

**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 WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, NOVEMBER 4, 2009 AND THURSDAY, NOVEMBER 5, 2009, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **November 4, 2009**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

1. BRIEFING ON THE CUSTOMER RELATIONSHIP MANAGEMENT (CRM) BUSINESS INITIATIVE

Ms. Sculley stated that staff had been working on the Customer Relationship Management (CRM) business initiative for over two years to improve customer service. She introduced Tony Bosmans, Customer Service/3-1-1 Director to present said item.

Mr. Bosmans provided an overview of the CRM Initiative and stated that it was an enterprise-wide system that would help enhance customer service. He noted that it focused on improving communication; data tracking and reporting; service delivery; and overall performance. He spoke of training for City Staff and other programs to improve customer service such as the Mystery City Shopper Program.

Mr. Bosmans stated that CRM would meet the city's service needs by better tracking correspondence, data, and reporting. He noted that it would expand communication channels for customers to inquire or receive services. He reported that the system was user-friendly and would allow collaboration across departments. The system will also ensure that departments are held accountable for providing the information and services requested.

Mr. Bosmans stated that Phase I of the CRM Initiative would be implemented by the following departments that accounted for 85% of the service calls received: 1) Customer Service/3-1-1; 2) City Council Offices; 3) Public Works; 4) Solid Waste; 5) Animal Care Services; 6) Housing and Neighborhood Services; 7) Parks and Recreation; 8) Capital Improvement Management Services; and 9) City Manager's Office. He noted that a Request for Confidential Sealed Proposals (RFCSP) was issued in July and evaluations were completed in October. He reported that vendor reviews would be held in December and CRM Project Kickoff would occur in February, 2010.

Councilmember Clamp asked of the cost of the system. Richard Varn stated that \$3.5 million had been budgeted in the FY 2008 Budget. He explained that Phase I would cost from \$3.5-5 million and that full implementation would total \$5-7 million. Councilmember Clamp asked of cost offsets in the future. Mr. Varn stated that there would be savings and efficiencies but

focused more on cost avoidance. Councilmember Clamp expressed his support and requested cost flow, benefits and measurable goals of the CRM Initiative.

Councilmember Lopez asked of performance measures. Mr. Bosmans stated that through the CRM Initiative, they would eliminate the mainframe system and training would be conducted in two weeks instead of the usual eight weeks. He noted that if the calls were handled more efficiently, the number of staff could be decreased. Councilmember Lopez asked that data be retrievable by Council District. Councilmember Williams asked of the current system and of the participation of staff from the City Council District field offices. Mr. Bosmans confirmed that the current system would be eliminated and that Council Staff had been included in the process.

Councilmember Williams asked of the new system that would be purchased. Mr. Varn replied that they had the following two criteria for a new system: 1) Purchasing commercial, off-the-shelf software; and 2) The new system should have the ability to integrate with the fix-based infrastructure of ITSD. Councilmember Williams requested that the system be implemented quickly. Mr. Varn stated that it would be implemented one year from the launch date. Councilmember Cisneros expressed concern with the cost of the system due to the budget deficit. Mr. Varn replied that they had budgeted \$3.5 million in the FY 2008 Budget and would accomplish as much as possible with that amount of funding. The remaining costs would be requested through the annual Capital Budget process and would depend on how much was accomplished in Phase I.

Councilmember Cisneros asked of the Top Ten Frequently Asked Questions that had been identified from each department. Mr. Bosmans provided examples of the questions submitted by the departments and noted that staff made every effort to answer customer questions on the first call. Councilmember Chan spoke in support of the city's Information Technology Services Department and projects. She stated that she was very familiar with software and implementation and that there were many IT needs throughout the city. She asked if the software for the CRM Initiative had been selected. Mr. Varn stated that they had received the proposals and were working with the top two vendors. He noted that they had received responses for an integrator and a platform and were working to secure the best price. Mayor Castro thanked staff for the presentation.

Mayor Castro recessed the meeting at 2:40 pm to convene in Executive Session for the purposes of:

- A. DELIBERATIONS REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSSION OF RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DISCUSS LEGAL ISSUES RELATED TO *CITY OF SAN ANTONIO, TEXAS, ET AL., V. HOTELS.COM, L.P., ET AL.* IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION, CASE NO. SA06CA0381 OG, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

- C. DISCUSS LEGAL ISSUES RELATED TO *JOSE L. BANUELOS V. CITY OF SAN ANTONIO*, CAUSE NO. 2008-CI-18752, BEXAR COUNTY, TEXAS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- D. DISCUSS LEGAL ISSUES RELATED TO CPS ENERGY'S BOND COVENANTS AND OBLIGATIONS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 5:40 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. There being no further discussion, Mayor Castro adjourned the meeting at 5:40 pm.

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

ROLL CALL

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

Item 1. The Invocation was delivered by Rev. Robert Arevalo, Pastor, Grace Church, guest of Councilmember Jennifer V. Ramos, District 3.

Item 2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the October 1, 2009 City Council meeting. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** None.

Item 4. OATH OF OFFICE – MAYOR PRO-TEM

Ms. Vacek administered the Oath of Office to Councilmember Philip A. Cortez, District 4, whose term as Mayor Pro-Tem becomes effective November 8, 2009 through January 17, 2010.

CONSENT AGENDA: ITEMS 5-22

Consent Agenda Items 8, 9, 13, 14, 15, 16, 19, and 22 were pulled for Individual Consideration. Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez spoke in support of Item 11 regarding an agreement with CPS Energy. He also supported Item 13 Haven for Hope, Inc. grant funding.

Jack M. Finger spoke in opposition to the amendment to the Construction Manager at Risk Contract for the Lila Cockrell Theater Renovation Project (Item 7). He expressed concern with the grant application for Haven for Hope, Inc. (Item 13) and the delegate agency contract to serve 11 rural counties in the Alamo Workforce Development Area (Item 15). He spoke against the agreement with the San Antonio Parks Foundation, noting that the City had lost \$217,000 in revenue on Fiestas Fantasias.

Betty Eckert spoke in opposition to Item 14 regarding the continuation grant from the Alamo Area Council of Governments (AACOG) for the Comprehensive Nutrition Project. She reported a misalignment of the proposal amount in that the FY 2010 projection was only increased to serve an additional 14.6 seniors. She noted that it was a very important issue for senior citizens that depended on the daily meals. She asked of the criteria for eliminating additional sites.

Written testimony was received from Faris Hodge, Jr. He wrote that the contract costs in Item 5 should not be estimates. He wrote in opposition to Items 6 and 7, the purchase of trucks and the construction contract with T.S. Byrne Construction for the Lila Cockrell Theater Renovation respectively. He wrote that the Weatherization Assistance Program referenced in Item 17 did not benefit the working poor.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** None.

2009-11-05-0870

Item 5. AN ORDINANCE ACCEPTING BIDS FOR THE FOLLOWING CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF \$904,000.00: (A) FLEET PRIDE FOR TARGET TECH WARNING LIGHTS AND ACCESSORIES; (B) APR ACQUISITIONS, INC. FOR RENTAL OF TABLES AND CHAIRS; (C) T&W TIRE FOR TIRE RETREADING AND REPAIR SERVICE AND (D) CVC, INC. FOR NEEDLE SETS.

