

**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, DECEMBER 2, 2009 AND THURSDAY, DECEMBER 3, 2009, RESPECTIVELY.

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

1. 2009 ANNUAL REPORT AND QUARTERLY UPDATE ON THE 2007-2012 BOND PROGRAM

In the absence of Mayor Castro who was in Washington, D.C.; Mayor Pro Tem Cortez presided over the meeting.

Terrell McCombs, Chairman of the 2007-2012 Citizens Bond Oversight Commission (CBOC), presented the Committee's 2009 Annual Report. He stated that the Committee focused most of 2009 communicating and coordinating with various entities to identify projects to be undertaken in 2010. It was noted that part of the process included creating budgets and master schedules as well as identifying alternative delivery methods for each of the projects. Mr. McCombs stated that approximately 100 projects had been identified and would be listed on the "Communications Dashboard." The Communications Dashboard allows the public to be informed of the status of all 2007-2012 Bond Projects.

Mike Frisbie, Director of CIMS, provided the Council with a status of the projects that had been initiated to date. He stated that the City was on time and on budget due in part to City Council leadership, the direction and project management of CBOC, as well as Executive Bond Oversight Committee. It was noted that 2012 would be a history making year as the City would see the most construction projects undertaking in one year.

Mr. Frisbie highlighted six of the 151 projects due to their complexity and anticipated completion date passed June 2012. He continued by providing a brief overview on the 23 completed projects and the 26 projects under construction. It was noted that a more comprehensive status for each of the 151 projects could be accessed via the Dashboard.

Mr. Frisbie spoke on the SBEDA results. It was noted that the City was overachieving in all the identified goals. Community outreach efforts undertaken by the department to inform citizens on the progress of 2007-2012 Bond Program projects were highlighted. Lastly, Mr. Frisbie addressed the continued responsibility of the City to meet the community's growing infrastructure needs. As such, he discussed the possibility of having another bond election in May 2012 which would be similar in size or greater than the 2009-2012 Bond Program.

Councilmember Cisneros added that the possibility of having another bond election in May 2012 as the needs of the community far exceeded the City's ability to meet infrastructure demands.

Councilmember Williams expressed gratitude to CBOC members for facilitating the oversight of the projects. Councilmember Clamp expressed concern with the possibility of the City not having a majority of the projects completed by June 2012. Mr. Frisbie noted that CIMS was continually communicating and coordinating with the required entities to ensure that project challenges were addressed immediately.

City Manager Sculley highlighted that the City had changed business practices to ensure more companies had the opportunity to bid on bond projects and that the City did not overextend itself.

Mayor Pro Tem Cortez recessed the meeting at 3:01 pm to convene in Executive Session for the purposes of:

A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

B. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS LEGAL ISSUES RELATED TO A NEW MARKET TAX CREDIT TRANSACTION PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Pro Tem Cortez reconvened the meeting at 5:30 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 Pro Tem Cortez adjourned the meeting at 5:30 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **December 3, 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, Rodriguez, Williams, Chan, and Clamp. **ABSENT:** Lopez and Mayor Castro. Ms. Vacek stated that Councilmember Lopez and Mayor Castro both were out of state. Mayor Castro was attending a meeting in Washington, D.C. with President Obama.

Item 1. The Invocation was delivered by Fr. Marty Elsner, Our Lady of Guadalupe Catholic Church, guest of Councilmember David Medina, District 5.

Item 2. Mayor Pro Tem Cortez 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 15, 2009 City Council meeting. Councilmember Rodriguez seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

City Clerk Leticia Vacek read the following Ordinance:

2009-12-03-0952

Item 4. AN ORDINANCE AUTHORIZING THE NAMING OF THE VOELCKER PROPERTY ACQUISITION LOCATED AT 1021 VOELCKER LANE, 13203 BLANCO ROAD AND 8400 NW MILITARY HIGHWAY IN CITY COUNCIL DISTRICTS 8 AND 9 AS THE PHIL HARDBERGER PARK.

Mayor Pro Tem Cortez called upon Judge Wolff to speak on said item.

County Judge Nelson Wolff addressed the Council and spoke in favor of the park renaming. He stated that Mayor Hardberger displayed leadership and vision by preserving a large tract of land in a densely populated area. Judge Wolff continued by noting that the money the City of San Antonio used to purchase the land had been reinvested into the community.

Xavier Urrutia, Director of Parks and Recreation, provided the Council with an overview of the Park's history and the process undertaken to secure the name change. Mr. Urrutia noted that at the completion of the required public hearing, committee members unanimously recommended to rename the park to Phil Hardberger Park.

Richard Perez, President and CEO of the Greater San Antonio Chamber of Commerce, addressed the Council and stated that the Executive Committee of the Greater San Antonio Chamber of Commerce was in unanimous support of the name change. He provided the Council with a letter of support.

Jim Goudge, Chairman and CEO of Broadway Bank, addressed the Council and noted that it was appropriate to honor Mayor Phil Hardberger in this manner as he was responsible for restoring credibility and integrity back into City government and loved the outdoors.

Carri Baker-Wells, incoming Chairman of the Board of Directors for the Greater San Antonio Chamber of Commerce, also spoke in support of the park name change. She stated that there was no better way to honor a man who had accomplished so much as a judge, a citizen, and as Mayor of San Antonio.

Banks Smith and Forester Smith, trustees of the Voelcker Fund, addressed the Council and stated that Mayor Hardberger was the reason the land was a park rather than a private subdivision. For this reason, the trustees of the Voelcker Fund were in support of celebrating the great work of Mayor Hardberger.

Alexandria "Lexi" Larios, a student from Encino Park Elementary, thanked Mayor Hardberger for making City parks and open spaces available for all to visit. She referenced Main Plaza and Oak Park.

Vangie Flores, Chair of the Parks Foundation, addressed the Council and noted that Mayor Hardberger's vision and leadership were pivotal in preserving parks and green spaces and supported the naming of the Voelcker Property to "Phil Hardberger Park."

Ramiro Cavazos, President of the San Antonio Hispanic Chamber of Commerce, stated that he knew instantly that Mayor Hardberger would be a great Mayor for the City. Mr. Cavazos provided several examples in which Mayor Hardberger laid the foundation for the City's future economic development. He also supported the naming of "Phil Hardberger Park."

Rolando Pablos, Chairman of the Board of Directors for the San Antonio Hispanic Chamber of Commerce, thanked Mayor Hardberger for his hard work and dedication to the City of San Antonio.

Bruce Bugg, addressed the Council and stated that his letter of support had been printed in the *San Antonio Express-News*. He continued by highlighting that Mayor Hardberger had provided 19 years of service to the community. Lastly, he noted that because of Mayor Hardberger's passion, vision, and leadership, the City and its citizens are able to visit and enjoy the park.

Chip Haass, former Councilmember, thanked Mayor Hardberger for his leadership in preserving parks and green spaces. Mr. Haass noted that Mayor Hardberger raised the local profile of the role of Mayor when he hugged a tree.

Arthur Downey, addressed the Council and also referred to the photo in which Mayor Hardberger hugged a heritage oak tree in Voelcker Park. He stated that Mayor Hardberger was deserving of the honor due to his leadership in preserving open spaces as well as vision for extending the RiverWalk.

