

**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, AUGUST 20, 2008 AND THURSDAY, AUGUST 21, 2008.**

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **August 20, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

- 1. City Staff presentation, and possible Council action, on the FY 2009 Proposed Budget, focusing on, but not limited to, the following:**

**A. Fire Services**

Fire Chief Charles Hood provided an overview of the San Antonio Fire Department's (SAFD) Operations. He presented an organizational chart of the SAFD and reviewed the department's demographics. He highlighted SAFD's accomplishments in FY 2008 including: Four-Person staffing, additional EMS Units, enhanced training and truck companies, dispatch improvement, a new Health and Safety Division, and Paramedics in Firefighting (ALS Program). Department goals for FY 2009 were noted as: 1) Enhance emergency service delivery and transportation, 2) Increase training and continuing education programs, 3) Provide expanded fire prevention and community safety services, and 4) Improve diversity through recruiting.

Chief Hood outlined the \$218.3 million FY 2009 Proposed Budget detailing program changes, recruiting enhancements, Basic Life Support (BLS) pilot program, and four-person staffing. He noted that other enhancements also included aircraft rescue firefighting, department training, additional staff, alerting and notification system, breathing apparatus enhancements, and flood emergency enhancements. He stated that the department identified 17,217 calls in the previous year that did not require an EMS Unit and beginning October 1, 2008, they would begin dispatching Fire Units without EMS Units to those calls. Chief Hood spoke of the Fire Academy Training Schedule for FY 2009, in which four Fire Cadet classes and one EMS Paramedic class were scheduled. Lastly, he addressed future budget initiatives.

The Mayor and Council expressed their thanks to Chief Hood for his efforts and accomplishments.

Councilmember Herrera requested an ideal number of Firefighters. Councilmember Galvan noted that the SAFD provided 5 points on the entrance exam to those who were retired military and asked that the SAFD work with the union to provide 5 additional points to those who were bilingual and another 5 points to those who live inside the city limits. She also requested a meeting to discuss the high school recruiting program. Councilmember Cortez noted that he would like to see another unit on the Westside of the City.

**B. Police Protection**

Police Chief William McManus noted the initiatives accomplished in the FY 2008 Budget including: increased personnel, prioritization of pound, and increased overtime in the Tactical Response Unit

(TRU). He presented an overview of the San Antonio Police Department's (SAPD) Operations, Organizational Structure, and Demographics. He reviewed the department's reductions and efficiencies and outlined the \$313.2 million FY 2009 Proposed Budget which included 100 new police officers, the creation of a new Power Shift, and enhanced Training Academy capacity. He spoke of the increase in dispatched calls for service and highlighted the Emergency Response Times, Communication Statistics, and Violent Crime Comparison which proved San Antonio to be the second safest of the ten largest American cities.

Chief McManus addressed the Parks and Aviation Police transition noting the addition of eighteen new Park Police positions and that the Meet and Confer Agreement had been approved by 81% of the employees. He spoke of the Strategic Management for Accelerated Response Times (SMART) Initiative and the goals of the Differential Police Response (DPR). He noted SAPD initiatives included, a crime blog, morning conference call between executive command staff and substation commanders, safety radio quips, and a TRU Grant of \$557,000.

The City Council thanked Chief McManus for the presentation.

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:16 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 21, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Rev. Erick Ritter, Pastor, St. Dominic's Catholic Church, guest of Councilmember Justin Rodriguez, District 7.

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

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

### **MINUTES**

Councilmember Cortez made a motion to approve the Minutes for the June 12, 2008 City Council Meeting. Councilmember Cisneros seconded the motion.

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

### **OATH OF OFFICE – MAYOR PRO TEM**

Ms. Vacek administered the Oath of Office to Councilmember Justin Rodriguez, District 7, whose term as Mayor Pro Tem becomes effective September 2, 2008 through November 12, 2008.

**CONSENT AGENDA: Items 5 –27B**

Consent Agenda Items 6, 7, 8, 10, 11, 18, 19, 22, 24 and 27A were pulled for Individual Consideration. Councilmember Rowe moved to approve the remaining Consent Agenda Items. Councilmember Herrera seconded the motion.

Bill Balthrope representing the Medical Center Alliance spoke in support of Item 16. He stated that the Medical Center Alliance represented the seven largest landowners in the South Texas Medical Center representing 51,000 jobs. He noted that over 300,000 vehicles drove in and out of the area on a daily basis and the infrastructure plan would help the traffic flow in the area.

Jack M. Finger spoke in support of Item 22. He stated that the ordinance should include the use of hands-free devices as well due to the high risk of cell phone use while driving. He expressed concern with Item 21 regarding the rules addressing Council and with Item 23 related to the Memorandum of Understanding with Hotel Investments, L.P., FaulknerUSA, L.P., and TX Riverwalk Residences. He added that for Items 15 and 17, several Councilmembers had received contributions from the parties involved in the contracts and thus, should abstain from voting.

Rhett Smith spoke in reference to the Proposed Budget that was approved on August 14, 2008. He requested the Communications Office assist independent producers check out equipment from the City. He noted that 180 producers needed that service and would work on additional funding.

