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 COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, JUNE 3, 2009 AND THURSDAY, JUNE 4, 2009, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **June 3, 2009**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Lopez, Rodriguez, Cibrian, Chan, Clamp, and Mayor Castro.

Mayor Castro called the meeting to order and recessed the B Session at 2:16 pm to convene in Executive Session for the purposes of:

A. Discuss legal issues related to City Council practices and procedures pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).

B. Discuss legal issues related to tax abatements and economic development pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.087 (economic development).

Councilmember Cisneros recused herself from the Executive Session as it related to Item B. She excused herself from Executive Session.

Mayor Castro reconvened the B Session at 3:35 pm and noted that the City Council had been briefed on the above-styled matters but took no action.

1. BRIEFING AND UPDATE ON REDEVELOPMENT EFFORTS AT PORT SAN ANTONIO.

Mr. Bruce Miller, Chief Executive Officer and President of Port San Antonio, stated that their vision was to create a high performance industrial airport, railport and town center that is a quality place to live, work, play, and learn. He noted that the Port had formerly been known as Kelly USA and four years ago, was rebranded as a Port. He outlined the three components of Port San Antonio: 1) Airport; 2) Town Center; and 3) Railport. He highlighted the Port's designation as a heavy-lift airport and referenced the many aerospace companies located at the Port. He spoke of the Port's full US Customs inspection capabilities and the St. Philip's College Southwest Campus located at the Port. He made note of the partnership with the City to create the Frio City Ramp; 36th Street Extension; and South Texas Regional Emergency Evacuation Center. He stated that they were in the beginning stages of developing a Kelly Town Center and spoke of a transaction with the Air Force to utilize Building 171. He added that Port San Antonio's Headquarters had relocated and Affiliated Computer Services, Inc. would be occupying their previous location which would be upgraded to LEED certified standards.

Mr. Miller reported that Port San Antonio's total building inventory was 271 buildings totaling eleven million square feet. He stated that Port San Antonio and tenant payroll was $520 million annually with a total economic impact of $3.3 billion. He noted that the total number of direct and secondary jobs for 2008 was 22,763 and that capital investment from 1997 to 2009 totaled $389,781,627. He explained

that they originally had 531 buildings with no Certificates of Occupancy on land that had not been zoned or platted and that Port San Antonio entered into an agreement with the City in 1997 to bring the property into compliance with City standards. He reported that as of 2009, only fifty-three buildings did not have Certificates of Occupancy. He spoke of the International Multimodal Corridor Development and the success of HEB Grocery Stores to bring cargo from China into the United States through Mexico. Lastly, he stated that Port San Antonio was looking to expand Private Aerospace, International Rail, and International Air Cargo, but the expansion had slowed due to the economy.

Councilmember Cortez recognized Messrs. Miller and Wayne Alexander, Board Chair; and Ms. Chris Alderete, District 4 Board Appointee. He spoke of the importance of the Port to the City of San Antonio and the $3 billion impact to the local economy. Mr. Alexander thanked the City Council for supporting the partnership with Port San Antonio. Councilmember Cortez referenced the $14 million in Stimulus Funds for the 36th Street Project and thanked the Port Authority Board for their efforts.

Councilmember Cibrian spoke of the trade mission to China with Port San Antonio representatives and the economic impact of the Port. Mr. Miller noted that Aerospace was a key anchor at the Port. Councilmember Cibrian asked of future needs for the 36th Street Project and the Kelly Town Center. Mr. Miller explained that there was no timeframe for the Town Center but hoped to be looking for private developers at the beginning of 2010. He stated that there were several needs related to phases of the 36th Street Project that were not funded but that Stimulus Funds could possibly cover those costs.

Councilmember Cisneros recognized Mr. Miller for his efforts. She spoke of the success of HEB Grocery Stores to bring cargo from China into the United States through Mexico, and the potential for other companies to succeed in the same manner. She asked of the funding shortfall. Mr. Miller stated that current projects were funded. Mr. Majed Al-Ghafry stated that the first phase of the 36th Street Project was fully funded.

Councilmember Chan recognized Mr. Alexander as a District 9 Representative. She spoke of her travels to China and Mexico and noted the great opportunity for international trade through Port San Antonio. Councilmember Galvan expressed her support and asked of green space conservation in the area and the Kelly Town Center. Mr. Miller stated that the Port was being developed as a green development and that there was not a plan for the Kelly Town Center yet.

Councilmember Ramos expressed her support and asked for additional communication with the school districts in the area. Councilmember Clamp expressed his support and noted the great infrastructure that included air, rail, and land. Mayor Castro noted the impressive work of Port San Antonio and added that it was an important element of the City's Economic Development Portfolio.

2. BRIEFING ON LEGISLATION FILED AND ADOPTED DURING THE 81ST REGULAR STATE LEGISLATIVE SESSION.

City Manager Sheryl Sculley introduced said presentation and recognized the Intergovernmental Affairs Department Staff. She noted that seven of the City's top eight initiatives had passed either partially or in full.

Mr. Carlos Contreras provided an overview of the 81st Regular State Legislative Session. He noted that the Session ended June 1, 2009 and more than 1,640 bills had passed. He highlighted the City's Legislative Priority Issues: 1) Military Installation Protection; 2) Defense Economic Adjustment

Assistance Grant (DEAAG); 3) Transportation; 4) Texas Municipal Retirement System (TMRS); 5) Economic Development; 6) Sports Event Trust Fund; 7) Agricultural Operations; and 8) Graffiti. He noted that thirteen out of twenty-one of the City's initiatives had passed in part or whole.

Mr. Contreras stated that HB 2919 by Rep. King was amended to include SB 2223 (Military Installation Protection Act). He noted that DEAAG was expanded to include communities positively affected by BRAC that need to make infrastructure improvements and were able to secure an additional $10 million in funding. He spoke of the transportation initiative highlighting Local Option Funding, Diversion from the Highway Fund, Proposition 12, and the Rail Relocation and Investment Fund. He noted that the City had sponsored two bills in regards to TMRS, one of which passed. Mr. Contreras reported that the Sports Event Trust Fund Bill would grant powers of authority on how the fund would be implemented and was expanded to include all major events.

Mr. Contreras reported that the Graffiti Bill had passed, but the enhanced penalties had been deleted from the bill. He spoke of two clean air grants: the Texas Emissions Reduction Plan (TERP) for $232,965,702 and the Near Non-Attainment Grant Funding for a total of $7,075,000. He stated that Haven for Hope would be receiving funds through the Big Cities Mayor's Initiative which had appropriated $20 million. He also noted that the City would be able to apply for matching grant funds. He reported that neither of the Meet and Confer bills had made it to the floor. Regarding the Extension of the Diabetes Pilot Program and the Extension of the MRSA (Staph Infections) Pilot Program, both bills passed. He added that the Fire Department "Engineer" designation had passed and outlined the details of the Fire and Police Pension Fund. Lastly, he spoke of the City's endorsements noting the following: 1) RMA/VIA Consolidation did not pass; 2) Motion Picture Production Incentive passed; 3) University of Texas at San Antonio Life Science Institute received $4 million in funding; 4) Texas A&M University San Antonio Bill passed; and 5) Dangerous Dogs initiative did not pass.