2009-11-05-0871

Item 6. AN ORDINANCE ACCEPTING THE BIDS FROM GRANDE TRUCK CENTER AND FREIGHTLINER OF SAN ANTONIO FOR THE PURCHASE OF TEN (10) MEDIUM AND HEAVY DUTY TRUCKS FOR A COST OF \$859,021.00, FUNDED WITH THE EQUIPMENT RENEWAL AND REPLACEMENT FUND AND THE PARKS & RECREATION DEPARTMENT'S TREE PRESERVATION MITIGATION FUND.

2009-11-05-0872

Item 7. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$2,500,000.00 TO THE \$20,150,000.00 CONSTRUCTION MANAGER AT RISK CONTRACT WITH T.S. BYRNE CONSTRUCTION FOR ADDITIONAL

IMPROVEMENTS FOR THE LILA COCKRELL THEATER RENOVATION PROJECT LOCATED IN COUNCIL DISTRICT 1, FUNDED BY HOTEL OCCUPANCY TAX REVENUE BONDS.

2009-11-05-0875

Item 10. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO M.J. BOYLE GENERAL CONTRACTOR, INC. IN THE AMOUNT OF \$444,300.00, FROM A TOTAL AUTHORIZED PROJECT AMOUNT OF \$530,717.00, FOR THE SPANISH GOVERNOR'S PALACE IMPROVEMENTS PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

2009-11-05-0876

Item 11. AN ORDINANCE APPROVING A TRANSFER OF USE, BENEFIT, AND CONTROL AGREEMENT WITH CPS ENERGY FOR AN EASEMENT PROPERTY FOR THE WESTOVER VALLEY DETENTION POND PROJECT, A STORM WATER FACILITIES FUND PROJECT LOCATED IN COUNCIL DISTRICT 6.

2009-11-05-0877

Item 12. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DEDICATION OF 0.0084 ACRE OF FEE SIMPLE TITLE FOR ONE PARCEL OF PRIVATELY OWNED PROPERTY IN NCB 11724 FROM THE NORTH EAST INDEPENDENT SCHOOL DISTRICT FOR A RIGHT TURN LANE INTO LARKSPUR ELEMENTARY SCHOOL LOCATED AT 11330 BEL AIR DRIVE IN COUNCIL DISTRICT 9.

2009-11-05-0882

Item 17. AN ORDINANCE AUTHORIZING A GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR ACCEPTANCE OF UP TO \$12,308,804.00 IN GRANT FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT, AND AUTHORIZING THE OFFICE OF ENVIRONMENTAL POLICY TO IMPLEMENT THE SAN ANTONIO WEATHERIZATION ASSISTANCE PROGRAM IN COOPERATION WITH CPS ENERGY; AND APPROPRIATING FUNDS.

Item 18. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT:

- A. REAPPOINTING MICHAEL "ALEX" NAVA (DISTRICT 10) TO THE PORT AUTHORITY OF SAN ANTONIO FOR A TERM OF OFFICE TO COMMENCE DECEMBER 1, 2009 AND EXPIRE NOVEMBER 30, 2011.
- B. APPOINTING HECTOR M. ALVIAR (DISTRICT 3, CATEGORY: CONSUMER OF HANDICAPPED SERVICES) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.

- C. REAPPOINTING WILLIAM J. WHITE (DISTRICT 3) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- D. REAPPOINTING WILLIAM J. WHITE (DISTRICT 3) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- E. REAPPOINTING JON H. THOMPSON (DISTRICT 1) AND CHARLES M. BARTLETT (DISTRICT 3) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- F. REAPPOINTING CHARLES M. BARTLETT (DISTRICT 3) TO THE PARKS AND RECREATION BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- G. REAPPOINTING YULANEE H. MCKNIGHT (DISTRICT 3) TO THE SAN ANTONIO HOUSING TRUST FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- H. APPOINTING ANDREW ZAPATA AND REAPPOINTING BARTOLO N. SANCHEZ TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 16, KNOWN AS BROOKS CITY BASE, FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- I. APPOINTING JANET L. KNUTSON (DISTRICT 10) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- J. REAPPOINTING JEAN BRADY (DISTRICT 1) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2011.
- K. REAPPOINTING EDWARD H. HARDEMON (DISTRICT 2) TO THE ZONING BOARD OF ADJUSTMENT FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- L. APPOINTING STEVEN G. MARQUEZ (DISTRICT 1) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE APRIL 25, 2011.

PULLED BY STAFF

Item 20. AN ORDINANCE AUTHORIZING CERTAIN ACTIONS CONCERNING THE AMENDMENT OF THE CITY'S CURRENT CONTRACTUAL ARRANGEMENT WITH THE REMARKETING AGENT FOR OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003, INCLUDING THE POSSIBLE REPLACEMENT OF THE EXISTING REMARKETING AGENT AND EXECUTION OF A REPLACEMENT

REMARKETING AGREEMENT; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2009-11-05-0888

Item 21. AN ORDINANCE AUTHORIZING A SETTLEMENT AGREEMENT IN THE AMOUNT OF \$137,500.00 IN THE LAWSUIT STYLED *JOSE L. BANUELOS V. CITY OF SAN ANTONIO*.

[CONSENT AGENDA ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2009-11-05-0873

Item 8. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT WITH GG&G GENERAL CONSTRUCTION, INC. IN THE AMOUNT OF \$132,500.00, FROM A TOTAL AUTHORIZED PROJECT AMOUNT OF \$165,553.86, FOR THE COLLINS GARDEN PARK LIGHTING AND AMENITIES PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATIONS BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5.

Councilmember Medina spoke of the improvements that had been made to the Collins Garden Park that included a walking track, playground and park benches. He asked of the bidding process for the project. Mike Frisbie stated that it was a competitive low-bid process and had received a good amount of bidders. He noted that GG&G General Construction was the lowest bidder and was a local, small business. He added that they would begin construction next month and be completed in May, 2010.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez.

The City Clerk read the following Ordinance:

2009-11-05-0874

Item 9. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE DECREASED AMOUNT OF \$954,000.00 TO THE \$34,548,000.00 PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. FOR PROGRAM MANAGEMENT SERVICES FOR THE SAN ANTONIO INTERNATIONAL AIRPORT EXPANSION PROGRAM; AND AUTHORIZING A TRANSFER OF \$211,455.00 FROM THE PARKING FACILITIES PROJECT TO PROGRAM MANAGEMENT.

Councilmember Clamp asked for additional information on the project. Mike Frisbie reported that the project had been implemented prior to the creation of the Capital Improvement

Management Services (CIMS) Department and that the CIMS model was one that operated with a core management team supported by consultants and contractors. He noted that the current consultant had bought out a previous consultant and that a core Project Management Team from CIMS would be involved in the project. He added that the ordinance would keep the consultant on the project with a lesser role. Councilmember Clamp asked of other projects being managed by a CIMS Project Management Team. Mr. Frisbie reported that most of the city's capital projects were being managed through said model and that the majority of Information Technology projects were managed by ITSD. He added that having a CIMS Project Management Team has helped keep the projects on schedule, budget and having knowledge of project issues.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez.