Loretta Van Coppenolle spoke in support of utilizing the revenues the City received from CPS Energy for retrofitting homes in poor neighborhoods and for renewable energy installations. She expressed support for Item 18 regarding the grant submission to the U.S. Department of Energy Solar Showcase America and noted that the City should look at applying for an EPA Grant for a solar project in the Brownfield Area.

Mrs. Vacek read written testimony from Faris Hodge, Jr. on Items 22 and 23. For Item 22, he expressed concern regarding the ban of cell phones in school zones because the majority of the population uses cell phones. He wrote that the money would be better spent on 15 motorcycles for Police Officers. On Item 23, Mr. Hodge wrote that small businesses should be allowed to sell to big businesses and anything else was against free enterprise. He noted that it was small businesses that made the Riverwalk and that they should be allowed to make decisions regarding their own property.

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

**2008-08-21-0710**

Item 5. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2008 FOR A COMBINED ESTIMATED COST OF \$621,000.00, INCLUDING: (A) ETNYRE PARTS AND SERVICE FROM COOPER EQUIPMENT COMPANY; (B) FIRE HOSE FROM MUNICIPAL EMERGENCY SERVICES, INC.; (C) BATH TISSUE FROM GULF COAST PAPER CO., INC.; AND (D) ACCESS CONTROL SYSTEM MAINTENANCE SERVICES AT SAN ANTONIO INTERNATIONAL AIRPORT FROM MATRIX SYSTEMS, INC.

**2008-08-21-0714**

Item 9. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$386,731.88, FOR THE INDEFINITE DELIVERY CONTRACT FOR CAPITAL IMPROVEMENTS MANAGEMENT SERVICES INFRASTRUCTURE MAINTENANCE AND CONSTRUCTION, IN CONNECTION WITH THE HOUSTON, COMMERCE, AND DOLOROSA STREET MODIFICATIONS PROJECT, LOCATED IN COUNCIL DISTRICT 1.

**2008-08-21-0717**

Item 12. AN ORDINANCE APPROPRIATING \$673,000.00 OF CITY OF SAN ANTONIO CERTIFICATES OF OBLIGATION - SERIES 2006 FUNDS, TO BE USED FOR EXPENSES RELATED TO REPAVING OF PARKING LOTS AT 5 POLICE DEPARTMENT SUBSTATIONS.

**2008-08-21-0718**

Item 13. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT TO V.K. KNOWLTON CONSTRUCTION AND UTILITIES IN THE AMOUNT OF \$2,373,374.45, OF WHICH \$293,571.90 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) AND \$122,336.00 WILL REIMBURSED BY CITY PUBLIC SERVICE (CPS), FOR THE RECONSTRUCTION OF DURANGO BLVD. FROM GENERAL MCMULLEN DR. TO 34TH STREET, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 6; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,760.995.36.

**2008-08-21-0719**

Item 14. AN ORDINANCE CONSENTING TO THE ASSIGNMENT OF A CONCESSION LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT TERMINAL 2 FROM MONTERREY PRODUCTS COMPANY, INC. TO TEXAN ACCENT GENERAL STORE, LLC.

**2008-08-21-0720**

Item 15. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE WITH AVIS RENT A CAR SYSTEM, LLC AT SAN ANTONIO INTERNATIONAL AIRPORT TO ADD 43,406 SQUARE FEET OF GROUND SPACE WITH ASSOCIATED ANNUAL RENTALS OF \$23,873.30.

**2008-08-21-0721**

Item 16. AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH MEDICAL CENTER ALLIANCE AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE AND/OR EASEMENT INTERESTS TO TWENTY FOUR (24) PARCELS FOR THE SOUTH TEXAS MEDICAL CENTER INTERSECTION IMPROVEMENTS PROJECT; AND DECLARING IT A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE PRIVATELY OWNED REAL PROPERTY LOCATED IN THE FOLLOWING NCBS: 17060, 12816, 13663, 17108, 11609, 16783, 13666, 13667, 17171, 16350, 17102, 17488 AND 17253, COUNCIL DISTRICT 8, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY; AND AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, AND APPROPRIATING FUNDS.

**2008-08-21-0722**

Item 17. AN ORDINANCE AUTHORIZING A TWENTY-YEAR LEASE AGREEMENT FOR THE USE OF 1,151 SQUARE FEET OF RIVER WALK PATIO SPACE TO NEW RIVERCENTER MALL

II LP; AND AUTHORIZING AN AMENDMENT EXTENDING A LICENSING AGREEMENT FOR USE OF THE RIVERCENTER LAGOON ISLAND.

**2008-08-21-0725**

Item 20. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A JOINT GRANT APPLICATION WITH BEXAR COUNTY AND THE ACCEPTANCE UPON AWARD, OF UP TO \$122,880.00 TO THE CITY OF SAN ANTONIO FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, FOR THE WELFARE STRATEGIC ALLIANCE PROGRAM, ADDRESSING CHILD SEXUAL ABUSE AND ASSAULT; AND AUTHORIZING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY IN CONNECTION WITH THE GRANT.

