

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

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, MARCH 4, 2009 AND THURSDAY, MARCH 5, 2009, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **March 4, 2009**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

1. PRESENTATION OF THE SAN ANTONIO/BEXAR COUNTY TRANSPORTATION TASK FORCE RECOMMENDATIONS.

Former Mayor William Thornton, Chair of the San Antonio/Bexar County Transportation Task Force, introduced members of the Task Force and their objective. He provided information on the implementation of the Task Force and noted that Stimulus Funds would likely be awarded to multimodal transportation systems. He recognized Leilah Powell who presented said item.

Ms. Powell stated that the Committee came up with a Vision Statement for a transportation system that was focused on accessibility and mobility. She noted that the Committee had been divided into two subcommittees: 1) Paying; and 2) Planning. She presented the findings in terms of resources and planning noting the following: 1) Needs were greater than resources; 2) San Antonio's transportation operations were underfunded compared to other Texas cities; 3) The City needed to work with the Military as it would provide an opportunity for research synergy; 4) The community needed a comprehensive transportation plan to reflect their aspirations; 5) Transportation entities did not adequately coordinate operations; and 6) Transportation and land use planning were not integrated.

Ms. Powell outlined the gaps and recommendations in the following categories: 1) Transportation Funding; 2) Administration and Oversight; 3) Transportation Priorities; 4) Transportation and Land Use; 5) Defining Our Region; and 6) Comprehensive Transportation Vision and Plan. Lastly, she stated that the work of the Task Force should continue and expand through the creation of two working groups – Current Planning and Community Engagement. She added that open meetings should be held on a regular basis and at least one public hearing should be held to seek public response to the preliminary report.

Mr. Thornton recognized Mayor Hardberger for his sustainability efforts and noted that it had been difficult to have a sustained vision because of the turnover in Councilmembers. He noted that many transportation needs lacked funding and that San Antonio's Legislative Program should include Local Option Funding. Lastly, he spoke of merging sustainability plans and consolidating agencies to reduce competition.

Councilmember McNeil thanked the Task Force for their work and expressed support for consolidation as long as there was a benefit. She stressed the importance of transportation to the City's future and asked of the action that would be taken on said item. Mr. Thornton stated that the presentation was informational but that it would be important for all entities involved to be in agreement. Councilmember Cibrian

recognized Mayor Hardberger for his continued leadership and thanked the members of the Task Force. She noted the many transportation challenges in the community and the lack of a comprehensive transportation plan. She expressed support for the recommendations of the Task Force and the involvement of the community in all future recommendations.

Councilmember Clamp expressed concern with the representation and funding that could be lost or gained on the various boards due to consolidation. Mr. Thornton stated that San Antonio would not give up any current resources and provided suggestions for possible transition and restructuring. Councilmember Clamp requested a copy of the proposed transportation legislation in order to review prior to passage. Councilmember Cisneros thanked all involved in the process and expressed her support for the recommendations. She asked that the Task Force review the possibility of a Free Bus Zone to address air quality issues.

Councilmember Rodriguez thanked the Task Force for their work and expressed support. He asked of Representative Michael Villarreal's bill and how it would affect the recommendations. Mr. Thornton reported that the bill only provided local options but the voters would make final decisions. Councilmember Galvan expressed support for consolidation and asked of toll roads. Mr. Thornton stated that toll roads were an option but were not included in the recommendations.

Councilmember McNeil requested that projects for inclusion in the City's Legislative Agenda be presented to the Intergovernmental Relations Committee prior to Council Action. Mayor Hardberger stated that the City should move forward due to the upcoming deadline for the filing of bills. Mr. Thornton reported that if challenging economic times continued, mass transit would become even more critical. In response to Councilmember Clamp, Mr. Thornton stated that utilization of a new funding option would require a vote by the citizens.

2. CITY COUNCIL DISCUSSION OF FUNDING STRATEGIES FOR CITY COUNCIL PRIORITIZED PROJECTS IDENTIFIED FOR THE APPROVED FEDERAL ECONOMIC STIMULUS BILL (AMERICAN RECOVERY & REINVESTMENT ACT OF 2009).

Ms. Sculley provided a list of projects that had been matched to Council Priorities and stated that there were thirty categories of funding. She noted that the amount of funding that the City would receive had been determined in various categories and highlighted the \$2.25 billion Federal Highway Administration Funding that would be awarded to the State of Texas.

Councilmember Galvan asked of the \$5.9 million Housing and Urban Development (HUD) Funds. Mr. Dennis Campa explained that the funds were allocated for Homeless Prevention Services specific to foreclosures, evictions, and rent. Ms. Sculley added that the funds could not be used for capital infrastructure and discussed the deadlines for projects.

Councilmember McNeil asked if the Federal Stimulus Package included funding for Workforce Development and Mr. AJ Rodriguez replied that it did not. In response to Councilmember McNeil, Peter Zaroni provided a list of seven known and estimated funding sources: 1) Federal Highway Administration (TxDOT/Metropolitan Planning Organization-MPO) - \$20 million as match for two designated projects and \$17.2 million for arterial and collector streets; 2) HUD (Community Development Block Grant) for \$3.9 million; 3) HUD (Emergency Shelter Grant) for \$5.9 million; 4) HHS (Community Services Block Grant) estimate of \$1.7 million; 5) HHS (Head Start Program) estimate of \$10 million;

6) HHS (Child Care Development Grant) estimate of \$7.1 million; and 7) Energy Efficiency/Conservation Grant estimate of \$9 million. Councilmember Cisneros asked of the Neighborhood Stabilization Fund and if it was included in the Stimulus Package. Mr. David Garza explained that said funding was allocated to Non-Profit Organizations. Councilmember Cisneros asked of the new Senior Centers and Community Center Renovations and recommended that a work session be held to discuss the proposed funding strategies for projects.

