GENERAL PUBLIC FOR \$20 PER MONTH OR \$5 PER DAY.

Councilmember Herrera asked for an outline of the program. Ms. Postoak-Ferguson stated that the program was Phase II of a Pilot Program that gave VIA Bus Passes to all City Employees. It would allow parking access to the general public at the Alamodome for \$20 a month or \$5 a day.

Councilmember Ramos highlighted said item as a great way to generate revenues for the City. Councilmember Cisneros noted that it was an affordable way for citizens to park and shop downtown.

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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0605**

Item 64. AN ORDINANCE APPROVING THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) FOUNDATION, INC. AS THE NEW FISCAL AGENT FOR THE P16PLUS COUNCIL OF GREATER BEXAR COUNTY FOUNDATION AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT FOR \$100,000.00 BETWEEN THE CITY, ACCD AND THE ACCD FOUNDATION, INC.

Councilmember Galvan stated that she would like for her district to be involved in all discussions and outreach. She noted that her office had been working to promote education in District 5. Councilmember Cisneros noted that she was on the P-16+ Committee and would appreciate the City Council's support on said item.

Councilmember Galvan 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, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

**2008-06-19-0606**

Item 65. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT TO USE FUNDS WITH THE PORT OF SAN ANTONIO IN THE AMOUNT OF \$100,000.00 TO BE USED TOWARD AN AVIATION MUSEUM FEASIBILITY STUDY.

Councilmember Cortez asked where the Aviation Museum would be located and what would be incorporated in the museum. Mr. Robert Peche stated that the location had not been determined, but would be on the property of Port San Antonio. He noted that the focus of the museum would be the Port and the History of Military Flight in San Antonio.

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, and Rowe. **NAY:** None. **ABSENT:** Clamp and Mayor Hardberger.

The City Clerk read the following Ordinance:

**2008-06-19-0608**

Item 67. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT WITH EMT TRAINING, EMS MEDICAL DIRECTOR SERVICES, AND EMS SYSTEM OVERSIGHT FOR A PERIOD BEGINNING JULY 1, 2008, AND ENDING SEPTEMBER 30, 2010, IN THE AMOUNT OF \$353,813.00 FOR THE FIRST YEAR, \$1,643,247.00 FOR THE SECOND YEAR, AND \$1,697,087.00 FOR THE THIRD YEAR.

Councilmember Herrera highlighted the training that Paramedics and EMTs receive. Chief Hood provided detailed information on the certification process for same.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0612**

Item 71. AN ORDINANCE APPROVING A TOTAL OF \$260,876.00, TO INCLUDE AWARDED A \$237,160.00 PROFESSIONAL SERVICES AGREEMENT TO POZNECKI, CAMARILLO AND ASSOCIATES, INC. FOR ENGINEERING AND ARCHITECTURAL SERVICES IN CONNECTION WITH THE AFFORDABLE SHOWCASE OF HOMES PROJECT LOCATED IN COUNCIL DISTRICT 7; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Rodriguez asked how LEEDs standards were being implemented. Mr. David Garza stated that two years ago, they had initiated a pilot project with two builders who used only Energy Star efficiency products. He noted that said project would be the same and that the department was looking at making this a requirement.

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

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

The City Clerk read the following Ordinance:

**2008-06-19-0618**

Item 79. AN ORDINANCE AWARDED A CONTRACT FOR REMOVAL AND PLACEMENT OF PAVEMENT MARKINGS/RAISED MARKERS CITY-WIDE, IN THE AMOUNT OF \$399,999.20 TO FLASHER EQUIPMENT COMPANY, IN CONNECTION WITH THE FY 2008 CITY WIDE PAVEMENT MARKING PROGRAM – PHASE I.

Councilmember Cibrian highlighted said item due to its advanced technology. Mr. Majed Al-Ghafry stated that paint markings have a six-month life, while the new markings will be thermoplastic and have a four-year life span.

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

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

**POINT OF PERSONAL PRIVILEGE**

Councilmember McNeil invited everyone to participate in Juneteenth Celebrations taking place throughout the city in honor of Emancipation Day in Texas.

**CITY MANAGER'S REPORT**

There was no City Manager's Report.

**CONSENT ZONING**

Councilmember Cibrian made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had registered to speak: Z-3, Z-4, P-1, Z-5, Z-6, Z-7, Z-10, Z-11, Z-13, and Z-18. Councilmember Cisneros seconded the motion.

