STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, JUNE 27, 2007 AND THURSDAY, JUNE 28, 2007

The San Antonio City Council convened in a Retreat/Budget Work Session at 9:00 am, Wednesday, June 27, 2007, at the Henry B. Gonzalez Convention Center. City Clerk, Leticia M. Vacek noted a quorum of the Council with the following present: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriquez, Cibrian, Wolff, Clamp, and Mayor Hardberger.

1. CITY COUNCIL RETREAT: POLICY GOALS & SERVICE DELIVERY PRIORITIES WORK SESSION.

City Manager Sheryl Sculley introduced facilitators; Drs. John and Carol Nalbandian. The facilitators highlighted a summary of High Performing Governing Body. A comparison was made between the City Council and the Spurs relating to qualities and values needed to be successful.

During the City Council Retreat four (4) primary initiatives were covered within the Work Session Agenda:

1.) Obtaining consensus among City Council on the results of the Ballot of City Services
2.) Achieving a prioritization of individual City Councilmember initiated projects
3.) Obtaining consensus on budgeted financial reserves for the General Fund
4.) Obtaining consensus on the policy strategy of a two-year balanced budget/plan

The primary focus of the Budget Work Session was to review and finalize policy goals and service delivery priorities resulting from individual City Councilmember's rating and comments within the Ballot of City Services for Policy Direction. During the Work Session, City Councilmembers confirmed the ballot results; the highest rated service topics included:

- Street maintenance and sidewalk construction
- Police neighborhood patrol, investigations of major crimes, Tactical Response Unit initiatives, and drug enforcement
- Fire and EMS service delivery
- Code compliance enforcement
- Graffiti removal and prevention
- Drainage infrastructure to alleviate flooding and maintenance of existing drainage channels
- Youth recreation and enrichment

City Councilmember's ranked Council Initiated Projects in the following order:

Total Rating Score	Issue	Issue Description	Range of Cost	Recurring/ One-Time
10	Two Year Balanced budget	Policy decision to reserve funds in FY 2008 or reduce cost in FY 2008 to be used in FY 2009 to offset current projected negative ending balance	$ 30M	Recurring
9	San Antonio Streets Fund (Endowment Fund)	A dedicated self-supporting fund for street infrastructure maintenance	$ 10M	One-time
8	Employee Compensation	Address total compensation for employees to include pay and benefits	Varies	Recurring
7	Voelcker Park Master Plan	Funding for implementation of Voelcker Park Master Plan	$1M - $5M	One-time
6	Free VIA Trolley Service for Public	VIA Downtown Trolley Free Service	$700K-$2M	Recurring
6	Project Quest	Project Quest (current budget in $1.6 million; this includes $1 million in one-time funds; $3 million reflects recent request)	$1M-$2.4M	One-time
6	Neighborhood Access & Mobility Program	Neighborhood Access & Mobility Program (current budget is $3 million of which $2 million is recurring)	$1M	One-time
6	San Antonio Education Partnership	Improvements to the Education Partnership Program to include: (a) additional scholarship incentives for students to achieve higher academic preparation and attainment, and (b) continued expansion of the Partnership to additional schools (FY 2007 funded at $330K is the first year of implementation)	$600K-$860K	Recurring
6	Early Childhood Enrichment	Early Childhood Development Programs	$500K	One-time
5	Lower City Property Tax Rate	Lower the City Property Tax rate (ranging from ½ cent = $2.75 million to 1 cent = $5.5 million)	$5.5M	Recurring
5	BioMed SA	BioMed SA (Current budget is $100K in one-time funds)	$100K	One-time
4	San Antonio Food Bank	San Antonio Food Bank (current budget is $500K in one-time funds)	$500K	One-time
4	Library-Computers	Additional computers for Central, Las Palmas, and Memorial Libraries. Replacement of some older computers at Central Library	$150K-$300K	One-time

4	Animal Care Services	Any increase in funding for Animal Care Services should be directly tied to the reduction of unwanted animals and responsible pet ownership (e.g., spay-neuter programs and education campaigns)	$100K-$200K	Recurring
4	Martin Luther King March	Increase Martin Luther King March funding to $50K (current budget is $30K)	$20K	Recurring
3	Homeland Security	Homeland Security should be a top priority post 9/11	Varies	One-time and/or Recurring
3	Community-wide celebration (Arts Night)	Additional arts funding should be earmarked for a proposed community-wide celebration of arts/culture in San Antonio that would occur over one night	$200K	Recurring
3	HDSF	Increase in City Council Human Development Services Funds (Current budget for Mayor and each Council District is $51,818 of which $41,818 is recurring)	$111K	One-time
3	Senior Services - Dance Lessons	Therapeutic Dance Lessons in Senior Centers	$60K	Recurring
2	Library District	Library District Transition (with potential reimbursement to include election costs, consulting fees, and programming costs)	$1.1M	One-time
2	Denman Estate Property Acquisition	Acquisition of remaining 6.55 acres of property	$583K	One-time
1	Newly Annexed Areas Services	Service to newly annexed areas must be improved – COSA needs additional police/fire stations to address needs	Varies	One-time and/or Recurring
1	SATAI	San Antonio Technology Accelerator Initiatives (Current budget is $500K in one-time funds)	$500K	One-time
1	San Antonio Opera	Additional funding support for the San Antonio Opera (Current budget is 165K – 2 year contract funded with Hotel Occupancy Tax thru the Cultural Affairs Agency Funding Process)	$100K	One-time
1	Community Wellness & Senior Olympics	Community Wellness & Senior Olympics - $50K for sports life initiative sponsored by the Jewish Community Center	$50K	One-time
0	Increase Financial Reserves	Increase Financial Reserves – 1% of FY 2008 appropriations = $8.3	$8.3M-$33.2M	One-time

		million in FY 2008; 4% of FY 2008 appropriations = $33.2 million		
0	Zoo Funding Request	Operating Grant beyond current funding – (Current funding is $591K form Hotel Occupancy Tax, General Fund $438K; for a total of $1.02 million)	$1M	One-time
0	Workplace Literacy	Continue and expand workplace literacy for City employees (Current budget is $150K) and workplace literacy programs for employers to improve worker literacy and skills	$277K - $500K	Recurring
0	Finance SA	Finance San Antonio (Current budget is $100K in one-time funds)	$100K	One-time
0	Bienestar	Bienestar Diabetes Prevention Program (Current budget is $100K in one-time funding)	$100K	One-time

There being no further discussion, Mayor Hardberger adjourned the Retreat/Budget Work Session at 5:30 pm.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building, in a Regular Council Meeting on Thursday, June 28, 2007 at 9:00 am.

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

The Invocation was delivered by Reverend James C. Golaz, Pastor, Radiant Church, Guest of Councilmember Roland Gutierrez, District 3.

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

MINUTES

Councilmember Cortez made a motion to approve the Minutes of the June 7, 2007 Regular City Council Meeting. Councilmember Cisneros seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following caption:

Item 4. CONSIDERATION OF THE APPOINTMENT OF SEVEN MEMBERS TO THE RIVER COMMISSION.

Ms. Penny Postoak Ferguson, Assistant City Manager, stated that the River Commission's primary purpose was to provide public oversight, devise strategy, and provide public policy advice regarding the Riverwalk and the San Antonio River to preserve, protect, and enhance the history, heritage, and ambiance of the River. Ms. Ferguson stated that the seven members, at-large appointment categories are as follows: two business, two tourism, one historic preservation, one conservation, and one community category.

Ms. Brenda V. Johnson, Representative of the Greater San Antonio Chamber of Commerce, addressed the Council in support of the River Commission. She stated that the River Commission Advisory Panel commends the Council for creating the new River Commission. Ms. Johnson stated that the proposed panel of commissioners are individuals who have a history in providing long-term leadership and vision within the community.

Councilmember Cisneros moved to appoint Ed Whitacre, A.J. Rodriguez, Lisa Wong, Lionel Sosa, Julian Trevino, J. Darryl Byrd, and Lynda Billa Burke to the River Commission. Councilmember Clamp seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Councilmember Rodriguez who recognized Dr. Trevino and A.J. Rodriguez.

Dr. Trevino addressed the Council and thanked all for their trust. He noted that the River Commission will do their diligence in bringing recommendations of public policy in protecting the San Antonio River.

Mr. A.J. Rodriguez commended the Council on their vision in creating the River Commission. He added that the San Antonio River is a precious jewel and that the River Commission will work to protect and preserve it.

The City Clerk read the following caption:

2007-06-28-0736

Item 5. AN ORDINANCE APPROVING THE APPOINTMENT OF NOMINEES TO THE MUNICIPAL COURT ADVISORY COMMITTEE.

Mr. Frederick Garcia Jr., Municipal Court Clerk, reported that the committee will function as a judicial liaison and provide recommendations on matters pertaining to Municipal Court, including judicial nominations. Mr. Garcia noted the structure and appointment terms of the six member committee.