The City Clerk read the following Ordinance:

2009-11-05-0878

Item 13. AN ORDINANCE RATIFYING THE DESIGNATION OF HAVEN FOR HOPE, INC. AS THE ELIGIBLE ENTITY DESIGNEE ON BEHALF OF THE CITY OF SAN ANTONIO TO DIRECTLY APPLY FOR AND ACCEPT GRANT FUNDS IN THE AMOUNT OF \$3,410,574.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDCHA) HOMELESS HOUSING AND SERVICES PROGRAM (HHSP) FOR THE PERIOD OF NOVEMBER 1, 2009 TO AUGUST 31, 2011.

Mayor Castro stated that said item was pulled to be highlighted and asked for a timeline. Dennis Campa stated that the 81st Legislature had invested \$20 million for the homeless population and that San Antonio had received \$3.4 million for the next two years. He noted that the \$1.7 million per year could be utilized for construction or direct operations and that the funds would be used to complete the Haven for Hope Campus.

Mayor Castro expressed his support and stated that the Haven for Hope Campus would be a wonderful and much needed addition to the community.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Rodriguez.

The City Clerk read the following Ordinance:

2009-11-05-0879

Item 14. AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONTINUATION GRANT FROM ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) AND AUTHORIZES A TOTAL COMPREHENSIVE NUTRITION PROJECT (CNP) BUDGET OF \$5,298,883.00 WHICH INCLUDES \$1,961,820.00 IN GRANT FUNDS FROM AACOG, \$3,144,506.00 IN MATCHING FUNDS FROM THE GENERAL FUND, ACCEPTANCE OF CLIENT DONATIONS (PROGRAM INCOME) IN THE AMOUNT OF \$192,557.00, AND ACCEPTANCE OF AACOG SUPPLEMENTAL FUNDS IF AWARDED; AND AUTHORIZING A PERSONNEL COMPLEMENT OF 50 POSITIONS AND AGREEMENTS WITH NON-PROFIT AGENCIES FOR OPERATION OF NUTRITION SITES AND USE OF FACILITIES FOR THE CNP TO PROVIDE DAILY MEALS FROM OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010.

Councilmember Cortez recognized Betty Eckert for being present and asked for additional information regarding the grant. Dennis Campa stated that the city had received a grant from the AACOG for the past 39 years to provide senior nutrition meals. He noted that they provided daily meals in a congregate setting and that most homebound deliveries were provided by Christian Senior Services. He reported that they would be able to serve 3,800 seniors that could increase to 4,000 seniors prior to the end of the fiscal year due to new centers in Council Districts 2, 5 and 6. He mentioned that 7,000 seniors were enrolled in the program but not all attended every day. Councilmember Cortez asked of the requirements to receive a meal. Mr. Campa replied that an individual had to be 60 years of age or older and that a 50-cent donation per meal was requested but not required. He stated that there were 78 senior nutrition sites and that adequate funding was available for all sites. Councilmember Cortez expressed his support and stated that he was pleased that staff was looking for ways to increase the amount of seniors served.

Councilmember Cisneros noted the importance of the Senior Nutrition Program and requested information regarding the type of meals served in District 1. Mr. Campa stated that he would provide the City Council with a menu that was created on a quarterly basis by the Senior Nutrition Managers along with the meal provider, Selrico. Councilmember Medina expressed his support for the Senior Nutrition Program and stated that services should be expanded in areas with great need. Mr. Campa noted that staff would be developing a comprehensive plan for senior centers throughout the city.

Councilmember Ramos asked of the number of meals served annually. Mr. Campa reported that approximately 3,800 meals were served daily 260 days a year. He stated that staff would work with Ms. Eckert and the Elderly Affairs Commission to ensure that they received accurate information regarding the number of meals that would be served in FY 2010. He reported that four senior nutrition sites were located in Bexar County and that the City did not provide matching funds for those sites. Councilmember Ramos expressed her support and asked that Bexar County provide additional assistance in an effort to serve more senior citizens. Councilmember Lopez also expressed his support and thanked city staff for their work in serving senior citizens.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2009-11-05-0880

Item 15. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$44,494,353.00 AND AUTHORIZING AN AGREEMENT WITH WORKFORCE SOLUTIONS ALAMO FOR THE FY 2010 CHILD CARE SERVICES PROGRAM; AUTHORIZING A DELEGATE AGENCY CONTRACT WITH ALAMO AREA DEVELOPMENT CORPORATION IN THE AMOUNT OF \$606,345.00 TO SERVE 11 RURAL COUNTIES IN THE ALAMO WORKFORCE DEVELOPMENT AREA; AUTHORIZING A TOTAL CHILD CARE SERVICES PROGRAM BUDGET OF \$45,694,353.00 WHICH INCLUDES \$1,200,000.00 IN CITY MATCHING FUNDS AND AUTHORIZES A PERSONNEL COMPLEMENT OF 53 POSITIONS.

Councilmember Clamp asked of the program once the stimulus funds had been exhausted. Dennis Campa replied that this program was not funded through stimulus funds. He stated that the contract had been awarded to the city for 19 years and had continued to increase. He added that an additional \$12.9 million in stimulus funding had been awarded for child care services and would be utilized over the next two years. He stated that 300-400 children transitioned out of the program every month. Councilmember Cortez asked of the number of child care centers and the city's match requirement. Mr. Campa reported that the city had vendor agreements with 475 sites. He explained that the federal government required that states provide a match requirement and that the State of Texas requested that the funds be provided by the local workforce boards. He noted that the city certified local expenditures up to \$1.2 million to draw down \$4.5 million in federal matching funds.

Mr. Campa stated that the city received supplemental funding each year through funding that was not utilized by other workforce boards. Councilmember Rodriguez expressed his support and noted the importance of early childhood education.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

2009-11-05-0881

Item 16. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE TOTAL AMOUNT OF \$296,129.00 FROM THE ALAMO AREA COUNCIL OF

GOVERNMENTS (AACOG) AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE CONTINUATION OF THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT (SSEP) TO PROVIDE TRANSPORTATION SERVICES FOR SENIORS; AUTHORIZING THE PROGRAM BUDGET OF \$442,116.00 INCLUDING CITY MATCHING FUNDS OF \$140,987.00; AUTHORIZING A PERSONNEL COMPLEMENT OF 10 POSITIONS; AND ACCEPTING SUPPLEMENTAL FUNDS IF AWARDED DURING THE CONTRACT PERIOD.

Councilmember Ramos asked of the decrease in funding for transportation services for seniors. Dennis Campa stated that the cost of fuel had increased. He noted that the department received supplemental funding for the program during the year and would increase the amount of trips that would be made available. Councilmember Ramos asked of the participation of the Presa Community Center. Mr. Campa reported that the department provided dispatching services for Presa and Presa provided transportation to seniors in their area. He added that staff would review the program for cost effectiveness and meet with VIA Metropolitan to better coordinate services. Councilmember Ramos asked of the decrease in personnel. Mr. Campa replied that two positions were vacant and not being utilized.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read Items 19A-19E:

Item 19. CONSIDERATION OF ORDINANCES 19A, 19B, 19C, 19D and 19E RELATING TO BOND ISSUANCES BY SAN ANTONIO WATER SYSTEM (SAWS):

2009-11-05-0883

- A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE BONDS, SERIES 2009A" IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$115,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN ANTONIO WATER

SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

2009-11-05-0884

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE BONDS, TAXABLE SERIES 2009B (DIRECT SUBSIDY – BUILD AMERICA BONDS)” IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$115,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN ANTONIO WATER SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

2009-11-05-0885

- C. AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE BONDS, SERIES 2009” IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$54,300,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY’S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY’S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN

ANTONIO WATER SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

2009-11-05-0886

- D. AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE AND REFUNDING BONDS, SERIES 2009A” IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY’S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND ONE OR MORE ESCROW AGREEMENTS; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY’S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN ANTONIO WATER SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

2009-11-05-0887

- E. AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REFUNDING BONDS, SERIES 2009B” IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$70,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY’S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AGREEMENT, AND A PURCHASE CONTRACT COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN ANTONIO WATER SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND

RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Ben Gorzell stated that the ordinances were related to the issuance of debt for the San Antonio Water System (SAWS). He noted that Item 19A was Senior Lien Tax Exempt Debt traditionally issued by SAWS and 19B was implemented through the American Reinvestment and Recovery Act (ARRA) and authorized municipalities/public utilities to issue taxable debt and receive a direct federal subsidy. He reported that they would be utilized to support the SAWS Capital Plan and provided SAWS the ability to issue up to \$150 million in debt. He stated that Items 19C and 19D also supported the SAWS Capital Plan and was debt that could be issued through the Texas Water Development Board. He noted that for qualifying projects, the State Board provided interest rate subsidies lowering the cost of borrowing on the debt. He explained that Item 19E was a potential refunding that would refinance existing SAWS debt for interest rate savings. He added that staff had reviewed the existing debt including future principal and interest requirements and concluded that existing rates covered this debt service.

Councilmember Clamp stated that although rates would not have to be increased for this issuance, he would like to see the impact if a rate increase was necessary to cover the debt.

Doug Evanson, SAWS Chief Financial Officer and Senior VP stated that they were requesting new money in the amount of \$95-115 million with the flexibility to issue tax exempt or taxable bonds. He noted that the \$54.3 million transaction included a .95% subsidy from the Texas Water Development Board and that the \$35 million issuance was a new option that included a 2% subsidy from the Texas Water Development Board and would be utilized to support the brackish desalinization plant. He reported that a refunding transaction was included and would only be pursued if a 3% net present value savings was realized. He added that the existing rates were sufficient to fully amortize the projected debt service on the bonds.

Mr. Evanson stated that their bond ratings had been upgraded last December. He noted that they had received reaffirmation of their AA rating from Standard and Poors and anticipated reaffirmation from the other two bond rating agencies as well. He provided a 2009-2010 budget summary noting that the total source of funds and total use of funds were within .1% of each other. He mentioned that Operating and Maintenance costs had been reduced by 2.3% through efficiencies and were offset by the increased debt service requirements. He reported that \$1.5 billion in capital needs were projected over the next five years. He stated that they had been conservative in their Interest Expense Budgeting as not to rely on a rate increase and were \$1.8 million favorable in Depreciation Expenses.

Mr. Evanson reported that they maintained a strong balance sheet and had added \$250 million in assets over the last 12 months that was supported by the issuance of \$128 million of long-term debt. He stated that they maintained an equity ratio of 49.2% and that ratings were reflective of a strong balance sheet. Lastly, he presented financial ratios and noted that the bond rating agencies focused on debt coverage ratios which were very strong.

In response to Councilmember Clamp, Mr. Evanson stated that they assumed normal weather that included 30-32 inches of rainfall per year when projecting their budget. Councilmember

Clamp asked of the water supply fee. Mr. Evanson replied that the water supply fee of 15.29 cents per 100 gallons was sufficient to cover their needs. Councilmember Clamp requested a SAWS Capital Plan to include proposed rate increases over the next 5, 10 and 15 years. Mr. Evanson added that they had a Rate Advisory Committee that had been meeting over the past 12 months and would be recommending a slight reduction for those that use less water and increases for those that use high amounts of water. Councilmember Clamp asked of the Texas Commission on Environmental Quality (TCEQ) Fee. Mr. Evanson stated that they would be billed \$1.5 million by TCEQ and that previously, the fee had totaled \$300,000.

Councilmember Williams asked of the drop in ratios and the impact to the bond ratings. Mr. Evanson stated that they tried to keep the ratio around two and that the current annual debt service was near two times. He noted that they provided the information to the bond rating agencies and were managing close to the threshold. Councilmember Williams requested the comprehensive review by the Rate Advisory Committee as soon as possible noting that he had received a few citizen concerns in regard to the process. He also requested a more detailed SAWS Capital Plan. Councilmember Ramos asked that the City Council be kept informed of forecasting and proposed rate increases with ample time to review information and make decisions. Mr. Evanson noted that they would be providing the City Council with information regarding the TCEQ Fee Increase during a B Session on December 9, 2009. Councilmember Ramos expressed concern that the item would be voted on at the December 10, 2009 City Council Meeting and requested the impact of the TCEQ Fee Increase. Mr. Evanson stated that ratepayers would see an increase of 35 cents on their monthly bill and would be applied to all customers.

Councilmember Ramos asked of the Edwards Aquifer Authority (EAA) Fee and potential rate increase. Mr. Evanson explained that under collections or over collections on the EAA were passed to the customers the following year. Councilmember Ramos requested a list of the public input meetings held in District 3 to include the Neighborhood Associations or President's Meetings. Councilmember Lopez asked of the impact of SAWS and CPS Energy's Debt Rate to the city's debt service level. Mr. Gorzell stated that the bond rating agencies reviewed debt per capita for each entity and was a small component of their review. He added that it would not affect the city's ability to raise capital. Councilmember Lopez asked of the increase to those individuals that utilized wells. Mr. Evanson stated that they would only realize an increase if they received wastewater services and would be approximately eight cents.

Councilmember Clamp moved to adopt the proposed Ordinances for Items 19A, 19B, 19C, 19D, and 19E. Councilmember Chan seconded the motion.

The motion to approve Items 19A-19E prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2009-11-05-0889

Item 22. AN ORDINANCE EXTENDING AND AMENDING THE AGREEMENT WITH THE SAN ANTONIO PARKS FOUNDATION FOR THE "FIESTAS FANTASIAS" FIESTA EVENT AT MARKET SQUARE.

Mayor Castro called upon the individuals registered to speak.

Former Mayor Lila Cockrell, President of the San Antonio Parks Foundation, and Evangelina Flores, Chair of the San Antonio Parks Foundation addressed the Council regarding the Annual Fiestas Fantasias Event. Ms. Flores stated that they had operated the event for the last six years and raised funds to help offset operations and supplement parks projects throughout the city. She thanked the Council for their cooperation and support.

Mayor Cockrell recognized the staff of the San Antonio Parks Foundation and stated that they had received the contract for the Fiestas Fantasias event due to the fact that they had reached almost 100% of the city's diversity goals. She shared a report with the City Council regarding the funds paid to the City of San Antonio for various parks projects in 2008 and 2009 totaling \$5,479,060.77. She provided a summary of the results of the 2007 study "Economic Impact of Fiesta San Antonio" completed by Burchhill Enterprises produced for the Fiesta San Antonio Commission. The report showed the total economic impact of Fiestas Fantasias estimated at \$86,686,722. She noted that the net revenue from 2004-2009 for Fiestas Fantasias was \$1,201,154 of which \$645,119 was paid to the City of San Antonio. She asked the Council for their support in allowing the San Antonio Parks Foundation to continue to operate the Fiestas Fantasias event in 2010 and evaluate possibilities for future cost savings to the city.