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

**2008-06-19-0620**

Item Z-3. **ZONING CASE # Z2008151 CD (District 1):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "R-4 CD" (CD-Non-Commercial Parking Lot) Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot on Lot 15, Block 62, NCB 7217, 919 Fresno as requested by V & E Management Corp., Applicant for Rosa

M Porter c/s Leticia T Leon, Owner. Staff and Zoning Commission recommend approval, with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 15, BLOCK 62, NCB 7217 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4 CD" (CD-NON-COMMERCIAL PARKING LOT) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A NON-COMMERCIAL PARKING LOT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2008-06-19-0621**

Item Z-4. **ZONING CASE # Z2008159 CD (District 1):** An Ordinance changing the zoning district boundary from "RM-4 NCD-1" Residential Mixed, South Presa/ South St. Mary's Streets Neighborhood Conservation District-1 to "RM-4 NCD-1" (CD-Multi-Family Dwellings) Residential Mixed, South Presa/ South St. Mary's Streets Neighborhood Conservation District-1 with a Conditional Use for Multi-Family Dwellings not exceeding 11 units per acre or a total of two units on Lot 19, NCB 3078, 112 Biering Avenue as requested by Klingmann/Scruggs, LLC, Applicant for Klingmann/Scruggs, LLC, 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: LOT 19, NCB 3078 TO WIT: FROM "RM-4 NCD-1" RESIDENTIAL MIXED, SOUTH PRESA/ SOUTH ST. MARY'S STREETS NEIGHBORHOOD CONSERVATION DISTRICT TO "RM-4 CD NCD-1" (CD-MULTI-FAMILY DWELLINGS) RESIDENTIAL MIXED, SOUTH PRESA/ SOUTH ST. MARY'S STREETS NEIGHBORHOOD CONSERVATION DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT EXCEEDING 11 UNITS PER ACRE OR A TOTAL OF TWO UNITS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2008-06-19-0622**

Item P-1. **PLAN AMENDMENT # 008023 (District 1):** An Ordinance amending the land use plan in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of a 7.5 acre tract of land located at 130 Spencer from High Density Residential to Community Commercial land use. Staff and Planning Commission recommend Approval. (**Associated Zoning Case Z2008163**)

**2008-06-19-0623**

Item Z-5. **ZONING CASE # Z2008163 (District 1):** An Ordinance changing the zoning district boundary from "C-1" Light Commercial District to "C-2" Commercial District on 7.5 acres out of NCB 8410, 130 Spencer Lane as requested by JCS Properties, Applicant for JCS Properties, Owner. Staff and Zoning Commission recommend approval pending plan amendment.

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: 7.5

ACRES OUT OF NCB 8410 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

**2008-06-19-0624**

Item Z-6. **ZONING CASE # Z2008128 (District 2):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "L" Light Industrial District on 4.076 acres out of NCB 10780, 3200 Block of Southeast Loop 410 as requested by Brown & Ortiz, P. C., Applicant for Boralis, Inc., Owner. Staff recommends approval. Zoning Commission pending the June 17, 2008 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 4.076 ACRES OUT OF NCB 10780 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "L" LIGHT INDUSTRIAL DISTRICT.

**2008-06-19-0625**

Item Z-7. **ZONING CASE # Z2008157 (District 3):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District, "C-3NA" General Commercial District, Nonalcoholic Sales, "C-3R" General Commercial District, Restrictive Alcohol Sales, "R-4" Residential Single-Family District and "MH" Manufactured Housing District to "C-3" General Commercial District on 84.335 acres out of NCB 11156, 5300 Block of Roosevelt Avenue, 1115 Herbst Lane and 11600 Block of Southeast Loop 410 as requested by Kaufman & Associates, Inc., Applicant for WE-Roosevelt, L. P., 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: 84.335 ACRES OUT OF NCB 11156 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT, "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES, "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "MH" MANUFACTURED HOUSING DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

**2008-06-19-0627**

Item Z-10. **ZONING CASE # Z2008153 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "O-1" Office District on Lot 1, Block 2, NCB 17637, 5848 Rogers Road as requested by Sanjay Kumar, Applicant for Sanjay Kumar and Nishi Thakur, Owners. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 1, BLOCK 2, NCB 17637 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