**2008-08-21-0726**

Item 21. AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF SAN ANTONIO, PART II, CHAPTER 2, DIVISION 2, ENTITLED "MEETINGS", SECTION 2-35 REGARDING RULES FOR ADDRESSING THE CITY COUNCIL.

**2008-08-21-0728**

Item 23. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS OF A MEMORANDUM OF UNDERSTANDING WITH HOTEL INVESTMENTS, L.P., FAULKNERUSA, L.P., AND TX RIVERWALK RESIDENCES RELATED TO THE GRAND HYATT SAN ANTONIO CONVENTION CENTER HOTEL AND THE ALTEZA CONDOMINIUMS.

**2008-08-21-0730**

Item 25. AN ORDINANCE AUTHORIZING THE NINTH DRAW, SCHEDULE I TO THE 2005 TAX-EXEMPT MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANC OF AMERICA PUBLIC CAPITAL CORP IN THE TOTAL AMOUNT OF \$5,443,291.00 FOR THE ACQUISITION OF (17) AUTOMATED REFUSE COLLECTION TRUCKS, (5) BRUSH GRAPPLER TRUCKS, & (10) BRUSH COLLECTION TRACTOR/TRAILERS FOR THE CITY'S SOLID WASTE MANAGEMENT DEPARTMENT.

**2008-08-21-0731**

Item 26. AN ORDINANCE AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX EXEMPT MULTIFAMILY HOUSING MORTGAGE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$15,000,000.00 TO PROVIDE FINANCING FOR THE CONSTRUCTION OF THE SAN PEDRO CREEK APARTMENTS PROJECT LOCATED IN COUNCIL DISTRICT 5; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

Item 27. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

- B. APPOINTING MARGO ELAINE LAYMAN TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT ADVISORY BOARD (CATEGORY: TEXAS NURSES ASSOCIATION REPRESENTATIVE) FOR THE REMAINDER OF THE UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 31, 2010.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinances:

**2008-08-21-0712**

Item 7. AN ORDINANCE AUTHORIZING A \$48,554.96 CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH ARCHER WESTERN CONTRACTORS, LTD. FOR PULLING, TERMINATING, TESTING AND CUT-OVER OF COMMUNICATION AND MATRIX SECURITY CABLES IN CONNECTION WITH PROJECT 6 – ROADWAYS & UTILITIES AND PROJECT 10 – VOLUME 2 – HYDRONIC LINES RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A REVISED CONTRACT VALUE OF \$43,144,293.37 AND REVISING THE PROJECT BUDGET.

**2008-08-21-0713**

Item 8. AN ORDINANCE AUTHORIZING A DEDUCTIVE CHANGE ORDER IN THE AMOUNT OF \$36,315.76 TO THE CONSTRUCTION CONTRACT WITH BARTLETT COCKE/WALBRIDGE, J. V. FOR SIGNAGE AND DELETION OF AN ORGANIC COMPOUND ALLOWANCE IN CONNECTION WITH PROJECT 10 – VOLUME 7 - GARAGE FOUNDATIONS, STRUCTURE AND SYSTEMS AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A REVISED CONTRACT VALUE OF \$44,650,702.05 AND REVISING THE PROJECT BUDGET.

Councilmember Rowe recused himself on said items by excusing himself from the Council Chambers and noted that he submitted the recusal forms for Items 7 and 8 to the City Clerk.

Councilmember Clamp moved to adopt the proposed Ordinances for Items 7 and 8. Councilmember Cisneros seconded the motion.

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

At this time, item 27A was addressed.

The City Clerk read the following Ordinance:

Item 27. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

**TABLED**

- A. AN ORDINANCE APPOINTING ALBERT G. CISNEROS (DISTRICT 5) TO THE ELECTRICAL SUPERVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JULY 31, 2010, AND WAVING THE CATEGORICAL REQUIREMENT OF LAYPERSON FOR THIS APPOINTMENT.

Charles Mikolajczyk, Jr. representing the San Antonio Association of Building Engineers spoke in opposition to the appointment of Albert G. Cisneros to the Electrical Supervisory Board. He stated that

the Association was concerned that the Layperson Category was being waived and that Mr. Cisneros' was in the Electrical Business.

Steve Ross, President of the San Antonio Apartment Association stated that they provide services to members in a 21-County Area and were opposed to the appointment of Albert G. Cisneros to the Electrical Supervisory Board. He noted that by waiving the Layperson Category, there would be only one true Layperson serving on the Board and consumer representation would be underserved. He urged the Council to vote against the appointment.

Billy Chamberlin, Vice-Chair of the Electrical Supervisory Board spoke in opposition to the appointment of Albert G. Cisneros to the Board. He noted that he had chaired various committees including the Chapter 10 Review Committee and was also representing the National Electrical Contractors Association on behalf of Les Monahan. He stated that appointing Mr. Cisneros to the Board was a conflict of interest because it would directly benefit him as a Training Provider. He added that it would change the composition of the Board because the Layperson Category was being waived and consumers needed to be represented on the Board.