Mayor Castro thanked Mayor Cockrell for all of her great work.

Angela Garcia representing LULAC recognized Mayor Cockrell for her work within Parks and Recreation but noted that the parks projects referenced had been funded by grants and not the Fiestas Fantasias event. She stated that LULAC was the founding party to this Fiesta Event and would like the opportunity to produce the event again. She requested a two-week continuance of the item and expressed concern that the city had funded \$300,000 for Police presence for the event.

Dario Chapa representing LULAC spoke in opposition to said item and stated that LULAC had founded the event when there was limited use of Market Square and had done so for 20 years. He reported that LULAC had been providing scholarships for many years and it was important to continue doing so due to the challenging economic times. He expressed concern that the city was providing \$300,000 for Police presence for the event. He stated that if provided the opportunity to oversee the event, LULAC would begin paying a portion of that cost each year. He requested that said item be continued for two weeks so that LULAC could submit a proposal.

Councilmember Cisneros thanked all that spoke on said item and asked of the economic impact study. Paula Stallcup stated that an economic impact study was commissioned by the Fiesta Commission every few years and had estimated an impact of \$87 million from the Fiestas Fantasias event. Councilmember Cisneros asked of the city's contribution for security for the

event. Ms. Stallcup stated that the security costs were \$290,000 and additional cleaning costs were \$8,000 for the Fiestas Fantasias event. She noted that since the event is held at Market Square, San Antonio Police were the only security that could be contracted for the event. Councilmember Cisneros asked of the permitting and licensing costs. Ms. Stallcup replied that she did not have that amount.

Ms. Stallcup stated that the Parks Foundation was required to conduct a third-party audit to certify the net revenues and that 50% was paid to the city. Councilmember Cisneros requested that staff work to offset the administrative costs for any entity providing oversight of the event and noted the great work done by the Parks Foundation.

Councilmember Cisneros moved to adopt the proposed Ordinance with the condition that the contract with the San Antonio Parks Foundation be renewed for year 2010 but that staff solicit Requests for Proposals (RFP) for the event in 2011. Councilmember Cortez seconded the motion.

Councilmember Cortez asked of the RFP process and timeline. Ms. Stallcup replied that the RFP would identify an organization to produce the event to include all logistics and work on reducing the security cost to the city. She noted that most of the organizations that produced Fiesta Events were required to pay the security costs. Councilmember Cortez asked why the city provided security costs for Fiestas Fantasias. Ms. Stallcup stated that the city had always covered the costs for events held at Market Square. Pat DiGiovanni noted that security was included in the partnership with the Parks Foundation. He added that they were trying to reduce the cost of producing the event and hoped that the RFP would establish a better way of providing the event.

Councilmember Rodriguez confirmed that the ordinance would approve a one-year contract with the San Antonio Parks Foundation and that an RFP would be released for oversight of the event in 2011. He recognized the Parks Foundation for their work and thanked the individuals from LULAC that were in attendance. Councilmember Taylor thanked Mayor Cockrell and the Parks Foundation for their work in the community. Councilmember Ramos also recognized Mayor Cockrell and the Parks Foundation for their hard work. She asked if the security costs would be required to be paid by the organization producing the event in the future. Ms. Stallcup stated that the RFP would be open to see if an entity could cover the security costs and be flexible regarding the length of the event. Councilmember Clamp asked of the money flow. Mr. DiGiovanni explained that the cost of the event needed to be reduced due to the large financial burden to the city. It was added that the Parks Foundation requested financial assistance in the amount of \$100,000 should they not produce the event in order to continue their work in the community.

City Attorney Michael Bernard reiterated that the motion on the floor was to approve the item with a one-year contract followed by an RFP to produce the event in 2011.

Councilmember Chan thanked Mayor Cockrell and the Parks Foundation for their work in the community. She asked of staff recommendation. Mr. DiGiovanni stated that staff recommendation was to renew the contract with the Parks Foundation for two years and to then solicit RFPs. He noted that the rationale was that if another organization could produce the event

with greater cost savings to the city, they would be awarded the contract. Councilmember Chan asked if it was realistic for the event to be profitable without an admission charge. Mr. DiGiovanni stated that it would depend on the event that was proposed. He added that Police presence was necessary due to alcohol being served at the event. Councilmember Williams spoke of the clause in the contract that allows either side to cancel the contract with a 180-day notice. Ms. Stallcup confirmed same. Mayor Castro thanked Mayor Cockrell and the Parks Foundation for their work and recognized the individuals representing LULAC that were present.

The motion with conditions prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

CITY MANAGER'S REPORT

A. NATIONAL LEAGUE OF CITIES CONFERENCE

Ms. Sculley provided an overview of the 86th National League of Cities (NLC) Conference that would be held in San Antonio from November 11-14, 2009. She noted that approximately 2,400 elected and appointed officials would be in attendance. She stated that the Host Committee had been coordinating the event for a year and worked closely with NLC Staff and partners in organizing the event. She spoke of the mobile workshops that would be offered and noted that 200 City Employees had volunteered to assist with the conference. She reported that NLC and KaBoom would host a playground construction event at the West End Park-Frank Garrett Community Center on Friday, November 13, 2009. She thanked all of the sponsors for their contributions.

B. ROCK & ROLL MARATHON AND SAM IDROGO RECOGNITION

Ms. Sculley reported that the City of San Antonio would be hosting the Second Annual Rock 'N Roll Marathon on Sunday, November 15, 2009. She recognized Sam Idrogo and noted that she had met Mr. Idrogo four years ago when he solicited assistance in improving the Las Colinas Marathon that began in 1975. She thanked Mr. Idrogo for his many years of work and mentioned that the Las Colinas Marathon had a fund balance that would be donated to local organizations.

Mr. Idrogo addressed the City Council and stated that he was honored by the recognition. He noted that the event had been hosted for 34 years and that many individuals had been involved. He recognized the former Directors of the event and thanked the runners that participated in the marathon.

Ms. Sculley recognized the Sports Foundation in bringing the Rock 'N Roll Marathon to San Antonio and the contributing sponsors. She also recognized the City Departments coordinating the event and including a recycling effort as part of this year's marathon.

Susan Blackwood of the San Antonio Sports Foundation addressed the City Council and spoke of the School Rock Challenge, a 10-week fitness program for children in kindergarten through

fifth grade that would be offered in 14 school districts. She noted that the Kids Rock Event would be held on November 14, 2009 at the San Antonio Zoo.

Councilmember Cisneros thanked the sponsors and volunteers for the Rock 'N Roll Marathon. She recognized Sam Idrogo for his help in organizing the event. Regarding the NLC Conference, she asked that staff be available at the Airport to welcome the delegates. She invited all to attend the playground construction event at the Frank Garrett Community Center. Councilmember Medina stated that he was excited to participate in the Marathon and thanked everyone that organized the event. Mayor Castro recognized the San Antonio Sports Foundation for their work throughout the community, as well as Tom Stevenson and Sam Idrogo for their great work. He added that he looked forward to hosting the NLC Conference.

Mayor Castro recessed the meeting at 12:15 to break for lunch and noted that the meeting would resume at 2:00 pm for Zoning.

CONSENT ZONING

Mayor Castro reconvened the meeting at 2:05 pm and addressed the Consent Zoning Items.