Mr. Contreras presented the next steps including: 1) Urging the Governor to sign bills; 2) Updating the Council after the June 21, 2009 signing deadline; 3) Texas Municipal League briefing on June 29, 2009; and 4) Debriefings with the Lobby Team to identify improvements in the process and with Councilmembers to discuss process and information they may want to receive in the future. He spoke of a teleconference with White House Staff and selected mayors relating to the Administration's Health Care Reform Principles. He recognized Former State Senator Buster Brown and Ms. Jennifer Brown, Brown Consulting; Mr. Tris Castaneda, Baker Botts; LLP, Mr. James Jonas, Holland + Knight; Ms. Susan Rocha, Denton, Navarro, Rocha, & Bernal; Mr. Chris Shields, Christopher S. Shields, PC; Mr. Michael Bernard and the staff in the City Attorney's Office.

Mayor Castro recognized City Staff and the Lobbyist Team for their efforts.

Councilmember McNeil recognized Mr. Contreras and Intergovernmental Affairs Staff for their legislative efforts. Councilmember Cortez recognized Councilmember McNeil for her leadership as Chair of the Intergovernmental Relations Council Committee and thanked Mr. Contreras and staff for their efforts in Austin. In response to Councilmember Cortez, Mr. Contreras stated that community service had been added to the Graffiti Bill as an option for restitution. Councilmember Cortez highlighted Texas A&M University San Antonio, Haven for Hope, and the Meet and Confer Bill.

Councilmember Cisneros spoke of the funding for the Diabetes and Staph Pilot Programs and thanked staff and the lobbyist team for their efforts and support. She asked of the Zoning Announcement

Initiative. Mr. Contreras stated that the initiative would allow the city to post notifications on the web rather than in newspapers and spoke of the benefits of online posting.

Councilmember Rodriguez thanked Mr. Contreras and City Staff for their efforts. He expressed concern with the outcome of the Graffiti Initiative as it would not deter individuals from tagging. Councilmember Ramos recognized Mr. Contreras for his work and dedication to Camp Bullis and Texas A&M University San Antonio. Councilmember Clamp thanked Mr. Contreras and the IGR Staff for their work.

There being no further discussion, Mayor Castro adjourned the meeting at 5:35 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **June 4, 2009** at 9:00 am in the City Council Chambers.

Item 1. The Invocation was delivered by Rev. C.J. Littlefield, Assistant Pastor, New Union Missionary Baptist Church, guest of Mayor Julian Castro.

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

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

Item 3. MINUTES

Councilmember Cibrian made a motion to approve the Minutes for the May 14, 2009 Regular City Council Meeting. Councilmember Cisneros seconded the motion.

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

Mayor Castro asked the City Council for any items they would like to pull from the Consent Agenda. Items 14, 17, 19 and 26 were pulled from the Consent Agenda.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read Item 4:

2009-06-04-0445

Item 4. SECOND PUBLIC HEARING ON THE NEED TO CONTINUE THE CITY'S YOUTH CURFEW ORDINANCE AND CONSIDERATION OF AN ORDINANCE MODIFYING, READOPTING, AND CONTINUING THE ORDINANCE IN EFFECT.

Assistant Police Chief Harry Griffin stated that a Youth Curfew Ordinance had been approved in July, 1991 and that Police Officers enforce the following: 1) Ordinance applies to youth ages 10-16; 2) Issuance of a warning citation and reconnect the youth with the parent; 3) Direct the youth to go home if parent cannot be located; and 4) On the third violation, a Municipal Court Violation is issued. He noted that there were nine defenses. He explained that the Texas Local Government Code required

municipalities to review and renew the ordinance and conduct public hearings every three years. He recommended the following changes: 1) Hours of enforcement changing from 10:30 pm – 6:00 am to 12:00 am – 6:00 am 365 days of the year; and 2) Defenses will be amended so that parents may send their child on an emergency errand.

Chief Griffin reported that the Departmental Policy would be revised so that if a parent cannot come to the location in violation of the youth curfew ordinance, the Officer will transport the child home. If the parent cannot be located, the child will be transported to the SAPD Youth Services Office. Within six hours, any youth whose parents have not been located will be transported to a state licensed facility. He noted that there would be increased cooperation with community partners to include Bexar County Juvenile Department, Department of Community Initiatives (DCI), Municipal Court, Child Protective Services, and the Roy Maas Youth Alternative Center. Lastly, Chief Griffin provided statistics for SAPD's Youth Curfew Ordinance for 2007 and 2008 noting that a majority of citations had been issued in the Downtown Area.

Mayor Castro stated that the Texas Local Government Code requires the City to hold a public hearing on the need to continue the Curfew Ordinance. He declared the public hearing open and asked for testimony from all persons wishing to comment on the matter. He noted one written testimony had been received and that no person had registered to speak on the matter.

Ms. Vacek read a written testimony from Faris Hodge, Jr. stating that the public hearing should be held at 6:30 pm.

Mayor Castro declared the public hearing closed.

Councilmember Rodriguez recognized Mayor Castro and newly elected Councilmembers on their first Council Meeting. He thanked individuals from the community including the San Antonio Fire Fighters, Former Councilmember Joe Alderete, Dr. William and Mrs. Elizondo, Teresa Vale, and Choco Meza who were in attendance. He spoke in support of the revisions to the Youth Curfew Ordinance and noted that the item had been addressed through a Public Hearing and the Public Safety Council Committee. He added that the intent was to protect youth.

Councilmember Galvan expressed her support but noted that efforts to enforce the ordinance should be targeted in areas greatly affected by graffiti.

Councilmember Ramos entered the meeting at this time.

Councilmember Cortez asked for statistics regarding crimes committed during curfew hours. He spoke of the need to continue summer programs for youth to keep them off the streets and expressed his support for the revisions. Councilmember McNeil expressed concern with revising the curfew hours to begin at midnight and asked of the consequences. Chief Griffin explained that a warning citation was issued on the first offense but on subsequent violations; a Municipal Court citation could be issued. He added that parents could also be fined.

Councilmember Clamp expressed his support but added that there should be a mechanism in place to review and analyze the impact on crime statistics, manpower, and the youth. Chief McManus stated that the intent was to free up Police Officer's time so that they could resume their responsibilities. Ms. Sculley stated that the goal was to enhance the efficiency of SAPD resources. Councilmember Cibrian

asked of efforts to address areas with a high concentration of violations and recommended that SAPD research the practices of other communities. She requested that SAPD ensure that information and training are provided to the School District Police.