Councilmember Gutierrez moved to appoint Irene Rios, Judge; Lamont A. Jefferson, San Antonio Bar Association; Norma Gonzales, Citizen; and Chip Haass, Citizen; to the Municipal Court Advisory Committee. Councilmember Cisneros seconded the motion.

Former Councilmember Chip Haass thanked the Council for nominating him to the Municipal Court Advisory Committee noting that his goal was to have an efficient Municipal Court.

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

ITEM 6. STAFF REPORT ON THE OUTCOME OF THE CITY'S 80TH STATE LEGISLATIVE PROGRAM AND BRIEFING ON OTHER SIGNIFICANT LEGISLATION ADOPTED DURING THE LEGISLATIVE SESSION.

Mr. Andrew Smith, Director of Intergovernmental Relations, briefed the Council on Bills that were introduced this Legislative Session which have been monitored.

Mr. Jack M. Finger addressed the Council and welcomed the newly elected Councilmembers. He stated how important the Riverwalk was to the City of San Antonio. Mr. Finger stated that he was relieved that the labor union initiatives did not pass the House of Representatives. Mr. Finger stated that the appointed lobbyist who represents the City of San Antonio should tell officials in Austin that San Antonio does not want Toll Roads.

The City Clerk read the following caption:

2007-06-28-0806

Item 74. AN ORDINANCE APPROVING A FUNDING AGREEMENT WITH THE SAN ANTONIO MUSEUM ASSOCIATION, D/B/A THE WITTE MUSEUM FOR THE EXPENDITURE OF UP TO $400,000.00 FOR THE DESIGN OF THE PROPOSED BRACKENRIDGE PARK PARKING FACILITY, LOCATED IN DISTRICT 9.

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

Mr. Malcolm Matthews, Director of Parks and Recreation, noted that the city utilizes funding agreements to work with non-profit organizations and other entities to get projects done. Mr. Matthews stated that the purpose of the funding agreement was to obtain a design and cost estimate for the proposed Brackenridge Park Parking Facility. He reiterated that the funding agreement does not provide for any construction.

The following citizens appeared to speak:

Mr. Sam Dawson, Chairman of the Board of Trustees for the Witte Museum, addressed the Council and stated that the Witte Museum is city property and that everything encompassing the museum belongs to the city. He stated that when speaking of a parking garage, it is about the restoration of over three acres of parkland, not the destruction of parkland. Mr. Dawson added that the Comprehensive Master Plan has been in place since 1979 and that the parking needs must be addressed. He noted that there will be a reduction of impervious cover in the park area once the project is complete. Mr. Dawson noted that he collected 1,100 signatures supporting the location and construction of the parking garage. He also stated that 68 trees have been identified; of which 25-30 of those trees are candidates for relocation. Lastly, Mr. Dawson stated that he was working with a group called the Tree Wise Man on the preservation and relocation of trees.

Ms. Virginia Nichols, San Antonio Conservation Society, addressed the Council and stated that when George Brackenridge donated the land to the City for it to be used as a park, he never envisioned the growth of the automobile and traffic. She stated that the Master Plan included the Witte Museum, the San Antonio Zoo, and the Children's Playground. Ms. Nichols stated that the Witte Museum Expansion needs a parking facility and urged the Council to support the item.

Ms. Betty Feldman stated that Brackenridge Park must be protected from automobiles and added that building a parking facility will save some of the parkland. She stated that the park belongs to the city, noting that all residents of San Antonio use the park. Ms. Feldman stated that building a vertical parking garage is Green and relieves the land of impervious cover.

Mr. Darryl Bird stated that as a trustee and patron of the Witte Museum, he is committed to working with the City as an environmental steward for Brackenridge Park. He stated that Brackenridge Park belongs to the citizens of San Antonio and has a need for parking. Mr. Bird stated that in 1999 the issue of parking was addressed with the public. He stated that the voters approved a parking plan which the City was now implementing.

Mr. Larry DeMartino stated that as a Landscape Architect, he disputes some of the information that was being presented. He stated that the City should not cut down one acre of wooded area to build a parking garage. He noted that it was wrong to take limited resources of parkland with dense tree cover and replace it with a building that forever removes the parkland. Mr. DeMartino added that no matter how many new trees the City plants or transplants, the parkland will be lost forever. Lastly, he stated that as other cities look to be carbon free seeking cleaner ways to grow and prosper, the City of San Antonio continues to carve up Brackenridge Park.

Mr. Jack M. Finger addressed the Council in opposition of removing trees from Brackenridge Park to build a parking garage for the Witte Museum. He stated that several Councilmembers received campaign contributions from Witte Board of Trustee Members. Mr. Finger requested that those who have received campaign contributions abstain from voting on the Witte Museum item. Mr. Finger spoke in opposition to Item 64, (PGA Golf Resort) noting that the citizens of San Antonio voted against the PGA. Mr. Finger addressed Item 12 and stated that Eight-Liners are illegal because they promote gambling and stated that it was hypocritical to sell them. Mr. Finger commented on Items 75 and 76, noting that Crime Stoppers and the Weed and Seed Programs are Police Department Programs.

Ms. Blanquila Sullivan addressed the Council on behalf of the River Road Neighborhood Association. She spoke in opposition to the proposed parking structure at Brackenridge Park. She stated that over 100 neighborhood residents have signed petitions opposing the proposed parking structure. Ms. Sullivan stated that two separate Bond Elections resulted in $7.5 Million for park improvements. She added that the neighborhood association negotiated with Witte Museum Officials, Elected Officials, and the San Antonio Conservation Society. She stated that the result of the compromise was to build on the site of the City Nursery, with the condition that no trees would be lost.

Ms. Marilyn Landfear addressed the Council and stated that she was speaking on behalf of the trees at Brackenridge Park which do not have a voice. She stated that she was pro-Witte and supports development; however, she was against cutting down trees to build a parking structure. Ms. Landfear stated that she was circulating petitions and asked the Council to delay the item so that the public can have input.

Mr. Christopher Green cited a fairytale with the analogy of the Witte Museum being dependant on the City of San Antonio and compared the San Antonio Museum of Art to the Witte Museum.

Mr. Maurice McDermott addressed the Council and stated that the Witte Museum was a facility that serves the entire City and the needs of all school districts in San Antonio. Mr. McDermott stated that the Witte Museum was in need of additional parking to accommodate growth.

Mr. Carroll Schubert addressed the Council and noted that he currently serves on the Witte Museum Board of Directors. He stated that improvements have been made at Brackenridge Park to vehicular traffic and parking. Mr. Schubert stated that the families that visit the park are from all Districts and are in need of a place to park that is not dangerous so they can safely access the park. He stated that the Witte Museum was in need of parking to accommodate growth. Lastly, he noted that the Board will work with the Arborist to ensure the protection of the environment.

Ms. Rosemary Leon, Trustee of the Witte Museum addressed the Council and stated that the proposed parking facility was being labeled the Witte Garage. She stated that the parking facility will be the Brackenridge Parking Facility, which will serve the San Antonio Zoo, Brackenridge Park, and the Witte Museum. Ms. Leon stated that the parking facility was vital to the future of Brackenridge Park and the Witte Museum.

Ms. Carol Canty addressed the Council and noted that she was saddened that the Witte Museum issue had become a we-against them issue. She stated that the Witte Museum has spent years trying to work every angle and include everyone. Ms. Canty added that the Witte Museum was the people's museum that entertains and educates the public. She stated that the Witte Museum was about preservation and conservation and has done its best for the City and the public.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger thanked Mr. Jim Cullum for serving on the advisory panel that assisted with the nominations of candidates to the River Commission.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 12:20 pm, to break for lunch and convene in Executive Session for the purposes of:

A. Discuss legal issues related to grants and other reporting requirements pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).

B. Deliberate the management, purchase, exchange, lease, or value of certain real properties pursuant to Texas Government Code Sec. 551.072 (real property).

C. Discuss legal issues and personnel issues related to Municipal Court Magistration pursuant to Texas Government Code Sec. 551.074 (personnel matters) and Texas Government Code Sec. 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Regular Meeting at 3:45 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

2007-06-28-0737

ITEM 8. AN ORDINANCE DESIGNATING EACH MEMBER OF THE CITY COUNCIL AS MAYOR PRO TEM FOR A SPECIFIED PERIOD DURING THE 2007-2009 TERM.

City Clerk, Leticia M. Vacek reported that it was time to draw for the Mayor Pro Tem terms.

Mayor Pro-Tem terms were selected in the following order:

Kevin Wolff - June 28, 2007 through September 7, 2007

Diane G. Cibrian - September 8, 2007 through November 18, 2007

Lourdes Galvan - November 19, 2007 through January 29, 2008

Mary Alice P. Cisneros - January 30, 2008 through April 10, 2008

Sheila McNeil - April 11, 2008 through June 21, 2008

Philip Cortez - June 22, 2008 through September 1, 2008

Justin Rodriguez - September 2, 2008 through November 12, 2008

Delicia Herrera - November 13, 2008 through January 23, 2009

Roland Gutierrez - January 24, 2009 through April 5, 2009

John G. Clamp - April 6, 2009 through May 31, 2009 (or until such time as said City Councilmember's successor is elected and qualified for office).