Councilmember Ramos expressed concern with the project list and concurred with the recommendation for a work session. Councilmember Clamp stated that a work session had already been held and suggested that the item move forward with possible adjustments. Councilmember Cortez asked if all projects listed under the Federal Highway Administration (TxDOT/MPO) would be funded. Mr. Zanoni replied that they would be recommended to the MPO. Councilmember Cortez expressed support in moving said item forward.

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:28 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **March 5, 2009** at 9:00 am in the City Council Chambers.

Item 1. The Invocation was delivered by Reverend Dr. Ilene Dunn, Pastor, Madison Square Presbyterian Church, guest of Mary Alice P. Cisneros, District 1.

Item 2. 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.

Item 3. MINUTES

Councilmember Herrera made a motion to approve the Minutes for the February 12, 2009 Regular City Council Meeting. Councilmember Cibrian seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following related to Item 4:

2009-03-05-0004R

Item 4. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 81ST REGULAR STATE LEGISLATIVE SESSION.

Ms. Sculley presented a proposed resolution supporting the recommendation of the San Antonio-Bexar County Transportation Task Force to consolidate the Regional Mobility Authority (RMA) and VIA Metropolitan Transit.

Carlos Contreras presented a summary of the Legislative Program and noted that bills had begun to be assigned to committees in both the House and the Senate. He reported that of 21 initiatives approved by the Council, 17 of them had bills filed. He noted that regarding the protection of Camp Bullis, Representative Ruth Jones McClendon had filed a bill and staff was in the process of reviewing Senator Van de Putte's bill.

Mr. Contreras noted that there were four proposals related to Transportation: 1) Local Option Funding; 2) Prohibition against diversion from the Highway Fund; 3) Authorization of \$5 billion in Prop 12 funding; and 4) The rail relocation and creation of a rail division within TxDOT. He reported that bills had been filed on each proposal and City staff was monitoring them. In reference to Graffiti, he spoke of House Bills 218 and 1234 filed by Representative Jose Menendez, and House Bill 1558 filed by Representative Trey Martinez Fisher. Mr. Contreras also spoke of several bills that had been filed related to eminent domain and tax appraisal caps. He presented a bill that would create an option for VIA, RMA, and the Advanced Transportation District (ATD) to consolidate.

Mr. Tim Tuggey reiterated the details presented by Mr. Contreras and noted that the concept had been well received in Austin. He added that no bill had been filed and that consolidation would not be mandated but voted on by the citizens.

Mr. Jack M. Finger stated that it had been unclear through the B Session presentation whether Stimulus Funds would be utilized for toll roads. He expressed concern with the merger of RMA and VIA and requested that the Council postpone the vote on said item.

Councilmember Cibrian recognized Mayor Hardberger and County Judge Nelson Wolff for their efforts in the consolidation of VIA and RMA. She asked Mr. Tuggey to outline the recommended Board composition. He stated that current membership was five members appointed by the City, three by the County, and two by suburban mayors. After consolidation, the City and the County would each appoint one additional member. Councilmember Cibrian spoke in favor of multi-faceted transportation options and advocated for transportation funding, noting that San Antonio's region was underfunded compared to others. Lastly, she spoke of the Military Installation Protection Act and noted that a study had been conducted but the findings had not been implemented. Mr. Contreras stated that Senator Van de Putte's bill would be applicable to areas identified in the Joint Land Use Study (JLUS).

Councilmember McNeil asked of the Committee Hearings and Mr. Contreras replied that they were being scheduled and staff reviewed their agenda on a daily basis. Councilmember McNeil asked of the transportation consolidation effort. It was noted that legislation was supported by Representative McClendon and Senator Wentworth and would not mandate action, only support it. Councilmember McNeil asked if the bill could be considered locally rather than statewide and Mr. Tuggey replied that it was an option but did not recommend it. Councilmember McNeil noted her preference that Section 1 of the Resolution be drafted so that it specified "local suburban mayors."

Councilmember Ramos asked if there was an update on the Texas A&M bill. Mr. Contreras replied that the bill dealt with reducing enrollment to 1,000 so that the bonds could be released. Councilmember Ramos thanked Mr. Contreras for his work on Dangerous Dog issues and coordination with Representative Harold Dutton. She expressed concern with the short timeframe given to evaluate the transportation consolidation issue. Councilmember Clamp stated that he approved the proposal conceptually, but was concerned with representation and taxation. He added that although the City would

have strong representation on the Board, it would only be half of the membership. He stated that he would be supportive of an additional City Representative or Elected Official appointed to the Board. Councilmember Rowe asked if there was a reason that no Elected Officials would serve on the Board. Mr. Tuggey replied that State Law governed the metropolitan transit agencies. Councilmember Rowe expressed concern that the proposed Resolution included language that the Council was supportive of a bill that they had not yet reviewed.

Councilmember Rodriguez stated that he would prefer to postpone passing said Resolution provided that it would not be detrimental to the cause. Mr. Tuggey encouraged the Council to act on the broad Resolution and consider passing a subsequent, more detailed resolution after discussion with Bexar County. Councilmember Cisneros noted her support in moving forward with the proposed Resolution.

Councilmember Clamp asked if it would be possible to have either the Mayor or the County Judge serve as the Chair of the Board. Mr. Tuggey replied that it was a possibility and added that the RMA Chair was appointed by the Governor. He added that the Governor's Office had expressed an interest on the consolidated Board. Councilmember Herrera noted the urgency in said matter. She stated that if Council waited too long to make a decision, they may not be included in the legislative process. Councilmember Galvan expressed support for delaying action on said item. She stated that she was in favor of consolidation, but did not know the full impact it would have.

