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, NOVEMBER 28, 2007 AND THURSDAY, NOVEMBER 29, 2007.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **November 28, 2007**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Cibrian, Wolff, Clamp, and Mayor Hardberger. **ABSENT:** Rodriguez.

1. PRESENTATION OF THE ANNUAL REPORT OF THE CITIZENS BOND OVERSIGHT COMMISSION WITH AN UPDATE ON THE EFFORTS OF THE COMMISSION FOR THE PAST YEAR AND A PROGRESS REPORT.

Mr. Terrell McCombs, Citizens Bond Oversight Commission (CBOC) Chairman, reported that the 2003 Bond would be substantially completed by December 31, 2007 and that past bonds had been brought up to date. He noted that the CBOC was created on September 11, 2003 and required by ordinance to provide annual reports to the City Council and Commissioners Court. He referred to the twenty members comprising the CBOC who reside in Bexar County. Mr. McCombs presented charts to the Council which mapped progress from the design phase, construction, and completion for Propositions One through Five. He outlined the CBOC 2007 Recommendations which include streamlining internal processes and implementing a Contracts Review Task Force. Mr. McCombs concluded his presentation by stating that the CBOC looks forward to supporting the City Manager's effort for a large bond election every five years in order to build new and maintain current infrastructure for San Antonio.

Mayor Hardberger congratulated the Citizen's Bond Oversight Commission for looking at the bond contracts and improving the process.

Mr. Mike Frisbie, Capital Improvements Management Services Department Director, presented an overview of the new approach to Capital Programs and the 2007-2012 Bond Program. The new approach includes fostering relationships with SAWS & CPS, implementing a Design Guidance Manual, Decreasing the number of Change Orders, Developing new Contract Documents, and Streamlining Procedures. He noted that reviewing utilities at the beginning of a project is crucial to keep costs low, but they are often overlooked. It was stated that the City would be the lead agency in the new plan and there will only be one contractor working on a project rather than several working around each other. Mr. Frisbie highlighted several current projects, noting the stages of development each were in. He concluded by presenting a tentative schedule for the 2007-2012 Bond Program. Ms. Sculley added that she plans to report to Council quarterly regarding the Bond Program Status. Several Councilmembers agreed that a monthly report would be in order at the beginning of the reporting.

Mayor Hardberger recessed the meeting at 3:55 pm to convene in Executive Session for the purposes of:

A. DISCUSS LEGAL ISSUES RELATED TO THE TOWING SERVICES CONTRACT PURSUANT TO TEXAS GOVERNMENT CODE SEC. 551.071 (CONSULTATION WITH ATTORNEY).

B. DELIBERATION AND DISCUSSION OF LEGAL ISSUES RELATED TO CITY COUNCIL PROCEDURES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:10 pm noting that the City Council had been briefed on the above-styled matters but took no action.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 29, 2007** at 9:00 am in the City Council Chambers.

The Invocation was delivered by John P. Feagins, Pastor, Chapel Hill United Methodist Church, Guest of Councilmember Philip Cortez, District 4.

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

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

MINUTES

Councilmember Rodriguez made a motion to approve the minutes for the October 11, 2007 Regular City Council Meeting. Councilmember Cortez 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

Councilmember Herrera recognized Beth Costello, Director of International Affairs who introduced Ms. Hiroko Mishoa, Senior Assistant to the City of San Antonio's Office in Tokyo. Ms. Mishoa works to promote San Antonio to the business communities throughout Japan and was visiting San Antonio for the first time.

Councilmember Gutierrez recognized Mike Bloom, Crystal Villarreal and Mr. Claiborne and Associates in reference to Item #33. He thanked Highland Heights SA, LLC for the land donation which will be developed into parkland.

Councilmember Cortez referenced Item #52-O and commended the City South Management Authority Board of Directors for the work they are doing in promoting growth and development on the South Side of San Antonio.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-11-29-1187

Item 4. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING CONVEYANCE TO THE SAN ANTONIO RIVER AUTHORITY OF: 1.) 2-CITY –OWNED PARCELS OF LAND, 2.) CLOSING, VACATING AND ABANDONING A PORTION OF UNIMPROVED MCKAY STREET AND UNIMPROVED LOCKWOOD STREET, AND 3.) 2-SAWS-OWNED PARCELS OF LAND, ALL FOR THE DEVELOPMENT OF THE SAN ANTONIO RIVER IMPROVEMENT PROJECT—MISSION REACH, PHASE I; DISTRICTS 3 AND 5.

Oscar Serrano, Asset Management Department, presented said item. He stated that said item would convey properties and street rights of way to the San Antonio River Authority (SARA). SARA requested two City-owned parcels and two SAWS-owned parcels of land for the development of the San Antonio River Improvement Project – Mission Reach, Phase I. Mr. Serrano added that the proposed improvements would include trails, landscaping, benches, and other amenities to enhance the river for public use. Lastly, he stated that SARA would maintain the properties.

Jack M. Finger spoke in opposition to said item. He stated that this had been voted down in the past and that the citizens did not support the project. He also expressed his opposition to Items 7A and 7B, stating that funding should be included in the Annual Budget.

City Clerk Leticia M. Vacek read written testimony from Faris Hodge, Jr. in opposition to Item 7B. He wrote that everyone should pay taxes equally and that businesses should not be exempt from paying taxes, especially the large companies.

Councilmember McNeil 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.