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

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

ITEM 7. STAFF BRIEFING BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT CONCERNING THE PROCESS BY WHICH THE CITY WILL SOLICIT THE SERVICES OF A COMMUNICATIONS INTEGRATOR TO ASSIST THE CITY TRANSITION TO A CONVERGED BROADBAND NETWORK.

Mr. Richard Varn, Chief Information Officer presented a Communications Technology Briefing. He stated that the City of San Antonio was in need of modern communications infrastructure. Mr. Varn added that the current system was a patchwork of technologies and services. He noted that the current network speed limits productivity making it difficult to respond to customer needs. Mr. Varn presented solutions to include a converged and unified network of voice, data, and video on one network, simplified network management, and a better cost/benefit ratio for dollars spent.

No action was necessary.

CONSENT AGENDA: Items 9-78B

Consent Agenda Items 12, 35, 42, 46, 54, 66, 68, 74 and 77 were pulled for Individual Consideration. Councilmember Gutierrez moved to approve the remaining Consent Agenda Items. Councilmember Cisneros seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Councilmember Cortez. Councilmember Cortez stated that he had pulled Item 37 for individual consideration. However, after due consideration he requested that Item 37 be

voted with the Consent Agenda. He stated that West Gerald Street was in both District 4 and 5. Councilmember Cortez added that when he was campaigning and block walking said street was in deplorable conditions. He assured the residents that he would tackle the issue immediately. Councilmember Cortez stated that West Gerald Street now has reconstructed driveway approaches, curbs, sidewalks, and drainage. Councilmember Cortez thanked Tom Wendorf, Director of Public Works and his predecessor Councilmember Perez for earmarking funding to tackle said project.

2007-06-28-0738

Item 9. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006-2007 AND FY 2007-2008 FOR A COMBINED ESTIMATED COST OF $2,464,600.00, INCLUDING: (A) CONTINUOUS COMPUTER FORMS (B) COMMUNICATIONS & DATA INFRASTRUCTURE (C) INTERNET CONNECTION SERVICES (D) PC MAINTENANCE AND SUPPORT FOR ALAMO AREA LIBRARY SYSTEM LIBRARIES.

2007-06-28-0739

Item 10. AN ORDINANCE ACCEPTING THE BID FROM WILSON FIRE/RESCUE TO PROVIDE THE FIRE DEPARTMENT WITH FIRE RESCUE TOOLS FOR A COST OF $35,960.00.

2007-06-28-0740

Item 11. AN ORDINANCE ACCEPTING THE OFFER FROM PHILIPS MEDICAL SYSTEMS, TO PROVIDE THE FIRE DEPARTMENT WITH ELEVEN AUTOMATIC EXTERNAL DEFIBRILLATORS FOR A COST OF $28,307.75, FROM THE STRAC GRANT AND FROM CAPITAL FUNDS.

2007-06-28-0742

Item 13. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT TOTALING $325,600.00 WITH GARRISON ENTERPRISES, INC. TO DEVELOP AND IMPLEMENT AN ENVIRONMENTAL HEALTH AUTOMATION SOFTWARE SYSTEM.

2007-06-28-0743

Item 14. AN ORDINANCE ACCEPTING THE BID FROM PLANET FORD 6 TO PROVIDE THE ANIMAL CARE SERVICES DEPARTMENT WITH SEVEN PICKUP TRUCK CABS AND CHASSIS, WITH TURNKEY INSTALLATION OF ANIMAL CONTROL UNITS FOR A COST OF $218,204.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2007-06-28-0744

Item 15. AN ORDINANCE ACCEPTING THE OFFER FROM PHILPOTT MOTORS, LTD TO PROVIDE THE FIRE DEPARTMENT WITH ONE FORD 550 PRIME MOVER TRANSPORT TRUCK WITH A HAULER BODY FOR A COST OF $67,638.00, FROM THE METROPOLITAN MEDICAL EMERGENCY RESPONSE GRANT FUND.

2007-06-28-0745

Item 16. AN ORDINANCE ACCEPTING THE OFFER FROM THYSSENKRUPP AIRPORT SYSTEMS, INC. TO PROVIDE THE AVIATION DEPARTMENT WITH A PASSENGER BOARDING BRIDGE FOR A COST OF $264,850.00.

2007-06-28-0746

Item 17. AN ORDINANCE ACCEPTING THE OFFER FROM TENNANT SALES AND SERVICE CO., UTILIZING A TEXAS MULTIPLE AWARD SCHEDULE CONTRACT, TO PROVIDE THE

CONVENTION, SPORTS, AND ENTERTAINMENT FACILITIES WITH ONE SCRUBBER-SWEEPER FOR A COST OF $38,404.10.

2007-06-28-0747

Item 18. AN ORDINANCE AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH WINDHAM MOTOR CO. TO PROVIDE THE HOUSING AND NEIGHBORHOOD SERVICES AND POLICE DEPARTMENTS, WITH ELEVEN (11) ADDITIONAL ADMINISTRATIVE SEDANS FOR A COST OF $157,267.00.

2007-06-28-0748

Item 19. AN ORDINANCE ACCEPTING THE OFFER FROM PHILPOTT FORD, LTD. TO PROVIDE THE HOUSING AND NEIGHBORHOOD SERVICES AND PUBLIC WORKS DEPARTMENTS WITH FIVE GASOLINE/ELECTRIC HYBRID SEDANS FOR A COST OF $106,230.00, FROM THE GENERAL FUND AND THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2007-06-28-0749

Item 20. AN ORDINANCE ACCEPTING THE OFFER FROM PHILPOTT MOTORS, LTD. TO PROVIDE THE POLICE AND AVIATION DEPARTMENTS WITH THIRTEEN SEDANS FOR A COST OF $272,932.00, FROM THE GENERAL FUND, THE AIRPORT OPERATIONS AND MAINTENANCE FUND, AND THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2007-06-28-0750

Item 21. AN ORDINANCE ACCEPTING THE OFFER FROM COOPER EQUIPMENT COMPANY, UTILIZING A TEXAS BUYBOARD CONTRACT, TO PROVIDE THE PUBLIC WORKS DEPARTMENT WITH TWO (2) LIVE BOTTOM TRAILERS FOR A COST OF $119,438.90; AND APPROPRIATING FUNDS.

2007-06-28-0751

Item 22. AN ORDINANCE ACCEPTING THE OFFER FROM LEES COMMERCIAL CARPETS, UTILIZING THE TEXAS MULTIPLE AWARD SCHEDULE CONTRACT, TO PROVIDE THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT WITH LABOR, MATERIALS AND EQUIPMENT TO REPLACE THE EXISTING CARPET AT THE ALAMODOME FOR A COST OF $179,852.40, FROM THE CONVENTION CENTER CAPITAL PROJECTS FUND.

Leticia M. Vacek, City Clerk, read written testimony from Mr. Faris Hodge Jr., The written testimony referenced that item whereby the City will replace the existing carpet at the Alamodome for a cost of $179,852.40. He requested that the City name the Alamodome as follows: "Faris Hodge Jr. Dome." He wrote that it is normal to name buildings after individuals after they are deceased, however, people should receive their due beforehand. It's important to recognize people for their achievements and efforts to help the community before they pass on.

2007-06-28-0752

Item 23. AN ORDINANCE APPROVING CHANGE ORDER NO. 2 IN THE AMOUNT OF $87,595.00 TO A $1,337,103.00 CONSTRUCTION CONTRACT WITH DAVILA CONSTRUCTION, INC., FOR WORK IN CONNECTION WITH THE BRANCH LIBRARIES RENOVATION PROJECT, PHASE IV AT THE CARVER BRANCH LIBRARY; AN AUTHORIZED HUD 108 FUND, CDBG FUND, AND GENERAL OBLIGATION BONDS PROJECT IN DISTRICT 2; AND APPROPRIATING FUNDS.

2007-06-28-0753

Item 24. AN ORDINANCE APPROVING CHANGE ORDER NO. 23 IN THE AMOUNT OF $54,120.00 TO A $2,822,940.07 CONTRACT WITH JAMAIL CONSTRUCTION, INC. FOR WORK IN CONNECTION WITH THE BOB ROSS SENIOR MULTI-SERVICE CENTER EXISTING PARKING LOT NEW SURFACE PROJECT; AN AUTHORIZED PROJECT LOCATED IN DISTRICT 8; FUNDED THROUGH A ONE-TIME CAPITAL IMPROVEMENT EXPENDITURE FROM THE PROJECT'S CONTINGENCY FUND; AND APPROPRIATING FUNDS.