Councilmember Ramos expressed support for the revised ordinance but noted that there were many graffiti issues in District 3 and attributed it to the lack of enforcement. Councilmember Lopez asked of the possibility of identifying the area of town in which the youth violator lives so that the issues could be addressed with the school districts. Dennis Campa, DCI Director explained that after a second violation, DCI works with the family followed by Municipal Court after a third offense. Thereafter, DCI works with the school support personnel and follows the youth through the school system.

Councilmember Galvan requested that an effort be made to work with homeless youth and repeat offenders. Councilmember McNeil stated that there should be a holistic approach to addressing curfew, graffiti, school dropouts, and gang activity. She asked of the possibility of a two-tiered approach to the youth curfew so that the curfew for 10-13 year olds be set at 10 pm while the curfew for youth ages 14 and up be set at midnight. Councilmember Rodriguez stated that he would prefer that the ordinance move forward today and be revisited in the near future.

Councilmember Cisneros asked of other Texas Cities that had a youth curfew ordinance. Robert Reyna of the City Attorney's Office stated that all of the larger cities in the state had enacted a Curfew Ordinance for Youth. She recommended that the information be disseminated to the community via a Compact Disc (CD). Councilmember Chan thanked all involved for their work and stated that simple and consistent rules were good for enforcement and education.

Mayor Castro thanked all that worked on the item and expressed his support. He stated that it would be enforceable and understandable for the youth and the community.

Councilmember Rodriguez moved to adopt the proposed Ordinance. Councilmember Cibrian seconded the motion. Councilmember Rodriguez added a revision to the ordinance that the curfew begin at 11:00 pm instead of midnight. Councilmember Cibrian seconded the motion.

The main motion and the revision prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Lopez, Rodriguez, Cibrian, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read Item 5:

2009-06-04-0446

Item 5. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING AN ALLEY BETWEEN HOWARD STREET AND MAIN AVENUE IN NCB 377, COUNCIL DISTRICT 1, AS REQUESTED BY ALAMO COLLEGES, FOR A FEE OF $62,174.00.

George Rodriguez, CIMS Assistant Director presented said item and stated that the Alamo Community College District (ACCD) had requested the alley closure located between Howard Street and Main Avenue. He reported that ACCD would demolish the building situated south of the alley and incorporate the closure with their abutting properties for construction and expansion of an existing

parking lot. He noted that the City would collect $62,174.00 for the closure and that the request was in compliance with the City's policies on the closure of Public Right-of-Way.

Councilmember Cisneros expressed her support for said item. Councilmember Clamp requested that staff consider that funds from the sale of assets be placed in a long-term account or in the reserve fund.

Debbie Sittre, CIMS Assistant Director stated that funds from the sale of property are placed in the Facility Improvement Fund but would follow up on the request.

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

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

The City Clerk read Item 6:

CONTINUED TO JUNE 11, 2009

Item 6. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING PORTIONS OF MARYLAND, DAKOTA AND NEVADA STREETS BETWEEN MEERSCHEIDT AND MITTMAN AND ADJACENT TO NCBS 1484, 1499, AND 1504, COUNCIL DISTRICT 2, AS REQUESTED BY ALAMO COLLEGES FOR A FEE OF $69,246.00.

Ms. Vacek read written testimonies from Faris Hodge, Jr. For Item 6, he wrote that the Alamo Colleges should buy more land. He expressed concern with the contract estimates for Item 7. He wrote in opposition to the purchases in Items 8, 9, 10, 11, 13, 14, 15, 20, 21, 25 and 28 due to the budget shortfall.

Councilmember McNeil stated that she would like to continue to work with the community on said item due to the many properties involved with the project.

Councilmember McNeil moved to continue said item for one week. Councilmember Clamp seconded the motion.

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

CONSENT AGENDA: Items 7 – 32

Mayor Castro announced that Consent Agenda Items 14, 19, 26, 27, 28 and 31A&B had been pulled for Individual Consideration.

Nazirite Ruben Flores Perez spoke in support of the purchase of breathing compressors for the Fire Department (Item 11). He stated that he was in favor of the additional early voting site noted in Item 24.

Jack M. Finger spoke in opposition to Item 31 for the $300,000 grant agreement with Affiliated Computer Services State & Local Solutions, Inc.

Julie Iris Oldham spoke in opposition to the construction services for the Lila Cockrell Theatre Renovations (Item 15) and stated that the funds should be allocated to the Police Department.

Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Rodriguez seconded the motion.

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

2009-06-04-0447

Item 7. AN ORDINANCE ACCEPTING THE FOLLOWING BIDS TO PROVIDE THE CITY WITH THE FOLLOWING COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2009 FOR A COMBINED ESTIMATED COST OF $2,431,000.00, INCLUDING: (A) SAMUELS GLASS COMPANY FOR REPLACEMENT OF BROKEN GLASS; (B) TERMINIX FOR PEST CONTROL SERVICES; (C) MIDWEST MEDICAL SUPPLY CO., LLC FOR MEDICAL SUPPLIES; (D) AIR KON SERVICE, INC. FOR HVAC MAINTENANCE AND REPAIR; (E) HENRY SCHEIN MATRIX MEDICAL (ITEMS 1-2, 5-16, 21-26, 28-32, 34-36, 38); ENERSPECT MEDICAL SOLUTIONS (ITEMS 3, 17-20, 27, 33, 39-42); BOUND TREE MEDICAL, LLC (ITEMS 4 AND 37) FOR BLS DEFIBRILLATOR AND ALS MONITOR ACCESSORIES; AND (F) VERICLEAN JANITORIAL SERVICES FOR CITY-WIDE PRESSURE WASHING SERVICES.

2009-06-04-0448

Item 8. AN ORDINANCE ACCEPTING THE OFFER FROM DAKTRONICS, INC., USING THE TCPN CONTRACT, TO PROVIDE THE CONVENTION, SPORTS, AND ENTERTAINMENT FACILITIES DEPARTMENT WITH OUTDOOR LIGHT-EMITTING DIODE (LED) DISPLAYS FOR A COST OF $98,800.00.

2009-06-04-0449

Item 9. AN ORDINANCE ACCEPTING THE BID FROM MERIDIAN MEDICAL TECHNOLOGIES, INC. TO PROVIDE THE FIRE AND POLICE DEPARTMENTS WITH MEDICAL SUPPLIES FOR THE TREATMENT OF EXPOSURE TO TOXIC NERVE AGENTS, FOR A COST OF $257,719.80.