Larry Meads spoke in opposition to said appointment. He stated that he had served on the Electrical Supervisory Board for many years until 2002 and had worked on the Chapter 10 Review. He noted that there had been much input regarding the definition of "Layperson" and that ultimately decided to use the dictionary definition. He added that it was important to have community input and authorizing the waiver of the Layperson Category would diminish the intent of the category having been added.

Teresa Tuma representing the San Antonio Building Owners and Managers Association (SABOMA) spoke in opposition to the appointment of Albert G. Cisneros to the Electrical Supervisory Board. She stated that they were opposed to the waiver of the Layperson Category because that representation was necessary. She added that if Mr. Cisneros was appointed, the Board make-up would favor the Electrical Profession by 8-2 members.

Ralph A. Velasquez spoke in support of the appointment of Albert G. Cisneros to the Electrical Supervisory Board. He stated that Mr. Cisneros was a Retired Master Electrician and even though he was currently a training provider; he was qualified to serve in the Layperson Category. Mr. Velasquez noted that he disagreed with the notion that Mr. Cisneros would directly benefit from the appointment as he would recuse himself from voting on any item considered to be a conflict of interest.

Robert Crosson, President of the International Brotherhood of Electrical Workers Local Union #60 spoke in opposition to the appointment of Albert G. Cisneros to the Electrical Supervisory Board. He stated that if the Layperson Category was waived, the Board composition would be divided into three non-union Master Electricians and one Union Master Electrician and there would be a loss of union representation. He noted that he would prefer a Layperson to represent the Board rather than another Master Electrician.

Albert G. Cisneros spoke in support of his nomination to the Electrical Supervisory Board. He stated that he had worked in the Electrical Trade for over 40 years and had served on numerous committees. He noted that he was very involved in the community and looked forward to serving on the Board.

Councilmember Rowe expressed concern with the waiver for said appointment to the Electrical Supervisory Board due to the many e-mails and phone calls he had received in opposition. He stated

that the Infrastructure and Growth Council Committee would review the Electrical Supervisory Board. He recommended postponing appointments to the Board until the review was conducted. Councilmember Galvan stated that although she had received communication against said appointment, none of such were representatives of District 5. She noted that Mr. Cisneros had been an asset to the Electrical Community and would play an essential role in further development of the Board. She asked the Council to support the appointment. Councilmember Cisneros stated for the record that Mr. Cisneros was of no relation to her.

Councilmember Rowe moved to table the proposed Ordinance. Councilmember Clamp seconded the motion.

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

The City Clerk read the following Ordinance:

**2008-08-21-0711**

Item 6. AN ORDINANCE ACCEPTING THE OFFER FROM GT DISTRIBUTORS, INC. TO PROVIDE THE POLICE DEPARTMENT WITH FIFTY CONDUCTIVE ENERGY DEVICES AND ACCESSORIES FOR A COST OF \$88,000.70, FROM THE ASSET & SEIZURE FUND.

Councilmember Cortez asked about the training that Police Officers received prior to using a taser. Chief McManus stated that Officers receive 40 hours of training provided by the Mental Health Community and eight hours of training on the device. He noted that to date, tasers had proven to be beneficial because they prevented permanent injury. He expressed support for the purchase of additional tasers in the future.

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, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Galvan and Herrera.

The City Clerk read the following Ordinance:

**2008-08-21-0715**

Item 10. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 IN THE DEDUCTIVE AMOUNT OF \$182,000.00 TO THE \$17,983,430.62 CONSTRUCTION CONTRACT, WITH TEXAS STERLING CONSTRUCTION, INC., AND AUTHORIZING A \$52,020.00 AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LOCKWOOD, ANDREWS, AND NEWNAM, INC. IN CONNECTION WITH THE ZARZAMORA DRAINAGE #83 A PROJECT, LOCATED IN COUNCIL DISTRICT 4, AS AUTHORIZED IN THE 2007-2012 BOND PROGRAM.

Councilmember Cortez requested information regarding the cost savings and project timeline. Mr. Mike Frisbie stated that the contractor had worked on a value engineering process with the City to save time and money. He noted that the project would be completed three months sooner than projected and that any remaining funds in the Bond Program would be used to pay off debt.

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

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

The City Clerk read the following Ordinance:

**2008-08-21-0716**

Item 11. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$4,870,979.18 TO V. K. KNOWLTON CONSTRUCTION AND UTILITIES, IN CONNECTION WITH THE ANSLEY PHASE I (COMMERCIAL AVE. TO MOURSUND BLVD.) AND COMMERCIAL TRIBUTARY PHASE I (SIX MILE CREEK TO PETALUMA BLVD.) PROJECT, OF WHICH \$565,312.33 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND \$508,370.00, WILL BE REIMBURSED BY BEXAR METROPOLITAN WATER DISTRICT, LOCATED IN COUNCIL DISTRICTS 3 AND 4, AND APPROPRIATING FUNDS.