2007-06-28-0754

Item 25. AN ORDINANCE AMENDING THE $374,892.00 PROFESSIONAL SERVICES AGREEMENT WITH BEATY & PARTNERS ARCHITECTS, INC. TO INCREASE THE TOTAL COMPENSATION FOR SERVICES SUPPORTING THE NEW OPERATIONS AND CUSTOMER SERVICE FACILITY AT STINSON MUNICIPAL AIRPORT BY $30,637.76; AND INCREASING THE CONTINGENCY BY $9,500.00.

2007-06-28-0755

Item 26. AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH DRASH CONSULTING ENGINEERS, INC., IN AN AMOUNT NOT TO EXCEED $95,647.00, TO PROVIDE ADDITIONAL CONSTRUCTION OBSERVATION SERVICES IN CONNECTION WITH THE AIRSIDE APRON AND UTILITIES PHASE 1 PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS AND REVISING THE PROJECT BUDGET.

2007-06-28-0756

Item 27A. AN ORDINANCE ACCEPTING THE LOW QUALIFIED BID OF EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P., IN THE AMOUNT OF $5,898,639.40 TO PROVIDE CONSTRUCTION SERVICES FOR THE SKY PLACE ENVIRONMENTAL REMEDIATION PROJECT; AND AUTHORIZING CONSTRUCTION CONTINGENCIES IN AN AMOUNT NOT TO EXCEED $589,864.00.

2007-06-28-0757

Item 27B. AN ORDINANCE AMENDING THE ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL, INC. BY REDUCING THE AGREEMENT IN THE AMOUNT OF $49,814.86 FOR ENVIRONMENTAL CONSULTING SERVICES RELATED TO MITIGATION EFFORTS FOR THE SKY PLACE REMEDIATION PROJECT.

2007-06-28-0758

Item 27C. AN ORDINANCE AMENDING AN ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH MEDINA CONSULTING COMPANY, INC. BY INCREASING THEIR CURRENT CONTRACT VALUE IN THE AMOUNT OF $366,460.00 FOR ENVIRONMENTAL CONSULTING SERVICES RELATED TO THE SKY PLACE REMEDIATION PROJECT AND AUTHORIZING PAYMENT.

2007-06-28-0759

Item 27D. AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH VICKREY & ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED $59,162.00 TO PROVIDE ADDITIONAL ENGINEERING AND SURVEYING SERVICES IN CONNECTION WITH THE SKY PLACE DRAINAGE AND BOULEVARD REALIGNMENT PROJECTS.

2007-06-28-0760

Item 28. AN ORDINANCE RATIFYING THE ACCEPTANCE OF A PROPOSAL FROM SAN ANTONIO WATER SYSTEM, IN AN AMOUNT NOT TO EXCEED $30,709.20, FOR WATER AND SEWER IMPACT FEES TO PROVIDE NEW UTILITY SERVICES AT STINSON MUNICIPAL AIRPORT; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

2007-06-28-0761

Item 29. AN ORDINANCE AUTHORIZING CHANGE ORDERS 14-18, FOR A NET TOTAL INCREASE OF $853,731.45, TO THE $36,963,350.06 CONSTRUCTION CONTRACT WITH ARCHER WESTERN CONTRACTORS, LTD. FOR PROJECT 6 – ROADWAYS & UTILITIES AND PROJECT 10 – VOLUME 2 – HYDRONIC LINES RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT; AND APPROPRIATING FUNDS.

2007-06-28-0762

Item 30. AN ORDINANCE ACCEPTING THE QUALIFIED LOW BID OF BORCO, L.P. IN THE AMOUNT OF $2,731,277.45 TO PROVIDE CONSTRUCTION SERVICES FOR PROJECT 10 – VOLUME 3 – STORM WATER OUTFALL AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING CONSTRUCTION CONTINGENCIES IN AN AMOUNT NOT TO EXCEED $437,005.00; AND APPROPRIATING FUNDS.

2007-06-28-0763

Item 31. AN ORDINANCE AUTHORIZING THE FOLLOWING TWO ACTIONS IN CONNECTION WITH THE TSA CHECKPOINT CCTV PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT: (A) ACCEPTING THE OFFER FROM GTSI CORP., UTILIZING THE US COMMUNITIES COOPERATIVE PURCHASING PROGRAM, TO INSTALL A STAND-ALONE VIDEO SURVEILLANCE SYSTEM AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A COST OF $520,300.00 AND ESTABLISHING INSTALLATION CONTINGENCIES IN THE AMOUNT OF $52,300.00; AND (B) APPROPRIATION OF $231,000 TO PROVIDE INFRASTRUCTURE UPGRADES IN SUPPORT OF THE GTSI CONTRACT.

PULLED

Item 32. AN ORDINANCE APPROVING CHANGE ORDER NO. AM-03 IN THE AMOUNT OF UP TO $375,000.00 TO THE CONSTRUCTION CONTRACT WITH C.A. LANDRY PARTNERS, LTD. FOR THE FABRICATION AND INSTALLATION OF A SHADED PEDESTRIAN WALKWAY FROM THE HENRY B. GONZALEZ CONVENTION CENTER TO THE ALAMODOME; APPROPRIATING FUNDS AND AUTHORIZING CHANGES TO PREVIOUSLY APPROVED FINANCIAL ALLOCATIONS.

2007-06-28-0764

Item 33. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF $907,500.00 TO INCLUDE AWARDING A $825,000.00 CONTRACT WITH VW BROOKS INCORPORATED TO CONSTRUCT YOUTH PRACTICE SPORTS FIELDS AND ASSOCIATED PARK AMENITIES AS PART OF THE REGIONAL YOUTH SPORTS FACILITY IMPROVEMENTS PROJECT AT CULEBRA CREEK PARK LOCATED AT 11225 FM 417 WEST IN CITY COUNCIL DISTRICT 6.

2007-06-28-0765

Item 34. AN ORDINANCE APPROVING $40,383.56 FOR PARK MATERIALS FOR IN-HOUSE CONSTRUCTION BY PARKS AND RECREATION STAFF OF A PLAYGROUND, ACCESSIBLE

WALKWAYS AND ASSOCIATED PARK AMENITIES AND IMPROVEMENTS AS PART OF THE RAINTREE PARK DEVELOPMENT PROJECT LOCATED IN CITY COUNCIL DISTRICT 10.

2007-06-28-0767

Item 36. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF $846,283.76, TO INCLUDE AWARDING A $737,987.42 CONTRACT WITH SAN ANTONIO CONSTRUCTORS, LTD, OF WHICH $198,412.12 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS (SAWS), FOR WORK IN CONNECTION WITH THE ROBESON: YUCCA TO MARTIN LUTHER KING – CONSTRUCTION PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH THE HUD 108 LOAN PROGRAM IN DISTRICT 2; AND APPROPRIATING FUNDS.

2007-06-28-0768

Item 37A. AN ORDINANCE APPROVING A TOTAL OF $337,072.00, TO INCLUDE A $266,477.61 PAYMENT UNDER AN EXISTING INDEFINITE DELIVERY CONTRACT WITH SAN ANTONIO CONSTRUCTORS, INC., FOR CONSTRUCTION SERVICES; AND APPROVING A TOTAL OF 131,663.50, TO INCLUDE A $8,746.00 AMENDMENT TO A $122,917.50 PROFESSIONAL SERVICES AGREEMENT WITH BAIN MEDINA BAIN, INC., AND AUTHORIZES PAYMENT FOR PROFESSIONAL SURVEYING SERVICES, AN AUTHORIZED HUD 108 LOAN PROGRAM FUNDED PROJECT LOCATED IN DISTRICT 4; AND APPROPRIATING FUNDS.

2007-06-28-0769

Item 37B. AN ORDINANCE AUTHORIZING THE PURCHASE OF FEE SIMPLE TITLE TO FOUR (4) PRIVATELY OWNED PARCELS OF LAND FOR $44,188.00 PAYABLE TO SERVICE TITLE COMPANY; AND AUTHORIZING THE PAYMENT OF RELATED MISCELLANEOUS EXPENSES, AN AUTHORIZED HUD 108 LOAN PROGRAM FUNDED PROJECT LOCATED IN DISTRICT 4.

2007-06-28-0770

Item 38. AN ORDINANCE APPROVING SAWS CHANGE ORDER NO. 1 IN THE AMOUNT OF $78,990 AND CPS ENERGY CHANGE ORDER NO. 1 IN THE DEDUCTIVE AMOUNT OF $78,986.39 TO A CONSTRUCTION CONTRACT, WITH TEXAS-STERLING COMPANY FOR ADDITIONAL WORK TO CORRECT AN EXISTING SAWS WATER LINE CONFLICT IN CONNECTION WITH THE MARBACH ROAD PHASE 1 – MILITARY TO PINN PROJECT, LOCATED IN DISTRICT 6, AND APPROPRIATING FUNDS.