2009-06-04-0450

Item 10. AN ORDINANCE AUTHORIZING A CONTRACT WITH EAGLE INTEGRATED SOLUTIONS, INC., TO PROVIDE THE AVIATION DEPARTMENT, OPERATIONS & MAINTENANCE DIVISION, WITH AIRFIELD INSPECTION SOFTWARE FOR A TOTAL COST OF $64,940.00.

2009-06-04-0451

Item 11. AN ORDINANCE ACCEPTING THE BID FROM BUOY SERVICES, INC., D/B/A SURVIVAL AIR SYSTEMS, TO PROVIDE THE FIRE DEPARTMENT WITH TWO ENGINE DRIVEN AND TWO STATIONARY BREATHING COMPRESSORS AND ONE FILL STATION FOR A COST OF $129,720.00.

2009-06-04-0452

Item 12. AN ORDINANCE DELEGATING CITY COUNCIL AUTHORITY TO INCLUDE THE DIRECTOR OF THE CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT

TO DETERMINE WHICH CAPITAL PROJECTS ALTERNATIVE DELIVERY METHOD PROVIDES THE BEST VALUE.

2009-06-04-0453

Item 13. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 IN THE INCREASED AMOUNT OF $318,431.00 TO THE CONSTRUCTION CONTRACT WITH AMERICAN ROOFING & METAL CO., INC. FOR ADDITIONAL ROOFING WORK FOR THE HENRY B. GONZALEZ CONVENTION CENTER RE-ROOFING PROJECT, A HOTEL RENEWAL IMPROVEMENT CONTINGENCY FUNDED PROJECT.

2009-06-04-0455

Item 15. AN ORDINANCE AUTHORIZING CONTRACTS WITH T.S. BYRNE CONSTRUCTION SERVICES, AS CONSTRUCTION MANAGER AT RISK, FOR CONSTRUCTION AND CONSTRUCTION PHASE SERVICES, FOR AN AMOUNT UP TO $20,150,000.00, FOR THE LILA COCKRELL THEATRE RENOVATIONS PROJECT, LOCATED IN COUNCIL DISTRICT 1, A HOTEL OCCUPANCY TAX REVENUE BOND FUNDED PROJECT.

2009-06-04-0456

Item 16. AN ORDINANCE APPROVING FINAL CHANGE ORDER NO. PW-10 IN THE INCREASED AMOUNT OF $212,515.52 TO THE CONSTRUCTION CONTRACT, AS CHANGED, WITH R.L. JONES CO. TO RECONCILE ACTUAL QUANTITIES USED FOR THE W.W. WHITE PHASE I, PART I PROJECT, LOCATED IN COUNCIL DISTRICT 2, FROM 2005 STORM WATER REVENUE BOND FUNDS.

2009-06-04-0457

Item 17. AN ORDINANCE AUTHORIZING A LICENSE TO THE U.S. AIR FORCE FOR USE OF APPROXIMATELY 10.747 ACRES IMMEDIATELY WEST OF THE KELLY FIELD RUNWAY FOR FIVE YEARS AT NO FEE, LOCATED IN COUNCIL DISTRICT 4.

2009-06-04-0458

Item 18. AN ORDINANCE AUTHORIZING THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE SAN ANTONIO WATER SYSTEM, TO ACQUIRE BY NEGOTIATION AND/OR CONDEMNATION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS AND RELATED RIGHTS OF INGRESS AND EGRESS TO CERTAIN PRIVATELY OWNED REAL PROPERTIES LOCATED IN THE VICINITY OF THE INTERSECTION OF IH 37 AND HARDY ROAD FOR THE PURPOSE OF THE LOCAL CARRIZO PROGRAM WELL DRILLING AND WELL FIELD PROJECT; DECLARING THIS TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AUTHORIZING CONDEMNATION PROCEEDINGS; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ACQUIRE SUCH EASEMENT INTERESTS, AND RIGHTS OF INGRESS AND EGRESS.

2009-06-04-0460

Item 20. AN ORDINANCE AUTHORIZING AGREEMENTS WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WHICH WILL PROVIDE $431,100.00 IN TOTAL FUNDING FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S PUBLIC CENTER FOR ENVIRONMENTAL HEALTH TO CONTINUE THE OPERATION AND MAINTENANCE OF

VARIOUS AIR MONITORS AND AIR SAMPLERS IN THE SAN ANTONIO AREA FOR A ONE-YEAR PERIOD BEGINNING SEPTEMBER 1, 2009.

2009-06-04-0461

Item 21. AN ORDINANCE AUTHORIZING THE SUBMISSION OF SEVENTEEN GRANT APPLICATIONS AND THE ACCEPTANCE OF FUNDS UPON AWARD IN AN AMOUNT UP TO $14,127,337.20 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR CORE PUBLIC HEALTH FUNCTIONS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR FISCAL YEAR 2010.

2009-06-04-0462

Item 22. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND THE ACCEPTANCE OF FUNDS UPON AWARD IN THE AMOUNT OF $167,923.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TDSHS) FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS PROGRAM FOR THE PERIOD OF JUNE 1, 2009 TO NOVEMBER 30, 2009; AND AUTHORIZING A CONTRACT AMENDMENT WITH THE TDSHS WHICH INCREASES FUNDING FOR THE TITLE V DENTAL PROGRAM FROM $37,960.00 TO $60,000.00 FOR A ONE-YEAR PERIOD BEGINNING SEPTEMBER 1, 2008.

2009-06-04-0463

Item 23. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO KABOOM!, A NATIONAL NON-PROFIT DEDICATED TO PROVIDING PLAYGROUNDS TO CHILDREN, AND AUTHORIZING ACCEPTANCE, UPON AWARD, OF A PLAYSCAPE TO BE INSTALLED AT WEST END PARK LOCATED IN COUNCIL DISTRICT 1.

2009-06-04-0464

Item 24. AN ORDINANCE RATIFYING THE ADDITION OF THE ED WHITE MIDDLE SCHOOL AS AN EARLY VOTING SITE, AND AMENDING THE LIST OF EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE RUN-OFF ELECTION ON JUNE 13, 2009, AS APPROVED BY ORDINANCE NO. 2009-05-14-0366.

2009-06-04-0465

Item 25. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION OF $19,870.00 TO THE SPORTING EVENTS TRUST FUND IN ANTICIPATION OF REIMBURSEMENT OF UP TO $144,054.00 FROM THE TEXAS STATE COMPTROLLER OF PUBLIC ACCOUNTS FOR ELIGIBLE EXPENSES RELATED TO THE 2009 NCAA DIVISION II WOMEN'S BASKETBALL CHAMPIONSHIP; AUTHORIZING A REIMBURSEMENT AGREEMENT WITH SAN ANTONIO SPORTS FOR REIMBURSEMENT OF ELIGIBLE EXPENSES TOTALING UP TO $124,184.00 ASSOCIATED WITH THE EVENT; AND AUTHORIZING PAYMENT.