**2008-06-19-0628**

Item Z-11. **ZONING CASE # Z2008161 (District 6):** An Ordinance changing the zoning district boundary from "C-2" Commercial District and "RM-4" Residential Mixed District to "C-2 NA" Commercial District, Nonalcoholic Sales on 1.761 acres out of NCB 8991, 2503 and 2511 Castroville Road as requested by Vincent Menetti, Applicant for Victor C. Ortiz, 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: 1.78 ACRE OUT OF NCB 8991 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "RM-4" RESIDENTIAL MIXED DISTRICT TO "C-2 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

**2008-06-19-0629**

Item Z-13. **ZONING CASE # Z2008169 (District 8):** An Ordinance changing the zoning district boundary from "C-1" Light Commercial District and "C-2" Commercial District to "PUD MF-33" Planned Unit Development Multi-Family District on Lot 44, Block 8, NCB 16030, 6551 Spring Time Drive as requested by HTG Real Property Management, Applicant for HTG Real Property Management, Owner. Staff recommends approval. Zoning Commission recommendation pending June 17, 2008 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 44, BLOCK 8, NCB 16030 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "PUD MF-33" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT.

**2008-06-19-0632**

Item Z-18. **ZONING CASE # Z2008069 S (District 10):** An Ordinance changing the zoning district boundary from "C-2 IH-1" Commercial National Highway System High Priority Corridor Overlay District-1 to "C-2 NA S IH-1" Commercial Nonalcoholic Sales National Highway System High Priority Corridor Overlay District-1 with a Specific Use Authorization for a Tennis Academy on Lot 5, Block 1, NCB 17106, 12615 Judson Road as requested by John Roddick, Applicant for John Roddick, 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: LOT 5, BLOCK 1, NCB 17106 TO WIT: FROM "C-2 IH-1" COMMERCIAL NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR OVERLAY DISTRICT-1 TO "C-2 NA S IH-1" COMMERCIAL NONALCOHOLIC SALES NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR OVERLAY DISTRICT-1 WITH A SPECIFIC USE AUTHORIZATION FOR A TENNIS ACADEMY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**[ZONING CONSENT ITEMS CONCLUDED]**

## ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

**2008-06-19-0626**

Item Z-9. **ZONING CASE # Z2008100 (District 6):** An Ordinance changing the zoning district boundary from "PUD R-6" Planned Unit Development Residential Single-Family District to "C-1" Light Commercial District (1.172 acres) and "C-3" General Commercial District (2.996 acres) on 4.168 acres out of NCB 17673, 9800 Block of West Military Drive as requested by Brown and Ortiz P.C., Applicant for Hill Country Resort Estates Joint Venture, 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: 4.168 ACRES OUT OF NCB 17673 TO WIT: FROM "PUD R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT (1.172 ACRES) AND "C-3" GENERAL COMMERCIAL DISTRICT (2.996 ACRES).

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Herrera moved to adopt the proposed Zoning Item with the condition to allow for the construction of an eight-foot fence. Councilmember Cibrian seconded the motion.

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

### **CONTINUED**

Item 83. CONSIDERATION OF AN APPEAL BY DRURY SOUTHWEST, INC. OF THE DECISION OF THE DIRECTOR OF DEVELOPMENT SERVICES TO TERMINATE NONCONFORMING RIGHTS FOR AN ON-PREMISE FREE-STANDING POLE SIGN LOCATED AT 8818 JONES MALTSBERGER ROAD.

Councilmember Rowe moved to continue the proposed Ordinance. Councilmember Cisneros seconded the motion.

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

**2008-06-19-0033R**

Item 84. A RESOLUTION DIRECTING THE DEVELOPMENT SERVICES DEPARTMENT TO BEGIN THE PROCESS FOR LANDMARK DESIGNATIONS OF HISTORIC TEXAS FARM AND RANCH COMPLEXES FOR SEVENTEEN (17) NINETEENTH-CENTURY FARM AND RANCH COMPLEXES IDENTIFIED WITHIN THE SAN ANTONIO CITY LIMITS.

Ms. Kay Hindes presented on the properties surveyed, noting that they represented the earliest founding families of San Antonio of all cultures and ethnicities dating back to the late 1700's.