2007-06-28-0771

Item 39. AN ORDINANCE APPROVING SAWS CHANGE ORDER NO. 1 IN THE AMOUNT OF $89,725.01 TO THE CONSTRUCTION CONTRACT, WITH R.L. JONES FOR ADDITIONAL WORK TO REPLACE A SEWER MAIN IN CONNECTION WITH THE WOODLAWN – SAN ANTONIO TO LAKE AND W. CRAIG – ELMENDORF TO JOSEPHINE TOBIN PROJECT, LOCATED IN DISTRICT 7, AND APPROPRIATING FUNDS.

2007-06-28-0772

Item 40. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $3,968,639.44 TO SILVERADO BROTHERS CONSTRUCTION COMPANY, OF WHICH $3,214,349.49 WILL BE REIMBURSED BY TEXAS DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE EXECUTION OF CONTRACTS WITH SAN ANTONIO WATER SYSTEM TO PAY $371,803.97 AND CPS ENERGY TO PAY $68,302.84, IN CONNECTION WITH THE LOCKHILL-SELMA: WEST AVE. TO NW MILITARY PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGED PROJECT, LOCATED IN DISTRICT 9, AND AUTHORIZING AN

AMENDMENT TO A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CHIANG, PATEL & YERBY, INC. FOR $99,800.00, FOR CONSTRUCTION PHASE ENGINEERING SERVICES, AND APPROPRIATING FUNDS.

2007-06-28-0773

Item 41. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $3,885,813.67 TO E-Z BEL CONSTRUCTION, LTD., OF WHICH $2,362,877.13 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE SAN ANTONIO WATER SYSTEM TO PAY $886,175.33 AND CPS ENERGY TO PAY $414,494.86, AND APPROVING A $20,601.00 AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH LNV ENGINEERING FOR BID PHASE AND CONSTRUCTION PHASE ENGINEERING SERVICES IN CONNECTION WITH THE SUNSET PHASE II: TEAK TO BROADWAY PROJECT, LOCATED IN DISTRICT 9, AND APPROPRIATING FUNDS.

2007-06-28-0775

Item 43. AN ORDINANCE DECLARING THE WILLIE VELASQUEZ CENTER EXPANSION (VELASQUEZ CENTER) PROJECT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF ONE PARCEL OF LAND LOCATED AT 2059 W. POPLAR, BEING MORE SPECIFICALLY DESCRIBED AS THE SOUTH 32.74 FEET OF LOT 1, THE SOUTH 12.26 FEET OF LOTS 2, 3 AND 4 AND ALL OF LOTS 18, 19, 20, AND 21, ALL IN BLOCK 7, NEW CITY BLOCK 2113, SAN ANTONIO, TEXAS, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS PART OF THIS PROJECT; AND APPROPRIATING FUNDS FOR THE PROJECT.

2007-06-28-0776

Item 44. AN ORDINANCE AUTHORIZING THE PURCHASE OF AN AQUIFER PROTECTION CONSERVATION EASEMENT OVER APPROXIMATELY 2,558 ACRES IN MEDINA COUNTY KNOWN AS THE MUSTANG VALLEY TRACT, FOR APPROXIMATELY $3,142,838.25, INCLUDING PURCHASE PRICE, DUE DILIGENCE COSTS, CLOSING COSTS, AND ADDITIONALLY AUTHORIZING AN ANCILLARY $60,000 PAYMENT AND REIMBURSEMENTS TO THE NATURE CONSERVANCY.

2007-06-28-0777

Item 45. AN ORDINANCE AUTHORIZING CENTEX REAL ESTATE CORPORATION, INC. TO USE A 16-FOOT WIDE STRIP OF DRAINAGE EASEMENT IN THE ARBORS OF RIVER MIST SUBDIVISION, DISTRICT 8, FOR A SANITARY SEWER LINE PROVIDED THAT THE USE DOES NOT IMPAIR DRAINAGE AND THAT CENTEX OBTAIN PERMISSION FROM AFFECTED PROPERTY OWNERS, FOR A TOTAL CONSIDERATION OF $5,000.00.

2007-06-28-0779

Item 47. AN ORDINANCE AMENDING THE EXISTING LEASE/MANAGEMENT AGREEMENT WITH SECURITY AIRPARK, INC. AT SAN ANTONIO INTERNATIONAL AIRPORT TO ADD THE SECURITY AIRPARK ANNEX.

2007-06-28-0780

Item 48. AN ORDINANCE AMENDING THE THREE (3) CONCESSION LEASE AGREEMENTS WITH NEWS & GIFT SHOPS INTERNATIONAL D/B/A ALAMO EXTRA AT SAN ANTONIO INTERNATIONAL AIRPORT - TERMINAL 1 TO EXTEND THE TERM TO JUNE 30, 2009 AND TO INCREASE THE COMMISSION PAYABLE ON NEWS PRODUCTS BY 1%.

2007-06-28-0781

Item 49A. AN ORDINANCE APPROVING THE LEASE AMENDMENT AND ASSIGNMENT & ASSUMPTION AGREEMENT BETWEEN CHECK-SIX AVIATION, INC. AND OCOTILLO AVIATION, LLC.

2007-06-28-0782

Item 49B. AN ORDINANCE APPROVING THE LEASE AMENDMENT AND ASSIGNMENT & ASSUMPTION AGREEMENT BETWEEN CHECK-SIX AVIATION, INC. AND SKY SAFETY, INC.

2007-06-28-0783

Item 50. AN ORDINANCE APPROVING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO PUBLIC LIBRARY FOUNDATION (SAPLF) FOR THE USE OF THE HISTORIC YTURRI HOUSE LOCATED AT 1020 E. COMMERCE ADJACENT TO THE CONVENTION CENTER FOR A PERIOD OF TWO (2) YEARS WITH THREE (3) TWO-(2) YEAR EXTENSIONS.

2007-06-28-0784

Item 51. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE NATIONAL HISTORIC PUBLICATIONS AND RECORDS COMMISSION (NHPRC) THAT PROVIDES $97,452 FOR AN ARCHIVING AND PRESERVATION PROGRAM FOR THE CITY OF SAN ANTONIO.

2007-06-28-0785

Item 52. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $135,000.00 FROM THE ANNIE E. CASEY FOUNDATION (AECF) MAKING CONNECTIONS - SAN ANTONIO INITIATIVE FOR THE SUPPORT OF THE FAMILY ECONOMIC SUCCESS AND THE FAMILIES SAVE INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAMS FOR THE 2007 CALENDAR YEAR.

2007-06-28-0786

Item 53. AN ORDINANCE RATIFYING THE SUBMISSION OF THE 2007 COST OF LIVING ADJUSTMENT (COLA) APPLICATION TO, AND ACCEPTANCE UPON AWARD OF ADDITIONAL FUNDS UP TO $2,129,513.00 FROM, THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE OPERATION OF THE HEAD START-EARLY CHILDCARE PROGRAM OF SAN ANTONIO AND BEXAR COUNTY AND TO PROVIDE A COLA FOR PARENT/CHILD, INCORPORATED (PCI) EMPLOYEES; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH PCI AS THE DELEGATE AGENCY OPERATING THE PROGRAM; AND APPROVING A REVISED HEAD START PROGRAM BUDGET.

2007-06-28-0788

Item 55. AN ORDINANCE AUTHORIZING TWO CONTRACT CHANGES WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO EXTEND THE CONTRACT PERIOD UNTIL JUNE 30, 2008 AND TO PROVIDE ADDITIONAL FUNDS OF UP TO $120,000.00, INCREASING THE CURRENT CONTRACT AMOUNT TO $220,000.00, FOR THE ONGOING CHILDHOOD LEAD POISONING PREVENTION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT.

2007-06-28-0789

Item 56. AN ORDINANCE AUTHORIZING A CONTRACT AMENDMENT WITH GLAXOSMITHKLINE TO PROVIDE AN ADDITIONAL $107,700.00 IN FUNDING FOR THE SAN

ANTONIO METROPOLITAN HEALTH DISTRICT TO CONTINUE PARTICIPATION IN THE HAVRIX CLINICAL VACCINE STUDY; AND AUTHORIZING PAYMENTS.

2007-06-28-0790

Item 57. AN ORDINANCE AUTHORIZING A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES WHICH WILL REVISE THE BUDGET AND MODIFY CERTAIN SPECIAL PROVISIONS OF THE GRANT FOR THE INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007.

2007-06-28-0791

Item 58. AN ORDINANCE AUTHORIZING TWO CONTRACT CHANGES WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO INCREASE FUNDING BY $50,832.00 AND $148,000.00 RESPECTIVELY FOR THE TITLE V MATERNAL AND CHILD HEALTH PROGRAM THROUGH AUGUST 31, 2007.

2007-06-28-0792

Item 59. AN ORDINANCE AUTHORIZING A CONTRACT AND TWO CONTRACT AMENDMENTS WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WHICH WILL PROVIDE FUNDS 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 THROUGH AUGUST 31, 2008.