Pat Jay stated that the land containing the Voelcker home should remain Voelcker Park where as the virgin land should be named "Phil Hardberger Park."

Doug McMurray, board member for the Voelcker Park Conservancy, addressed the Council and noted that it would be a fitting tribute to rename the Park in honor of Mayor Phil Hardberger.

Rebecca Galvan spoke in support of the name change. She noted that it would be appropriate to name the park after the man who was so instrumental in preserving it. Lastly, Ms. Galvan thanked Mayor Hardberger for all his work and dedication.

Duane Wilson, North San Antonio Chamber of Commerce, addressed the Council and stated that Mayor Hardberger was deserving of the honor.

Frank Burney, addressed the Council and stated that the name change was appropriate. He highlighted several of Mayor Hardberger's accomplishments.

Delia Guajardo, thanked Mayor Hardberger for serving his Country and for increasing the quality of life for citizens of San Antonio. She stated that San Antonians would never forget the impact Mayor Hardberger has had on the community.

Cathy Meaney, addressed the Council and spoke in support of the name change. She noted that this park filled a void in Council Districts 8 and 9.

City Clerk Leticia Vacek read the names of 14 written testimonies in favor of the naming to "Phil Hardberger Park." They are State Representative Roland Gutierrez; Robert A. Larios, Sr., former

Postmaster; Chris Peche, founder of the San Antonio Chapter 4 Blue Star Mothers of America; Laura Partida; Faris Hodge, Jr., Elena Guajardo, former Councilmember; Bob Leonard, former Chair of the San Antonio Board of Realtors; Ed Cabel, District 9 board member for the Historic Design and Review Commission; Gisella Anderson; Eleanor Sprowl; Elsa Williams; Nicole Greenberg; Maxine Salais, and the Tobin Hill Community Association.

Mayor Pro Tem Cortez noted that Mayor Castro was at the White House meeting with President Obama. Prior to his departure, Mayor Julian Castro recorded a video expressing his gratitude and support of former Mayor Phil Hardberger and for the renaming of Voelcker Park to the Phil Hardberger Park. The video was played at this time.

All Councilmembers highlighted Mayor Hardberger's accomplishments and the impact to the community.

Mayor Phil Hardberger addressed the Council and noted his appreciation for this honor. He thanked the Councilmembers, his office staff, City Staff, and City Manager Sheryl Sculley for assisting him to fulfill his vision in preserving the Park. He stated that he was committed to improving the area so that it could become a Park that all could enjoy. Lastly, he thanked his wife Linda; former staff members Larry Zinn, Jeb Maebius, and Dawn Larios; and other friends and family members for attending the meeting today and for their continued support.

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

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

The City Clerk read Item 5:

2009-12-03-0953

Item 5. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, ABANDONING AN IMPROVED 15-FOOT WIDE ALLEY BOUNDED BY TRAVIS STREET TO THE NORTH, PEACOCK ALLEY TO THE SOUTH, BROADWAY STREET TO THE WEST AND N. ALAMO STREET TO THE EAST IN NEW CITY BLOCK 422 IN COUNCIL DISTRICT 1, AS REQUESTED BY THREE AMERICAS BUILDING, LLC, FOR A FEE OF \$38,642

George Rodriguez, Assistant Director of CIMS, presented said item noting that the petitioner owned all abutting properties to the proposed closure. Mr. Rodriguez noted that the petitioner's request to construct a parking garage on the property in question was conditionally approved by the Planning Commission on November 20, 2009. If approved by Council, the City would collect a fee of \$38,642 from the petitioner.

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

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

POINTS OF PERSONAL PRIVILEGE

Councilmember Clamp recognized Lennie Tirpin of SAF Studios and Greater San Antonio Film Council Board members Minerva Nadler and Delia Guajardo. Mr. Turpin invited all to a ground breaking ceremony of a 20,000 square-foot motion picture sound studio and entertainment complex. Minnie Nadler added that the new studio would allow San Antonio to have the number one movie studio in the United States.

Councilmember Cisneros recognized the Holy Cross Knights Pee Wee Football Team who recently won the Southwest Championship. It was noted that the team was scheduled to play in the National Championship game on Sunday in Florida and extended the Council's support for the team.

The City Clerk read Item 6:

Item 6. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE CREATION OF THE SAN ANTONIO AEROSPACE (SAA) REINVESTMENT ZONE:

2009-12-03-0954

- A. AN ORDINANCE DESIGNATING THE SAN ANTONIO AEROSPACE REINVESTMENT ZONE LOCATED AT 9800 JOHN SAUNDERS ROAD, CONSISTING OF 4.170 ACRES OF LAND OUT OF LOT 5, BLOCK 1, N.C.B. 16435, SAN ANTONIO INTERNATIONAL AIRPORT UNIT I-A, AS RECORDED IN VOLUME 9545, PAGES 122-125, PLAT RECORDS OF BEXAR COUNTY SAN ANTONIO, TEXAS.

2009-12-03-0955

- B. APPROVING AND AUTHORIZING THE EXECUTION OF A TAX ABATEMENT AGREEMENT WITH SAN ANTONIO AEROSPACE TO EXEMPT 75% OF AD VALOREM TAXES FOR A PERIOD OF TEN (10) YEARS ON REAL AND PERSONAL PROPERTY IMPROVEMENTS OF APPROXIMATELY \$16 MILLION AND THE CREATION OF 100 NEW JOBS.

Ed Davis, Assistant Director of Economic Development, presented said items noting that Item A was an ordinance designating the San Antonio Aerospace Reinvestment Zone while Item B was an ordinance authorizing a tax abatement agreement with San Antonio Aerospace.

Mr. Davis noted that as a result of San Antonio Aerospace's intent to expand its San Antonio location and subsequently increase their local workforce, the project site qualified as a Reinvestment Zone. He continued by noting that San Antonio Aerospace would agree to invest \$16 million in new facilities and property improvements at the site. Additionally, the company would agree to retain their 570 existing jobs while creating another 100. Of these 100 jobs, 25 would be allocated to local residents. San Antonio Aerospace would train these 25 employees using an internal training program. As part of the tax agreement, the City would abate approximately \$604,800 in taxes over 10-years. Overall, the net fiscal benefit to the City over a 20-year period would be \$1.34 million.

Mayor Pro Tem Cortez declared the public hearing open and called upon those registered to speak.

Jim Perschbach, Greater San Antonio Chamber of Commerce, stated that the need to maintain aircraft would be increasing as the fleet of aircraft currently utilized by air carriers gets older. He also highlighted the positive economic impact the project would have on the local community. As such, he requested that the Council approve the items.

Nazirite Ruben Flores Perez spoke in support of the item. However, he requested that working conditions be monitored to ensure that employees receive a living wage as well as appropriate compensation for out-of-pocket work related expenses.

Councilmember Chan noted the need to continue strengthening the aerospace industry as it is one of the City's largest economic generators. Lastly, Councilmember Chan thanked Mr. Davis for ensuring that local residents were also afforded new job opportunities via the internal training program being developed by San Antonio Aerospace.