Ms. Marcie Ince, San Antonio Conservation Society President, spoke of the Ranch Complexes Committee which was formed in 2005 to work in conjunction with the Historic Preservation Office

(HPO) to identify and provide protections to endangered farms and ranches. She stated that Society volunteers researched each facility, contacted owners, and coordinated efforts with HPO staff. She noted that the Society had allocated \$42,000 to the project and had received a \$10,000 Grant from the National Trust for Historic Preservation.

Ms. Charlotte Kahl representing the Old Spanish Trail Centennial recognized the San Antonio Conservation Society for their strength and commitment. She noted that the properties were located along highways thus organizations were looking to identify more endangered areas. She also noted that there had been legislative bills sponsored to support their efforts in the last four legislative sessions and ask that City Officials and Staff join in the support.

Councilmember Ramos moved to approve the proposed Resolution. Councilmember Cibrian seconded the motion.

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

### **DENIED**

Item Z-1. **ZONING CASE # Z2008120 (District 1):** An Ordinance changing the zoning district boundary from "R-4 CD RIO-1" (CD-Duplex) Residential Single-Family River Improvement Overlay District-1 with a Conditional Use for a Duplex to "HS R-4 CD RIO-1" (CD-Duplex) Historic Significance, Residential Single-Family River Improvement Overlay District-1 with a Conditional Use for a Duplex on Lot 15 and Lot 16, Block 2, NCB 6530, 157 Magnolia Drive as requested by City of San Antonio, Applicant, Billy L. and Jeanette L. Morgan, Owners. Staff recommends approval. Zoning Commission recommendation pending the June 17, 2008 public hearing.

Mr. Chris Looney presented the proposed Zoning Case.

Ms. Marcie Ince, San Antonio Conservation Society President, stated that the Historic and Design Review Commission (HDRC) had denied the demolition request and approved the finding of historic significance. She added that the Society felt the home and neighborhood were historically significant and they were disappointed that the Zoning Commission had voted 9-1 against the designation. She stated that the home in question was a signature to River Road because of its prominent location on top of a small hill.

Mr. Larry DeMartino stated that he had lived in the River Road Neighborhood for forty years and that revitalization and conservation of the neighborhood was important to him. He noted that the neighborhood was one of the first to have a Neighborhood Association or a Master Plan, and that maintaining affordable housing in the inner city was vital. Mr. DeMartino added that the greatest threat to neighborhoods like his was individuals purchasing homes from the elderly and then knocking them down to build new homes.

Mr. Christopher Green noted his support for the HDRC decision for historic designation. He stated that he was a resident of the neighborhood and spoke of the historical significance of his cottage.

Mr. Jim Cullum stated that he had lived in the neighborhood for forty-seven years and that he had fixed up nine homes in the area and lived in five of them. He noted that other residents also worked to preserve and protect the cottages in the neighborhood. Mr. Cullum added that the Zoning Commission

had decided against granting the home a historic designation because it was in a floodplain, although the home had never actually flooded.

Ms. Blanquita Sullivan stated that she had lived in River Road her entire life. She noted that the neighborhood's Master Plan stated that its goal was to preserve and enhance the City's historic resources and integrate historic resources into development patterns by actively encouraging renovation and preservation as a first priority.

Mr. Roy Schweers stated that he had moved to River Road because he was attracted to the housing. He asked the Council to demonstrate that they valued the cottages by supporting their Historic Designation. He stated that he anticipated growth in the area but did not want to see it come at the expense of River Road's heritage.

Mr. Rob Killen stated that the homeowners, Dr. and Ms. Morgan, were opposed to the designation and that it would be inconsistent with prior Planning Commission approval. He presented a timeline that the Morgans had followed since purchasing the home.

Mr. Ken Bentley stated that he was the architect hired by the Morgans and had been working in various historic districts for forty-three years. He spoke of the value of historical homes in San Antonio and on the architectural style of the Morgans' cottage. He noted that the home that the Morgans had proposed for the lot was only 2,700 square feet and would take on architectural styles from significant homes in the neighborhood.

Mr. Matt Johnson stated that he was a representative for the Morgans and provided a map of the area depicting the Morgan property and the floodplain. He stated that the new floodplain suggested that the house would be inundated with water in the event of a significant flood. To allow for development, the Morgans had gone before the Planning Commission for a variance to allow construction, provided that the floor would be raised sixteen inches.