2009-06-04-0469

Item 29. AN ORDINANCE APPROVING A LICENSE AGREEMENT WITH NORTH EAST YOUTH SOCCER ORGANIZATION (NEYSO) FOR THE OPERATION OF SOCCER FIELDS AT JOHN JAMES PARK IN COUNCIL DISTRICT 2, MCALLISTER PARK IN COUNCIL DISTRICT 9, AND LADY BIRD JOHNSON PARK IN COUNCIL DISTRICT 10 FOR A TEN-YEAR TERM BEGINNING JULY 1, 2009.

2009-06-04-0470

Item 30. AN ORDINANCE APPROVING A FUNDING AGREEMENT WITH THE ALAMO CITY YOUTH SOCCER ORGANIZATION FOR THE EXPENDITURE OF UP TO $1,045,000.00 FOR PARK IMPROVEMENTS WITHIN THE LICENSED PREMISES OF CULEBRA CREEK PARK, A 2007 PARK BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 6.

2009-06-04-0472

Item 32. AN ORDINANCE CHANGING CONTRACTORS FROM HERITAGE CRYSTAL CLEAN TO ALAMO ONE AND INCREASING THE AUTHORIZED EXPENDITURE FROM $78,000.00 TO $80,904.00 FOR THE REMOVAL AND DISPOSAL OF HAZARDOUS AND NON-HAZARDOUS WASTE LOCATED AT 207 BROOKS; AND AUTHORIZING AN ADDITIONAL $5,000.00 IN CONTINGENCY FUNDS FOR THE PROJECT.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2009-06-04-0454

Item 14. AN ORDINANCE APPROVING AN $88,347.00 AMENDMENT TO AN EXISTING PROFESSIONAL SERVICES AGREEMENT WITH POST, BUCKLEY, SCHUH & JERNIGAN, INC. (PBS&J) FOR ENVIRONMENTAL ASSESSMENT SERVICES FOR THE INDIAN CREEK CHANNEL IMPROVEMENTS PROJECT LOCATED IN COUNCIL DISTRICT 4, A 2007-2012 GENERAL OBLIGATION BONDS FUNDED PROJECT.

Councilmember Cortez asked for additional information regarding said project. Debbie Sittre stated that design work on the project had commenced but the contract had to be amended due to environmental issues identified. She noted that the construction phase had been scheduled to begin in January, 2011 but the timeline had been moved up to December, 2009. Councilmember Cortez spoke of the drainage issues in the area and stated that he was pleased that they would be addressed.

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

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

The City Clerk read the following Ordinance:

2009-06-04-0459

Item 19. AN ORDINANCE DETERMINING AND DECLARING A PUBLIC NECESSITY FOR AND AUTHORIZING THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, TO ACQUIRE AND/OR CONDEMN FEE SIMPLE TITLE FOR GAS TRANSMISSION AND DISTRIBUTION LINES, A REGULATOR STATION, COMMUNICATION SYSTEMS AND RELATED APPURTENANCES, TO CERTAIN PROPERTY LOCATED ALONG CORLEY ROAD, BEING A 0.136 ACRE TRACT OF LAND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT 97, KENDALL COUNTY, TEXAS, FOR THE PUBLIC PURPOSE OF THE EXPANSION AND OPERATION OF THE CITY OF SAN

ANTONIO'S GAS SYSTEM, INCLUDING THE BOERNE GATE STATION PROJECT, AND AUTHORIZING THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO TO ALLOW THE CITY OF BOERNE TO ACQUIRE CERTAIN PROPERTY, EITHER THROUGH PURCHASE OR BY THE PROCESS OF EMINENT DOMAIN, ON BEHALF OF THE CITY OF SAN ANTONIO FOR THE BOERNE GATE STATION PROJECT.

Councilmember Clamp asked of the project and its relation to the CPS Energy Strategic Plan. Richard Medina, CPS Energy Director of Gas Engineering and Marketing stated that the gate station would primarily feed the gas system within the area. He noted that it was needed due to the pressure in those areas being so low during the past couple of winter seasons. He added that it indirectly helped the Strategic Energy Plan by more customers utilizing the gas would reduce their dependence on electricity. He reported that they had been negotiating one tract of land for a year and a half and had not been able to reach an agreement with the landowner. Therefore; would proceed with condemnation. Jack Ross, Condemnation Attorney with Cox/Smith provided an overview of the condemnation process.

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

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

POINT OF PERSONAL PRIVILEGE

Councilmember Galvan recognized members of the San Antonio Firefighters Association that were in attendance. She thanked all San Antonio Firefighters for their work in the community.

The City Clerk read the following Ordinance:

2009-06-04-0466

Item 26. AN ORDINANCE AUTHORIZING AN INTERAGENCY PARTICIPATION AGREEMENT WITH THE SAN ANTONIO WATER SYSTEM TO CONSERVE AND RECYCLE WATER AT THE HEMISFAIR PARK FOUNTAIN; AND APPROVING AN INTERDEPARTMENTAL LOAN.

Councilmember Clamp asked for additional information on said item. Paula Stallcup, Director of Downtown Operations stated that the item would approve an interagency agreement with San Antonio Water System (SAWS). A project would be implemented by the agreement that would utilize a ground water river source to feed the tower fountains. Karen Guz, SAWS Conservation Director spoke of the water source and noted that there was river water available underneath HemisFair Plaza. She explained that the water was pumped away from the foundation of the Convention Center and would now be recycled and utilized for said project. Councilmember Clamp inquired of the possibility of utilizing the water to address downtown landscaping needs. Ms. Guz stated that they would evaluate the project to see if there was enough yield.

Councilmember Cisneros thanked SAWS and noted that 36 million gallons of water would be saved per year through said project.

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

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

The City Clerk read the following Ordinance:

2009-06-04-0467

Item 27. AN ORDINANCE APPROVING THE RENEWAL OF, AND AMENDMENTS TO, THE WORKFORCE SOLUTIONS - ALAMO (WSA) STRATEGIC PLAN FOR CONSIDERATION BY THE WSA BOARD OF DIRECTORS AND THE COMMITTEE OF SIX, FOR SUBMISSION TO THE TEXAS WORKFORCE COMMISSION.

Ed Davis, Assistant Economic Development Director presented said item and stated that the Workforce Solutions-Alamo (WSA) Board Plan was prepared in accordance with guidelines issued by the Texas Workforce Commission (TWC). He noted that the Plan prompted the allocation of workforce funds from TWC to the WSA Region. He explained that WSA had provided a 30-day online public comment period and held various public meetings.