Councilmember Cisneros thanked San Antonio Aerospace for investing in San Antonio.

Councilmember Williams reminded San Antonio Aerospace representatives that the City of San Antonio was willing to assist the company expand locally.

Councilmember Clamp noted that San Antonio was benefiting economically despite the national economic slow down.

Mayor Pro Tem Cortez declared the public hearing closed.

Councilmember Chan moved to adopt the proposed Ordinances for Items 6A and 6B. Councilmember Cisneros seconded the motion.

The motion to approve Items 6A and 6B prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Rodriguez, Williams, Chan, and Clamp. **NAY:** None. **ABSENT:** Lopez and Mayor Castro.

CONSENT AGENDA – Items 7-39

Consent Agenda Items 9, 12, 14, 19, 20, 27, and 28 were pulled for Individual Consideration. Consent Agenda Items 26 and 33 were pulled from the agenda by staff. Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

Nazirite Ruben Flores Perez spoke in support of Items 10 and 24. He stated that monies accepted via the grants would assist with border protection and provide additional library services, respectively.

Faris Hodge submitted written testimonies in support of Items 8-11, 14-16, 18-20, 22, 24, 27, 30-36, and 38-39. He expressed his dissatisfaction with the expenditures and actions associated with Items 5, 6, 12, 17, 21, 23, 28, and 29. Lastly, he voiced concern with the City providing estimates for the purchase of the commodities listed in Item 7.

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

2009-12-03-0956

Item 7. AN ORDINANCE ACCEPTING BIDS FOR THE FOLLOWING ANNUAL CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF \$1,041,500.00: (A) HOLT TEXAS, LTD. DBA HOLT CAT FOR CATERPILLAR EARTH MOVING, CONSTRUCTION AND PAVING PARTS & SERVICE; (B) BAKER DISTRIBUTING FOR HEATING, VENTILATING AND AIR CONDITIONING PARTS; (C) MUNICIPAL EMERGENCY SERVICES, INC., METRO FIRE APPARATUS SPECIALISTS, INC. AND DACO FIRE EQUIPMENT FOR FIREFIGHTING EQUIPMENT; (D) AUTOMOTIVE DISCOUNT SPECIALIST LTD. FOR AUTOMOTIVE AND LIGHT DUTY TRUCK WINDOW TINTING; (E) RECORDED BOOKS FOR AUDIO BOOKS AND (F) VANDERLANDE INDUSTRIES FOR TEMPORARY BAGGAGE HANDLING SYSTEM OPERATION MAINTENANCE AND SERVICES.

Item 8. CONSIDERATION OF THE FOLLOWING ORDINANCES REGARDING CONTRACTS FOR THE PURCHASE OF AIR UNITS AND A CENTRAL POWER SYSTEM AT THE SAN ANTONIO INTERNATIONAL AIRPORT, FUNDED BY THE FY 2010 CAPITAL BUDGET (2007 PASSENGER FACILITY CHARGE BOND):

2009-12-03-0957

- A. ACCEPTING THE LOW BID FROM INET AIRPORT SYSTEMS, INC. FOR THE PURCHASE OF A 400 HZ CENTRAL POWER SYSTEM FOR A COST OF \$921,163.00.

2009-12-03-0958

- B. AN ORDINANCE ACCEPTING THE LOW BID FROM INET AIRPORT SYSTEMS, INC. FOR THE PURCHASE OF TEN AIR UNITS FOR THE SAN ANTONIO INTERNATIONAL AIRPORT, FOR A COST OF \$652,000.00.

2009-12-03-0960

Item 10. AN ORDINANCE ACCEPTING THE OFFER SUBMITTED BY GTSI CORPORATION, UTILIZING THE US COMMUNITIES COOPERATIVE PROGRAM, FOR AUDIO/VISUAL EQUIPMENT AND INSTALLATION SERVICES FOR A TOTAL COST OF \$137,457.99, FUNDED WITH THE 2007 LAW ENFORCEMENT TERRORISM PROTECTION PROGRAM GRANT & THE 2008 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS.

2009-12-03-0961

Item 11. AN ORDINANCE ACCEPTING THE BID FROM L3 COMMUNICATIONS SONOMA EO FOR THREE (3) AIRBORNE THERMAL AND VISIBLE LIGHT IMAGING CAMERA SYSTEMS FOR A TOTAL COST OF \$606,275.00, FUNDED WITH FEDERAL HOMELAND SECURITY GRANTS 2007 URBAN AREA SECURITY INITIATIVES (UASI) GRANT.

2009-12-03-0963

Item 13. AN ORDINANCE ACCEPTING THE BID FROM VAN DELDEN WASTEWATER SYSTEMS FOR THE REPLACEMENT OF A SEPTIC SYSTEM FOR A TOTAL COST OF

\$84,800.00, FUNDED BY THE EISENHOWER PARK AND FRIEDRICH PARK WATER SERVICE IMPROVEMENT PROJECT.

2009-12-03-0965

Item 15. AN ORDINANCE ACCEPTING THE BID FROM SIMPLEXGRINNELL TO PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPPLIES NECESSARY FOR THE UPGRADING OF THE EXISTING FIRE ALARM SYSTEM FOR THE POLICE TRAINING ACADEMY IN THE AMOUNT OF \$131,395.00, FUNDED WITH CERTIFICATES OF OBLIGATION.

2009-12-03-0966

Item 16. AUTHORIZING THE EXECUTION OF AN INTEGRATION AGREEMENT WITH DEER OAKS EAP SERVICES TO UTILIZE THE BEXAR COUNTY CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES FOR ALL CIVILIAN CITY EMPLOYEES AND THEIR FAMILIES.

2009-12-03-0967

Item 17. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$96,800.00 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RABA KISTNER CONSULTANTS, INC. FOR THE CENTRAL LIBRARY WEATHERIZATION PROJECT, FUNDED BY CERTIFICATES OF OBLIGATION.

2009-12-03-0968

Item 18. APPROVING CHANGE ORDER NO. 102 IN THE AMOUNT OF \$80,735.88 TO THE CONSTRUCTION CONTRACT WITH ARCHER WESTERN CONTRACTORS, LTD. FOR PEDESTRIAN WALKWAYS, RECONSTRUCTION OF THE SURFACE PARKING LOT, AND REDUCTION OF THE ALLOWANCE FOR THE CENTRAL UTILITY PLANT TIE-IN AT SAN ANTONIO INTERNATIONAL AIRPORT.

Item 21. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO REPLACEMENT FIRE STATION NO. 1 AND REPLACEMENT FIRE STATION NO. 19:

2009-12-03-0971

A. SELECTING BARTLETT COCKE, L.P., AS CONSTRUCTION MANAGER AT RISK, ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR CONSTRUCTION SERVICES OF UP TO \$6,129,959.80, AUTHORIZING AN AGREEMENT IN THE AMOUNT UP TO \$19,000.00 FOR PRE-CONSTRUCTION PHASE SERVICES AND \$6,129,959.80 FOR CONSTRUCTION PHASE SERVICES, AMENDING THE FY 2010-2015 CAPITAL BUDGET, TRANSFERRING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,930,346.89 FROM THE FIRE STATION REPLACEMENT PROJECT TO THE FIRE STATION 1 PROJECT AND AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$148,184.00 TO A \$406,329.00 PROFESSIONAL SERVICES AGREEMENT WITH ALAMO ARCHITECTS IN FOR FIRE STATION 1, A CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED AT 515 N. CHERRY STREET, IN COUNCIL DISTRICT 2.