2007-06-28-0793

Item 60. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR AN AMOUNT UP TO $6,000,000.00 WHICH REQUIRES A CASH MATCH OF $2,000,000.00; AUTHORIZING THE ACCEPTANCE OF SAID GRANT, IF AWARDED; AND AUTHORIZING THE EXECUTION OF INTERLOCAL AGREEMENTS WITH VARIOUS AGENCIES.

2007-06-28-0794

Item 61. AN ORDINANCE AUTHORIZING THE REALLOCATION OF $35,370.00 IN DISTRICT 9 ONE TIME FUNDS TO THE SAN ANTONIO POLICE DEPARTMENT FOR THE PURCHASE OF EIGHTEEN (18) MOVING RADAR UNITS AND RELATED TRAINING FOR USE IN POLICE VEHICLES, AS REQUESTED BY COUNCILMEMBER WOLFF, DISTRICT 9.

2007-06-28-0795

Item 62. AN ORDINANCE AUTHORIZING THE REALLOCATION OF $2,339.87 IN DISTRICT 10 ONE-TIME FUNDS TO THE SAN ANTONIO POLICE DEPARTMENT FOR THE PURCHASE OF THIRTEEN (13) ALL-TERRAIN VEHICLE HELMETS FOR USE IN PATROLLING GREENBELTS, AS REQUESTED BY COUNCILMEMBER CLAMP, DISTRICT 10.

2007-06-28-0796

Item 63. AN ORDINANCE AMENDING THE PROFESSIONAL SERVICE AGREEMENT WITH CARTER & BURGESS, INC. IN AN AMOUNT UP TO $18,900,000 FOR A REVISED CONTRACT VALUE OF $35,048,000 TO PROVIDE PROGRAM MANAGEMENT SERVICES IN CONNECTION WITH THE AIRPORT EXPANSION PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT, EXTENDING THE TERM FOR APPROXIMATELY THREE

YEARS WITH OPTIONS TO EXTEND FOR UP TO TWO ADDITIONAL YEARS AT THE CITY'S SOLE DISCRETION.

2007R-06-28-0797

Item 64. A RESOLUTION CONSENTING TO THE DELEGATION BY BEXAR COUNTY OF THE POWERS OF A ROAD DISTRICT AND THE POWER TO PROVIDE WATER, WASTEWATER OR DRAINAGE FACILITIES AND THOSE POWERS GRANTED BY ARTICLE III, SECTION 52 OF THE CONSTITUTION OF THE STATE OF TEXAS TO THE CIBOLO CANYONS SPECIAL IMPROVEMENT DISTRICT, OTHER THAN THE POWERS TO EXERCISE EMINENT DOMAIN, TO ADD LAND OR TO PROVIDE RETAIL WATER, WASTEWATER OR DRAINAGE SERVICES TO THE DISTRICT.

2007-06-28-0798

Item 65. AN ORDINANCE APPROVING THE NEGOTIATION AND EXECUTION OF AN $82,851.00 PROFESSIONAL SERVICES CONTRACT WITH MERCURY ASSOCIATES, INC. TO PROVIDE REVIEW, ANALYSIS, AND RECOMMENDATIONS CONCERNING THE CITY'S VEHICLE REPLACEMENT PROGRAM AND ITS FLEET SERVICES CHARGEBACK MODEL; AND APPROPRIATING FUNDS.

2007-06-28-0800

Item 67. AN ORDINANCE AMENDING CITY ORDINANCE NO. 99380 BY EXTENDING THE DATE FOR ISSUING ALLOCATED EMPOWERMENT ZONE FACILITY BONDS FOR THE DRURY PLAZA HOTEL PROJECT FROM JULY 1, 2007 TO DECEMBER 31, 2007.

2007-06-28-0802

Item 69. AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOINT FUNDING AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY (USGS) FOR USGS TO TEST SEDIMENTS IN LOWER LEON CREEK FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S PUBLIC CENTER FOR ENVIRONMENTAL HEALTH FOR THE PERIOD OF JUNE 1, 2007 THROUGH SEPTEMBER 30, 2007.

2007-06-28-0803

Item 70. AN ORDINANCE TERMINATING TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-SIX, CITY OF SAN ANTONIO, TEXAS ("ROSILLO RANCH"); DISSOLVING THE BOARD OF DIRECTORS FOR THE ZONE; DISSOLVING THE TAX INCREMENT FUND FOR THE ZONE; PROVIDING FOR AN EFFECTIVE TERMINATION DATE FOR THE ZONE AND OTHER RELATED ACTIONS.

2007-06-28-0804

Item 71. A RESOLUTION EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO CONSIDER THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE ("TIRZ") TO FINANCE PUBLIC IMPROVEMENTS IN THE ROSILLO RANCH DEVELOPMENT IN DISTRICT 2 AND AUTHORIZING STAFF TO PROCEED WITH THE STATUTORY PROCESS FOR THE CONSIDERATION OF THE CREATION OF A TIRZ.

Leticia M. Vacek, City Clerk, read written testimony from Mr. Faris Hodge Jr. The written testimony stated that he did not like the Tax Increment Reinvestment Zone (TIRZ). He wrote that everyone should pay taxes equally and the City should not be selective on who pays and who does not.

2007-06-28-0805

Item 72. AN ORDINANCE APPROVING $289,025.00 TO ACQUIRE, THROUGH NEGOTIATIONS, DONATION OR CONDEMNATION ELEVEN PARCELS OF REAL PROPERTY ALONG LEON AND SALADO CREEKS, LOCATED IN DISTRICTS 7, 8, 9 AND 10 IN THE AREAS LISTED BELOW ACCORDING TO LEGAL DESCRIPTIONS TAKEN FROM BEXAR COUNTY APPRAISAL DISTRICT, FOR THE PROPOSITION 3 CREEKWAY LINEAR PARKS LAND ACQUISITION AND PARK EXPANSION PROJECT (PROJECT), DECLARING THIS TO BE A PUBLIC PROJECT; DETERMINING THE PUBLIC NECESSITY FOR THIS ACQUISITION OF LAND, APPROPRIATING FUNDS AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY:

1. APPROXIMATELY 3.9 ACRES OUT OF NCB 15328 LOT P-57D (DRAIN ESMT)
2. APPROXIMATELY 0.1 ACRES OUT OF NCB 15824 BLK LOT P-100 1.170 AC.
3. APPROXIMATELY ANOTHER 0.1 ACRES OUT OF NCB 15824 BLK LOT P-100 1.170 AC.
4. APPROXIMATELY 23 ACRES OUT OF NCB 14667 BLK "Q" LOT 8, 9 & NW IRR PTS OF 4, 5, 6 & 7.
5. APPROXIMATELY 1.2 ACRES OUT OF NCB 14667 BLK "Q" LOT W IRR 44.22 FT OF 4 & NW TRI 25 FT OF 3
6. APPROXIMATELY 1.9 ACRES OUT OF NCB 14667 BLK "Q" LOT NW IRR 530 FT OF 2 & 3 & NW TRI 312.3 FT OF 1
7. APPROXIMATELY 0.1 ACRES OUT OF NCB 14667 BLK LOT P-92 "HAUSMAN/PRUE RD" ANNEXATION
8. APPROXIMATELY 17.18 ACRES OUT OF NCB 14861 PT OF P-39 ABS 574 HS REF TO: 14861-000-0390
9. APPROXIMATELY 5.1 ACRES OUT OF NCB 14861 P-39A (92.129 AC), P-38B (.42 AC)
10. APPROXIMATELY 0.15 ACRES OUT OF NCB 18023 BLK 12 LOT 41 ARDEN COURTS FACILITY
11. APPROXIMATELY 5.76 ACRES OUT OF LOT 4, NCB 11964 IN THE RESUBDIVISION PLAT OF ST. MARY'S HALL PROPERTY AS RECORDED IN VOLUME 6500, PAGES 84-86 OF THE DEED AND PLAT RECORDS OF BEXAR CO. TEXAS

PULLED

Item 73. RECONSIDERATION OF AN ORDINANCE APPROVING THE PAYMENT OF $2,667,000.00 FROM 2007 PARKS BOND FUNDS FOR THE PURCHASE OF APPROXIMATELY 13.72 ACRES OF LAND WITH IMPROVEMENTS LOCATED IN DISTRICT 8 FROM THE ESTATE OF GILBERT DENMAN AND APPROVING AN OPTION CONTRACT FOR THE PURCHASE OF THE REMAINING APPROXIMATELY 6.55 ACRES ADJACENT PROPERTY PENDING THE IDENTIFICATION OF FURTHER FUNDING.