Mr. Davis stated that the partnership agreement required that the City Council, Bexar County Commissioners Court, and Rural Judges approve the 2009-2010 WSA Board Plan. He reported that the Plan identified the high-growth, high-wage industries and targeted occupations for WSA services. He made note of the six industry clusters: 1) Aerospace; 2) Auto Manufacturing; 3) Construction; 4) Financial Services; 5) Health Care/Bioscience; and 6) Information Technology. He added that there were 33 Targeted Demand Occupations within the cluster including a new green jobs category.

Mr. Davis reported that the WSA Region was receiving $9,591,880 in Federal Stimulus Funds to increase employment and training services with an emphasis on assisting low-income, displaced workers and youth. He added that approval of the WSA Plan would result in the release of approximately $38 million for childcare services administered through the Department of Community Initiatives.

Councilmember Cibrian expressed support for the Plan and noted the importance of workforce development for the community. She asked of the target demand occupations and the diversification of skills training. Chakib Chehadi, WSA Executive Director, stated that green jobs were available for carpenters, electricians, and the HVAC industry and stated that WSA was working closely with the Community Colleges to identify the necessary skills training in these areas.

Councilmember McNeil expressed her support and recognized Mr. Chehadi for his service on the Military Transformation Task Force. Councilmember Chan also expressed her support and recognized WSA for their pilot program on the construction cluster. Councilmember Lopez thanked WSA for their work and asked of collaboration with area high schools. Mr. Chehadi stated that WSA works with the Community Colleges to develop the Academies and the schools are represented in an effort to prepare students for jobs.

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

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

The City Clerk read the following Ordinance:

2009-06-04-0468

Item 28. AN ORDINANCE AMENDING THE FY 2009 COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT (CIED) PROGRAM BY AUTHORIZING AN ADDITIONAL $666,000.00 FROM THE CPS ENERGY CIED FUND AND ADDING A UTILITY OVERHEAD CONVERSION PROJECT ALONG WALTERS STREET TO FORT SAM HOUSTON.

Councilmember Cibrian recognized Councilmember McNeil for her efforts on said item. Councilmember McNeil thanked all involved in the project and noted the construction work along Walters Street and enhancements to the entrance of Fort Sam Houston.

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

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

The City Clerk read Items 31A&B:

Item 31. CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO AFFILIATED COMPUTER SERVICES (ACS) STATE & LOCAL SOLUTIONS, INC.:

2009-06-04-0471

A. AN ORDINANCE APPROVING A $300,000.00 GRANT AGREEMENT WITH ACS STATE & LOCAL SOLUTIONS, INC. FOR RETENTION AND EXPANSION AT PORT SAN ANTONIO IN COUNCIL DISTRICT 4.

2009-06-04-0020R

B. A RESOLUTION NOMINATING ACS STATE & LOCAL SOLUTIONS, INC. FOR DESIGNATION AS A STATE ENTERPRISE PROJECT.

Councilmember Cortez expressed his support for said item and spoke of the continued growth and development at Port San Antonio. He recognized Alex Camacho, General Manager of ACS State & Local Solutions, Inc. and noted that through said grant, they would add 300 new jobs to their existing workforce. Councilmember Cibrian expressed her support for said item and noted the great economic impact of Port San Antonio. She added that the project would be designated as a State Enterprise Zone Project.

Councilmember Cortez moved to approve Items 31A and 31B. Councilmember Cibrian seconded the motion.

The motion to approve Items 31A and 31B prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Lopez, Rodriguez, Cibrian, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

Item 33. CITY MANAGER'S REPORT

A. 2009 Volunteer Income Tax Assistance Program(VITA)

Ms. Sculley reported that the Department of Community Initiatives (DCI), in partnership with the Alamo City Coalition for Economic Self Sufficiency, prepared 38,772 income tax returns. She stated that over $70 million was returned to low-income taxpayers and saved them an estimated $6.3 million in tax preparation fees. She noted that more than 440 volunteers donated 9,000 hours and that Generations Federal Credit Union had provided 2,500 Refund Express Loans with a value of $6 million. She added that through a grant from the Corporation for Enterprise Development, DCI provided tax filing support to 221 small businesses with a gross income of less than $50,000 annually, and had saved small business owners an estimated $77,000.

Mayor Castro and Councilmember Ramos recognized Dennis Campa for his work on the VITA Program.

B. Fiscal Year 2010 Budget Calendar

Ms. Sculley outlined key dates on the Budget Calendar and stated that a summarization of the mid-year budget revision and financial forecast would be provided at the following week's B Session. She noted that a budget work session was scheduled for June 24, 2009 to discuss FY 2010 City Council priorities. She reported that a proposed budget for FY 2010 would be submitted to the Council on August 13, 2009 and budget work sessions were scheduled throughout the month of August prior to the Budget Adoption on September 17, 2009. She noted that the public could provide input on the budget in writing or on-line through the Budget Input Box. She added that City Employees were also encouraged to provide their budget recommendations.

At this time, Mayor Castro recessed the meeting at 12 noon to break for lunch. He stated that the meeting would resume at 2:00 pm for the Zoning Items.

Mayor Castro reconvened the meeting at 2:15 pm and addressed the Zoning Items. Councilmembers McNeil and Galvan excused themselves from the meeting at this time.

CONSENT ZONING

Councilmember Clamp made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had registered to speak: Z-3, Z-8 and P-4. Councilmember Cisneros seconded the motion.

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

2009-06-04-0475

Item Z-3. **ZONING CASE # Z2009106 S (District 3):** An Ordinance amending the Zoning District Boundary from "H C-1 RIO-6" Light Commercial Mission Historic River Improvement Overlay District-6 to "H C-3NA S RIO-6" General Commercial Mission Historic River Improvement Overlay District-6, Non-Alcoholic Sales with a Specific Use Authorization for a Human Services Campus on Lots 3, 4 and 5, Block 1, NCB 11175 located at 8706 and 8708 Mission Road. Staff recommends Approval. Zoning Commission pending June 2, 2009 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 3, 4 AND 5, BLOCK 1, NCB 11175 TO WIT: FROM "H C-1 RIO-6" LIGHT COMMERCIAL MISSION HISTORIC RIVER IMPROVEMENT OVERLAY DISTRICT-6 TO "H C-3NA S RIO-6" GENERAL COMMERCIAL MISSION HISTORIC RIVER IMPROVEMENT OVERLAY DISTRICT-6, NON-ALCOHOLIC SALES WITH A SPECIFIC USE AUTHORIZATION FOR A HUMAN SERVICES CAMPUS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2009-06-04-0480

Item Z-8. **ZONING CASE # Z2009104 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for a Funeral Home or Undertaking Parlor on 6.80 acres out of Lot 1 and Lot 2, Block 11, NCB 17941 located at 8910 and 9060 Bandera Road. Staff recommends Approval. Zoning Commission recommendation pending the June 2, 2009 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 6.80 ACRES OUT OF LOT 1 AND LOT 2, BLOCK 11, NCB 17941(CB 4017) TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A FUNERAL HOME OR UNDERTAKING PARLOR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2009-06-04-0481

Item P-4. **PLAN AMENDMENT (District 10):** An Ordinance amending the City of San Antonio's Major Thoroughfare Plan, as a component of the San Antonio Master Plan, de-designating and deleting a proposed segment of Jones-Maltsberger Road east of Redland Road.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

CONTINUED TO JUNE 18, 2009

Item Z-1. **ZONING CASE # Z2009089 CD (District 2):** An Ordinance amending the Zoning District Boundary from "H C-1" Light Commercial Dignowity Hill Historic District to "H C-1 CD" Light Commercial Dignowity Hill Historic District with a conditional use for a charitable food service establishment on the east 10.52 feet of Lot 5 and the west 54.14 feet of Lot 6, Block 1, NCB 561 located at 626 Nolan. Staff and Zoning Commission recommend Approval.