2009-12-03-0972

B. SELECTING F.A. NUNNELLY COMPANY AS CONSTRUCTION MANAGER AT RISK, ACCEPTING THE GUARANTEED MAXIMUM PRICE FOR CONSTRUCTION SERVICES

OF UP TO \$3,811,856.34, AUTHORIZING AN AGREEMENT IN THE AMOUNT UP TO \$15,000.00 FOR PRE-CONSTRUCTION PHASE SERVICES AND \$3,811,856.34 FOR CONSTRUCTION PHASE SERVICES AND AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$15,000.00 TO A \$335,407.00 PROFESSIONAL SERVICES AGREEMENT WITH DEBRA J. DOCKERY ARCHITECT P.c. FOR REPLACEMENT FIRE STATION 19, LOCATED AT 2307 VANCE JACKSON, IN COUNCIL DISTRICT 1, A CERTIFICATES OF OBLIGATION FUNDED PROJECT.

2009-12-03-0973

Item 22. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH THE MAGIK CHILDREN'S THEATRE FOR BUILDING #235, ALSO KNOWN AS THE KAMPMANN HOUSE, IN HEMISFAIR PARK.

2009-12-03-0974

Item 23. AN ORDINANCE AUTHORIZING LEASE AMENDMENTS WITH 34 TENANTS OF EL MERCADO AT MARKET SQUARE EXTENDING THE LEASE TERMS FOR EIGHT MONTHS WITH NO RENTAL RATE INCREASE.

2009-12-03-0975

Item 24. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS UPON AWARD FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$300,483.00 FOR THE FY 2010 LOAN STAR LIBRARIES GRANT TO SUPPORT A VARIETY OF LIBRARY SERVICES.

Item 25. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011, OR AS OTHERWISE SPECIFIED BELOW; 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. APPOINTING RANDOLPH E. MURDOCK AND KENNETH W. THOMAS, AND REAPPOINTING WALTER N. AGUE, ALBERT A. CARRISALEZ, JULIUS C. CORSO, BRENDA V. JOHNSON, KEITH P. KINDLE, TERRELL R. MCCOMBS, PABLO RUBIO, AND DAVID M. VILLYARD TO THE JOINT CITY/COUNTY CITIZENS BOND OVERSIGHT COMMISSION.
- B. REAPPOINTING ANGEL J. GONZALES, GLORIA S. MARTINEZ, ROD J. RADLE AND MICHAEL W. WHITE TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 2, KNOWN AS ROSEDALE.
- C. REAPPOINTING CHRISTEL VILLARREAL, CHARLES ANDREW CLAIBORNE, CHRISTOPHER ALLAN CLAIBORNE AND ALAN RIETE CLAIBORNE TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 4, KNOWN AS HIGHLAND HEIGHTS.
- D. APPOINTING PETE ANTHONY BENAVIDES AND JAMES STERLING MATTOX AND REAPPOINTING VIRGINIA BOYD ROGERS AND RYAN GARTH WILSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 6, KNOWN AS MISSION DEL LAGO.

- E. APPOINTING MORGAN M. MATSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 9, KNOWN AS HOUSTON STREET.
- F. REAPPOINTING BEHJAN RAJABI, CHAD PARKER CAREY, JAMES LANDON KANE, AND ROBERT DAVIS RICHARDSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 10, KNOWN AS STABLEWOOD FARMS.
- G. APPOINTING SALAH E. DIAB, CLYDE JOHNSON, AND JOE DAVID MORENO AND REAPPOINTING ELENITA CASILLAS MORENO, FRANK SERGIO MORENO AND GORDON ALAN WOODS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 13, KNOWN AS LACKLAND HILLS.
- H. APPOINTING JAIME LEIGH JOHNSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 15, KNOWN AS NORTH EAST CROSSING.
- I. APPOINTING LANCE FLATEN ELLIOTT TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 24, KNOWN AS PALO ALTO TRAILS.
- J. APPOINTING DANIEL T. CROWLEY TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 28, KNOWN AS VERANO.
- K. APPOINTING LANCE FLATEN ELLIOTT TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 29, KNOWN AS ROSILLO RANCH.
- L. APPOINTING PATRICK JOHN STOLMEIER TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 31, KNOWN AS MIDTOWN.
- M. APPOINTING RUTH L. NANCARROW (DISTRICT 10) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS.
- N. APPOINTING BRIAN D. SMITH (DISTRICT 5, CATEGORY: COMMUNITY) AND REAPPOINTING PAT DIGIOVANNI (DISTRICT 10, CATEGORY: CITY MANAGER'S REPRESENTATIVE) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE NOVEMBER 4, 2010 AND NOVEMBER 4, 2011, RESPECTIVELY.
- O. REAPPOINTING ANTONIO K. MEDINA (DISTRICT 6, CATEGORY: COMMERCIAL REFRIGERATION CONTRACTOR) TO THE MECHANICAL APPEALS AND ADVISORY BOARD.
- P. APPOINTING JOE J. VALADEZ (DISTRICT 5) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.
- Q. APPOINTING ANITA C. LIBBY (DISTRICT 5) TO THE SAN ANTONIO YOUTH COMMISSION.
- R. APPOINTING THOMAS C. LOPEZ (CATEGORY: SAN ANTONIO ISD) TO THE WESTSIDE DEVELOPMENT CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 28, 2011.

- S. APPOINTING MAUREEN BROWN (DISTRICT 5, CATEGORY: GENERAL) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2011.
- T. APPOINTING DIANA J. AREVALO (DISTRICT 5) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

ITEM PULLED BY STAFF

Item 26. A RESOLUTION CASTING THE CITY'S 1,046 VOTES FOR ROBERT DAVID CARPENTER TO SERVE ON THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF OFFICE TO BEGIN ON JANUARY 1, 2010, AND EXPIRE ON DECEMBER 31, 2011.

2009-12-03-0978

Item 29. AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY, TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS (INNER CITY TIRZ) BOARD, AND MAINSTREET ALLIANCE OF SAN ANTONIO DBA SOUTHTOWN CHAMBER OF COMMERCE, FOR THE SOUTHTOWN STREET ENHANCEMENT PROJECT.

2009-12-03-0979

Item 30. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH JEFFERIES & COMPANY TO REPLACE BARCLAYS CAPITAL, INC. AS THE CITY'S REMARKETING AGENT FOR OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003, ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2009-12-03-0980

Item 31. AN ORDINANCE CONSENTING TO THE ASSIGNMENT BY PINNACLE ARBITRAGE COMPLIANCE LLC OF ITS INTEREST IN THE CITY OF SAN ANTONIO ARBITRAGE REBATE COMPLIANCE SERVICES CONTRACT TO THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.; AND APPROVING AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN SUCH PARTIES.