Councilmember Rodriguez moved to continue the proposed Resolution for one week. Councilmember Ramos seconded the motion.

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

Councilmember Rowe moved to approve the proposed Resolution with the condition that verbiage be altered to specify "local suburban mayors" in Section 1 and that the Resolution supports the concept of state legislation that would provide an option for the consolidation of the San Antonio Regional Mobility Authority, VIA Metropolitan Transit, and the ATD into one entity in order to create a more functional transportation system. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2009-03-05-0152

Item 5. AN ORDINANCE APPROVING FUNDING STRATEGIES FOR CITY COUNCIL PRIORITIZED PROJECTS IDENTIFIED FOR THE APPROVED FEDERAL ECONOMIC STIMULUS BILL (AMERICAN RECOVERY & REINVESTMENT ACT OF 2009).

Peter Zaroni, Budget Director, provided an overview of the process and noted that discussions regarding the project list had begun in January, 2009. He explained that the City Council had ranked 120 projects within 15 categories based on priority and staff had continued to review legislation to determine funding by Federal Agency. He reported that the American Recovery and Reinvestment Act of 2009 totaling \$787 billion had been signed into law on February 17, 2009.

Mr. Zanoni stated that the City would receive approximately \$17.2 million from the \$42.9 million in Federal Highway Administration Funds awarded to the Metropolitan Planning Organization (MPO) and outlined projects that could be funded. He provided a list of projects that would be submitted for funding through the U.S. Secretary of Transportation Discretionary Fund. Other projects would apply for funding through a competitive funding process. He noted that the City would receive \$3.9 million through the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and \$5.9 million through the HUD Emergency Shelter Grant (ESG)/Homeless Prevention Fund. He outlined estimated funding through other Federal Programs stating that the total amount of funding was \$74.8 million.

Wayne Alexander, Chair of the Port Authority of San Antonio expressed support in funding the 36th Street Extension. He stated that the Port Authority was a major Aerospace Hub and was becoming a major trade corridor. He added that the project was shovel-ready and would provide road infrastructure access.

Ms. Vacek read written testimonies from Faris Hodge, Jr. Mr. Hodge wrote that he was in opposition to Item 6 because there was already too much traffic in the area. For Item 7, he expressed concern that the costs for the individual contracts were not published. He wrote that the crack sealing machine in Item 11 and the automated fuel management system in Item 12 were a waste of money. Lastly, he wrote that the lockers in Item 13 were a waste of money and an additional 50 Police Officers were needed in District 5.

Councilmember Cortez moved to approve Option 1 with regard to the IMP – Street Maintenance Funds from Federal Highway Administration Funding and to also split the \$3.9 million in additional CDBG Funds equally among the 10 Council Districts. Councilmember Cisneros seconded the motion. Councilmember Ramos asked for a friendly amendment that would include the Aviation Landing Project and the New Braunfels Extension to Loop 410 to the list of projects submitted for U.S. Secretary of Transportation Discretionary Funding. She noted that said projects would not interfere with the \$3.9 million in CDBG Funds or the IMP – Option 1. Councilmembers Cortez and Cisneros accepted the friendly amendment.

Councilmember Cibrian moved to approve an amendment that would eliminate page 1 of 22 of the Proposed Funding Strategies for City Council Prioritized Federal Economic Stimulus Projects. She explained that monies had been allocated to the MPO that included several projects already listed on said page. Councilmember Rowe seconded the motion.

Councilmember Cibrian asked how the public would be informed of the City's Plan for Stimulus Funding and Mr. Zanoni replied that there was a web page dedicated to the City's process and plan for Stimulus Funds. Councilmember Cibrian stressed the importance of soliciting Federal Funds for the San Antonio River Project. Councilmember Herrera recommended that the Council take a city-wide approach to project funding.

At this time, Mayor Hardberger recognized Councilmember Cibrian on a Point of Personal Privilege.

POINT OF PERSONAL PRIVILEGE

Councilmember Cibrian recognized Fay Sinkin, wife of Bill Sinkin who passed away at age 90. Ms. Sinkin was the first female to serve on the Board of Health and serve on the Bexar County Grand Jury. Ms. Sinkin was also the first female to be elected to the Edwards Underground Water District. She was an important voice and leader in Civil Rights on the East and West Sides of San Antonio.

Mayor Hardberger recessed the meeting at 12:15 pm to break for lunch and noted that the meeting would resume at 1:30 pm.

Mayor Hardberger reconvened the meeting at 1:35 pm and continued to address Item 5.

Councilmember Cortez made a substitute motion that would approve the CDBG Funds to be divided by 11 to include the Mayor on the Council and to also approve the IMP – Street Maintenance Funds - Option 2. Councilmember Cisneros seconded the motion. Councilmember Ramos requested that her two projects still be included as a friendly amendment for the Aviation Landing Project and the New Braunfels Extension to Loop 410.

At this time, Councilmember Cibrian withdrew her amendment.

Councilmember Galvan expressed concern that there were no additional funds allocated for infrastructure specific to District 5. Councilmember Rodriguez expressed support for addressing infrastructure needs of older neighborhoods and noted that the process should remain fluid so that adjustments could be made as needed. Councilmember Cisneros expressed support and requested that the Council receive updated information as it becomes available.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Ramos recognized Former Councilmembers Helen Dutmer and Toni Moorhouse who were in attendance to speak in support of Item 30.

Ms. Dutmer spoke in support of the installation of an honorary street marker sign to read *William J. Bordelon Expressway* at various intersections along IH-37. She stated that Mr. Bordelon was the first San Antonian to receive the Congressional Medal of Honor and was born in District 3.