The City Clerk read the following Ordinances:

Item 5. CONSIDERATION OF THE FOLLOWING ITEMS IN CONNECTION WITH ISSUANCE OF TAX EXEMPT FINANCING RELATED TO THE SAN ANTONIO INTERNATIONAL AIRPORT

2007-11-29-1188

A. NINTH SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE RELATING TO THE ISSUANCE OF OBLIGATIONS SECURED WITH GROSS REVENUES OF THE CITY'S AIRPORT SYSTEM FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF APPROXIMATELY $83,000,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2007; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO, INCLUDING A PURCHASE CONTRACT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

2007-11-29-1189

B. THIRD SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE RELATING TO THE ISSUANCE OF OBLIGATIONS SECURED IN WHOLE OR IN PART WITH "PASSENGER FACILITY CHARGES" (THE "MASTER PFC ORDINANCE") AND TENTH SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE RELATING TO THE ISSUANCE OF OBLIGATIONS SECURED WITH GROSS REVENUES OF THE CITY'S AIRPORT SYSTEM (THE "MASTER AIRPORT SYSTEM ORDINANCE") FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF APPROXIMATELY $74,000,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2007; GRANTING A FIRST LIEN ON PASSENGER FACILITY CHARGES UNDER THE MASTER PFC ORDINANCE AND A LIEN ON SUBORDINATE NET REVENUES OF THE AIRPORT SYSTEM UNDER THE MASTER AIRPORT SYSTEM ORDINANCE; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO INCLUDING A PURCHASE CONTRACT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

Ben Gorzell, Finance Director, stated that said ordinance would authorize the sale of $82,400,000 in Airport System Revenue Improvement Bonds, Series 2007, and $74,860,000 in Passenger Facility Charge and Subordinate Lien Airport System Revenue Improvement Bonds, Series 2007. Mr. Gorzell noted key dates in the sale and delivery of the bonds, and outlined the transaction summary. He added that the interest rates the City received were very low and that was an accomplishment since the market had been volatile the previous few months.

Councilmember McNeil moved to adopt the proposed Ordinances for 5A and 5B. Councilmember Clamp seconded the motion.

The motion to approve Items 5A and 5B 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:

2007-11-29-1190

Item 6. AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF APPROXIMATELY $21,930,000 "CITY OF SAN ANTONIO, TEXAS TAX NOTES, SERIES 2007A", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE NOTES; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE NOTES; AUTHORIZING THE EXECUTION OF A PAYING AGENT /REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING AN EFFECTIVE DATE.

Ben Gorzell presented said item which would authorize the sale of $21,270,000 Tax Notes, Series 2007A. He stated that Moody's had upgraded the City's previous rating to "Aa1", noting that the renewed focus on the General Fund Balance was a positive credit factor. Mr. Gorzell noted that these were five-year notes, compared to the typical twenty-year notes, and that the City had received a low interest rate of 3.52%.

Councilmember Cortez 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, Cibrian, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Rodriguez and Wolff.

The City Clerk read the following Ordinances:

Item 7. CONSIDERATION OF THE FOLLOWING ITEMS IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF CERTAIN TAX EXEMPT SECURITIES BY THE CITY OF SAN ANTONIO:

2007-11-29-1191

A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF APPROXIMATELY $125,850,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2007"; LEVYING AN AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AGREEMENT, AND A PURCHASE CONTRACT; ENACTING ANY OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

2007-11-29-1192

B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF APPROXIMATELY $110,691,000 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2007"; LEVYING OF AN AD VALOREM TAX AND PLEDGING CERTAIN REVENUES FOR PAYMENT OF THE CERTIFICATES; RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE OF THE CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Ben Gorzell presented items 7A and 7B noting that said ordinances would authorize the sale of $121,220,000 in General Improvement and Refunding Bonds, Series 2007, and $106,755,000 in Combination Tax and Revenue Certificates of Obligation, Series 2007. He stated that this was the first installment from the May 2007 Bond Election. Mr. Gorzell outlined key dates in the sale and delivery schedule, and noted an upgrade in the bond rating from Moody's to "Aa1". Lastly, he noted the low interest rate of 4.36% that the City had received.

Councilmember Cortez moved to adopt the proposed Ordinances for 7A and 7B. Councilmember Cisneros seconded the motion.

The motion to approve Items 7A and 7B prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Rodriguez.

The City Clerk read the following Ordinance:

2007-11-29-1193

Item 8. AN ORDINANCE REPEALING ARTICLE XII (PARADES) AND ARTICLE XIII (RUN, WALK AND CYCLING EVENTS OF CHAPTER 19 OF THE CITY CODE, AND CREATING ARTICLE XVII (PARADES, RUNS, WALKS, AND RELATED EVENTS) AND ESTABLISHING CRIMINAL PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.

Penny Postoak Ferguson, Assistant City Manager, provided background on the current Procession Ordinance noting that two permitting processes for parades and runs, walks, and cycling events exist. She stated that several events throughout the year include requests to waive certain costs. The Budget ordinance adopted in 2005 does not provide a process for waiving fees. She noted that the proposed ordinance would consolidate regulations on all events and would establish a requirement to obtain permits and to pay fees for permits, as well as public safety costs.

Ms. Ferguson stated that staff had met with stakeholders and held a public hearing on October 22, 2007. She noted that the City would cover the cost of the following: *Diez y Seis Parade, Martin Luther King March, Veterans Day Parade, Fiesta Parades and related events, and the Cesar Chavez March.* She outlined the permit fees, public safety costs, and permit applications and deadlines. She added that permit holders could receive a 13-month (prior to event) advance approval for events. She stated that although insurance was not required for "First Amendment Processions," it would be strongly encouraged. Additionally, "Non-First Amendment Processions" would continue to require insurance. She noted that the previous ordinance allowed an appeal for denial of a permit to the City Council. The proposed ordinance would allow an appeal to be made to the City Council, City Manager, or designee. Lastly, she stated that there would be a proposed penalty fine of $500 for failure of organizers to obtain a permit or for violation of the public conduct portion of the ordinance.

Ms. Dee Villarrubia, 4003 Kendall, stated that she was thankful that the Council and Community were able to work together even if they had different views. She noted that she was not against parades, but did not like that some parades were given special treatment. She then referred to Mayor Maury Maverick, Sr. and Emma Tenayuca who were run out of San Antonio over a permit.

Ms. Fabiola Torralba, 139 Dannyolay, spoke of the first time she participated in the Women's Day March and the importance of speaking up for what one believes in. She stated that she favored an ordinance that was not biased toward one group over another.

Mr. David Plylar, 4218 Misty Glade, gave his time to Jamie Martinez who thanked Ms. Penny Postoak Ferguson for her work. He stated that he was trying to get everyone involved in the process to protect human rights because it was a struggle around the world. Mr. Martinez stated that he believed the City

was on the right track. He added that he did not need a permit for certain events and that as a minority it was important to organize to get the necessary attention.