2009-12-03-0981

Item 32. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH CIBOLO CANYON SPECIAL IMPROVEMENT DISTRICT PROVIDING FOR THE COLLECTION, BY THE CITY, OF HOTEL OCCUPANCY TAXES ASSESSED BY THE DISTRICT FOR A COLLECTION FEE OF ONE-HALF OF ONE PERCENT OF THE GROSS COLLECTION, UP TO \$50,000.00 PER YEAR.

ITEM PULLED BY STAFF

Item 33. AN ORDINANCE CONSENTING TO (A) A SUBLEASE FROM HAVEN FOR HOPE OF BEXAR COUNTY TO HAVEN SUPPORT, INC.; (B) THE SALE OF SIX CAMPUS BUILDINGS FROM HAVEN FOR HOPE OF BEXAR COUNTY TO HAVEN SUPPORT, INC.; (C) THE LEASE FROM HAVEN SUPPORT, INC. BACK TO HAVEN FOR HOPE OF BEXAR COUNTY; AND (D) HAVEN SUPPORT, INC.'S PLEDGE OF SIX CAMPUS BUILDINGS AND ITS LEASEHOLD INTEREST AS COLLATERAL FOR A NMTC LOAN FROM COMMUNITY DEVELOPMENT

ENTITIES AT THE HAVEN FOR HOPE CAMPUS IN ORDER TO FACILITATE A NEW MARKET TAX CREDIT TRANSACTION FOR THE BENEFIT OF CAMPUS DEVELOPMENT.

2009-12-03-0982

Item 34. AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT WITH THE SAN ANTONIO LIVING HISTORY ASSOCIATION TO CONDUCT HISTORICAL PROGRAMS IN ALAMO PLAZA.

2009-12-03-0983

Item 35. AUTHORIZING THE EXECUTION OF TWO MEMORANDUMS OF AGREEMENT BETWEEN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH HOPE ACTION CARE, INC. AND WITH BEAT-AIDS, INC. TO FORMALIZE COLLABORATIVE EFFORTS, TO PROVIDE STAFF TRAINING, AND TO SUPPORT CLIENT SERVICES TO REDUCE THE INCIDENCE OF SEXUALLY TRANSMITTED DISEASE (STD) AND HIV IN HIGH-RISK POPULATIONS OF THE COMMUNITY.

2009-12-03-0984

Item 36. AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS TOTALING UP TO \$350,122.00 WITH THE AMERICAN CANCER SOCIETY, SAN ANTONIO COUNCIL ON ALCOHOL AND DRUG ABUSE, SOUTH CENTRAL AREA HEALTH EDUCATION CENTER, UNIVERSITY HEALTH SYSTEM, AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO IN SUPPORT OF THE SAN ANTONIO TOBACCO PREVENTION AND CONTROL COALITION FOR THE PERIOD OF SEPTEMBER 1, 2009 THROUGH AUGUST 31, 2010.

2009-12-03-0985

Item 37. AN ORDINANCE AUTHORIZING AN AMENDMENT IN AN INCREASED AMOUNT OF \$83,950.00 TO AN EXISTING PROFESSIONAL SERVICES CONTRACT WITH GARTNER INC. TO PROVIDE THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT (ITSD) WITH ONGOING PROJECT MANAGEMENT SUPPORT WITHIN THE ENTERPRISE CUSTOMER RELATIONSHIP MANAGEMENT (CRM) PROJECT, FUNDED BY TAX NOTES INCLUDED IN THE FY 2010-2015 CAPITAL IMPROVEMENT BUDGET.

2009-12-03-0986

Item 38. AN ORDINANCE APPROVING A FUNDING AGREEMENT WITH THE WITTE MUSEUM FOR THE EXPENDITURE OF UP TO \$75,000.00 FOR DESIGN COSTS ASSOCIATED WITH THE PLANNED EXPANSION AND RENOVATION OF THE PIONEER HALL BUILDING, LOCATED IN COUNCIL DISTRICT 9, FUNDED BY FY 2009 TAX NOTES.

2009-12-03-0987

Item 39. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY FOR COST-SHARING OF THE LOCAL MATCH FOR FUNDS FROM THE TEXAS PARKS & WILDLIFE DEPARTMENT IN AN AMOUNT UP TO \$223,448.50 TO DEVELOP THE SOUTHERN EDWARDS PLATEAU HABITAT CONSERVATION PLAN.

[CONSENT AGENDA ITEMS CONCLUDED]

EXECUTIVE SESSION

Mayor Pro Tem Cortez recessed the meeting at 11:43 am for lunch and to convene in Executive Session at 1:00 pm for the purpose of:

A. DELIBERATE COMPETITIVE MATTERS REGARDING CPS ENERGY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.086 (COMPETITIVE MATTERS) AND 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Pro Tem Cortez reconvened the meeting at 3:25 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

Mayor Pro Tem Cortez addressed the zoning portion of the agenda at this time.

CONSENT ZONING ITEMS

Councilmember Rodriguez made a motion to approve Z-1 and Z-2 zoning items, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak against. Councilmember Cisneros seconded the motion.

The motion to approve the Consent Zoning Items Z-1 and Z-2 prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Rodriguez, Williams, Chan, and Clamp. **NAY:** None. **ABSENT:** Lopez and Mayor Castro.

2009-12-03-0988

Item Z-1. **ZONING CASE # Z2009168 (District 6):** An Ordinance amending the Zoning District Boundary from "NP-10" Neighborhood Preservation District to "C-3NA" General Commercial District, Nonalcoholic Sales (1.146 acres) and "I-1" General Industrial District (2.152 acres) on 3.298 acres out of Block 4, NCB 11379 located on a portion of 303 South Acme 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: 3.298 ACRES OUT OF BLOCK 4, NCB 11379 TO WIT: FROM "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES (1.146 ACRES) AND "I-1" GENERAL INDUSTRIAL DISTRICT (2.152 ACRES).

2009-12-03-0989

Item Z-2. **ZONING CASE # Z2010001 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "C-3 S" General Commercial District with a Specific Use Authorization for a Pay-Day Loan Agency and "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor Overlay District with a Specific Use Authorization for a Pay-Day Loan Agency on Lot

8, Block 2, NCB 15329 located at 8802 Potranco Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 8, BLOCK 2, NCB 15329 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT AND "C-3 GC-2" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A PAY-DAY LOAN AGENCY AND "C-3 GC-2 S" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A PAY-DAY LOAN AGENCY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2009-12-03-0990

Item Z-3. **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.

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 27, BLOCK 2, NCB 8416 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-3 R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOL SALES.

Chris Looney presented said item and stated that it was being proposed with the change of the zoning classification of the identified property to "C-2" from "C-3." He noted that the neighborhood association was in favor of the rezoning recommendation. Mr. Looney informed the Council that 9 affirmative votes would be needed to approve the rezoning request as the property owner was in opposition.