Councilmember Cortez requested additional information about the project and timeline. Mr. Frisbie reported that said project would address street and drainage issues in the area. He noted that a community meeting would be held to inform the residents about the upcoming work and that SAWS and Bexar Met would reimburse the City's expenses once the project was completed. He added that construction would begin in November 2008 with an estimated completion date of April 2010.

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

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

The City Clerk read the following Ordinance:

**2008-08-21-0723**

Item 18. AN ORDINANCE AUTHORIZING A GRANT APPLICATION TO THE U.S. DEPARTMENT OF ENERGY (DOE) SOLAR AMERICA SHOWCASE FOR A TWO YEAR TECHNICAL SERVICES GRANT FOR UP TO \$200,000.00 FOR THE DEVELOPMENT OF LARGE-SCALE, HIGH-VISIBILITY SOLAR INSTALLATION PROJECTS AND AUTHORIZING ACCEPTANCE OF THE GRANT UPON AWARD.

Councilmember Cibrian requested additional information regarding said grant. Mr. Laurence Doxsey stated that the grant was an important piece in moving toward sustainability in that it would provide the technical support to apply large solar installations at the Airport and the Convention Center.

Mr. Bill Sinkin, Chairman of Solar San Antonio expressed support for said grant application. He stated that it was a major step toward becoming the number one Solar City in Texas. He noted that he hoped the City would receive more money than it was asking for based on the lighting work that would be done at the Airport and Convention Center. He added that another group was being formed called "The Free 4F" which stood for Freedom from Fossil Fuels that would be utilized as an education tool in schools and universities.

Mr. Steve Bartlett, CPS Energy Deputy General Manager thanked the Mayor and Council for their commitment to renewable energy, solar power, and sustainability for the local community. He referenced a Request for Proposal (RFP) that CPS Energy had issued regarding the procurement of 100 megawatts of solar power at a reasonable cost and presented several advertisements used in the solicitation.

Councilmember Cibrian moved to adopt the proposed Ordinance with the condition that the proposal include that projects completed by the Solar Showcase Grant be 100KW each at one or both of the designated locations at the Airport and the Convention Center. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

**2008-08-21-0724**

Item 19. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND UPON AWARD, ACCEPTANCE OF FUNDS NOT TO EXCEED \$2,225,000.00 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR A HIGH INTENSITY DRUG TRAFFICKING AREA GRANT ESTABLISHING A PERSONNEL COMPLEMENT AND BUDGET WHICH FUNDS THE SAN ANTONIO HIGH INTENSITY DRUG TRAFFICKING AREA INITIATIVE.

Councilmember Cortez asked how the grant would benefit the City and specifically high-use drug areas. Chief McManus stated that the grant had been received for the past 17 years and that it was local, state and federal efforts to reduce drug trafficking in South Texas. He noted that the grant funded six Police Officers and three administrative personnel and over the past year, had made 531 arrests and seized nearly \$1 million in cash.

Councilmember Cortez expressed support for the grant 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, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**2008-08-21-0727**

Item 22. AN ORDINANCE AMENDING CHAPTER 19, ARTICLE VII OF THE CITY CODE BY ADDING SECTION 19-254 PROHIBITING THE USE OF A HAND-HELD MOBILE TELEPHONE TO ENGAGE IN A CALL OR THE USE OF A MOBILE COMMUNICATION DEVICE TO SEND, READ, OR WRITE A TEXT MESSAGE WHILE OPERATING A MOVING MOTOR VEHICLE IN AN ACTIVE REDUCED SPEED SCHOOL ZONE WHERE PROHIBITED BY SIGN, AND PROVIDING FOR A FINE OF UP TO \$200.00 PER VIOLATION.

Councilmember Rodriguez requested additional information on said item. Chief McManus reported that a Pilot Program banning the use of handheld mobile devices in 18 school zones. He reported that notification signs would be erected beginning September 1, 2008 and the 30-day grace period would begin 10 days after Council approval. He noted that fines in an amount up to \$200 would be assessed for violations and that San Antonio Police Officers would be working with Independent School District Officers that have agreed to assist with enforcement. Councilmember Rodriguez provided staff direction to begin enforcement 60 days after Council approval. Councilmember McNeil requested clarification of the ordinance. Chief McManus stated that a person would commit an offense if they used a hand held mobile telephone to engage in a call or used it to send, read or write a text message while operating a moving motor vehicle in a reduced speed school zone. Councilmember Galvan expressed concern in dealing with the lack of community education and suggested that a Public Hearing be held to inform the public.

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

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

#### **POINT OF PERSONAL PRIVILEGE**

Councilmember Herrera recognized Frost Bank for their investment of a \$50 million Data Center in the Westover Hills area of District 6. She noted that the state-of-the-art facility would be completed the fourth quarter of 2009 and was the largest capital facility investment in the company's 140-year history.

Mayor Hardberger announced that a press conference would be held at 1:30 pm at the Municipal Auditorium to recognize AT&T's \$5 million donation to the City for the Performing Arts Center.