Ms. Amanda Haas, 3223 Howard Street, noted the Council's desire to make San Antonio a "world class city." She spoke of the Women's Day Parade which began with a fire that killed many women in the 1880's. She then asked the Council why anyone would follow the ordinance and pay $13,000 for a parade when they could just pay the $500 penalty for not obtaining a permit. Ms. Haas suggested a cap on the costs.

Ms. Graciela Sanchez, representative from the International Woman's Day March, stated that their organization was not satisfied with the ordinance. She added that they felt that the City was not honoring first amendment rights and favored certain groups. She noted that the group sometimes walked on the sidewalks to avoid fees, but she did not think the City should not be able to charge them for walking in the streets according to the previous ordinance.

Ms. Tanya Garduno addressed the Council and noted that she was a representative for the Southwest Workers Union and the Free Speech Coalition. She stated that she was against the ordinance because it violated people's rights and showed favoritism.

Ms. Joleen Garcia, 321 Linares, stated that she had participated in discussions with City staff and that the ordinance restricts free speech and hurts people who cannot afford the permit.

Ms. Viola Casares, Fuerza Unida representative, addressed the Council noting her opposition to said item.

Ms. Barbara Gonzalez, 922 San Pedro Avenue, stated that words were more dangerous than bullets. She noted that her father and three brothers were veterans who opposed the war in Iraq.

Ms. Mia Kany, 922 San Pedro Avenue, noted that she was a representative for the Esperanza Center and the Free Speech Coalition and that she had attended most of the meetings with City staff. She added that she was a student and the costs to obtain a permit were out of most students' reach.

Mr. John Stanford, 2311 West Gramercy, stated that freedom was not absolute. He stated that the ordinance was an attack on people's rights and freedoms and that tax dollars should cover the costs of marches.

Mr. Antonio Diaz addressed the Council and stated that he was upset with the time that this item was being presented because it was unfair to people who had to work. He noted that he had gone to several meetings with City staff and that he was against the item because it would affect his constitutional rights.

Mrs. Vacek read written testimony from former Councilmember Patti Radle. Ms. Radle wrote that the ordinance was unfair to some groups because it made first amendment rights unaffordable to those without City backing or a large bank account. She recognized that marches were not the only way to exercise first amendment rights, but hoped that discussion would lead to an ordinance which would make marches affordable to all citizens.

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

Councilmember Rodriguez moved to amend the proposed ordinance with the stipulation that the City would be responsible for up to $3,000 of event expenses. Councilmember Cortez seconded the motion.

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

CONSENT AGENDA: Items 9-52Q

Consent Agenda Items 13, 41, 42, 45, 49 and 52B were pulled for Individual Consideration. Councilmember Clamp moved to approve the remaining Consent Agenda Items. Councilmember McNeil seconded the motion.

Jack M. Finger spoke in opposition to Item 41 stating that all delegate agencies should be held to the 50% matching requirement.

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

2007-11-29-1194

Item 9.AN ORDINANCE CONSENTING TO THE ASSIGNMENT OF A CONTRACT FOR DEMOLITION SERVICES FROM MARCELLO GARZA TO EMILIO GARZA D/B/A AMERICAN SC AND RATIFYING AN AMENDMENT TO EXTEND THE CONTRACT TERM AND INCREASE THE COST TO A TOTAL OF $236,934.68.

2007-11-29-1195

Item 10. 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 2007-2008 FOR A COMBINED ESTIMATED COST OF $3,450,00.00, INCLUDING: (A) GASOLINE & DIESEL REFUELING EQUIPMENT PARTS & SERVICE; (B) TRUCK AND INDUSTRIAL TIRES; (C) ANTENNAS; (D) MATERIALS & LABOR TO MAINTAIN HEATING & AIR CONDITIONING SYSTEMS AT LA VILLITA FOR LEASED & CITY OPERATED FACILITIES; (E) INSPECTION OF AERIAL APPARATUS & GROUND LADDERS; (F) LIGHTS, SIRENS, & SPEAKER PARTS; (G) SEGREGATION OF DUTIES SOFTWARE LICENSES & MAINTENANCE FOR SAP; (H) MAINTENANCE, REPAIRS, & OPERATING SUPPLIES; (I) ADOBE'S LIVECYCLE ENTERPRISE SUITE & MAINTENANCE; AND (J) SERVICE DESK APPLICATION AND MAINTENANCE.

2007-11-29-1196

Item 11. AN ORDINANCE ACCEPTING OF THE BIDS FROM PROFESSIONAL TURF PRODUCTS AND MISSION GOLF CARS TO PROVIDE THE CITY WITH NINE UTILITY VEHICLES FOR A COST OF $75,466.08, FROM THE RENEWAL AND REPLACEMENT FUND.

2007-11-29-1197

Item 12. AN ORDINANCE RATIFYING A CONTRACT WITH NOVARTIS VACCINES & DIAGNOSTICS, INC., TO PROVIDE THE HEALTH DEPARTMENT WITH INFLUENZA VACCINES FOR THE 2007-2008 ANNUAL INFLUENZA CAMPAIGN FOR A COST OF $349,932.80.00, FROM THE WELLMED GRANT FUNDS.

2007-11-29-1199

Item 14. AN ORDINANCE AUTHORIZING ISSUING A $266,813.80 JOB ORDER TO CON-COR/APM JV FOR INSTALLING AIR HANDLERS AT THE MUNICIPAL PLAZA BUILDING, 114 W. COMMERCE STREET, LOCATED IN DISTRICT 1.

2007-11-29-1200

Item 15. AN ORDINANCE RATIFYING A $410,137.75 AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH 3D INTERNATIONAL, INC., FOR ADDITIONAL DESIGN SERVICES FOR SECURITY AND ACCESS CONTROL ASSOCIATED WITH THE TERMINAL AND AIRFIELD SECURITY AND CHECKPOINT CCTV PROJECTS AT SAN ANTONIO INTERNATIONAL AND STINSON MUNICIPAL AIRPORTS, APPROPRIATING FUNDS AND TRANSFERRING UNALLOCATED APPROPRIATIONS WITHIN THE PROJECT'S BUDGET; AND AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH BOOZ ALLEN HAMILTON, INC. FOR AN ENVIRONMENTAL ASSESSMENT AND NOISE STUDY IN THE DEDUCTIVE AMOUNT OF $220,679.00 AND REAPPROPRIATING THE AVAILABLE FUNDS TO THE 3/DI CONTRACT.