Mr. Bob Bordelon stated that he was the youngest brother of William J. Bordelon and thanked the Council for recognizing his brother. He noted that William J. Bordelon had lost his life in World War II in November, 1943 and had received the Medal of Honor for his valor.

Mr. Angelo Davis Wally spoke in support of Item 30 and added that he had served on the Special Committee formed to seek the honorary designation for William J. Bordelon. He recognized Mr. Bordelon for being the first person in San Antonio to receive the Congressional Medal of Honor and explained that Mr. Bordelon was only the fifth person to lay in state at the Alamo.

Councilmember Cibrian noted that she was the daughter of a World War II Veteran and expressed support for Item 30. She also reported that the Texas Transportation Commission had voted to approve the request by the MPO to utilize \$20 million in Stimulus Funding for the first four interchange connectors located at US 281 and Loop 1604.

Councilmember Cortez expressed support for Item 30 and noted that William J. Bordelon was a graduate of Central Catholic High School.

The City Clerk read the following Ordinance:

2009-03-05-0153

Item 6. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING THE CLOSURE OF AN IMPROVED PORTION OF MOCKINGBIRD ROAD LOCATED BETWEEN INTERSTATE HIGHWAY 10 WEST AND GREATVIEW DRIVE, LOCATED IN COUNCIL DISTRICT 8, IN EXCHANGE FOR \$118,090.00 AND DEDICATION OF ADDITIONAL RIGHT OF WAY.

Mr. George Rodriguez presented said item and stated that the McCombs Family had requested the street closure and right of way located between Interstate Highway 10 West and Greatview Drive. He reported that the petitioner would incorporate the proposed closure with abutting property and dedicate and construct a cul-de-sac with sufficient area provided for emergency vehicles to turn around allowing continued use of Greatview Drive. He added that they would also dedicate a 20-foot wide easement to the City for use as a public alley.

Mr. Rodriguez stated that opposition had been received from the Vance Jackson Neighborhood Incorporated Home Owners Association and the Sugar Hill Management Company which manages nearby apartments. He stated that the project had received conditional approval from City Departments and Utility Agencies and that the petitioner had agreed to comply with all conditions. He reported that two public meetings had been organized by District 8 and the City would collect a fee of \$118,090 for said closure.

Bill Kaufman spoke on behalf of the applicant and stated that they had worked on the street closure for seven months. He explained that individuals used Mockingbird Lane as a shortcut to avoid the traffic light at IH10 and Callaghan Road and that the McCombs property had been subject to vandalism due to the unnecessary traffic. He stated that the applicant would make the following traffic improvements: 1) Dedicate additional property to the northend of Greatview Street and construct a City-approved cul-de-sac of appropriate circumference to allow for emergency vehicle turn around; and 2) Dedicate a 20-foot public easement for a drive connecting Greatview Street to the IH10 Frontage Road ensuring secondary access for residents of Sugar Hill Apartments and the Greatview Office Tenants. He stated that an agreement had been reached with the apartment complex owner but the neighborhood association was in opposition and had not met with the applicant. He provided a petition with 266 signatures in support of the proposed street closure.

Ted Trakas, President of the Vance Jackson Neighborhood Association spoke in opposition to said item. He stated that there did not appear to be a traffic safety issue and there was no accident data to support such claim. He reported that at a neighborhood meeting hosted by Councilmember Cibrian, 20 individuals were in attendance and only one was in favor of the street closure.

Michael Weiss stated that he managed the Sugar Hill Apartments and would remove opposition to the street closure if deed restrictions were filed and various other conditions met. He noted that they had met with the petitioner who had agreed to the conditions.

Nazirite Ruben Flores Perez stated that he supported safety efforts and hoped there would be no flooding issues.

Ms. Vacek reported that 49 written testimonies had been received in opposition to said item. Mayor Hardberger asked Ms. Vacek to read 10 of them.

Laura Saher wrote that she opposed the closing because it only benefitted one owner and the residents of the neighborhood opposed it.

Chuck Saxer, President of the Northside Neighborhoods for Organized Development (NNOD), wrote that his organization represented over 9,000 homes and were opposed to the street closure.

Laura Speer wrote that closing the road would be an inconvenience to apartment tenants and drivers in the area.

John McAllister wrote that the road should be kept open for safety and traffic flow reasons.

Sandra Veronica Covarrubias wrote that she was against the closing of Mockingbird Lane and used it on a daily basis.

Janet Noonan wrote that the road should stay open for traffic flow purposes.

Rebecca Vega wrote that she used Mockingbird Lane daily and closing the street would create more traffic on Callaghan Road. She added that it would also close off two entrances to the parking lot of their office building.

Courtney Denton wrote that she strongly opposed the closing of Mockingbird Lane because she used the road daily on her commute to work.

Ron Carrizales wrote that it would be a hazard to close Mockingbird Lane.

John Maguire wrote that he was a resident of the Colonies North Subdivision and frequent shopper of the Greatview Shopping Center. He opposed the closure of Mockingbird Lane.

Councilmember Cibrian thanked everyone who spoke on said item. She stated that the street closure was recommended by staff and the current street did not meet Unified Development Code (UDC) Requirements. She reported that 260+ signatures in support of the street closure had been received from individuals who lived in the area. She stated that she would support the closure based on the majority being in favor and due to safety issues.

Councilmember Cibrian moved to adopt the proposed Ordinance and noted that deed restrictions and conditions had been requested by Michael Weiss and agreed to by Bill Kaufman. Councilmember Cortez seconded the motion.

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

CONSENT AGENDA: Items 7 - 28

Consent Agenda Items 12, 16, 17, 18, and 28 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Cisneros seconded the motion.