#### **EXECUTIVE SESSION**

At this time, Mayor Hardberger recessed the Regular Meeting at 12:23 pm to break for lunch and convene in Executive Session at 2:00 pm for the purposes of:

- A. Deliberations as to the purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).
- B. Discuss legal issues related to vested rights pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Pro Tem Cortez reconvened the Regular Meeting at 4:17 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. Item 24 was addressed at this time.

The City Clerk read the following Ordinance:

#### **2008-08-21-0729**

Item 24. AN ORDINANCE AUTHORIZING APPLICATION FOR REIMBURSEMENT FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS FOR EXPENSES INCURRED FOR THE 2008 NCAA MEN'S FINAL FOUR BASKETBALL TOURNAMENT TOTALING \$6.082 MILLION AND

THE REMITTANCE OF \$973,000.00 TO THE COMPTROLLER IN ACCORDANCE WITH STATE LAW.

Councilmember Cortez asked what would be done with said funds. Mr. Erik Walsh stated that the City was requesting reimbursement from the State for expenses that were incurred for the 2008 NCAA Men's Final Four Basketball Tournament held at the Alamodome in March and April 2008. He noted that the City was eligible to receive \$6.082 million and that the funds would be applied to the FY 2008 Budget.

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

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

### **CITY MANAGER'S REPORT**

There was no City Manager's Report.

### **CONSENT ZONING**

Councilmember McNeil 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-2, Z-5, Z-8, Z-10, Z-11, Z-12, Z-13, and Z-14. Councilmember Cisneros seconded the motion.

Mr. Jack M. Finger spoke to the impervious cover requirement for Items Z-3, Z-4, and Z-6 and added that it should be reduced to protect the Edwards Aquifer.

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

#### **2008-08-21-0733**

Item Z-2. **ZONING CASE #Z2008178 CD S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3R" General Commercial District, Restrictive Alcohol Sales to "C-3 CD S" General Commercial District with a Conditional Use for a Recycling Facility and a Specific Use Authorization for Storage- Outside (Screening from Public ROWS and adjacent property required) on Lots 28 and 29, NCB 8240 located at 263 and 267 Old US Highway 90 West. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 28 AND 29, NCB 8240 TO WIT: FROM "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOL SALES TO "C-3 CD S" (CD- RECYCLING FACILITY) GENERAL COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A RECYCLING FACILITY AND A SPECIFIC USE AUTHORIZATION FOR STORAGE-OUTSIDE (SCREENING FROM PUBLIC ROWS AND ADJACENT PROPERTY REQUIRED) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2008-08-21-0735**

Item Z-5. **ZONING CASE #Z2008210 (District 8):** An Ordinance amending the Zoning District Boundary from "C-1" Light Commercial District and "O-2" Office District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lot 59, Block 3, NCB 11613 located at 2116 Babcock Road. 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 59, BLOCK 3, NCB 11613 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT AND "O-2" OFFICE DISTRICT TO "C-2 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

**2008-08-21-0736**

Item Z-8. **ZONING CASE #Z2008195 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial District, Nonalcoholic Sales to "RM-4" Residential Mixed District on Lots 22, 23, and 24, Block 2, NCB 2077 located at 110 and 102 Cornell. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 22, 23, AND 24, BLOCK 2, NCB 2077 TO WIT: FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "RM-4" RESIDENTIAL MIXED DISTRICT.

**2008-08-21-0737**

Item Z-10. **ZONING CASE #Z2008167 CD (District 2):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "C-2 NA CD" (CD-Motor Vehicle Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Motor Vehicle Sales on Lot B-6, NCB 10751 located at 2011 and 2015 Rigsby. 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 B-6, NCB 10751 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA CD" (CD-MOTOR VEHICLE SALES) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2008-08-21-0738**

Item Z-11. **ZONING CASE #Z2008189 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "O-1" Office District on 0.2 acres out of Lot 19, NCB 10616 located at 4300 IH 10 East. 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: 0.2

ACRES OUT OF LOT 19, BLOCK 19, NCB 10616 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

**2008-08-21-0739**

Item Z-12. **ZONING CASE #Z2008190 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District; "C-2" Commercial District and "C-3NA" General Commercial District, Nonalcoholic Sales to "C-2" Commercial District on Lots 1 through 5 and 11 through 16, Block 12, NCB 12918 located at 2711 Southeast Loop 410 and 2718 Hollyhill. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 THROUGH 5 AND 11 THROUGH 16, BLOCK 12, NCB 12918 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT; "C-2" COMMERCIAL DISTRICT AND "C-3NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-2" COMMERCIAL DISTRICT.