Councilmember Ramos made a motion to approve the following rezoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak against: Z-1, Z-4, Z-8, Z-9, Z-11, and Z-12. Councilmember Cisneros seconded the motion.

Jack M. Finger spoke in opposition to the used car lot designation in Item Z-3 adding that the Northwest Community Plan discouraged said type of business in the area. He expressed concern with the 50% impervious cover allowed in Item Z-4 and spoke against the alcohol sales that would be authorized in Item Z-5. He spoke in opposition to the conditional use for an auto repair shop rezoning in Item Z-6, noting that staff had recommended denial.

The motion to approve the Consent Zoning Items prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2009-11-05-0892

Item Z-1. **ZONING CASE # Z2009151 (District 3):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON LOTS 16 AND 17, BLOCK 19, NCB 7685 LOCATED AT 6112 SOUTH FLORES 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: LOTS 16 AND 17, BLOCK 19, NCB 7685 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2009-11-05-0894

Item Z-4. **ZONING CASE # Z2009043 ERZD (District 8):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "R-6 ERZD GC-1 MLOD-1" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE HILL COUNTRY GATEWAY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT-1 TO "C-3 ERZD GC-1 MLOD-1" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE HILL COUNTRY GATEWAY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT-1 ON 6.045 ACRES OUT OF NCB 14859 AND NCB 14864 LOCATED AT 16206, 15819, & 16303 OLD FREDERICKSBURG 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:6.045 ACRES OUT OF NCB 14859 AND NCB 14864 TO WIT: FROM "R-6 ERZD GC-1 MLOD-1" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE HILL COUNTRY GATEWAY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT-1 TO "C-3 ERZD GC-1 MLOD-1" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE HILL COUNTRY GATEWAY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT-1.

2009-11-05-0897

Item Z-8. **ZONING CASE Z2009124 CD S (B) (District 1):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "I-1" GENERAL INDUSTRIAL DISTRICT, "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM, "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES, "C-2" COMMERCIAL DISTRICT, "RM-4" RESIDENTIAL MIXED DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN OFFICE WAREHOUSE, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR SIGN MANUFACTURE, "C-2P S" COMMERCIAL PEDESTRIAN DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM, "C-1 CD" LIGHT COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN AUTO AND LIGHT TRUCK REPAIR FACILITY, "RM-4" RESIDENTIAL MIXED DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT ON LOT 5 AND THE EAST 12.5 FEET OF LOT 4, BLOCK 174, NCB 9083; LOT 16 AND THE EAST 12.5 FEET OF LOT 17, BLOCK 174, NCB 9083; LOT 5 AND THE EAST 12.5 FEET OF LOT 4, BLOCK 185, NCB 9086; LOT 16 AND THE EAST 12.5 FEET OF LOT 17, BLOCK 185, NCB 9086; LOT 25, NCB 11684; LOT 8, NCB 11690; LOT 14, NCB 11690; LOTS 19 AND 20, BLOCK 198, NCB 9656; LOT 6, BLOCK 10, NCB 10382 LOCATED ON MULTIPLE ADDRESSES ALONG MARDELL STREET, ALHAMBRA, EL MONTE BOULEVARD, AND WEST AVENUE. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 5 AND THE EAST 12.5 FEET OF LOT 4, BLOCK 174, NCB 9083; LOT 16 AND THE EAST 12.5 FEET OF LOT 17, BLOCK 174, NCB 9083; LOT 5 AND THE EAST 12.5 FEET OF LOT 4, BLOCK 185, NCB 9086; LOT 16 AND THE EAST 12.5 FEET OF LOT 17, BLOCK 185, NCB 9086; LOT 25, NCB 11684; LOT 8, NCB 11690; LOT 14, NCB 11690; LOTS 19 AND 20, TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT, "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM, "C-3NA" GENERAL COMMERCIAL, NONALCOHOLIC SALES DISTRICT, "C-2" COMMERCIAL DISTRICT, "RM-4" RESIDENTIAL MIXED DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN OFFICE WAREHOUSE, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR SIGN MANUFACTURE, "C-2P S" COMMERCIAL PEDESTRIAN DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR WIRELESS COMMUNICATION SYSTEM, "C-1 CD" LIGHT COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN AUTO AND LIGHT TRUCK REPAIR FACILITY, "RM-4" RESIDENTIAL MIXED DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2009-11-05-0898

Item Z-9. **ZONING CASE # Z2009144 HS (District 1):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "MF-33" MULTI-FAMILY DISTRICT TO "HS MF-33" HISTORIC SIGNIFICANT MULTI-FAMILY DISTRICT ON 0.4201 OF AN ACRE OUT OF BLOCK 2, NCB 767 LOCATED AT 521 WEST EUCLID AVENUE. 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: 0.4201 OF AN ACRE OUT OF BLOCK 2, NCB 767 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT TO "HS MF-33" HISTORIC SIGNIFICANT MULTI-FAMILY DISTRICT.

2009-11-05-0899

Item Z-11. **ZONING CASE # Z2009161 (District 2):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "HS I-1" HISTORIC SIGNIFICANT GENERAL INDUSTRIAL DISTRICT TO "HS C-2" HISTORIC SIGNIFICANT COMMERCIAL DISTRICT AND "HS R-5" HISTORIC SIGNIFICANT RESIDENTIAL SINGLE-FAMILY DISTRICT ON LOT 1 AND LOT 2, BLOCK 1, NCB 1360 LOCATED AT 734 N NEW BRAUNFELS AVE AND 1502 BURNET 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: LOT 1 AND LOT 2, BLOCK 1, NCB 1360 TO WIT: FROM "HS I-

1" HISTORIC SIGNIFICANT GENERAL INDUSTRIAL DISTRICT TO "HS C-2" HISTORIC SIGNIFICANT COMMERCIAL DISTRICT (734 N NEW BRAUNFELS AVE) AND "HS R-5" HISTORIC SIGNIFICANT RESIDENTIAL SINGLE-FAMILY DISTRICT (1502 BURNET STREET).

2009-11-05-0900

Item Z-12. **ZONING CASE # Z2009157 S (District 2):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "AE-1" ARTS AND ENTERTAINMENT DISTRICT TO "AE-1 S" ARTS AND ENTERTAINMENT DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOTEL ON LOT 10, BLOCK A, NCB 597 LOCATED AT 1304 EAST COMMERCE 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: LOT 10, BLOCK A, NCB 597 TO WIT: FROM "AE-1" ARTS AND ENTERTAINMENT DISTRICT TO "AE-1 S" ARTS AND ENTERTAINMENT DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOTEL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[ZONING CONSENT ITEMS CONCLUDED]

INDIVIDUAL ZONING ITEMS

The City Clerk read Item P-1:

Item P-1. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE HARDY OAK BOULEVARD IMPROVEMENT PROJECT, A CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 9:

2009-11-05-0890

A. PUBLIC HEARING AND ORDINANCE AMENDING THE MAJOR THOROUGHFARE PLAN (MTP), AS A COMPONENT OF THE MASTER PLAN OF THE CITY, TO PERMIT COLLECTOR CONSTRUCTION STANDARDS ON AN ARTERIAL CROSS-SECTION (RIGHT-OF-WAY 86') ON A SEGMENT OF HARDY OAK BOULEVARD FROM STONE OAK PARKWAY TO THE EASTERN BOUNDARY LINE OF A PROPOSED SCHOOL SITE ON PROPERTY OWNED BY NORTH EAST INDEPENDENT SCHOOL DISTRICT (NEISD).