Monticello Park Neighborhood Association represented by Bianca Maldonado, Ferne Burney, and Rob Sipes addressed the Council and spoke in favor of the zoning change. Ms. Maldonado explained that the request was being brought forth by the City of San Antonio. She noted that the zoning change to "C-2" was appropriate for the area as it would deter late night criminal activity. However, an even better option was to change the zoning classification to "C-3R" as it was more compatible with the commercial corridor and would allow for alcohol sales but not its consumption on the property. Ms. Burney noted that the current zoning classification was not appropriate for the area as it allowed bars and other questionable businesses to be opened. She recommended that the Council approve a more appropriate zoning classification. Lastly, Mr. Sipes recommended the approval of a zoning designation that was more compatible with other properties along the commercial corridor of the Deco District.

Enedina H. Rodriguez addressed the Council and spoke in favor of the zoning change. She voiced her concern with the noise that would be created by the proposed establishment.

Rebecca Anguiano addressed the Council and recommended that the Council approve a zoning designation of “C-3NA” as said zoning classification would limit noise and other late night disturbances.

Graciela Rodriguez addressed the Council and also recommended that the Council approve a zoning classification of “C-3NA.” She voiced her concern with having a bar in her backyard.

Cecilia Garza addressed the Council and spoke in support of the down zoning.

Elia Reyna, President of the Thomas Jefferson Neighborhood Association, addressed the Council and requested that the Council approve a zoning classification of “C-3R.” She noted that this zoning classification would protect the integrity of the community while allowing appropriate businesses to be established in a residential area.

Feliz Sanchez addressed the Council and noted safety concerns with having a bar as a neighbor.

Robert Sisson addressed the Council and noted that he was opposed to having a bar so close to his residence.

Estella Ramos addressed the Council and spoke in favor of the down zoning. She yielded the balance of her time to Bianca Maldonado. Ms. Maldonado noted that the nearest residents to the proposed establishment were senior citizens. As such, she recommended that the Council take into consideration their safety and communal pride.

Shirley Boulware addressed the Council and noted that her balcony would overlook the bar. She voiced concern with being disturbed each night by the noise coming from the establishment.

Celia Longoria addressed the Council and spoke in support of the down zoning. She noted that the property in question did not have enough parking and as such bar patrons would park in tenant parking spaces.

Patricia Doria addressed the Council and spoke in support of the down zoning as it would deter criminal activity.

Eduardo Sanchez, property owner, addressed the Council and spoke against the rezoning change. He stated that he was being treated unfairly as he was not given property notification of the zoning change. Subsequently, he was denied the opportunity to present his position. Mr. Sanchez noted that the zoning change would deter other businesses from opening up in the area. Lastly, he requested that he be given the opportunity to meet with city officials so that they could come to a resolution that benefited the community.

Ken Brown, representative of the property owner, addressed the Council and also spoke against the rezoning change. He questioned the zoning change process as the request was initiated by the City rather than the property owner and that the property owner was not timely notified. Mr. Brown noted that the area had been zoned “C-3” for approximately 15 years and that said zoning classification was not a concern several years ago when the Primrose Apartment Complex was built. It was noted that former Mayor Ed Garza, who was councilmember of District 7 at the time the area was rezoned to allow for the development of Primrose Apartment Complex, had suggested the “C-3” zoning classification remain in

effect as it would allow for mixed-use development. Lastly, Mr. Brown requested that the Council deny the down zoning of the property.

Magdalena Zapata addressed the Council and spoke in favor of the zoning change. She noted that she was concerned about the safety of the school-aged children and elderly residents of the community.

Ron Hubbert spoke in favor of the zoning change. He noted that the original intent of the neighborhood was to foster a sense of community while inviting businesses that assisted the community. Mr. Hubbert stated that he was concerned with the types of businesses that would open up in the future if the zoning classification remained "C-3."

Josette Gonzalez addressed the Council and noted that she was concerned for the safety of the children of the community. As such, she requested that the down zoning be approved.

Representative Trey Martinez Fischer submitted written testimony in support of the C-2 zoning as the proposed establishment was not in the community's best interest.

Beverly Ann Brandas submitted written testimony in support of the zoning change noting that crime would increase if a bar was allowed to open. She expressed concern for her safety and the safety of others in the community.

Councilmember Rodriguez stated that his intent was to balance public interests and property owner rights. At the request of the Councilmember, Chris Looney clarified that a zoning classification of "C-3R" would prohibit the sale of alcohol for on-premise consumption. Councilmember Rodriguez stated that a zoning change to "C-3R" would be in the best interests of all parties as the proposed bar would be prohibited from opening while Dr. Sanchez would be able to maintain his medical facility.

Councilmember Rodriguez moved to adopt a "C-3R" zoning for the proposed Ordinance. Councilmember Cisneros seconded the motion.

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

CONTINUED TO FEBRUARY 4, 2010

Item Z-4. **ZONING CASE # Z2009032 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "HS C-3" Historic Significant General Commercial District on the east 114.6 feet of Lot 14, Block 3, NCB 1726 located at 2011 McCullough Avenue. Staff recommends approval. Zoning Commission failed to pass a motion for this case; therefore it moves forward to City Council as a recommendation for denial.

Chris Looney presented the zoning case and stated that the request was to designate the area as historically significant. He continued by noting that staff recommended approval while the Zoning Commission failed to make a recommendation on the case. Mr. Looney informed the Council that 9 affirmative votes would be needed to approve the rezoning request as the property owner was in opposition.

Councilmember Cisneros stated that she was facilitating a meeting between all interested parties in order to preserve the structure while maintaining the property owner's right to redevelop. She stated that the intent was to ensure that the structure was redeveloped in a manner that was consistent with area revitalization efforts. Councilmember Cisneros read a letter from the Tobin Hills Neighborhood Association that requested a continuance of 60 days.

Councilmember Cisneros moved to continue said item for 60 days. Councilmember Ramos seconded the motion.

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

2009-12-03-0991

Item P-1. **PLAN AMENDMENT (District 2):** An Ordinance adopting the Dignowity Hill Neighborhood Plan, a component of the Master Plan of the City, to supersede the Downtown Neighborhood Plan and the Arena District Eastside Community Plan for an area bound by Sherman Street on the north; North New Braunfels Avenue and St. James Street on the east; Center Street, East Houston Street, East Crockett Street and East Commerce Street on the south; and Interstate Highway 37, Hoefgen Avenue, Chestnut, Live Oak, and Austin Street on the west. Staff and Planning Commission recommend approval.

Patrick Howard presented the zoning case and noted that the Staff and the Planning Commission both recommended approval.

Councilmember Taylor highlighted said item and stated that the Plan would improve the quality of life for residents while attracting businesses. She requested that Council continue to fund this Plan as well as two other Revitalization Plans as funds become available. Councilmember Taylor read a letter of support from Juan Garcia, Dignowity Hill Neighborhood Association President.

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

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

2009-12-03-0992

Item Z-5. **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.

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 22, BLOCK 4, NCB 1422 TO WIT: 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.

Councilmember Taylor recused herself from Item Z-5 by exiting the Council Chambers and noted that she had submitted the recusal forms to the City Clerk.

Chris Looney presented the zoning case and stated that the request was to change the zoning classification to "MF-18 EP-1." It was noted that Staff and Zoning Commission recommend approval.