2007-06-28-0807

Item 75. AN ORDINANCE AUTHORIZING AN EXTENSION OF A CONTRACT WITH CRIME STOPPERS OF SAN ANTONIO, INC. TO FUND ONE TEMPORARY OFFICE ASSISTANT POSITION THROUGH THE SAN ANTONIO POLICE DEPARTMENT BEGINNING JULY 1, 2007 AND ENDING ON DECEMBER 31, 2007 IN THE AMOUNT OF $7,350.00.

2007-06-28-0808

Item 76. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SAN ANTONIO FIGHTING BACK FOR AN AMOUNT NOT TO EXCEED $71,256.00 TO PROVIDE PUBLIC SAFETY SERVICES ASSOCIATED WITH THE

WEED AND SEED INITIATIVE AND AUTHORIZING AN EXTENSION OF THAT AGREEMENT THROUGH DECEMBER 31, 2007.

78A. REAPPOINTING NELSON H. BALIDO (DISTRICT 9) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE (CATEGORY: VISUAL ARTIST) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009.

78B. REAPPOINTING DON GADBERRY (DISTRICT 3) TO THE ZONING COMMISSION FOR A TERM OF OFFICE COMMENCING JULY 1, 2007 AND EXPIRING JUNE 30, 2009.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-06-28-0741

Item 12. AN ORDINANCE AUTHORIZING THE SALE OF 263 GAMBLING DEVICES (EIGHT-LINERS) TO EXPRESS VIDEO, INC. FOR A PURCHASE PRICE OF $92,178.00, AND AUTHORIZING PAYMENT TO THE BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE IN THE AMOUNT OF $36,871.20.

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

Councilmember Rodriguez sought clarification with respect to the overall issue of Eight-Liners. Police Chief McManus stated that the initiative has been in effect for three years and to date 3,068 Eight-Liners have been seized of which approximately 300 had been forfeited by the courts to the City of San Antonio. Chief McManus stated that the Eight-Liners that have been forfeited are sold with the proceeds going into the City's asset forfeiture fund.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger announced that he had just received a message from Senator Hutchinson. He stated that the United States Senate has approved $10 million of Federal Funding for the Southern Portion of the San Antonio River. Mayor Hardberger thanked Senator Hutchinson for the time and effort she has put into the City of San Antonio concerning the San Antonio River.

The City Clerk read the following Ordinance:

2007-06-28-0766

Item 35. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $1,251,251.33 TO JERDON ENTERPRISES, OF WHICH $1,174,685.00 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, AND APPROVING A $53,740.23 AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH

THE CITYWIDE BICYCLE PROJECT GROUP II, LOCATED IN DISTRICTS 1, 2, 3, 5, 7 AND 10 AND APPROPRIATING FUNDS.

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

Councilmember Rodriguez sought a project timeline, particularly for the bike lanes in District 7. Mr. Jason Cosby, Assistant Public Works Director, replied that the project will commence with a completion date of March, 2008.

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

The City Clerk read the following Ordinance:

2007-06-28-0774

Item 42. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $1,023,451.28 TO CLARK CONSTRUCTION IN CONNECTION WITH THE 2007 ALLEY MAINTENANCE PROGRAM LOCATED IN ALL COUNCIL DISTRICTS AND AUTHORIZING CHANGE ORDER NO. 1 IN THE DEDUCTIVE AMOUNT OF $168,767.33 TO THE CONSTRUCTION CONTRACT, AND APPROPRIATING FUNDS.

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

Councilmember Galvan asked for clarification on the project because only one alley in District 5 qualified. She asked if the analysis came from 311 complaints and if so, how far back was the analysis done. Councilmember Galvan stated that the utility companies use the alley for services such as CPS Energy, Telephone, and Cable. She stated that she would like the various utility companies to help maintain the alleys. Councilmember Galvan requested City Staff to evaluate the alleys in District 5 stating that many are in dire need of attention.

Ms. Jelynne Burley responded that this was a one-time improvement project. She stated that calls to 311 were one criteria; in addition, a physical assessment was done.

Ms. Sculley added that there are millions of dollars of needs in terms of alleys in the community. She stated that the one-time funding of $1 million was already stretched. She added that the Council may add additional funding in next year's budget. Ms. Sculley said that she will follow-up with the utility companies for participating in maintaining alleys.

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

The City Clerk read the following Ordinance:

2007-06-28-0778

Item 46. AN ORDINANCE AUTHORIZING A SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT WITH JC INTERNATIONAL LTD. D/B/A JET CENTER FOR A TERM OF 25 YEARS.

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

Councilmember Clamp sought background information on the lease agreement, noting that the backup documentation listed 35 cents per square foot. Mr. Webb responded that leases are based on appraisals; the appraised value was $3.50 per square foot, divided by 10 years; resulting in 35 cents per square foot for the lease rate of the property. Mr. Webb further explained that during the initial term, the tenant does not pay on the building, rather, the tenant is paying on the ground lease. Once the ground lease expires a new lease agreement is drafted whereby the tenant pays rent on the land and the building.

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

The City Clerk read the following Ordinance:

2007-06-28-0787

Item 54. AN ORDINANCE AUTHORIZING THE ACCEPTANCE, UPON AWARD, OF A GRANT IN THE AMOUNT OF $252,500.00 FROM THE OFFICE OF THE GOVERNOR, OFFICE OF EMERGENCY MANAGEMENT FOR OPERATION OF THE ALAMO REGIONAL COMMAND CENTER TO COORDINATE BEFORE AND DURING THE EVENT OF A COASTAL HURRICANE EVACUATION AND AUTHORIZING A LICENSE AGREEMENT WITH PORT SAN ANTONIO FOR USE OF A BUILDING TO HOUSE THE CENTER FOR THE PERIOD JULY 1, 2007 TO NOVEMBER 30, 2007.

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

Councilmember Cortez asked Mr. Walsh to elaborate on said item. Mr. Walsh explained that the State of Texas devised a plan for evacuating Costal Regions in case of a hurricane. He stated that San Antonio will be a potential sheltering site and transition hub. People along the costal area will be evacuated to San Antonio and transitioned to other parts of the State, via bus, rail, or air. Mr. Walsh stated that a Unified Command Center would be set up at Kelly that would include Federal, State, and Local Agencies. Mr. Walsh noted that the grant will pay for the license agreement and 36,000 square feet of space at Kelly and also pay for the equipment that would be utilized.

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

The City Clerk read the following Ordinance:

2007-06-28-0799

Item 66. AN ORDINANCE APPROVING THE ALAMO WORK SOURCE BOARD STRATEGIC PLAN MODIFICATIONS AND BUDGET FOR FISCAL YEARS 2007 – 2008.

Councilmember Herrera moved to adopt the proposed Ordinance. Councilmember Wolff seconded the motion.

Councilmember Herrera sought clarification pertaining to what criterion was used to determine which occupations are removed from the list of job training. Mr. Smith with the Alamo Worksource responded that the criteria used are as follows: share, growth, churn, wage, return on investment, and availability of current labor. He stated that there were a number of occupations that are in need of job training.

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

The City Clerk read the following Ordinance:

2007-06-28-0801

Item 68. AN ORDINANCE AUTHORIZING THE CREATION OF A PILOT PROGRAM BY CPS ENERGY TO DEVELOP ELECTRIC AND GAS VALUE-ADDED, PREMIUM-BASED, OPTIONAL SERVICES FOR QUALIFYING RESIDENTIAL AND COMMERCIAL RETAIL CUSTOMERS, AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND CPS ENERGY CONCERNING COMPETITIVE MATTERS.

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

Councilmember Galvan questioned the length of said Pilot Program. Mr. Ben Gorzell replied that the Pilot Program was established for a five-year period and will be reviewed annually with CPS Energy. He stated that options are included in the Memorandum of Understanding to make the program permanent or to discontinue if necessary.

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

The City Clerk read the following Ordinance:

2007-06-28-0809

Item 77. AN ORDINANCE SELECTING CH2M HILL, INC., POST, BUCKLEY, SCHUH & JERNIGAN, AND BURY AND PARTNERS, FOR NEGOTIATION AND EXECUTION OF THREE PROFESSIONAL ENGINEERING AGREEMENTS, EACH AGREEMENT IN AN AMOUNT NOT TO EXCEED $400,000 FOR PROFESSIONAL ENGINEERING STAFF AUGMENTATION SERVICES IN THE STORM WATER ENGINEERING SECTION OF THE PUBLIC WORKS DEPARTMENT.

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

Councilmember Clamp asked Jason Cosby, Assistant Director of Public Works, if the fund was a fee-in-lieu-of fund. Mr. Cosby replied that was correct. Councilmember Clamp asked if the money stays within the general vicinity of the watershed or a citywide fund. Mr. Cosby replied that the funds are used citywide.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Wolff thanked the City Engineers for their hard work and recognized Senior Chief Petty Officer Rick O' Brien. Officer O'Brien retired after serving 20 years in the Navy. Councilmember Wolff stated that Officer O' Brien was his first boss soon out of boot camp. Officer O'Brien drove 350 miles from Beaumont to attend the Council Meeting.