2009-11-05-0891

B. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH NEISD AND AUTHORIZING PAYMENT IN AN AMOUNT UP TO \$1,000,000.00 TO NEISD FOR THE HARDY OAK BOULEVARD IMPROVEMENT PROJECT.

Roderick Sanchez presented Items P-1A and P-1B and stated that Item P-1A would amend the Major Thoroughfare Plan and Item P-1B would authorize the execution of an agreement with the Northeast Independent School District (NEISD) for the Hardy Oak Boulevard Improvement Project. He noted that the property was located west of Highway 281; east of Stoneoak Parkway; and North of Loop 1604. He explained that the issue was that Hardy Oak existed as a right-of-way but was never constructed. He mentioned that it would be needed to accommodate a school site that would open next year. He stated that the amendment would authorize construction of the road and utilize a collector construction method rather than arterial in which there would be no median. He noted that the project totaled \$2.5 million of which the city would contribute \$1 million.

Councilmember Chan thanked staff for their work on the project and noted the importance of alleviating traffic congestion in this section of Hardy Oak. She asked of the benefit of utilizing the collector construction method. Mr. Sanchez stated that the grade on the area was very steep and arterial standards would require a high retaining wall that would not be aesthetically pleasing. He confirmed that there were associated cost benefits in utilizing the collector construction method. Mike Frisbie explained that the CIMS Department would provide oversight of the agreement with NEISD and NEISD would manage the project. In response to Councilmember Williams, Mr. Sanchez stated that there were two streets that would connect to Hardy Oak and that there would be community input on the project.

Councilmember Chan moved to adopt the proposed Ordinances for Items P-1A and P-1B. Councilmember Clamp seconded the motion.

The motion to approve Items P-1A and P-1B prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

CONTINUED TO DECEMBER 3, 2009

Item Z-2. **ZONING CASE # Z2009123 (District 7):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON LOT 27, BLOCK 2, NCB 8416 LOCATED AT 2907 FREDERICKSBURG ROAD. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Chris Looney presented Item Z-2 and stated that it would amend the Zoning District Boundary from "C-3" General Commercial District to "C-2" Commercial District. He noted that the Jefferson Neighborhood Association and Los Angeles Heights/Keystone Neighborhood Association were both in support and that staff and the Zoning Commission recommended approval.

Councilmember Rodriguez moved to continue said item to December 3, 2009. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2009-11-05-0893

Item Z-3. **ZONING CASE # Z2009155 CD (District 7):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "C-2 P" COMMERCIAL PEDESTRIAN DISTRICT TO "C-2 P CD" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES ON LOT 178 AND THE EAST 20 FEET OF LOT 177, BLOCK H, NCB 8360, SAVE AND EXCEPT A STRIP DEEDED TO THE STATE OF TEXAS AND RECORDED IN VOLUME 2355, PAGE 317; SAVE AND EXCEPT A STRIP DEEDED TO THE STATE OF TEXAS AND RECORDED IN VOLUME 2268, PAGE 196; AND SAVE AND EXCEPT A STRIP DEEDED TO THE STATE OF TEXAS AND RECORDED IN VOLUME 9584, PAGE 1798 LOCATED AT 1158 BANDERA ROAD. STAFF RECOMMENDS DENIAL. ZONING COMMISSION RECOMMENDS 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 178 AND THE EAST 20 FEET OF LOT 177, BLOCK H, NCB 8360 TO WIT: FROM "C-2P" COMMERCIAL PEDESTRIAN DISTRICT TO "C-2P CD" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item Z-3 and stated that it would amend the Zoning District Boundary from "C-2 P" Commercial Pedestrian District to "C-2 P CD" Commercial Pedestrian District with a conditional use for motor vehicle sales. He reported that staff recommended denial but the Zoning Commission recommended approval with the following conditions: 1) No storage of junk vehicles; 2) Vehicles must be in running condition on-site at any given time that they are there for storage or sale; and 3) Vehicles must be currently licensed. He noted that the Donaldson Terrace Neighborhood Association was in favor of the rezoning.

Councilmember Rodriguez stated that they had worked with the Neighborhood Association to ensure acceptable use conditions.

Councilmember Rodriguez moved to adopt the proposed Ordinance with the conditions as outlined. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

POSTPONED

Item Z-5. **ZONING CASE # Z2009149 ERZD (District 9):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "C-2 NA ERZD" COMMERCIAL NONALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT TO "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT ON LOT 1, BLOCK 23, NCB

17600 LOCATED AT 2770 EAST EVANS ROAD. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Chris Looney presented Item Z-5 and stated that it would amend the Zoning District Boundary from "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District. He noted that staff and the Zoning Commission recommended approval. He mentioned that the property was located within five miles of Camp Bullis but was less than 10 acres in size and the military did not have any concerns. He explained that the opposition represented more than 20% of the property owners within 200 feet thus; would require nine votes for approval.

Councilmember Chan moved to postpone said item per the applicant. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

CONTINUED TO NOVEMBER 19, 2009

Item Z-6. **ZONING CASE # Z2009115 CD (District 10):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA CD" COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR ON 1.64 ACRES OUT OF NCB 15680 AND 17365 (CB 5014) LOCATED ON A PORTION OF THE 13000 AND 14000 BLOCKS OF BULVERDE ROAD. STAFF RECOMMENDS APPROVAL OF "C-2NA" AND DENIAL OF THE CONDITIONAL USE. ZONING COMMISSION RECOMMENDS APPROVAL WITH CONDITIONS.

Chris Looney presented Item Z-6 and stated that it would amend the Zoning District Boundary from "R-6" Residential Single-Family District to "C-2NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Auto and Light Truck Repair. He noted that staff recommended approval of "C-2NA" and denial of the conditional use. He reported that the Zoning Commission recommended approval with the following conditions: 1) No vehicles be kept on the premise for more than 45 days; 2) All repair work must take place indoors; 3) A type C landscape buffer including a six-foot tall solid screen fence be maintained along the side and rear property lines where the property abuts residential zoning or uses with the exception that no fence be required along the southern property line; 4) All on-site lighting must be directed onto the site and point away from residential zoning or uses; 5) Business or office hours of operation must be from 7:00 am to 7:00 pm; and 6) All service bay access and openings shall be oriented toward Bulverde Road and away from abutting residential zoning or uses. He stated that the opposition constituted more than 20% of the property owners within 200 feet and would require nine votes for approval.

Councilmember Clamp moved to continue said item to November 19, 2009. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2009-11-05-0895

Item P-2. **PLAN AMENDMENT #09021 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTH CENTRAL NEIGHBORHOODS COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.2061-ACRES LOCATED AT 4819 SAN PEDRO FROM LOW DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: Z2009152)

Andrea Gilles presented Item P-2 and stated that the Plan Amendment would amend the land use plan contained in the North Central Neighborhoods Community Plan by changing the use of approximately 0.2061 acres located at 4819 San Pedro from Low Density Residential land use to Neighborhood Commercial land use. She noted that the Edison Neighborhood Association supported the Plan Amendment and that staff and the Planning Commission also recommended approval.