2007-11-29-1201

Item 16. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE $965,586.00 PROFESSIONAL SERVICES AGREEMENT WITH FOSTER CM GROUP, BY INCREASING THE FEE AMOUNT BY $1,792,899.96 FOR A REVISED TOTAL CONTRACT AMOUNT OF $2,758,485.96 FOR ADDITIONAL DESIGN REVIEW, INSPECTION AND TESTING SERVICES ASSOCIATED WITH THE RESIDENTIAL ACOUSTICAL TREATMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT, APPROPRIATING FUNDS AND REVISING THE BUDGET.

2007-11-29-1202

Item 17. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES WHICH WILL INCREASE FUNDING SUPPORT FROM $336,254.00 TO $378,954.00 FOR THE ONGOING SEXUALLY TRANSMITTED DISEASE STAFF SUPPORT PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2007.

2007-11-29-1203

Item 18. AN ORDINANCE APPROVING CHANGE ORDER NO. 26 IN THE AMOUNT OF $33,519.90 AND CHANGE ORDER NOS. 34 AND 37 IN THE DEDUCTIVE AMOUNTS OF $56,387.95 AND $57,750.00, TO THE CONSTRUCTION CONTRACT WITH CONSTRUCTORS & ASSOCIATES FOR PROJECT 3 VOLUME 1, TERMINAL 2 TENANT RELOCATION AND SELECTIVE DEMOLITION AT THE SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET.

2007-11-29-1204

Item 19. AN ORDINANCE RATIFYING AND APPROVING CHANGE ORDER NO. 23 IN THE AMOUNT OF $32,654.78 TO THE CONSTRUCTION CONTRACT WITH ARCHER WESTERN CONTRACTORS, LTD., PROJECT 6 ROADWAYS AND UTILITIES, AND PROJECT 10 VOLUME 2, HYDRONIC LINES RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS AND REVISING THE BUDGET.

2007-11-29-1205

Item 20. AN ORDINANCE APPROVING A NET INCREASE OF $1,830.00 TO A PROFESSIONAL SERVICES AGREEMENT WITH HNTB CORPORATION, INCLUDING A $66,170.00 INCREASE FOR ADDITIONAL DESIGN SERVICES IN CONNECTION WITH STRIPING AND SIGNAGE WHICH WILL LINK NEW AND OLD PARKING AREAS AT THE SAN ANTONIO INTERNATIONAL AIRPORT, A $10,000 INCREASE FOR PRINTING, AND AN OFFSET OF $74,340.00 FROM UNUTILIZED PRIOR APPROPRIATIONS; REALLOCATING FUNDS, APPROPRIATING FUNDS AND REVISING THE BUDGET.

2007-11-29-1206

Item 21. AN ORDINANCE APPROVING CHANGE ORDER NO. PW-04 IN THE AMOUNT OF $36,082.20 TO THE CONSTRUCTION CONTRACT, AS CHANGED, WITH SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION WITH THE CULEBRA AREA STREETS PHASE IV PROJECT, LOCATED IN DISTRICT 7 AND APPROPRIATING FUNDS.

2007-11-29-1207

Item 22. AN ORDINANCE SELECTING THE BEST VALUE PROPOSAL BY CROWNHILL BUILDERS, INC., FOR NEGOTIATION AND EXECUTION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED $1,094,479.00 FOR WORK IN CONNECTION WITH THE GRANADOS PARK ADULT AND SENIOR ACTIVITY CENTER AND PARK IMPROVEMENTS PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH HUD 108 LOAN PROGRAM LOCATED IN DISTRICT 1; AND APPROPRIATING FUNDS.

2007-11-29-1208

Item 23. AN ORDINANCE AUTHORIZING AN INDEFINITE TERM JOINT USE AGREEMENT WITH HILLSTAR INVESTMENTS, LTD. FOR $5,000 PAYABLE TO THE CITY, FOR A SEWER LATERAL IN A DRAINAGE RIGHT OF WAY IN UNITS 1A AND 1B OF THE VISTA POINT SUBDIVISION IN THE GENERAL LOCATION OF RAY ELLISON BLVD. LOCATED IN DISTRICT 4.

2007-11-29-1209

Item 24. AN ORDINANCE APPROVING AN AMENDMENT OF THE LEASE WHEREBY THE MEXICAN AMERICAN UNITY COUNCIL, LEASES SPACE TO THE CITY, THE AMENDMENT INCREASING THE LEASED SQUARE FEET AND APPROVING THE OPTIONAL USE OF THE COMMUNITY HALL LOCATED IN DISTRICT 5.

2007-11-29-1210

Item 25. AN ORDINANCE AUTHORIZING THE CITY TO LICENSE, FOR $23,543, TO SA REAL ESTATE, LLLP THE CONSTRUCTION AND MAINTENANCE OF A 16-INCH WATER LINE IN THE JUDSON ROAD RIGHT OF WAY LOCATED IN DISTRICT 10.

2007-11-29-1211

Item 26. AN ORDINANCE AUTHORIZING AN ELEVEN-MONTH LEASE WITH SERVISAIR USA, INC. FOR 1,920 SQUARE FEET IN THE AIR CARGO BUILDING WEST AT SAN ANTONIO INTERNATIONAL AIRPORT COMMENCING DECEMBER 1, 2007 FOR MONTHLY RENTALS OF $1,193.32.