Jack M. Finger thanked the Councilmembers that voted to postpone Item 4 and expressed concern with the possibility of toll roads. He stated that he was opposed to Item 25 because of the campaign contributions associated with said item that were received by the Mayor and Councilmembers.

Nazirite Ruben Flores Perez spoke in support of Item 31 regarding the street name change.

POINT OF PERSONAL PRIVILEGE

At this time, Mayor Hardberger recognized Councilmember Ramos on a Point of Personal Privilege.

Councilmember Ramos recognized Former Councilmember Roland Gutierrez who was in attendance.

Greg Gallaspy, Executive Director of the Paseo Del Rio Association, spoke in support of Item 20 regarding the five-year license agreement with the City of San Antonio. He recognized the work of the Downtown Development Office and noted that the Paseo Del Rio Association had a 40-year relationship with the City.

Ms. Vacek read a written testimony from Mr. William F. Grinnan, Jr., President of the Republic of Texas on Item 20. Mr. Grinnan wrote that he was in support of the Paseo Del Rio Association and its continued presence on the Riverwalk. He recognized their many fundraising efforts and dedicated advocacy for the City and the Riverwalk.

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

2009-03-05-0154

Item 7. AN ORDINANCE ACCEPTING THE FOLLOWING BIDS TO PROVIDE THE CITY WITH THE FOLLOWING COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2009 FOR A COMBINED ESTIMATED COST OF \$550,000.00, INCLUDING: (A) FLASHER EQUIPMENT, CO. FOR RENTAL OF BARRICADES AND ALLIED ITEMS; (B) CLOSNER EQUIPMENT CO., INC. FOR GOMACO SIDEWALK AND CURB MACHINE PARTS AND SERVICE; (C) GRAPHIC DESIGNS INTERNATIONAL, INC. FOR VEHICLE DECALS, LETTERS AND NUMBERS; (D) UNIFORMS 4 ALL, INC. FOR SAPD BADGES; AND (E) KW INDUSTRIES FOR TRAFFIC SIGNAL STEEL POLES.

2009-03-05-0155

Item 8. AN ORDINANCE ACCEPTING THE OFFER FROM MONTEL AETNASTAK, INC. TO PROVIDE SHELVING FOR THE SAN ANTONIO PUBLIC LIBRARY'S MEMORIAL BRANCH FACILITY FOR A COST OF \$78,618.05.

2009-03-05-0156

Item 9. AN ORDINANCE ACCEPTING THE BID FROM HANSON PIPE & PRECAST TO PROVIDE THE PUBLIC WORKS DEPARTMENT WITH A BOX CULVERT FOR A COST OF \$69,217.20.

2009-03-05-0157

Item 10. AN ORDINANCE ACCEPTING THE BID FROM ADH MARKETING TO PROVIDE THE FIRE DEPARTMENT WITH EIGHT THERMAL IMAGING CAMERAS FOR A COST OF \$55,160.00.

2009-03-05-0158

Item 11. AN ORDINANCE ACCEPTING THE BID FROM CRAFCO TEXAS, INC. TO PROVIDE THE PUBLIC WORKS DEPARTMENT WITH TWO CRACK SEALING MACHINES FOR A COST OF \$88,460.00.

2009-03-05-0160

Item 13. AN ORDINANCE ACCEPTING THE OFFER FROM SOUTHWEST SOLUTIONS GROUP TO PROVIDE THE CITY WITH EVIDENCE STORAGE LOCKERS FOR THE SAN ANTONIO POLICE DEPARTMENT PROPERTY ROOM FOR A TOTAL COST OF \$68,326.48.

2009-03-05-0161

Item 14. AN ORDINANCE RATIFYING A CONTRACT WITH CARDINAL MECHANICAL FOR EMERGENCY REPAIRS TO THE CENTRAL UTILITY PLANT AT SAN ANTONIO INTERNATIONAL AIRPORT AT A COST OF \$63,865.00.

2009-03-05-0162

Item 15. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH UNION PACIFIC RAIL ROAD (UPRR) AND AMENDING A FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO REIMBURSE THE CITY FOR RECONSTRUCTION OF JONES MALTSBERGER: US 281 TO EAST OF UPRR, AND UPGRADES TO UPRR CROSSINGS, LOCATED IN COUNCIL DISTRICT 9.

2009-03-05-0166

Item 19. AN ORDINANCE AUTHORIZING A 10-YEAR LICENSE TO LONGS RIDGE ASSOCIATION, INC. FOR THE CONSTRUCTION OF A CONCRETE FENCE OVER O'CONNOR ROAD AND KNOLLCREEK STREET, COUNCIL DISTRICT 10, FOR A FEE OF \$16,715.00.

2009-03-05-0167

Item 20. AN ORDINANCE APPROVING A FIVE-YEAR LICENSE AGREEMENT BEGINNING ON APRIL 1, 2009 WITH THE PASEO DEL RIO ASSOCIATION, INC., TO CONDUCT SPECIAL EVENTS PROMOTING DOWNTOWN AND THE RIVER WALK.

2009-03-05-0168

Item 21. AN ORDINANCE AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS AND THE ACCEPTANCE OF FUNDS UPON AWARD FROM THE TEXAS COMMISSION ON THE ARTS, AUTHORIZING CONTRACTS ASSOCIATED WITH THE EXPENDITURE OF SUCH FUNDS, AND THE PROVISION OF MATCHING FUNDS.

2009-03-05-0169

Item 22. AN ORDINANCE AUTHORIZING AWARDS OF TRUST ASSISTANCE FROM THE SAN ANTONIO HOUSING TRUST TOTALING \$1,000,000.00 TO SUPPORT TWO (2) AFFORDABLE HOUSING PROJECTS LOCATED IN COUNCIL DISTRICTS 1, 6, AND 7.