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

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

2009-12-03-0993

Item Z-6. **ZONING CASE # Z2010005 CD (District 3):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District, "MF-33" Multi-Family District, "C-2" Commercial District and "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-6" Residential Single-Family District, "NC" Neighborhood Commercial District, "C-2" Commercial District and "C-2 CD" Commercial District with a Conditional Use for Parking and Storage-Long Term on Multiple Legal Descriptions generally bound by Rigsby Avenue to the north; Villarreal Street and Southside Lions Park to the south; Amanda Street to the east and Anita Street to the west. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: MULTIPLE LEGAL DESCRIPTIONS GENERALLY BOUND BY RIGSBY AVENUE TO THE NORTH; VILLAREAL STREET AND SOUTHSIDE LIONS PARK TO THE SOUTH; AMANDA STREET TO THE EAST AND ANITA STREET TO THE WEST TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "MF-33" MULTI-FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "NC" NEIGHBORHOOD COMMERCIAL DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-2 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR PARKING AND STORAGE-LONG TERM AND "C-2 NA CD" COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AUTO PAINT AND BODY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented the zoning case and stated that the request was to change various zoning classifications. It was noted that Staff and Zoning Commission recommended approval.

Councilmember Ramos provided a brief history of the zoning case and stated that the zoning change was beneficial to the community.

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, Rodriguez, Williams, Chan, and Clamp. **NAY:** None. **ABSENT:** Lopez and Mayor Castro.

2009-12-03-0994

Item Z-7. **ZONING CASE # Z2010006 CD (District 3):** An Ordinance amending the Zoning District Boundary from "H R-5" Residential Single-Family Mission Historic District to "H R-5 CD" Residential Single-Family Mission Historic District with a Conditional Use to allow a non-commercial parking lot on Lots 8 and 9, NCB 7668 located at 539 and 543 East White Avenue. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 8 AND 9, NCB 7668 TO WIT: FROM "H R-5" RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC DISTRICT TO "H R-5 CD" RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC DISTRICT WITH A CONDITIONAL USE TO ALLOW A NON-COMMERCIAL PARKING LOT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented the zoning case and stated that the request was to change the zoning classification to "HR-5 CD" with a conditional use to allow a non-commercial parking lot. It was noted that Staff and Zoning Commission recommend approval with the following conditions:

1. That on-site lighting be pointed toward the site and away from residential areas/uses;
2. The parking lot be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served was closed;
3. A 10-foot Type A landscape buffer be provided along the northeast and west property lines; and
4. That no advertising signs be permitted on the parking lot other than those signs which indicate the name of the owner/lessee of the lot and signs providing parking instructions.

Councilmember Ramos moved to adopt the proposed Ordinance with an amendment allowing for a 5-foot Type A landscape buffer. Councilmember Cisneros seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros recognized Workforce Solutions Alamo for receiving three Incentive Awards from the Texas Workforce Commission and a check for \$500,000. The funds would be used to provide additional job placement programs for area residents.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2009-12-03-0959

Item 9. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A STATE COOPERATIVE CONTRACT WITH JOHNSON CONTROLS, INC. TO PROVIDE THE CITY WITH HEATING,

VENTILATION AND AIR CONDITIONING SYSTEM EQUIPMENT AT THE MUNICIPAL PLAZA BUILDING FOR A TOTAL COST OF \$235,425.00 FUNDED WITH CERTIFICATES OF OBLIGATION.

Councilmember Cisneros recused herself from Item 9 by exiting the Council Chambers and noting that she had submitted the recusal forms to the City Clerk.

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

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

The City Clerk read the following Ordinance:

2009-12-03-0962

Item 12. AN ORDINANCE ACCEPTING THE BID FROM PLANET FORD FOR THE PURCHASE OF 249 POLICE PATROL SEDANS FOR A COST OF \$5,585,319.00 FUNDED BY THE EQUIPMENT RENEWAL & REPLACEMENT FUND.

Councilmember Rodriguez sought clarification on the conversion to Black and White police cars. It was noted by Florencio Peña that this purchase would bring the total number of converted police cruisers to 575. That was 60 short of the required number of 635. Mr. Peña continued by stating that Ford originally intended to discontinue making Crown Victorias in 2009; however, the date was extended to 2010. The City would continue to purchase Crown Victorias until they are no longer made while seeking other vehicle options.

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

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

The City Clerk read the following Ordinance:

2009-12-03-0969

Item 19. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$45,000.00, TO BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, TO THE PROFESSIONAL SERVICES AGREEMENT WITH CLAUNCH & MILLER INC. FOR THE SKYLINE AREA DRAINAGE PHASE IA PROJECT, LOCATED IN COUNCIL DISTRICT 10, FUNDED BY 2007-2012 GENERAL OBLIGATION BONDS.

Councilmember Chan recused herself from Item 19 by exiting the Council Chambers and noted that she had submitted the recusal forms to the City Clerk.

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

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

The City Clerk read the following Ordinance:

2009-12-03-0977

Item 28. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$250,000.00 TO EACH OF FOUR PROFESSIONAL SERVICES AGREEMENTS WITH CLAUNCH & MILLER, INC., KLOTZ ASSOCIATES, INC., LOCKWOOD, ANDREWS & NEWMAN, INC. AND VICKREY & ASSOCIATES, INC. FOR ON-CALL PROFESSIONAL ENGINEERING SERVICES, FOR A TOTAL UP TO \$500,000.00 FOR EACH CONTRACT.

Councilmember Chan recused herself from Item 28 by exiting the Council Chambers and noted that she had submitted the recusal forms to the City Clerk.

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

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

The City Clerk read the following Ordinance:

2009-12-03-0970

Item 20. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO SAN ANTONIO CONSTRUCTORS INC., IN THE AMOUNT OF \$176,510.01, FROM A TOTAL AUTHORIZED PROJECT AMOUNT OF \$214,343.40, FOR THE PEDESTRIAN MOBILITY AND TRAFFIC CALMING INITIATIVES PROJECTS, LOCATED IN COUNCIL DISTRICTS 4, 6 AND 7, FUNDED BY 2007-2012 GENERAL OBLIGATION BONDS.

Councilmember Cortez requested Mike Frisbie, Director of CIMS, to provide details regarding the Pedestrian Mobility and Traffic Calming projects scheduled in District 4. It was noted that if said item was approved today, the District 4 Project could begin in January 2010 with completion in May 2010.

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

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

The City Clerk read the following Ordinance:

2009-12-03-0976

Item 27. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CITY OF ELMENDORF IN AN AMOUNT UP TO \$10,000.00 TO PROVIDE ANIMAL

CARE SERVICES TO THE CITY OF ELMENDORF FOR A THE PERIOD OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010.

Councilmember Cortez requested clarification on the services that the City of San Antonio would be providing to the City of Elmendorf. It was noted by Gary Hendel, Director of Animal Care Services, that this item would renew and amend the current contract with the City of Elmendorf. Due to economic reasons, the City of Elmendorf requested that the City of San Antonio patrol the area twice a month using one animal control truck rather than using two animal controls trucks as previously provided. Mr. Hendel noted that services to the City of San Antonio would not be impacted by the renewal of this contract as 35 animals were anticipated in being picked up. Overall, the City of San Antonio would have a net revenue gain of approximately \$7,500.