Dr. Billy Morgan, property owner, stated that he and his wife had begun searching for a home in San Antonio in 2004. He provided pictures of the neighborhood and pointed out that it was not a neighborhood of small bungalows as was previously stated. He noted that there were many large two-story homes with modern details. He added that they had tried to donate the home to Habitat for Humanity but were told that they could not accept it.

Ms. Jeanette Morgan, property owner, stated that it was very difficult for her to move away from San Antonio. She noted that she was from San Antonio and her family as well as her husband's family lived close by. She stated their community involvement and asked that the Council support the request to not designate the home as historical.

Ms. Barbara Witte-Howell stated that there was a lot of confusion in the neighborhood. She noted that the number of houses in the floodplain had increased from three to twenty-three. She stated that the residents worked hard to protect themselves against new development that could affect them and cause more flooding. Ms. Witte-Howell provided a map of the area and noted that there were two national historic landmarks in the neighborhood.

Mr. Clifton McNeel expressed concern with the Zoning Commissioner from District 1 because he had made the motion to deny historic designation even though the residents had voted it down twice before.

He noted that he had served on the Zoning Commission, Historic and Design Review Commission, and Conservation Society Board and to the best of his knowledge, they had never voted against the designation. He added that although the Morgans had put a lot of time and effort in the process to build their new home, the neighbors also had put a lot of time and effort into preserving the area.

Ms. Claire Golden stated that as a child growing up in River Road in the 1930's, there were three homes that stood out to her. The Morgans' home was one of them because of its design and the fact that it had a private swimming pool. She asked the Council to join in the effort to preserve their homes for future generations.

Ms. Vacek noted that there were written testimonies in opposition to historic designation from Mr. Eugene Simor, 135 Magnolia Drive; Ms. Anne Larme, 850 E. Magnolia Avenue; Ms. Terri Gorler, 715 River Road; Mr. Gene Elder, 142 Armour Place; Mr. Kenneth Garrett, 907 River Road; and Ms. Jill Smith, 815 E. Magnolia Avenue and read the following:

Mr. Eugene Simor wrote that the house had so many additions over the years that it could not be of historical value.

Ms. Terri Gorler wrote that she was the closest neighbor to the Morgans and that her property was the lowest in the neighborhood which could be the most affected. She noted that she was confident that the Morgans had researched their plans with competent architects and that they were always willing to discuss their ideas with the neighborhood residents. Ms. Gorler expressed pleasure that the Morgans were going to retire in the home and would add stability to the area.

Ms. Vacek read a written testimony in support of historic designation from Ms. Peggy Day, owner of three properties in the River Road Neighborhood. Ms. Day wrote that the neighbors had worked tirelessly on preserving their Master Plan. She noted that they had initiated citywide discussions that began the development of San Antonio's conservation overlay. Lastly, she asked that the Council support preservation efforts.

Councilmember Cisneros moved to deny the proposed Zoning Item. Councilmember Ramos seconded the motion.

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

#### **DENIED**

Item Z-2. **ZONING CASE # 2008140 (District 1):** An Ordinance changing the zoning district boundary from "I-1 RIO-2" General Industrial River Improvement Overlay District-2 to "D RIO-2" Downtown River Improvement Overlay District-2 on Lot A1, the south 15.5 feet of Lot 1 and Lot 2, Lot 3, the south 184 feet of Lot 4 and the southeast 107.3 feet of Lot 5, Block 1, NCB 448, 502 Brooklyn Avenue, 703, 705, 709, and 723 Avenue B as requested by H. Glenn Huddleston, Applicant for H. Glenn Huddleston, Owner. Staff recommends denial. Zoning Commission recommends approval.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Cisneros moved to deny the proposed Zoning Item. Councilmember Herrera seconded the motion.

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

**WITHDRAWN**

Item Z-8. **ZONING CASE # Z2007225 (District 6):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 20.72 acres out of NCB 17640, 5000 Block of Rogers Road as requested by Kaufman and Associates, Inc., Applicant for 160 Culebra Ltd., a Texas Limited Partnership. Staff and Zoning Commission recommend Approval.

**CONTINUED**

Item Z-12. **ZONING CASE # Z2008112 CD (District 7):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "R-5 CD" (CD-Professional Office) Residential Single-Family District with a Conditional Use for a Professional Office on Lot 87, Block K, NCB 11567, 4990 View Drive as requested by Estate of Katherine Chamberlain, Thomas Chamberlain, et al, Applicant for Estate of Katherine Chamberlain, Thomas Chamberlain, et al, Owner. Staff recommends approval with conditions. Zoning Commission recommends denial.