Councilmember Cisneros recognized Andrea Gilles for all of her work on projects in District 1 and stated that the proposed change was in line with goals one and two of the North Central Neighborhood Community Plan. She read a letter of support from Rudy O. Moreno, President of the Edison Neighborhood Association.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2009-11-05-0896

Item Z-7. **ZONING CASE # Z2009152 (District 1):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "R-5 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A RETAIL IMPORT BUSINESS TO "O-1" OFFICE DISTRICT ON LOT 20, BLOCK 6, NCB 9194 LOCATED AT 4819 SAN PEDRO AVENUE. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL PENDING THE PLAN AMENDMENT.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 20, BLOCK 6, NCB 9194 TO WIT: FROM "R-5 CD" SINGLE-FAMILY RESIDENTIAL DISTRICT WITH A CONDITIONAL USE FOR A RETAIL IMPORT BUSINESS TO "O-1" OFFICE DISTRICT.

Chris Looney presented Item Z-7 and stated that it was a zoning case associated with the Plan Amendment referenced in Item P-2. He noted that it would amend the Zoning District Boundary from "R-5 CD" Residential Single-Family District with a conditional use for a Retail Import Business to "O-1" Office District. He added that the staff and Zoning Commission recommended approval.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

CONTINUED TO DECEMBER 3, 2009

Item Z-10. **ZONING CASE # Z2009158 (District 2):** AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARY FROM "R-4 EP-1" RESIDENTIAL SINGLE-FAMILY FACILITY PARKING/TRAFFIC CONTROL DISTRICT TO "MF-18 EP-1" MULTI-FAMILY FACILITY PARKING/TRAFFIC CONTROL DISTRICT ON LOT 22, BLOCK 4, NCB 1422 LOCATED AT 431 BELMONT STREET. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Chris Looney presented Item Z-10 and stated that it would amend the Zoning District Boundary from "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District to "MF-18 EP-1" Multi-Family Facility Parking/Traffic Control District. He noted that staff and the Zoning Commission recommended approval.

Councilmember Taylor moved to continue said item to December 3, 2009. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

Mayor Castro recessed the meeting at 2:40 pm and noted that the meeting would resume at 5:15 pm for Ceremonials.

CEREMONIALS

Mayor Castro reconvened the meeting at 5:15 pm and requested a moment of silence regarding the tragedy that occurred at Fort Hood earlier in the day where members of the armed forces were killed.

Mayor Castro presented a Proclamation for the 10th Annual Veterans Day Parade that will be held on Saturday, November 7, 2009, beginning at 12:00 noon at Avenue E and Third Street. The event is being organized by the U.S. Military Veterans Parade Association, a group of citizens formed to honor veterans that have served in all military branches. This year's Grand Marshall is Major General Jose S. Mayorga.

Mayor Castro presented a Citation to the Greater Chamber San Antonio Chamber of Commerce for sponsoring the 39th Annual Celebrate America's Military (CAM) Event. The goal of CAM is to recognize the contributions and sacrifices of the men and women of the Armed Forces and thank them for their dedication and service. Events for this year include a Kick-off Luncheon, Air Show, Spirit of America Dinner, Wreath Laying Ceremony, Concerts, and many more activities for the entire family to enjoy.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Rhett Smith spoke of Veterans for Immigration Reform, an organization that he co-founded to support immigrants.

Jaime Herrejun, President of the El Mercado Merchants Association thanked the Councilmembers for meeting with him regarding Fiesta Week. He stated that the merchants were honest people and thanked the Council for their work.

Nick Pena expressed concerns with the allegations made against the El Mercado Merchants Association and spoke in support of Mr. Herrejun. He noted that LULAC used to host the Fiestas Fantasias event and stated that the Parks Foundation was only supposed to host the event for one year.

Mayor Castro recognized students from the Public Administration and Leadership Class at San Antonio College and Government Class at Northwest Vista College that were in attendance.

Damon Mason spoke of the poor construction of the streets along Castroville and Guadalupe Roads. He spoke of the VIA Smart Way Initiative noting that 70% of the streets in the city would have to be rebuilt for the program to be successful. He expressed concern with the restrictions on food purchases made through the WIC Program.

Mark Perez expressed concern with businesses operating with hazardous chemicals including the Kimberly Clark and Tetco facilities. He stated that they should not have received Certificates of Occupancy and that they were operating with an I-1 zoning.

Nick Calzoncit thanked the Councilmembers that were present and spoke of the School of the Americas. He noted that a rally would be held at the school from November 20-22, 2009. He mentioned that 55,000 individuals from other countries had been trained at the facility and committed numerous crimes. He referenced the incident that occurred at Fort Hood earlier today in which members of the military were killed. Lastly, he mentioned the assassination of Archbishop Romero.

Faris Hodge, Jr. asked of the San Antonio Police Department Policy on shooting moving objects. He expressed concern with the negative outlook on CPS Energy and the withholding of information regarding the cost of nuclear. He requested that the Fire Department have signage

outside Fire Stations regarding the Baby Moses Law. He spoke in support of alternative energy sources.

Raymond Zavala thanked the Councilmember that were present and expressed concern that there were only a few Councilmembers in attendance during the previous meetings for Citizens to be Heard. He spoke in opposition to nuclear energy and the associated rate increases and requested that the CPS Energy Board be dissolved. He stated that he would be contacting the Texas Rangers to launch an investigation on the CPS Energy Board. He expressed concern with the election signage that was still posted throughout the community. He stated that he had attended a benefit concert held by Little Joe and asked why the Councilmembers had not attended. He thanked the Veterans that have served our country and recognized Councilmember Cortez for his military service.

Elsa Benavidez spoke of animal abuse and expressed concern with the treatment of Lucky the Elephant at the San Antonio Zoo. She noted the deplorable conditions that Lucky was living in and spoke of the sanctuary where Lucky could be transferred to. She mentioned that another elephant had died at the San Antonio Zoo in 2007 and Lucky was now alone.

Kelly Anderson of the Zimbabwe Conservation Task Force stated that they had written a report regarding Lucky the Elephant and provided a copy to the Council. The report outlined the poor treatment and living conditions of Lucky. Ms. Anderson presented a video depicting the mistreatment of Lucky the Elephant at the San Antonio Zoo and asked the City Council to help save Lucky. She noted that a press conference had been held and that an expert had examined Lucky's environment and found it to be insufficient.

John Hackett stated that he worked for Voice for Animals and also asked the Council to help save Lucky the Elephant. He noted that there was a practical solution that would benefit all and spoke of the sanctuary in Tennessee that had approved Lucky's transfer there. He added that the City's contract with the San Antonio Zoo gave the City the right to investigate.

Jim Cisneros stated that Cenizo Park Elementary would be renamed after his brother, Roy Cisneros. He asked that the Mayor and Council attend the dedication ceremony that would take place on December 7, 2009.

Joanna Hargrove-Conner stated that she had moved to San Antonio from Brooklyn, New York in 1980 and expressed concern that not all citizens were listened to attentively during Citizens to be Heard. She stated that she was on a fixed income and expressed concern with the CPS Energy rate increases due to nuclear energy.

Alice Canestaro-Garcia thanked the Mayor and Councilmembers that were present and asked that City Staff be present at Citizens to be Heard to address concerns. She reported that many stores in the La Cantera Shopping Center had kept their doors open during the extreme heat this past summer and spoke of the disparity between energy rates charged to businesses and residential customers. She spoke in support of alternative energy sources that were nuclear and carbon free.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:55 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/CMC
City Clerk