Item 23. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

- A. REAPPOINTING ROD RADLE (HOUSING DEVELOPER), DR. JESSE ZAPATA (UNIVERSITY REPRESENTATIVE - UNIVERSITY OF TEXAS SAN ANTONIO), MARTHA CASTILLA (NON-PROFIT ORGANIZATION), DR. TESSA MARTINEZ-POLLACK (UNIVERSITY REPRESENTATIVE - OUR LADY OF THE LAKE UNIVERSITY), GEORGE HERNANDEZ (UNIVERSITY HEALTH SYSTEM), DR. ELIZABETH GARZA (EDGEWOOD ISD), AND APPOINTING STEVE SALDANA (FAITH-BASED ORGANIZATION) TO THE WESTSIDE DEVELOPMENT CORPORATION BOARD OF DIRECTORS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE NOVEMBER 28, 2010.
- B. APPOINTING HARRY J. SHAFER, PHD. (DISTRICT 2, CATEGORY: ARCHAEOLOGIST) TO THE HISTORIC DESIGN AND REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2009.

2009-03-05-0170

Item 24. AN ORDINANCE APPROVING AN EXTENSION OF LINE-OF-DUTY INJURY LEAVE FOR SAN ANTONIO FIRE DEPARTMENT FIRE APPARATUS OPERATORS ROBERT FULLERTON, DONNIE NAPIER, AND LEA TWIDWELL.

2009-03-05-0171

Item 25. AN ORDINANCE APPROVING A TWENTY-FIVE YEAR OPERATIONS AND MAINTENANCE AGREEMENT WITH THE WITTE MUSEUM FOR THE BRACKENRIDGE PARK PARKING FACILITY LOCATED IN COUNCIL DISTRICT 9.

2009-03-05-0172

Item 26. AN ORDINANCE APPROVING SELF-MONITORING STANDARDS FOR THE PARKS AND RECREATION DEPARTMENT'S YOUTH RECREATION PROGRAMS TO COMPLY WITH STATE REGULATIONS.

2009-03-05-0173

Item 27. AN ORDINANCE AUTHORIZING A CONTRACT WITH WELCH GROUP ENVIRONMENTAL LLP FOR THE REMOVAL OF FIREARM DEBRIS FROM THE SHOOTING RANGE BAYS AT THE SAN ANTONIO POLICE TRAINING ACADEMY.

[CONSENT ITEMS CONCLUDED]

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 3:23 pm to convene in Executive Session for the purposes of Items B and D:

- A. Deliberations regarding economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development). **NOT ADDRESSED**
- B. Discuss legal issues related to employee benefits pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues related to *Dora Rios v. City of San Antonio*, in the 225th Judicial District Court, Bexar County, Cause No. 2008-CI-07318, pursuant to Texas Government Code Section 551.071 (consultation with attorney). **NOT ADDRESSED**
- D. Discuss legal issues related to *Argonaut Southwest Insurance Company v. City of San Antonio*, in the 408th Judicial District Court, Bexar County, Cause No. 2007-CI-02686, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Regular Meeting at 3:43 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2009-03-05-0159

Item 12. AN ORDINANCE AUTHORIZING A CONTRACT WITH E.J. WARD, INC., TO PROVIDE THE FLEET MAINTENANCE AND OPERATIONS DEPARTMENT WITH AN AUTOMATED FUEL MANAGEMENT SYSTEM, FOR AN INITIAL AMOUNT UP TO \$1,259,270.00 AND \$151,000.00 FOR ANNUAL MAINTENANCE AND SUPPORT.

Mr. Florencio Peña stated that the current system was nine years old and required a great amount of attention. He noted that the new system would interface with software allowing for fuel tracking information.

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

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

2009-03-05-0163

Item 16. AN ORDINANCE ACCEPTING \$46,900.00 FROM THE SAN ANTONIO PUBLIC LIBRARY FOUNDATION, AND AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$68,200.00 TO THE CONSTRUCTION CONTRACT WITH F.A. NUNNELLY COMPANY FOR ADDITIONAL WORK FOR THE JOHN IGO BRANCH LIBRARY OUTDOOR READING AREA IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 8.

Mr. Ramiro Salazar stated that said item was an enhancement to the John Igo Branch Library to provide a designated outdoor reading area. He noted that the San Antonio Public Library Foundation had raised additional funds for the project and RBK Architects had provided pro bono services. Councilmember Cibrian expressed support and thanked all who worked on said project. Councilmember Galvan also

expressed support and encouraged children and adults to sign-up for a Library Card. Councilmember Cisneros explained the new Library Bookmobile and noted her support for said item.

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

2009-03-05-0164

Item 17. AN ORDINANCE AUTHORIZING A THREE-YEAR LEASE RENEWAL BEGINNING FEBRUARY 21, 2009 FROM JESSE C. MORENO FOR APPROXIMATELY 32,016 SQUARE FEET AT 12725 APPLEWHITE ROAD, COUNCIL DISTRICT 4, FOR USE AS A FIRE STATION, FOR AN ANNUAL RENT OF \$8,015.00.

Councilmember Cortez asked if said lease would affect the new Fire Station. Mr. George Rodriguez stated that the lease provided for a 90-day notice to vacate. Assistant Chief Carl Wedge reported that the new Fire Station would be located a half-mile south on Applewhite Road on property donated by Toyota. He added that the Fire Station would be completed by August, 2010. Councilmember Cortez stressed the importance of being on time and budget and thanked Toyota for the land donation. Councilmember Ramos asked if there would be two new Fire Stations within the general area and Chief Wedge confirmed that there would be. Councilmember Ramos recognized the Fire Department and Erik Walsh for their work, as well as Councilmember Cortez for his advocacy of Public Safety.