Councilmember Medina noted that residents of District 5 continually raise concerns about the stray animal population. To ensure that there are enough resources to patrol both Cities, he requested that Mr. Hendel reiterate the details of the contract with the City of Elmendorf.

Councilmember Taylor noted that the stray animal population was a problem throughout the City. As such, she recommended that future revenue generated from this initiative be utilized to provide additional spaying and neutering services and to fund the creation of additional programs. She requested that the monies not be deposited into the General Fund. She thanked Mr. Hendel for being creative in addressing the stray animal population.

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

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

2009-12-03-0964

Item 14. ACCEPTING THE BID FROM SIDDON'S FIRE APPARATUS, INC., UTILIZING A STATE CONTRACT, FOR THE PURCHASE OF 5 FIRE TRUCKS FOR A TOTAL COST OF \$3,174,480.00, FUNDED THROUGH THE EQUIPMENT RENEWAL & REPLACEMENT FUND AND THE FY 2010 BUDGET.

Councilmember Ramos moved to adopt the proposed Ordinance with the purchase of 5 Fire trucks at this time and that the remaining ladder truck be brought back for approval at the next Council meeting. Councilmember Cisneros seconded the motion.

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

[CONSENT AGENDA ITEMS CONCLUDED]

CITY MANAGER'S REPORT

A. 2009 EMPLOYEE SERVICE AWARDS

Sheryl Sculley announced that a reception honoring employees with 20, 25, 30, 35, and 40 years of service to the City of San Antonio was scheduled to be held that evening. A total of 517 employees were scheduled to be recognized. Of those employees, 5 had 40 years of service. Ms. Sculley recognized 4 of the 5 employees at this time. They were Police Officers Vernon "Buddy" Ginn, Joe De La Luz, Paul Buske, and Thomas Farley.

B. 2009 CITY MANAGER'S 5K RUN/WALK

Ms. Sculley announced that the 5K Run/Walk had been rescheduled to January 16, 2010 due to the possibility of inclement weather.

C. GOOD MORNING AMERICA BROADCAST

Ms. Sculley stated that the City of San Antonio was one of three Cities that had been selected by "Good Morning America" to create a window display at Macy's in New York. A video which highlighted the RiverWalk and the City's display in New York was shown.

Mayor Pro Tem Cortez recessed the meeting at 5:10 pm and stated that the meeting would resume at 6:00 pm.

CITIZENS TO BE HEARD

Mayor Pro Tem Cortez reconvened the meeting at 6:10 pm and called on the individuals registered to speak.

Martha Sepeda, First Assistant City Attorney, stated that the Citizens to be Heard portion of the meeting served as a public forum and that the Council does not take action. As such, the meeting could continue even though a quorum of the Council was not in attendance.

Dee Villarubia expressed concern with the number of Councilmembers present during the Citizens to be Heard portion of the meeting. She stated that she tried to see the good in people and to understand their differing viewpoints; however, did not trust CPS Energy. She asked for transparency and that citizens be provided detailed information regarding CPS Energy transactions to include such things as cost per kilowatt hour; the cost associated with construction of facilities, transportation, security, containment; and health risks associated with each energy source.

Nazirite Ruben Flores Perez noted that the Bible cautioned individuals from relying on "unclean" information. For this reason, he stated that citizens should not rely on the information being presented by CPS Energy regarding the use of nuclear energy. Lastly, he expressed concern that not all Councilmembers were in attendance.

Jim Cisneros invited Mayor Castro to attend the renaming of Cenizo Park Elementary to Roy Cisneros Elementary. He spoke of the many challenges he encountered in getting the name changed to honor his brother. Mr. Cisneros submitted documents from the Navy commending Corporal Cisneros's bravery and subsequent recommendation to award him the Navy Cross.

Julie Iris Oldham spoke about the many challenges seniors encounter at the Bob Ross Senior Center. She also expressed concern with Code Compliance Officers not properly enforcing City regulations.

Delia Guajardo asked all to attend the renaming of Cenizo Park Elementary School to Roy Cisneros Elementary School. She spoke on how Corporal Cisneros gave his life for his country. Ms. Guajardo informed the Council that the Cisneros Family desired for them to be in attendance.

Nick Calzoncit expressed concern with the lack of Councilmembers present at the Citizens to be Heard portion of the meeting and the disruptive behavior of some Councilmembers. He provided details of the peace rally he attended in Fort Benning, Georgia, from November 20-22 in support of the closing of the School of the Americas. Lastly, Mr. Calzoncit requested that the City of San Antonio create a Department of Peace and investigate Harlandale and Edgewood Independent School Districts.

Irene Keller requested that more research be conducted on viable energy sources as well as mechanisms for dealing with nuclear waste and cancer causing pollution. Lastly, she invited the Council to attend a meeting on December 4th at the Esperanza Center in which energy sources would be discussed.

Faris Hodge, Jr., voiced his concern with the lack of Councilmembers present. He spoke in support of the renaming of Voelcker Park to the Phil Hardberger Park, Jelyne Burley's executive appointment at CPS Energy, and the use of wind as an energy source. Mr. Hodge requested that the Alamodome be named after him and that the City take affirmative steps to assist Lucky the Elephant. Lastly, he commented on how a Correctional Facility could not revitalize a community and the end of the Chili Bowl.

Rhett Smith thanked all those that were in attendance. He spoke in support of immigration reform and requested that citizens provide input regarding said topic to elected officials. Mr. Smith also spoke in support of the closing of the School of the Americas.

Damon Mason noted that the new transportation options being proposed by VIA were not properly researched. He requested that VIA reassess local transportation needs.

Orlando Gutierrez, representative of Energia Mia, thanked the Councilmembers that were present and for their desire to listen. He stated that now was not the best time for the City of San Antonio to invest in nuclear energy due to CPS Energy's failure to communicate and disclose information and management's incompetence. Mr. Gutierrez noted that the City had time to make a decision as energy demands would not peak until 2023. He detailed alternative energy sources that he believed were more viable.

Mariana Ornelas, representative of Energia Mia, also thanked all that were present. She spoke in opposition to the nuclear expansion project proposed by CPS Energy. Ms. Ornelas requested that the Council utilize the services being offered by a consultant who had developed a plan on the use of renewable energy. She expressed concern with the impact that the proposed rate increase would have on low-income individuals as it was anticipated that rates would increase 2% annually once the expansion project commenced.

Ziyad Effendi spoke on how it was important for the City to seek alternate sources of energy. He expressed concern with the lack of accountability the City Council has over CPS Energy and the lack of oversight of CPS Energy by its own Board of Directors. Mr. Effendi stated that the community could not trust the decisions being made about nuclear energy without more transparency.

Erika Olguin spoke in opposition to the nuclear expansion project proposed by CPS Energy as it would dramatically increase rates. She requested that the Council reconsider its decision and seek other energy sources.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Cortez adjourned the meeting at 6:54 pm.

APPROVED



(MAYOR)

PHILIP A. CORTEZ
MAYOR PRO TEM

Attest:



LETICIA M. VACEK, TRMC/CMC
CITY CLERK