ZONING ITEM

2007-06-28-0810

Item Z-1. **ZONING CASE # Z2007090 (District 8):** An Ordinance changing the zoning district boundary from RP" Resource Protection, "R-20" Residential Single Family District, "R-6" Residential Single Family District, "O-2" Office District, "C-3" General Commercial District, "C-3 R" Commercial Restrictive Alcohol Sales District, "I-1" General Industrial District, and "QD" (CD-Blasting and Asphaltic Concrete) Quarry District with a Conditional Use for Blasting and Asphaltic Concrete to "MPCD" Master Planned Community District on 835.471 acres out of NCB 14747, NCB 14853, NCB 14881, NCB 14882, NCB 17700, NCB 18331, NCB 18332, NCB 34760, NCB 34761, NCB 34763, NCB 34777, NCB 34778 and NCB 34781,15000 through 19600 Blocks of Interstate 10 West and 5000 Block of Loop 1604 North as requested by Brown, P.C., Applicant for Fourth Quarter Properties LXII, LP c/o Thomas Enterprises and Hooten Family Trust, Owners. Portions of this property are located within the "ERZD" Edwards Recharge Zone District and the "GC-1" Gateway Corridor Overlay District-1; however, the proposal does not include removing or altering the boundaries of either of these districts. Staff and Zoning Commission recommend Approval.

Mayor Hardberger recognized Mr. Jacks for his service to the City as this would be the last Council Meeting for Mr. Jacks as a city employee. Mr. John Jacks thanked the Mayor and Council and presented the proposed rezoning case.

Mayor Hardberger read a letter submitted by Major General Russell J. Czerw. He thanked Councilmembers Cibrian and McNeil for their overwhelming support. Major General Czerw expressed concern surrounding the development that threatens to degrade the Camp Bullis Training Missions. He also expressed concern about the protection of the development's Aquifer in addition to the protection of habitat areas.

Mr. Nazirite Ruben Flores Perez opposed the proposed rezoning case. He spoke of lead and mercury on the property noting that the State of Texas does not recognize mercury as a poison. Mr. Perez stated that the area should remain a training facility due to possible property contamination.

Mr. Carroll Schubert with the Greater Chamber of Commerce addressed the Council and stated that the Chamber of Commerce supports Military Missions and was concerned with encroachment and density. Mr. Schubert also noted concern with development interfering with Training Missions at Camp Bullis.

Mr. Jack Finger opposed the proposed rezoning case. He said the previous City Council was annexing land and pouring concrete all over the north side of town. He stated that Camp Bullis was a training center for all branches of the military and added that our country was at war and that soldiers needed a place to train.

Mr. Bobby Perez, Legal Council for the Forest Crest Neighborhood Association (FCNA), spoke in opposition to the proposed rezoning case. He noted FCNA had two main concerns being density and environmental issues. Mr. Perez stated that a compromise was reached whereby the developer will remove a 106 acre tract from the proposed rezoning case. Additionally, the developer had agreed to restrictive covenants that would cap development and set out boundaries to the north and east that abut the park and abut Camp Bullis.

Ms. Marlene Richardson stated that she was a resident of District 8 and was opposed to the rezoning case primarily because the property is located over the Edward Aquifer Recharge Zone. Ms. Richardson stated that 65% impervious cover was unacceptable as over 800 acres are involved in the proposed rezoning case.

Mr. Tomas Larralde, spokesperson for Congressman Ciro Rodriguez, addressed the Council with concerns of development impeding the Training Missions at Camp Bullis. He stated that primarily Congressman Rodriguez was concerned for the Training Missions and environmental issues. Mr. Larralde asked the Council to take those factors into consideration.

Mr. Greg Stevens, Deputy to Major General Czerw, thanked Mayor Hardberger for reading General Czerw's letter into the record. He also thanked Councilmembers Cibrian and McNeil for their time spent on the issues relative to Camp Bullis.

Mr. Daniel Ortiz, Legal Counsel for the applicant, formally amended the proposed rezoning application to exclude the 106 acre tract. Secondly, he stated that the tract labeled R-1 on the existing Site Plan; the triangle tract adjacent to Camp Bullis will be limited to no more than 40 total residential units. Lastly, restrictive covenants will be executed and on file and will run with the land.

Mr. Gene Dawson Jr. representative of Thomas Enterprises, better known as The Rim, addressed the Council and stated that the development was a portion of the Martin Marietta Quarry. Mr. Dawson stated that there were three primary issues which were 1) Proximity to Camp Bullis, 2) Recharge Zone Development, and 3) Adjacent neighborhoods. Mr. Dawson stated that a portion of the property has been designated as Category 1, which means it's not limited on an impervious cover. However, he stated that Thomas Enterprises had agreed to 65% impervious cover. Mr. Dawson added that the compromise was important because the property was not grandfathered, meaning that the property could have been developed at 80% impervious cover. Mr. Dawson stated that he worked with SAWS and identified recharge features on the property and has agreed to 100-200 foot buffers around each feature. He stated that restrictive covenants are on file and will be executed as well as deed restrictions.

Councilmember Cibrian moved to approve the proposed rezoning case as presented by the applicant's Legal Counsel, Daniel Ortiz and by the applicant's Engineer, Gene Dawson Jr. Councilmember Wolff seconded the motion.

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

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: 725.471 ACRES OUT OF NCB 14747, NCB 14853, NCB 14881, NCB 14882, NCB 18332, NCB 34760, NCB 34761, NCB 34763, NCB 34777, NCB 34778 AND NCB 34781. TO WIT: FROM "RP" RESOURCE PROTECTION, "R-20" RESIDENTIAL SINGLE FAMILY DISTRICT, "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT, "O-2" OFFICE DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT, "C-3 R" COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, AND "QD" (CD-BLASTING AND ASPHALTIC CONCRETE) QUARRY DISTRICT WITH A CONDITIONAL USE FOR BLASTING AND ASPHALTIC CONCRETE TO "MPCD" MASTER PLANNED COMMUNITY DISTRICT. PORTIONS OF THIS PROPERTY ARE LOCATED WITHIN THE "ERZD" EDWARDS RECHARGE ZONE DISTRICT AND THE "GC-1" GATEWAY CORRIDOR OVERLAY DISTRICT-1; HOWEVER, THE PROPOSAL DOES NOT INCLUDE REMOVING OR ALTERING THE BOUNDARIES OF EITHER OF THESE DISTRICTS.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley thanked the City Council for attending the all day Retreat/Budget Work Session. She stated that City Staff now has clear direction on the goals and objectives in preparation for the upcoming 2008-2009 Budget.

Mayor Hardberger recessed the Regular Meeting at 6:05 pm. Mayor Pro-Tem Herrera reconvened the Regular Meeting at 6:13 pm and addressed Citizens to be Heard.

CITIZENS TO BE HEARD

Mr. Nazirite Ruben Flores Perez addressed the Council and cited biblical scripture and stated his religious beliefs. Mr. Perez stated that the Police Chief should not lead the Gay Parade and stated that was against religious beliefs.

Mr. Nick Calzoncit addressed the Council and expressed his happiness in that 6 women were elected to City Council. Mr. Calzoncit stated that smoking was harmful to everyone's health. He added that he attended an Ethics Review Board Meeting and was not pleased that only two women serve on the Board. He asked the Council to consider appointing more females to serve on Boards.

Mr. Faris Hodge Jr. addressed the Council in reference to two lawsuits that have been filed against the Police Chief relating to discrimination. Mr. Hodge stated that he was against the Bond Election and could not support the Bond packages that were approved. Lastly, Mr. Hodge sang the Yellow Rose of Texas.

Mr. Bob Martin, President of the Homeowners Taxpayers Association of Bexar County, stated that the Association was a taxpayer advocacy program. He explained that his primary purpose of attending the Council Meeting was to congratulate the City Councilmembers on being elected to Office. Mr. Martin spoke of term limits and taxes. He stated that San Antonio pays the highest taxes in the State of Texas for the privilege of living in San Antonio. Mr. Martin stated that San Antonio was the fourth highest paying tax city in the United States. He reminded all that term limits and council pay were voted against in May 2005.

Mr. Mark Perez addressed the Council and stated that he has raised the issue of hazardous chemicals and will continue to raise the issue. He stated that businesses are operating without a Certificate of Occupancy. Mr. Perez stated that he worked with chemicals and the Department of Labor informed him that the chemicals were hazardous. Lastly, he noted that his spouse had still-born twins due to hazardous chemical exposure.

Mr. Joe Garcia addressed the Council in reference to the Witte Museum and the trees in the area. He stated that if any trees are removed those should be transplanted in the general area of Brackenridge Park. Mr. Garcia added that the trees protect the environment and clean the air.

ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:36 pm.

A P P R O V E D

PHIL HARDBERGER
MAYOR

Attest:

LETICIA M. VACEK
CityClerk

LV/tf
20070628