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

2009-03-05-0165

Item 18. AN ORDINANCE AUTHORIZING A THREE-YEAR LEASE FROM NBY PROPERTIES, LLC, FOR OFFICE SPACE USED BY THE POLICE DEPARTMENT'S SAN ANTONIO FEAR FREE ENVIRONMENT UNIT AT 4883 WEST COMMERCE STREET, COUNCIL DISTRICT 5, AND AUTHORIZING \$25,680.00 FOR OCCUPANCY-RELATED EXPENSES.

Councilmember Galvan stated that she was pleased that District 5 would have additional San Antonio Police Department presence and thanked all involved.

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

2009-03-05-0174

Item 28. AN ORDINANCE AMENDING THE TRAFFIC SIGNAL INSTALLATION AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION BY ADDING TRAFFIC SIGNAL

INTERSECTIONS AND INCREASING THE TOTAL MAXIMUM REIMBURSABLE AMOUNT TO \$229,021.62 ANNUALLY.

Councilmember Rodriguez asked of the link to the Traffic Synchronization Program. Mr. Kent Hickingbottom reported that the City currently maintained 23 Texas Department of Transportation (TxDOT) Traffic Signals and another 28 would be added through said item. He noted that TxDOT had upgraded their equipment to be comparable with that of the City allowing coordination of signals. Councilmember Rodriguez noted that the same process should be implemented for the Bandera Road Synchronization from Loop 1604 to Loop 410. Mr. Hickingbottom concurred and reported that staff was working with TxDOT to upgrade their system in order to communicate with the City's System.

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

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

Item 29. CITY MANAGER'S REPORT

There were no items to report.

CONSENT ZONING

Councilmember Clamp made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve: Z-2, Z-4, and Z-6. Councilmember Ramos seconded the motion.

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

2009-03-05-0006R

Item Z-2. A RESOLUTION DIRECTING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARY OF APPROXIMATELY 3.9480 ACRES LOCATED AT 5317 WEST COMMERCE FROM "I-1" GENERAL INDUSTRIAL AND "MF-33" MULTI-FAMILY TO A USE COMPATIBLE WITH THE EXISTING SURROUNDING LAND AS REQUESTED BY COUNCILWOMAN GALVAN, DISTRICT 5.

2009-03-05-0176

Item Z-4. **ZONING CASE # Z2009035 (District 1):** An Ordinance amending the Zoning District Boundary from "H C-3R" General Commercial, Restrictive Alcohol Sales Tobin Hill Historic District to "H R-5" Residential Single-Family Tobin Hill Historic District on the north 110.55 feet of Lot 3, NCB 1751 (also known as Lot C Block 6 NCB 1751) located at 306 East Myrtle Street. 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: THE NORTH 110.55 FEET OF LOT 3, NCB 1751 TO WIT: FROM "H C-3R" GENERAL COMMERCIAL, RESTRICTIVE ALCOHOL SALES HISTORIC DISTRICT TO "H R-5" RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT.

2009-03-05-0178

Item Z-6. **ZONING CASE # Z2009054 (District 2):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "L" Light Industrial District on Lot 8, NCB 12201 located at 4414 N. Pan Am Expressway. Staff recommends approval. Zoning Commission recommendation pending the March 3, 2009 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 8, NCB 12201 TO WIT: FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "L" LIGHT INDUSTRIAL DISTRICT.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2009-03-05-0175

Item 30. AN ORDINANCE AUTHORIZING THE INSTALLATION OF HONORARY STREET MARKER SIGNS TO READ "WILLIAM J. BORDELON EXPRESSWAY" ALONG INTERSTATE HIGHWAY IH-37 BETWEEN ITS INTERSECTIONS WITH INTERSTATE HIGHWAY IH-10E/U.S.HWY 90E AND INTERSTATE HIGHWAY IH-35N.

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

CONTINUED TO MARCH 12, 2009

Item 31. AN ORDINANCE AUTHORIZING THE RENAMING OF "SOUTH SMITH STREET" TO "GUADALUPE YBARRA STREET" BETWEEN THE CROSS STREETS OF COLIMA STREET AND CHIHUAHUA STREET, AS REQUESTED BY COUNCILWOMAN GALVAN, COUNCIL DISTRICT 5.

Councilmember Galvan moved to continue said item for one week. Councilmember Cortez seconded the motion.

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

2009-03-05-0005R

Item Z-1. A RESOLUTION DIRECTING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO DEVELOP AND BRING FORWARD TO THE ZONING COMMISSION AND CITY COUNCIL A CORRIDOR OVERLAY DISTRICT FOR AN AREA ALONG ROOSEVELT

AVENUE BETWEEN IH-10 AND LOOP 410 AND TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARIES OF THE PROPERTIES WITHIN THE AREA TO ADOPT THE CORRIDOR OVERLAY DISTRICT AND TO AMEND THE BASE ZONING DISTRICT BOUNDARIES TO ZONING DISTRICTS MORE APPROPRIATE FOR DEVELOPMENT OPPORTUNITIES AS REQUESTED BY COUNCILWOMAN RAMOS, DISTRICT 3.

Ms. Nina Nixon-Mendez presented the proposed Zoning Case.

Councilmember Ramos thanked the Planning and Development Services Staff that worked on said item. She stated that the area did not have appropriate zoning and new concepts needed to be enforced. Councilmember Galvan expressed approval of the proposed amendment.