Councilmember Cortez moved to continue the proposed Zoning Item. Councilmember Herrera seconded the motion.

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

**CONTINUED**

Item Z-14. **ZONING CASE # Z2008181 (District 8):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 0.345 acres out of NCB 17259, 8600 Block of Huebner Road as requested by Rolando Pablos, Applicant for Chancellor Huebner Road Apartments, LP, Owner. Staff recommends Approval. Zoning Commission pending June 17, 2008 public hearing.

Councilmember Cibrian moved to continue the proposed Zoning Item. Councilmember Cisneros seconded the motion.

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

**CONTINUED**

Item P-2. **PLAN AMENDMENT (Districts 9 & 10):** An Ordinance amending the land use plan in the Northeast Inner Loop Neighborhood Plan, a component of the Master Plan of the City, located generally within the boundaries of NE Loop 410 to the north, Harry Wurzbach to the east, Rittiman Rd. to the south and N. New Braunfels Ave., Claywell Rd., and Broadway Ave. to the west, by updating the Land Use component of the Neighborhood Plan. Staff and Planning Commission recommend Approval.

Councilmember Rowe moved to continue the proposed Plan Amendment. Councilmember Cisneros seconded the motion.

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

**2008-06-19-0630**

Item Z-15. **ZONING CASE # Z2008057 CD (District 9):** An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "C-2 NA CD" (CD-Office Warehouse) Commercial District, Nonalcoholic Sales with a Conditional Use for an Office Warehouse on 1.540 acres out of NCB 15678, 3600 Block of Thousand Oaks as requested by Drenner & Golden Stuart Wolff LLP, Applicant for Econo Move & Storage Inc., Owner. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.540 ACRES OUT OF NCB 15678 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2 NA CD" (CD-OFFICE WAREHOUSE) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AN OFFICE WAREHOUSE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Steve Drenner of Drenner and Golden and Stream Realty stated that an agreement had been reached with Oak Ridge Neighborhood and that the restrictive covenants would cover the developed land and the 100-foot strip requested for rezoning. He noted that concessions included a bigger and more intense landscape buffer and a taller and more expensive fence, as well as restrictions on building height and orientation, window locations, lighting, and location of dumpsters.

Mr. Ronald P. Bazan thanked District 9 Staff and Ms. Susan Wright, Zoning Commissioner, for their assistance with the zoning case. He stated that hours of operation had not been addressed but had been proposed to be 24 hours a day seven days a week. He noted that the three warehouses together would occupy a larger footprint than the Alamodome and would be located directly behind his home. He added that many of his neighbors had put their homes up for rent or sale.

Ms. Joleen Lammons, Oak Ridge Village Homeowners Association Representative, stated that more residents had attended the meetings with Mr. Drenner than the Annual Homeowners Association Meeting. She noted that there were issues with the deal, but development of the surrounding land would be good for the area.

Councilmember Rowe moved to adopt the proposed Zoning Item with the following conditions:

- 1) There will be no dumpsters placed on the property.
- 2) There will be no entry allowed after 10:00 pm or before 6:00 am except for the east side of the property.
- 3) No idling of trucks will be allowed during that time.
- 4) There will be a thirty foot landscape buffer-Type E or equivalent Type N, an eight-foot fence, and cut-off type luminaries. Councilmember Cibrian seconded the motion.

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

**CONTINUED**

Item Z-16. **ZONING CASE # Z2008146 (District 9):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3" General Commercial District. on Lot 4, Block 1, NCB 11893, 902 Northeast Loop 410 as requested by Kaufman & Associates, Inc., Applicant for Puget of Texas, Inc., Owner. Staff and Zoning Commission recommend approval.

Councilmember Rowe moved to continue the proposed Zoning Item. Councilmember Cisneros seconded the motion.

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

**2008-06-19-0631**

Item Z-17. **ZONING CASE # Z2008018 ERZD (District 10):** An Ordinance changing the zoning district boundary from "RM-4 ERZD" Residential Mixed Edwards Recharge Zone District to "MF-25 ERZD" Multi-Family Edwards Recharge Zone District on 17.08 acres out of NCB 17725, 17120 Bulverde Road as requested by Brown & Ortiz, P. C., Applicant for Sierra General Construction, Ltd., Owner. Staff recommends approval. Zoning Commission recommendation pending the June 17, 2008 public hearing.