Ms. Leslie Zavala presented the proposed Zoning Case.

Ms. Elizabeth Casanova stated that many of the residents in the area had not received notices and submitted a petition with fifty-five signatures in opposition to said item. She stated that there were seven soup kitchens in the area and the neighbors were afraid to leave their homes or let their children play outside because of the drug activity by the people visiting the soup kitchens. She spoke of other concerns that the neighbors had expressed and requested that the property be zoned residential.

Ms. Brandi Childress stated that she would not let her children play outside because the neighborhood was very dangerous and that various individuals that attended the soup kitchen harassed her children and pets. She stated that the tires on her car had been destroyed numerous times and had witnessed individuals using illegal drugs that frequented the soup kitchen.

Dr. Wallace A.V. Hedges stated that he had lived in the neighborhood for over forty years. He noted that the area was very important to the community and there were many services provided there that he would like to see continued.

Ms. Nettie Hinton spoke in support of the Zoning Item. She stated that the Catholic Worker's Organization had presented their plan to the neighborhood association and the association had agreed to support them. She noted that Chief McManus had attended their last neighborhood association meeting to address their concerns.

Ms. Lulu Francois noted that she owned in a historical home in the area that was in the process of being restored. She stated that when the house was boarded up, individuals broke into the home and began staying there. She expressed concern with the demolition of a historical home in the area.

Ms. Linda Torres stated that criminal activity in the neighborhood was a big problem and she was afraid to leave her home because the homeless would approach her. She expressed that they would loiter in the neighborhood during the day and stay in abandoned houses overnight.

Mr. Mark Wittig, President of the Catholic Worker Organization stated that they had purchased a two-story home on Nolan Street in 1985 and had been serving meals there four days a week. He noted that he attended neighborhood association meetings on a regular basis. He stated that they were in the process of purchasing property in the area where illegal activity took place in an effort to eradicate the problem. He explained that if the zoning item was approved, the home would serve meals during the day and be utilized as a recreation center in the afternoon and evenings.

Mr. Jim Batterton spoke in favor of said item. He stated that the house would serve the homeless so that they could enjoy a meal. He noted that the individuals that frequented the house were from the community and it was important to make them feel valuable.

Dr. Chris Plauche spoke of the merits of the Catholic Worker House compared to the other soup kitchens in the area. She stated that while the other locations had nicer buildings, the homeless were not treated with as much respect. She noted that she would be moving into the House soon and was not afraid of the patrons.

Ms. Dee Sanchez stated that she had purchased the home and had been serving soup to those less fortunate for twenty-four years. She noted that they did not have concrete plans for the Catholic Worker

House that they would vacate, but did not plan to demolish the home. She explained that they wanted to move to the house next door where there were clean kitchens and better insulation.

Councilmember Clamp moved to continue the zoning item to June 18, 2009. Councilmember Cibrian seconded the motion.

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

2009-06-04-0473

Item P-1. **PLAN AMENDMENT 09013 (District 2):** An Ordinance amending the land use plan in the Eastern Triangle Community Plan, a component of the Master Plan of the City, by adding 27.24 acres located southeast of the intersection of IH 10 E. and E. Houston St. for High Density Residential and Regional Commercial land use. (Associated Zoning Case Z2009097)

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

Mr. Jack M. Finger addressed the new Councilmembers and spoke of the reasons to vote in opposition to Zoning Cases. He noted that if staff, Zoning Commission or Planning Commission recommended denial, Councilmembers should vote against the item. He spoke in opposition to the Check Cashing Facility in Item Z-4 and Item Z-7 regarding Camp Bullis.

Mr. Dan Martinez, Chair of the Eastern Triangle Team, spoke in support of said item and noted that it would enable completion of the Eastern Triangle Plan.

Councilmember Cibrian acknowledged the residents of the Eastern Triangle Community for their efforts and noted the merits of the Plan.

Councilmember Clamp moved to approve the proposed zoning case. Councilmember Cibrian seconded the motion.

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

CONTINUED TO JUNE 18, 2009

Item Z-2. **ZONING CASE # Z2009097 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres) on 27.24 acres out of NCB 10675, 10677, 13143 and 13144 located at 3860 IH 10 East. Staff recommends Approval. Zoning Commission recommendation pending June 2, 2009 public hearing.

Councilmember Clamp moved to continue the zoning item to June 18, 2009. Councilmember Cisneros seconded the motion.

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

2009-06-04-0474

Item P-2. **PLAN AMENDMENT # 09008 (District 3):** An Ordinance amending the land use plan in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 0.3099 acre tract of land located at 2011 Probandt from Low Density Residential to Mixed Use. Staff recommends Approval. Planning Commission recommends Denial.

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

Councilmember Ramos stated that the Planning Commission had recommended denial because of traffic issues and the potential intensity of a mixed use category. She noted that the Council had received two petitions on the item; one in favor and one in opposition. She expressed concern that several individuals had signed both petitions. She reported that the individuals that had attended the public meeting were all in favor and thanked them for their attendance.

Councilmember Ramos moved to adopt the proposed Plan Amendment with the condition that the use be changed from Low Density Residential to Neighborhood Commercial. Councilmember Clamp seconded the motion.

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

2009-06-04-0476

Item P-3. **PLAN AMENDMENT (District 6):** An Ordinance amending the City of San Antonio's Major Thoroughfare Plan as a component of the San Antonio Master Plan by de-designating and deleting a proposed segment of Braun Road, which extends from FM 1560 to Galm Road.

Ms. Trish Wallace presented the proposed Plan Amendment.

Councilmember Lopez moved to adopt the proposed Plan Amendment. Councilmember Rodriguez seconded the motion.