Councilmember Ramos moved to approve the Resolution with an amendment that would include within the boundaries of the proposed Corridor Overlay District, the portion of Roosevelt Avenue located in Council District 5 from the end of St. Mary's Street to IH-10/ US 90. With this amendment, the proposed Corridor Overlay District would include both sides of Roosevelt Avenue from the end of St. Mary's Street to the north, to Loop 410 to the south. Councilmember Cortez seconded the motion.

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

CONTINUED TO MARCH 19, 2009

Item Z-3. **ZONING CASE # Z2009036 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MF-25 ERZD" Multi-Family Edwards Recharge Zone District on 24.315 acres out of NCB 14865 located on the west side of Babcock Road, between University Row and UTSA Blvd. Staff recommends approval. Zoning Commission recommendation is pending the March 3, 2009 public hearing.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Steve Drenner spoke on behalf of the applicant and stated that the property was adjacent to an apartment complex and heavily vegetated. He noted that restrictions had been agreed upon with the College Park Neighborhood. He thanked Councilmember Cibrian and staff for their assistance.

Councilmember Cibrian noted that the case had been difficult because it is located over the Edwards Aquifer Recharge Zone. She noted that SAWS had recommended impervious cover of 45% which had been agreed to by the applicant. She expressed concern with other environmental features and stated that additional time was needed to consider the issues in relationship to the site.

Councilmember Cibrian moved to continue said item to March 19, 2009. Councilmember Cisneros seconded the motion.

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

2009-03-05-0177

Item Z-5. **ZONING CASE # Z2009034 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization to allow a Pay Day Loan Agency on 0.0476 of an acre out of Lot 18, NCB 13718 located at 834 Northwest Loop 410. 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: 0.0476 OF AN ACRE OUT OF LOT 18, NCB 13718 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION TO ALLOW A PAY DAY LOAN AGENCY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Cisneros moved to approve the proposed Zoning Item. Councilmember Cortez seconded the motion.

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

CEREMONIAL ITEMS

Mayor Hardberger presented a proclamation for the *Be One in a Million* Library Card Campaign. Councilmembers Justin Rodriguez and John Clamp partnered with the San Antonio Public Library and its stakeholders to launch the campaign. The project is designed to encourage citizens to take advantage of the many resources and services of the San Antonio Public Library with a goal of reaching a total of one million library cardholders.

Mayor Hardberger presented a proclamation for the 15th Annual Basura Bash to be held on Saturday, March 7, 2009. The Basura Bash is the largest community-wide effort to clean up the banks of the San Antonio River and its tributaries. The event began in 1995 as a single 10-mile clean-up along the Mission Reach of the San Antonio River and has grown to include a portion that runs along Brackenridge Park, as well as Alazan Apache, Olmos, Leon, Salado and Indian Creeks. This year, Zarzamora Creek and Woodlawn Lake will be added to the project.

Mayor Hardberger presented a Resolution of Respect to the family of Mr. Manuel Castillo, Jr. who passed away on January 6, 2009 after a battle with cancer. Mr. Castillo was the Co-Founder/Executive Director of San Anto Cultural Arts, an organization responsible for more than 36 community murals, an artistic newspaper, a multimedia institute, and many creative neighborhood events.

CITIZENS TO BE HEARD

Vihn Taylor stated that he owned an ice shaving business and expressed concern that his permit fee had doubled since the previous year. He noted that Councilmember Rodriguez had voted against the fee increase and that a representative of the Health Department had not inspected his snow cone stand. He also expressed concern with graffiti issues in the area.

Katrina Webber expressed concern that the unemployment rate for San Antonio was 6.3% and noted that she was a news reporter that had been recently laid off. She stated that she had applied for several positions with the City and spoke of her employment qualifications.

San Antonio Youth Commissioners, Zachary Newman, Ashley Hernandez, Paige Carroll, Sierra Vela, Marissa Garza, Hannah Voss, and Roy Aguillon addressed the Council regarding the Youth Summit that will take place on May 21, 2009 at the Municipal Auditorium. Mr. Newman stated that the Summit will allow students to address community issues as well as receive training for academic success. Contacts with universities, employers, and volunteer organizations will also be available to attendees. Miss Hernandez presented the history of the Youth Commission. Miss Carroll, Miss Vela, and Miss Garza spoke regarding the Youth Summit and asked the Council for their financial support. Miss Voss and Mr. Aguillon thanked Councilmember Cibrian for her current contribution.

Mr. Mark Perez expressed concern that the City had not addressed issues with permitting and Certificates of Occupancy.

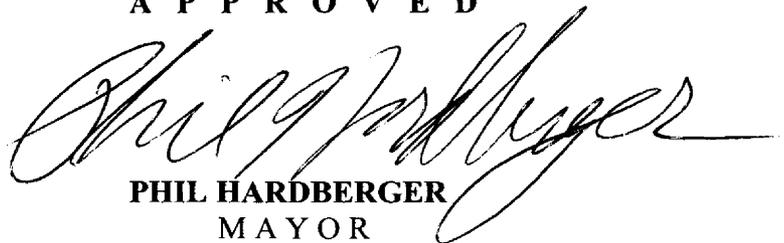
Mr. Faris Hodge, Jr. stated that he was disappointed with the Council's attendance at Citizens to be Heard. He spoke of the San Antonio Health Department Fees, the sale of Market Square, and Open Records Requests that he had submitted. He spoke against the addition of a substation on the Westside and in favor of additional Police Officers in the area. He noted that there was a gang problem in the Downtown Area and more Police Officers were needed to control the situation.

Mr. Nick Calzonit asked the Council to remember the Harlandale School District and spoke of the 57% drop out rate. He also spoke of a petition to rename schools after females and individuals of different races.

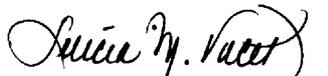
ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 7:13 pm.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest:


LETICIA M. VACEK
City Clerk