2007-11-29-1212

Item 27. AN ORDINANCE AMENDING ORDINANCE NO. 2007-06-28-0775 THAT DECLARED A PUBLIC NECESSITY TO CORRECT THE LEGAL DESCRIPTION OF LAND ACQUIRED TO BE DESCRIBED AS LOTS 1, 2, 3 AND 4 AND ALL OF LOTS 18, 19, 20 AND 21, BLOCK 7, NEW CITY BLOCK 2113, SAN ANTONIO, TEXAS FOR A PUBLIC PURPOSE NAMELY THE WILLIE VELASQUEZ EXPANSION PROJECT LOCATED IN DISTRICT 1, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS PART OF THIS PROJECT, AND APPROPRIATING FUNDS FOR THIS PROJECT.

2007-11-29-1213

Item 28. AN ORDINANCE AUTHORIZING THE CITY'S ACQUIRING EIGHT PARCELS OF REAL ESTATE IN CONNECTION WITH THE MEDICAL CENTER INTERSECTION IMPROVEMENTS PHASES IV, AND V PROJECT, AN AUTHORIZED CERTIFICATE OF OBLIGATION PROJECT, DISTRICT 8.

2007-11-29-1214

Item 29. AN ORDINANCE ACCEPTING DONATION DEEDS OF REAL PROPERTY OF A TOTAL OF 19,549.40 SQUARE FEET OUT OF A 347,667ACRE TRACT IN NCB 19219 FROM KB HOME LONE STAR, L.P. AND FORESTAR (USA) REAL ESTATE GROUP, INC. TO BE USED AS STREET RIGHT OF WAY FOR THE KNIGHTS CROSS CONNECTION PROJECT LOCATED IN DISTRICT 10.

2007-11-29-1215

Item 30. AN ORDINANCE APPROVING TWO FARMERS' MARKET RETAIL LEASE AGREEMENTS, ONE WITH BANDANA RUBY LLC FOR USE OF STALL S-11, CONTAINING 114 SQUARE FEET FOR RETAIL SALES, AND ONE WITH HUGO MATTA D/B/A TIENDA PASEO DEL RIO FOR USE OF STALL S-6, CONTAINING 114 SQUARE FEET FOR RETAIL SALES, BOTH FOR TERMS ENDING ON AUGUST 31, 2009 AND FOR RENTAL RATES STARTING AT $400 PER MONTH.

2007-11-29-1216

Item 31. AN ORDINANCE APPROVING A TEMPORARY, MONTH-TO-MONTH LEASE AGREEMENT WITH THE SAN ANTONIO PARK POLICE OFFICERS ASSOCIATION FOR 638.7 SQUARE FEET OF THE 2ND FLOOR OF BLDG. 14B IN LA VILLITA FOR PROPERTY STORAGE AT A MONTHLY RATE OF $0.29/SQ. FT.

2007-11-29-1217

Item 32. AN ORDINANCE APPROVING AN AGREEMENT WITH BLANCO RIO LTD. TO EXCHANGE A .007 ACRE TRACT OF CITY OWNED LAND ADJACENT TO THE RIVER WALK FOR A .015 ACRE TRACT OF PRIVATELY OWNED LAND ADJACENT TO THE RIVER WALK, AND, IN ADDITION, REQUIRING BLANCO RIO LTD. TO CONSTRUCT TWO STAIRCASES PROVIDING PUBLIC ACCESS TO THE RIVER WALK AT HOUSTON STREET AND TRAVIS STREET.

2007-11-29-1218

Item 33. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DONATION FROM HIGHLAND HEIGHTS SA, LLC OF APPROXIMATELY 57.7 ACRES OF LAND LOCATED AT 4000 VALLE VISTA DRIVE IN DISTRICT 3 TO BE DESIGNATED FOR PARKLAND AND APPROVING $11,229.00 TO BE UTILIZED FOR CLOSING COSTS AND FEES IN CONNECTION WITH THIS ACCEPTANCE.

Item 34. CONSIDERATION OF THE FOLLOWING ORDINANCES IN CONNECTION WITH PROPERTY ACQUISITIONS AS PART OF THE LINEAR CREEKWAY PARKS DEVELOPMENT PROJECT ON LEON CREEK, SALADO CREEK, AND THE MEDINA RIVER.

2007-11-29-1219

A. AN ORDINANCE APPROVING A TOTAL AMOUNT OF $78,759.00, INCLUDING A $45,000 PURCHASE PRICE, FOR THE ACQUISITION OF APPROXIMATELY 3.27 ACRES ADJACENT TO SALADO CREEK IN DISTRICT 2 AND APPROXIMATELY 7.28 ACRES ADJACENT TO LEON CREEK IN DISTRICT 7.

2007-11-29-1220

B. AN ORDINANCE APPROVING $231,220.00 TO ACQUIRE, THROUGH NEGOTIATIONS OR CONDEMNATION, FOUR PARCELS OF REAL PROPERTY NEAR MEDINA RIVER, LEON CREEK AND SALADO CREEKS, LOCATED IN DISTRICTS 3, 6 AND 10 IN THE AREAS LISTED BELOW FOR THE LINEAR CREEKWAYS DEVELOPMENT 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; AND APPROPRIATING FUNDS IN THE TOTAL AMOUNT OF $270,125.00 THE PROJECT:

MEDINA RIVER:

1) APPROXIMATELY A 6.014 ACRE TRACT OF LAND BEING OUT OF THAT 29.929 ACRE TRACT OUT OF THE CDPI & M CO SURVEY NO. 4, ABS 169, COUNTY BLOCK 4187,
2) APPROXIMATELY A 6.893 ACRE TRACT OF LAND OUT OF A 72.934 ACRE TRACT,

LEON CREEK:

3) APPROXIMATELY A 0.2548 ACRE TRACT OUT OF THE MEADOWCLIFF ADDITION, LOT 7, BLK 5, NCB 10730,

SALADO CREEK:

4) APPROXIMATELY A 4.92 ACRE TRACT OF LAND IN NCB 13500 BLK 1, LOT 13.

2007-11-29-1221

Item 35. AN ORDINANCE ACCEPTING A GRANT IN THE AMOUNT OF $187,726.42 FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION UNDER THE VIOLENCE AGAINST WOMEN ACT (V.A.W.A.) FOR THE CONTINUATION OF THE EARLY INTERVENTION FOR WOMEN LIVING IN DOMESTIC VIOLENCE PROGRAM, APPROPRIATING FUNDS AND APPROVING A PERSONNEL COMPLEMENT.