**2008-08-21-0740**

Item Z-13. **ZONING CASE #Z2008201 CD (District 2):** An Ordinance amending the Zoning District Boundary from "C-2NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Repair to "C-2NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for a Welding Facility on Lot 1, Block 9, NCB 1509 located at 402 South New Braunfels. 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 1, BLOCK 9, NCB 1509 TO WIT: FROM "C-2NA CD" (CD- AUTO REPAIR) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AUTO REPAIR TO "C-2NA CD" (CD- WELDING FACILITY) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR A WELDING FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2008-08-21-0741**

Item Z-14. **ZONING CASE #Z2008207 (District 2):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "PUD R-6" Planned Unit Development, Residential Single-Family District on 22.240 acres out of NCB 35132 located at 3099 Foster Meadows. 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: 22.240 ACRES OUT OF NCB 35132 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "PUD R-6" PLANNED UNIT DEVELOPMENT, RESIDENTIAL SINGLE-FAMILY DISTRICT.

**[ZONING CONSENT ITEMS CONCLUDED]**

**ZONING ITEMS FOR INDIVIDUAL CONSIDERATION**

**2008-08-21-0732**

Item P-1. **PLAN AMENDMENT # 08026 (District 5):** An Ordinance amending the land use plan in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 1.012 acre tract of land located at 1202 and 1228 W. Commerce Street from Residential to Mixed Use land use. Staff and Planning Commission recommended Approval. **(Associated Zoning Case Z2008186)**

Ms. Nina Nixon-Mendez presented the proposed Plan Amendment.

Mr. Jerry Arredondo addressed concerns raised by Councilmember Galvan. He noted that his client had corrected issues with the building and had pulled the required permits. Ms. Lisa Peveto noted that she was a representative for the property owner and Mr. Arredondo was a representative for the tenant.

Councilmember Galvan moved to adopt the proposed Plan Amendment. Councilmember Ramos seconded the motion.

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

**CONTINUED**

Item Z-1. **ZONING CASE #Z2008186 S (District 5):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "IDZ S" Infill Development Zone with uses permitted in C-2 S Commercial District with a Specific Use Authorization for a Bail Bond Office on 1.012 acres out of NCB 191 located at 1202 and 1228 West Commerce. Staff and Zoning Commission recommend approval.

Councilmember Galvan moved to continue said item to the September 4<sup>th</sup> Council Meeting. Councilmember Clamp seconded the motion.

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

**2008-08-21-0734**

Item Z-3. **ZONING CASE # Z2008028 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "PUD R-6 ERZD" Planned Unit Development, Residential Single Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on Parcel 127T, NCB 14865 located at 7280 UTSA Boulevard. 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: PARCEL 127T, NCB 14865 TO WIT: FROM "PUD R-6 ERZD" PLANNED UNIT DEVELOPMENT, RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Ms. Vacek read a written testimony from Mr. Ron Cervantez requesting that all zoning cases in District 8 be postponed until the next Council Session.

Councilmember Cibrian moved to adopt the proposed Zoning Item with 50% impervious cover. Councilmember Rodriguez seconded the motion.

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

**CONTINUED**

Item Z-4. **ZONING CASE #Z2008208 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on 3.046 acres out of Lot 10, Block 1, NCB 16911 located at 6061 De Zavala Road. Staff and Zoning Commission recommend approval with conditions.

Councilmember Cibrian moved to continue said item to the September 4<sup>th</sup> Council Meeting. Councilmember Cisneros seconded the motion.

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

**CONTINUED**

Item Z-6. **ZONING CASE # Z2008164 S ERZD (District 9):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 3.650 acres out of NCB 19221 located at 20400 Block of Huebner Road. Staff and Zoning Commission recommend approval.

Councilmember Rowe moved to continue said item to the September 4<sup>th</sup> Council Meeting. Councilmember Cibrian seconded the motion.

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

**CONTINUED**

Item Z-7. **ZONING CASE #Z2008206 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District to "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District on Lot 11, NCB 13804 located at 10811 IH 35 North. Staff and Zoning Commission recommend approval.

Councilmember Clamp moved to continue said item to the September 4<sup>th</sup> Council Meeting. Councilmember Ramos seconded the motion.

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

#### **CONTINUED**

Item Z-9. **ZONING CASE #Z2008198 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "PUD R-4" Planned Unit Development, Residential Single-Family District on 1.067 acres out of NCB 773 and NCB 774 located at 602, 618, 620 and 652 West Euclid Avenue; 101, 103, 104 and 106 Macon Court and 515 West Elmira Street. Staff and Zoning Commission recommend approval.

Councilmember Cisneros moved to continue said item to the September 4<sup>th</sup> Council Meeting. Councilmember Herrera seconded the motion.

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

Mayor Pro Tem Cortez recessed the meeting at 5:00 pm and stated that the meeting would reconvene at 5:15 pm for Ceremonials.

Mayor Pro Tem Cortez reconvened the meeting at 5:15 pm and addressed the Ceremonial Agenda.

#### **CEREMONIAL ITEMS**

Mayor Pro Tem Cortez recognized Ms. Leeza Gibbons, Chairman of the Leeza Gibbons Memory Foundation and presented the Alcalde Award to Ms. Gibbons. *Leeza's Place* was developed in response to the challenges Leeza and her family encountered while seeking needed support for her mother who suffered from Alzheimer's Disease. *Leeza's Place by WellMed* in San Antonio is a multifaceted reprieve for both caregivers and the recently diagnosed. It integrates educational programs, connective social activities, and emotional support.