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: 17.08 ACRES OUT OF NCB 17725 TO WIT: FROM "RM-4 ERZD" RESIDENTIAL MIXED EDWARDS RECHARGE ZONE DISTRICT TO "MF-25 ERZD" MULTI-FAMILY EDWARDS RECHARGE ZONE DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Ms. Elyzabeth Earnley, AGUA, spoke of the history of the property noting that two years prior, it had been recommended that impervious cover not exceed 30%. Later, the property was found to have additional sensitive features. She asked if the new impervious cover recommendation of 45% was in exchange for protection of the newly discovered solution cavity. She noted that wherever the owner paved, it would affect the recharge.

Councilmember Cibrian moved to adopt the proposed Zoning Item with the restriction of 42% impervious cover. Councilmember McNeil seconded the motion.

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

**CITIZENS TO BE HEARD**

Mr. Dale Russell, SEIU, stated that he was a Code Compliance Officer. He noted that the officers were supportive of the new pay program implemented by the City, but requested that the Council support pay increases for them. He presented research comparing their salaries to those of Code Compliance

Officers in other Texas cities, noting that starting salaries in San Antonio were 16% below average and highest salaries were 23% below.

Ms. Rene Bomar, SEIU, stated that Citizen Action Officers had attempted to work with Human Resources, but had two meetings cancelled before being presented a small increase. She noted that the department handled Code Compliance issues, as well as other issues that were not clearly defined. She added that Code Officers had not seen a significant pay increase in ten years and some had only received \$1 to \$2 hourly increases. She stated that the neighborhoods needed consistency in their Officers and in order to avoid turnover, pay increases were needed.

Mr. Joel Hailey of The Hailey Foundation noted that he served on the Board which drafted the City Code on Animal Care which was passed in December 2007. He stated that the goal of those involved was to implement a no-kill policy by 2012. To do so, they included litter permits in the code which assigned a number to each litter. He stated that to date, only one person had applied for a litter permit yet there were 265 dogs listed in the Classified Section of Saturday's newspaper. Mr. Hailey suggested that the newspaper require a license number be issued by Animal Care in order to advertise whether or not the person advertising was a San Antonio resident. He also recommended that spay and neuter laws be accelerated.

Mr. Nazirite Ruben Flores Perez spoke on various topics in the Bible. He stated that he was trying to help the City and prevent them from getting into trouble with the law.

Ms. Barbara Witte-Howell, San Antonio Conservation Society, read a letter in regard to digital billboards on behalf of Ms. Marcie Ince, Conservation Society President. Ms. Ince wrote that permits to erect digital billboards should not be approved until a complete list of those billboards required to be taken down is submitted. Additionally, she stated that prior to any significant modifications being made, there should be a resolution defining the terms "minimal" and "significant modification" by the Electrical Supervisory Board. Lastly, she wrote that there should be a defined methodology to monitor any traffic safety issues related to digital billboards.

Mr. Randy Murdock, Animal Care Services Advisory Board Representative, stated that the animal care facilities were overcrowded by 600%. He noted that the first week of June, 907 animals were taken in and in the second week 1,115 animals were taken in. Of those, 336 were transferred or adopted and 1,404 were euthanized. He requested that the Council consider operating the old facility as an adoptions only facility. Mr. Murdock stated that 30 days ago the estimated cost for the facility was \$280,000 while the department had \$30,000 in funds they could apply.

Ms. Anne Alexander asked that the City to provide detailed information regarding the process by which digital billboards would be installed.

Ms. Roselyn Cogburn read a statement on behalf of King William Association President Richard Brad Shaw. She stated that the Council was right to require specific procedures for digital billboards but was not sure if they were being followed. She stated that it had been difficult for citizens to get answers from staff on the issue.

John Bachman, a representative of Voice for Animals, stated that the City funded the San Antonio Zoo and expressed concern that the Zoo was violating Association of Zoos and Aquariums (AZA) standards.

He spoke of Lucky, a forty-six year old Elephant, who was captured when she was two. He stated that she should be moved to an elephant sanctuary and should never be kept in an area by herself.