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

2009-06-04-0477

Item Z-4. **ZONING CASE # Z2009085 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility on Lot 2, Block 1, NCB 18829 located at 9355 Culebra Road. Staff and Zoning Commission recommend Approval, with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 2, BLOCK 1, NCB 18829 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CHECK CASHING FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Ms. Leslie Zavala presented the proposed Zoning Case.

Councilmember Lopez moved to adopt the proposed Zoning Item. Councilmember Cibrian seconded the motion.

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

2009-06-04-0478

Item Z-5. **ZONING CASE # Z2009086 (District 6):** An Ordinance amending the Zoning District Boundary from R-6" Residential Single-Family District to "MF-25" Multi-Family District on 3.746 acres out of Block 1, NCB 7423 located at the 400 Block of Jesse 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: 3.746 ACRES OUT OF BLOCK 1, NCB 7423 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

Ms. Leslie Zavala presented the proposed Zoning Case.

Councilmember Lopez moved to adopt the proposed Zoning Item. Councilmember Rodriguez seconded the motion.

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

2009-06-04-0479

Item Z-6. **ZONING CASE # Z2009087 (District 7):** An Ordinance amending the zoning district boundary from "C-1" Light Commercial District and "C-3" General Commercial District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lot 9, Block 3, NCB 16469 located at 4923 Fred May Drive. 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 9, BLOCK 3, NCB 16469 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT AND "C-3" GENERAL COMMERCIAL DISTRICT TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

Ms. Leslie Zavala presented the proposed Zoning Case.

Councilmember Rodriguez moved to adopt the proposed Zoning Item. Councilmember Clamp seconded the motion.

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

CONTINUED TO JUNE 18, 2009

Item Z-7. **ZONING CASE # Z2008014 (District 8):** An Ordinance amending the Zoning District Boundary from "R-20 MLOD-1" Residential Single Family, Camp Bullis Military Lighting Overlay District-1 to "C-2 NA MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District-1, Nonalcoholic Sales (16.108 acres), "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District-1 (44.535 acres) and "O-1.5 MLOD-1" Mid-rise Office, Camp Bullis Military Lighting Overlay District-1 (43.621 acres) all on 104.264 acres out of CB 4780 (NCB 34780) located at 5914 Old Camp Bullis Road. Staff recommends Denial. Zoning Commission recommends Approval.

Councilmember Cibrian moved to continue the zoning item to June 18, 2009. Councilmember Clamp seconded the motion.

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

Mayor Castro recessed the meeting at 3:05 pm and stated that the meeting would resume at 5:30 pm. Mayor Castro reconvened the meeting at 5:30 pm and addressed the Ceremonial Items.

CEREMONIAL ITEMS

Mayor Castro presented a Citation to Lance Schulze for earning all 121 merit badges that are available to Boy Scouts. He easily surpassed the requirement of 21 badges to obtain the rank of Eagle Scout. Across the nation, nearly 25,000 boys annually earn the Eagle Scout ranking; yet earning all 121 has only been achieved by 100 Scouts.

Mayor Castro presented a Proclamation to Liberto Fun Foods in celebration of their 100th Anniversary. Liberto's is the premier supplier of snack foods and the originator of the concession nachos. Liberto snacks are distributed under the Ricos brand name, and their products can be found in theatres, stadiums, amusement parks, restaurants and airports. In addition to nachos, the company's other popular items include popcorn, shaved ice and cotton candy.

CITIZENS TO BE HEARD

George Ibarra, Unite Here, stated that he and his co-workers from the Grand Hyatt were in attendance to represent their Union and that the Grand Hyatt had broken promises made to the workers and the City. He noted that the workers had been promised neutrality but instead, were disrespected daily. He thanked Councilmember Galvan for her support of the Union and asked for the Council to sign their declaration of support.

Maria Soto, Unite Here, stated that she had been a housekeeper at the Grand Hyatt for over a year and spoke of the extreme work conditions that she and her co-workers were under. She noted that her mother was sick and depended on her paycheck.

Mary Lou Rodriguez, Unite Here, requested City Council support the declaration and spoke of the lack of respect the workers received from the Grand Hyatt.

Nazirite Ruben Flores Perez stated that he had attended a meeting with CPS Energy and spoke of his plans for Boerne Lake.

Mark Perez stated that Tetco had been in violation of City Code and emitted dangerous toxins into the environment. He noted that he had contacted various City Staff to express his concerns but had not received a response. He reported that inspections had not been done properly and requested the City's assistance.

Nick Calzoncit stated that a petition had been circulated in favor of renaming Stonewall School in honor of Cesar Chavez. He noted that they had more than 2,000 signatures and had received the support of others including three US Congressmen, State and County Elected Officials, and Former Councilmembers. He reported that the Harlandale School Board had rejected the petition and requested the City Council's support.

Damon Mason stated that he had lived in San Antonio since 2001 and expressed concern with City Planning. He spoke against asphalt roads and above-ground power lines.

Antonio Diaz expressed concern that Citizens to be Heard was not televised. He stated that he had been arrested and felt it was a violation of his right to assemble. He noted that the money spent on his arrest could have been better utilized.

POINT OF PERSONAL PRIVILEGE

Councilmember Cibrian recognized Drew Schaffer and his parents that were in attendance. She noted that he attended school with her daughter and they had been friends for many years.

Drew Schaffer spoke on global warming and traffic congestion. He stated that public transit was an important solution and noted the merits of light rail and street cars.

Victor Prieto noted that he was a member of the Downtown Mobile Food Vending Program and that the snow cone vending program had been in place since the 1970's. He stated that in 2007, many changes had been implemented and new regulations had been imposed. He expressed concern that they were still not allowed to vend at certain events.

Marco Jaime stated that the snow cone vendors were looking for job security and asked for City Council support of the vendors.

Frank Valdez spoke in support of the Grand Hyatt workers. He stated that workers were allowed to organize, but the employer had selected their Union. He requested that the City intervene to allow the workers to opt for their preferred Union.

Amanda Haas stated that she was a staff and board member of the Esperanza Center, member of the International Women's Day March Planning Committee, and member of the San Antonio Free Speech Coalition. On behalf of the Esperanza Center, she expressed support for Unite Here and the Grand Hyatt workers.

Rudy Rosales stated that he was representing his wife, Rosa Rosales with LULAC. He noted that the citizens of San Antonio needed support in their ability to organize; otherwise, they were powerless.

Faris Hodge, Jr. expressed concern that a citizen named Damon had been asked to leave the Council Chambers to drink a glass of water. He spoke of the elevators and various doors being locked in the Municipal Plaza Building and City Hall after 4:30 pm and requested that the locks be removed for safety purposes. He recognized Councilmember Cibrian for her service.

ADJOURNMENT

There being no further business to discuss, Mayor Castro adjourned the meeting at 6:57 pm.

A P P R O V E D

JULIÁN CASTRO
MAYOR

Attest:

LETICIA M. VACEK
City Clerk