2007-11-29-1222

Item 36. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR $95,000.00 TO CONDUCT A STUDY USING THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S STEPS TO A HEALTHIER SAN ANTONIO PROGRAM FOR THE PERIOD OF SEPTEMBER 22, 2007 THROUGH SEPTEMBER 21, 2008; AND AUTHORIZING A ONE-YEAR RENEWAL PERIOD.

2007-11-29-1223

Item 37. AN ORDINANCE AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT IN THE AMOUNT OF $100,000.00 WITH THE SOCIAL AND HEALTH RESEARCH CENTER TO CONDUCT A PROGRAM FOR THE PREVENTION AND STUDY OF CHILDHOOD DIABETES THROUGH THE BIENESTAR PROGRAM FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008.

2007-11-29-1224

Item 38. AN ORDINANCE AMENDING ORDINANCE NO. 2007-04-19-0445, WHICH RELATES TO A GRANT FOR OPERATION FAST TRACK, AND ORDINANCE NO. 2007-04-19-0442, WHICH RELATES TO A GRANT FOR PROJECT EDUCATE, ASSESS, SERVE AND EMPOWER, TO DESIGNATE THE ASSISTANT POLICE CHIEF AS THE GRANTS' AUTHORIZED OFFICIAL AND TO INCLUDE CERTAIN LANGUAGE REQUIRED BY THE TEXAS ADMINISTRATIVE CODE.

2007-11-29-1225

Item 39. AN ORDINANCE DECLARING BUILDINGS 1312 & 1310 – LANDMARK HANGARS 6 & 7, BUILDING 1240 - GATE GOURMET FACILITY, AND BUILDING 1300 - FORMER DOLLAR FACILITY, LOCATED ON THE NORTHEAST CORNER OF SOUTH TERMINAL DRIVE AND JOHN SAUNDERS ROAD AT SAN ANTONIO INTERNATIONAL AIRPORT, AS SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING PHASED DEMOLITION OF THESE BUILDINGS.

2007-11-29-1226

Item 40. AN ORDINANCE SELECTING CIVIL ENGINEERING CONSULTANTS FOR NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT TO DEVELOP A DESIGN GUIDANCE MANUAL FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED $144,931.00, IN CONNECTION WITH THE 2007-2012 BOND PROJECTS, LOCATED CITY-WIDE.

2007-11-29-1229

Item 43. AN ORDINANCE APPROVING THE SECOND EXTENSION OF THE ARBITRAGE REBATE COMPLIANCE SERVICES CONTRACT WITH PINNACLE ARBITRAGE COMPLIANCE, LLC, FOR A TERM COMMENCING DECEMBER 1, 2007 AND ENDING NOVEMBER 30, 2008.

2007-11-29-1230

Item 44. AN ORDINANCE AUTHORIZING THE SAN ANTONIO FIRE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT TO LEASE A TRUCK TO THE SOUTHWEST REGIONAL ADVISORY COUNCIL (STRAC) TO TRANSPORT AN EMERGENCY RESPONSE COMMAND TRAILER.

2007-11-29-1232

Item 46. AN ORDINANCE AMENDING A PROFESSIONAL SERVICES AGREEMENT FOR DENTAL SERVICES WITH DANYA GREIDER, D.D.S., WHICH WILL INCREASE THE MAXIMUM COMPENSATION AMOUNT FROM $66,000.00 TO $198,000.00 THROUGH THE CONTRACT TERM ENDING MARCH 31, 2009.

2007-11-29-1233

Item 47. AN ORDINANCE AUTHORIZING THE ASSIGNMENT OF A PROFESSIONAL SERVICES AGREEMENT FROM LINDA LOPEZ DE ROMAN, D/B/A INSTITUTO PANAMERICANO, TO WORLDWIDE LANGUAGES & COMMUNICATIONS, L.L.C., FOR THE PROVISION OF LANGUAGE INTERPRETATION AND TRANSLATION SERVICES TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH FEBRUARY 29, 2008.

2007-11-29-1234

Item 48. AN ORDINANCE AUTHORIZING THE AMENDMENT AND EXTENSION OF THE CONTRACT WITH DEER OAKS EAP SERVICES TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL NON-UNIFORMED ACTIVE CITY EMPLOYEES AND THEIR ELIGIBLE FAMILY MEMBERS FOR EVALUATION, ASSESSMENT, AND SHORT-TERM COUNSELING SERVICES, FOR THE PERIOD BEGINNING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008.

2007-11-29-1235

Item 50. AN ORDINANCE EXERCISING THE CITY'S OPTION TO RENEW THE FINAL TERM OF AN ON-CALL PROFESSIONAL SERVICES ASBESTOS ABATEMENT CONTRACT WITH TLI AND ENVIRONMENTAL SERVICES, INC., IN AN AMOUNT NOT TO EXCEED $330,000; AND AMENDING THE COMMENCEMENT DATE.

2007-11-29-0020R

Item 51. A RESOLUTION CASTING THE CITY'S 940 VOTES FOR ITS NOMINEE TO SERVE ON THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF OFFICE TO BEGIN ON JANUARY 1, 2008 AND EXPIRE ON DECEMBER 31, 2009.

Item 52. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE NOMINEES, FOR TERMS TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT OR AS STATED BELOW:

A. REAPPOINTING ALEXANDER E. BRISENO AS CHAIR OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2009.

C. APPOINTING ABRAHAM ROBLES, JR. (DISTRICT 4 - CATEGORY: CONSUMER OF HANDICAPPED SERVICES) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

D. REAPPOINTING JULIO F. RUIZ (DISTRICT 4 - CATEGORY: MANUFACTURER'S REP/DISTIBUTOR OF REF/HEATING/A.C. EQUIPMENT) TO THE MECHANICAL BOARD OF APPEALS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 20, 2009.

E. APPOINTING CHARLES L. ARRIAGA (DISTRICT 1) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 22, 2008.

F. REAPPOINTING JEAN BRADY (DISTRICT 1) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2009.

G. APPOINTING LIZ VICTOR (DISTRICT 1) TO THE BOARD OF ADJUSTMENT FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE FEBRUARY 22, 2009.