Ms. Karrie Kern, Zimbabwe Conservation Task Force, noted that the organization was a conservation group and not an animal rights group. She stated that she was asked to observe Lucky the Elephant and found her conditions unacceptable. She filed a complaint with the Federal Government, World Zoological Association, and the AZA. She noted that elephants normally live with their families in the wild, but Lucky was never socialized. She asked Councilmember Rowe to issue a resolution to retire Lucky from the Zoo.

Mr. Faris Hodge, Jr. stated that he did not support the extension of term limits and that the train in Brackenridge Park was too small for adults. He expressed concern with the cleanliness of the downtown area and that the Travis Park lights came on too early. Lastly, he sang Happy Birthday to all Councilmembers with summer birthdays.

Mr. Antonio Diaz spoke in opposition to extending term limits. He stated that longer term limits came from a corrupt system where incumbents could not be disposed. He added that there were many people in San Antonio who were qualified to serve on the Council and they would be discouraged to do so if term limits were extended.

Mr. Mark Perez stated that Tetco had been operating without permits and that the City had issued them a permit even though they were storing hazardous chemicals. He noted that he had requested several records from the City but had never received them. He added that he had notified Development Services of seven facilities operating in San Antonio without the proper permits but nothing had been done. Mr. Perez expressed concern that Code Compliance followed the rules when it came to small companies but not with large corporations.

Mr. Ted Trakas, President of the Vance Jackson Neighborhood Association, presented a Power Point on digital billboards, comparing San Antonio to Anaheim, California. He stated that Anaheim had received five proposals, including one from Clear Channel with a 5:1 exchange rate. He noted that Anaheim had rejected all proposals after conducting an independent study recommending an 8:1 or 14:1 ratio. Mr. Trakas refigured the ratio for San Antonio and found a 30:1 ratio.

Mr. Jonathan Smith, AIA San Antonio, provided information regarding various meetings of the Electrical Supervisory Board where analog sign removal was discussed. He stated that none of the signs had passed inspection, six were partial completions, and one had failed. Mr. Smith cited City Code stating that billboards that had not passed inspection could be taken down by the City making the exchange unfair. He stated that AIA and Scenic San Antonio would like for the pilot to be suspended until the City could assure that a fair trade was made.

Mr. Bill Bourne, Co-Chair of Scenic San Antonio, stated that citizens should not have to sacrifice the natural or manmade beauty of San Antonio or its economics. He provided documents on digital billboards and highlighted inconsistencies and entries that were not in chronological order. He noted that none of the signs offered in the trade had passed inspection and one had been taken down in 2005.

Ms. June Kachtik, Co-Chair of Scenic San Antonio, stated that there was enough doubt in the digital billboard process to postpone the pilot. She noted that she had requested information from the City

Attorney's Office to ensure that the signs were in compliance, verify the procedures used to assess the traffic survey, and background information on safety measures but had not received the information.

Ms. Kathleen Trenchard, a representative of Scenic San Antonio, stated that her organization had worked to keep San Antonio attractive for many years. She noted that City staff had told Scenic San Antonio that digital billboards were prohibited in scenic corridors, but this was no longer true. She added that City staff should work to ensure transparency of the process of removing and creating billboards.

Mr. Simon Arriaga stated that his Mirasol Home had changed from being an American Dream to a nightmare. He noted that he and his sons had developed asthma and other illnesses while living in the home. He stated that he would like to have his home bought back so that he could move on with his life.

Ms. Janet Ahmad noted that the Task Force had disbanded the night before. She stated that all of the Mirasol Homes should have been demolished rather than fixed. She noted that Mr. Ramiro Cavazos was doing a good job of addressing multiple issues. Lastly, she stated that sick, handicapped, and elderly people were living in the homes and should have never been exposed to those conditions.

A Mirasol Homeowner expressed frustration with the Hope 6 Program. She stated that she no longer had any possessions, was working two jobs, and looking to a new home.

Ms. Henrietta DeHoyos thanked the Council for their work in helping Mirasol Residents. She stated that she understood why homeowners were given priority, but felt like the Lease-to-Purchase Residents were being forgotten. She requested a better handicap accessible entrance to the Council Chambers.

**ADJOURNMENT**

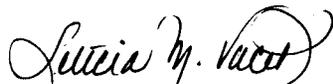
There being no further business to discuss, Mayor Hardberger adjourned the meeting at 9:02 pm.

**A P P R O V E D**



**PHIL HARDBERGER**  
MAYOR

Attest:



**LETICIA M. VACEK**  
City Clerk