Dr. Tessa Pollock, President of Our Lady of the Lake University (OLLU) presented their official commendation award to SAFD Chief Hood and SAPD Chief McManus. The University Faculty and students expressed appreciation for the efforts made by the two City of San Antonio Departments while addressing the fire that occurred at OLLU on May 6, 2008.

Mr. Al Sturchio was recognized with a certificate of retirement presented by Mayor Pro Tem Cortez. Mr. Sturchio retired after nearly 24 years as the Executive Director of the Texas Bandmasters Association. Mr. Sturchio has been a part of the San Antonio music culture and retired from teaching in 1986 after 34 years. Mr. Sturchio is a St. Mary's University Music Graduate and Instructor, Band Teacher at Lanier, South San, and Roosevelt High Schools. He also served as the Coordinator of Music, and Director of Fine Arts for NEISD. His background includes trumpet playing and conducting for Johnny Carson, Jack Benny, Ringling Bros Circus, Ice Capades, Stevie Wonder, James Brown, Kenny Rogers, the Grand Ole Opry, and Sonny and Cher during the 1968 San Antonio World's Fair.

## CITIZENS TO BE HEARD

Mr. Mark Perez expressed concern with the San Antonio Fire Department. He stated that he had identified several facilities operating without Certificates of Occupation, storing hazardous chemicals in I-1 Zoning, and near residential areas but the City had done nothing about them.

Mr. Dale Russell, SEIU Member, noted that he was a Code Enforcement Officer for the City and that they relied on Citizen Action Officers and their experience. Ms. Rene Bomar, SEIU Member, noted that she was a Citizen Action Officer and spoke in opposition to the proposed elimination of the Citizen Action Officers. She stated that 3-1-1 Employees and Council Aides did not perform the same job functions and did not have the same experience as the Citizen Action Officers. Mr. Richard Martinez, SEIU Member, spoke on Civil Service rules, regulations, and procedures. He stated that it was unfair to allow the City Manager to overrule determinations by the Civil Service Commission and asked the Council review the City Manager's overrulings from January 2007 to date.

Mr. Nick Calzoncit expressed concern that Citizens to be Heard began late and suggested that the agenda order be reversed so that Ceremonials would be last. He stated that Public Access Television was a challenging business and funding had been significantly cut. He requested a meeting with the City's Communications and Public Affairs Director to discuss budgeting for Public Access Television.

Mr. Nazirite Ruben Flores Perez stated that facilities authorized to sell liquor should be located more than 300 feet from churches.

Mr. Charles R. English, Vice Chair of the Community Action Advisory Board, noted that he served both Districts 1 and 2. He noted that the Board was funded by the State and that funding went directly to the City Budget. He stated that the Board was an unsung hero and the City should embrace their partnership to eradicate poverty.

Mr. Faris Hodge, Jr. expressed concern with the City Budget and noted that he had been on television discussing VIA Metropolitan Transit's prices. He asked for the names of the City representatives on the VIA Board and sang a song to the Council.

Mr. David Arevalo stated that he had been working on the River South Project for three months and that he had represented the River Oversight Committee for four years. He noted that he had also been a member of the Bexar County Small Minority Women Business Enterprise Program for four years and opposed contracting with a Houston company to complete the River Project. He invited the Council to attend a meeting at Knox Elementary the following Wednesday.

Ms. Petra Maldonado expressed disappointment with the Mirasol Task Force, but noted that Mr. Ramiro Cavazos had done an outstanding job. She added that the Task Force worked in theory but not in practice.

Mr. George Alejos stated that the Mirasol Task Force had been disbanded and that \$7.2 million had been spent. He expressed concern that KB Homes was not being held accountable and noted that he would be investigating new information to prove that the homes were built over a landfill.

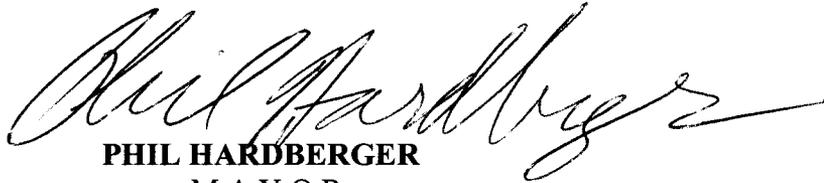
Ms. Janet Ahmad stated that the mission for Mirasol Homes was not complete, but they were getting closer to an end.

Ms. Henrietta DeHoyos stated that Mr. Cavazos was a good person and was doing a fantastic job. She added that General Valenzuela was also very passionate about helping the residents. She noted that the residents were getting sick and were scared about possible long-term illnesses.

**ADJOURNMENT**

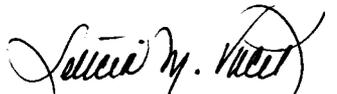
There being no further business to discuss, Mayor Hardberger adjourned the meeting at 7:40 pm.

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



**PHIL HARDBERGER**  
MAYOR

Attest:



**LETICIA M. VACEK**  
City Clerk