2007-11-29-0021R

H. A RESOLUTION APPOINTING MANUEL PELAEZ (DISTRICT 9 - CATEGORY: ACADEMIC INSTITUTIONS) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 4, 2009 AND WAIVING THE CATEGORY REQUIREMENT FOR THIS APPOINTMENT TERM, AS REQUESTED BY COUNCILMEMBER WOLFF.

I. REAPPOINTING ALBERT HERNANDEZ (DISTRICT 3 - CATEGORY: FIRE PREVENTION EXPERTISE) TO THE BUILDING AND FIRE CODE BOARD OF APPEALS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JULY 31, 2009.

J. REAPPOINTING ANTONIETTE "TONI" MOORHOUSE (DISTRICT 3) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 28, 2009.

2007-11-29-1236

K. AN ORDINANCE REAPPOINTING HENRY J. FARIAS (DISTRICT 3 - CATEGORY: LAYPERSON) TO THE ELECTRICAL SUPERVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JULY 31, 2009; AND WAIVING THE CATEGORY REQUIREMENT FOR THIS APPOINTMENT TERM, AS REQUESTED BY COUNCILMEMBER GUTIERREZ.

L. REAPPOINTING VICTOR GOMEZ (DISTRICT 3 - CATEGORY: MASTER PLUMBER - UNION REP) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 20, 2009.

M. APPOINTING STEPHEN PENNINGTON (DISTRICT 2) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2009.

N. REAPPOINTING CYNTHIA GUERRA (MAYOR) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2009.

O. REAPPOINTING JESSE F. JENKINS, EDWARD D. GARZA, ORLANDO SALAZAR, AND STEVE TILLOTSON, AND APPOINTING KEVIN CONNER AND PAULA PIPER TO THE CITY SOUTH MANAGEMENT AUTHORITY FOR TERMS OF OFFICE TO COMMENCE JANUARY 1, 2008 AND EXPIRE DECEMBER 31, 2009.

P. APPOINTING MICHELLE PERALES (DISTRICT 4) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

Q. APPOINTING JOE DE LA ROSA (DISTRICT 4 - CATEGORY: CULTURAL ARTIST) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-11-29-1227

Item 41. AN ORDINANCE AMENDING ORDINANCE 2006-01-05-2 BY APPROVING REVISED FUNDING AND CORRESPONDING MATCH LIMITS FOR DELEGATE AGENCIES FUNDED THROUGH FY 2007 AND FY 2008 CONSOLIDATED HUMAN DEVELOPMENT SERVICES FUNDING PROCESS.

Dennis Campa presented and noted that said ordinance would decrease the percentage of delegate agency match funding requirements from 50% to 35%. He noted that historically, several agencies have had difficulty meeting the requirements. He added that agencies have until December 31st to meet the requirement and must provide proof in January.

Father Walter D'Heene spoke in support of Project Quest and Workforce Development. He noted COPS/Metro Alliance's support for decreasing the agency match funding to 35%.

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

Councilmember Wolff made a motion to amend the ordinance to give all City Workforce Development Funds to the Alamo Worksource Development. Councilmember Clamp seconded the motion.

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

Councilmember Clamp made a motion to amend the proposed ordinance by including a $1M threshold – all agencies receiving greater than $1M would have a 35% match requirement; those agencies receiving less than $1M would have a 50% match. Councilmember McNeil seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Alex Briseño on his reappointment as Chair of the San Antonio Water System Board of Trustees. He stated that Mr. Briseño had brought a stable, collaborative leadership to the San Antonio Water System. He noted Mr. Briseño's strong negotiation skills and highlighted the fact that there have been no rate increases in two years.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Meeting at 1:20 pm to break for lunch and convene in Executive Session for the purposes of:

A. Deliberations and discussion relating to the purchase, exchange, lease or value of real property and related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).

B. Deliberation and discussion of legal issues related to the selection of the City's independent auditor, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

C. Deliberation and discussion related to personnel matters, pursuant to Texas Government Code Section 551.074 (personnel matters).

Mayor Hardberger reconvened the Regular Meeting at 4:15 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinances:

2007-11-29-1198

Item 13. AN ORDINANCE APPROVING CHANGE ORDER NO. SAWS-02 IN THE AMOUNT OF $170,511.60 TO THE CONSTRUCTION CONTRACT, AS CHANGED, WITH COLLECTIVE CONTRACTING IN CONNECTION WITH THE 2006-2007 STREET MAINTENANCE PACKAGE 2 PROJECT, LOCATED IN DISTRICT 2.

Councilmember McNeil inquired about the change order and asked for a status of the Florida Street sidewalk piece of the project. Kent Hickingbottom responded that they have found some drainage issues and therefore, will have to come back with a solution. Councilmember McNeil asked that the project move forward in a timely manner.

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

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

2007-11-29-1228

Item 42. AN ORDINANCE WAIVING PROCEDURAL REQUIREMENTS ESTABLISHED BY THE CITY CODE OF SAN ANTONIO, TEXAS, FOR THE RENAMING OF STREETS AND AUTHORIZING THE RENAMING OF "STONE OAK PARKWAY" TO "TPC PARKWAY" BEGINNING IMMEDIATELY EAST OF U.S. HIGHWAY 281 AND CONTINUING UNTIL "STONE OAK PARKWAY" DEAD-ENDS.

Councilmember Herrera inquired about the waiving of the procedural requirements. Rod Sanchez responded that for this item, there were no fees waived. The request was received during a transition period and therefore, there had been some confusion. He reiterated that all required fees were paid.

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

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

POSTPONE

Item 52B. APPOINTING MARISCELA AGUIRRE (DISTRICT 7) AND ASHLEY BARTH (DISTRICT 1) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2009.

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

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

REMOVED FROM AGENDA

Item 49. AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE VOLUNTARY ANNEXATION OF APPROXIMATELY 19.98 ACRES OF LAND KNOWN AS US HIGHWAY 281 NORTH AND MARSHALL ROAD (TACARA) AREA AND APPROVING A SERVICE PLAN FOR THE AREA.

Councilmember Wolff moved to remove the item from the agenda. Councilmember Clamp seconded the motion.

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

CITY MANAGER'S REPORT

There was no City Manager's Report.

CONSENT ZONING

Councilmember McNeil 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 signed up to speak: Z-5, Z-8, Z-9, Z-10, Z-11, and Z-13. Councilmember Cisneros seconded the motion.

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

2007-11-29-1240

Item Z-5. **ZONING CASE # Z2007289 (DISTRICT 1):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "MF-33" H MULTI-FAMILY HISTORIC DISTRICT TO "NC" H NEIGHBORHOOD COMMERCIAL HISTORIC DISTRICT ON LOT 1, BLOCK 2, NCB 3086, 2716, 2718 AND 2720 MCCULLOUGH AVENUE AS REQUESTED BY ROBERT & MAUREEN SHEARER, APPLICANTS FOR ROBERT & MAUREEN SHEARER, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

2007-11-29-1241

Item Z-8. **ZONING CASE # Z2007293 (DISTRICT 4):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT ON 14.11 ACRE TRACT OF LAND OUT OF NCB 15139, 4715 SOUTHWEST LOOP 410 AS REQUESTED BY BROWN, PC, APPLICANT FOR LACKLAND 14, LLC ATTN: RTW LAND HOLDINGS, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

2007-11-29-1242

Item Z-9. **ZONING CASE # Z2007314 (DISTRICT 5):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-2" COMMERCIAL DISTRICT ON LOT 12, NCB 2809, 2101 SOUTH LAREDO STREET AS REQUESTED BY PARTNERS INVESTORS, LLC, APPLICANT FOR FLINT AND PAULINE BOURGEOIS, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

2007-11-29-1243

Item Z-10. **ZONING CASE # Z2008009 S (DISTRICT 5):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3 NA" S GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A SPECIFIC USE PERMIT FOR A HUMAN SERVICES CAMPUS ON LOT 17, BLOCK 40, NCB 251, 601 NORTH FRIO AS REQUESTED BY BEXAR COUNTY (CENTER FOR HEALTH CARE SERVICES), APPLICANT FOR BEXAR COUNTY (CENTER FOR HEALTH CARE SERVICES), OWNER. STAFF RECOMMENDS APPROVAL. ZONING COMMISSION RECOMMENDATION PENDING PUBLIC HEARING.

2007-11-29-1244

Item Z-11. **ZONING CASE # Z2007300 S (DISTRICT 6):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "C-2" COMMERCIAL DISTRICT TO "C-2 NA" S COMMERCIAL DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIFIC USE PERMIT FOR A COMMERCIAL ATHLETIC FIELD ON 1.882 ACRES OUT OF COUNTY BLOCK 4418 (NCB 18859), 5900 BLOCK OF VILLAGE PARK AS REQUESTED BY CHUCK CHRISTIAN, APPLICANT FOR TOM AND GLENDA S. CANO, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

2007-11-29-1246

Item Z-13. **ZONING CASE # Z2007304 (DISTRICT 8):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "O-1" GC-1 OFFICE HILL COUNTRY GATEWAY CORRIDOR OVERLAY DISTRICT-1 TO "C-2" GC-1 COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY DISTRICT-1 ON 1.357 ACRE TRACT OUT OF NCB 18337, OAK ROAD AND INTERSTATE HIGHWAY 10 WEST FRONTAGE ROAD AS REQUESTED BY ANDREW GUERRERO, APPLICANT FOR DAN SNELL, OWNER. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

[CONSENT ZONING ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2007-11-29-1237

Item Z-1. **ZONING CASE # Z2007282 S ERZD (DISTRICT 9):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "C-3" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3" S ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIFIC USE PERMIT FOR A VETERINARY HOSPITAL-SMALL ANIMALS (NO OUTSIDE RUNS, PENS, AND PADDOCKS PERMITTED) ON .8020 ACRES OUT OF NCB 19219, 21000 BLOCK OF US HIGHWAY 281 NORTH AS REQUESTED BY REATA REAL ESTATE SERVICES, LP, APPLICANT FOR BIG SPRING CONCEPTS, LTD., OWNER. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Robert Schmidt, Banfield Pet Hospital representative, stated that he was in favor of the zoning item.

Mrs. Vacek read written testimony from Faris Hodge Jr. who stated that he was against the rezoning because he did not support lethal injections for animals.

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

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** Galvan. **ABSENT:** Gutierrez and Cortez.

CONTINUED

Item Z-2. **ZONING CASE # Z2008010 S ERZD (DISTRICT 9):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM PROPERTY LOCATED OUTSIDE CITY LIMITS TO "C-3" S ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIFIC USE PERMIT FOR A TRANSIT PARK AND RIDE ON 19.982 ACRES OUT OF CB 4900 AND CB 4924, 23000 BLOCK OF US HIGHWAY 281 NORTH AS REQUESTED BY CITY OF SAN ANTONIO, APPLICANT FOR 281/150 STONE OAK DEVELOPERS, LTD., OWNERS. STAFF RECOMMENDS APPROVAL. ZONING COMMISSION RECOMMENDATION PENDING PUBLIC HEARING.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Terry Davis, 23316 South Breeze, stated that he was against the proposed annexation. He stated that SAWS had originally reported that the area was very vulnerable and that the park and ride should not be built but then later claimed they were in favor of it. He stated his concern for the area's well water which was only fifty feet from the development. Mr. Davis was disappointed with Kaufman and Associates because they had told the neighborhood that construction was going to happen and the residents would just have to live with it.

Mr. Mark D. Johnson, 23514 South Breeze, stated that he was not for or against the item. His concern was that the annexation was being rushed through the system. He stated that he had many questions and that neither the Zoning Commission nor Kaufman and Associates were able to give him any answers.

Ms. Janice Hayden, 22749 Lookout Bluff, stated that she had the same concerns as her neighbors, including water and air pollution. She felt that everyone should be concerned about water pollution because we all drink from the Edward's Aquifer.

Mr. Donald Montago, 2815 Broadway Street, voiced his concerns, stating that he was a retired physicist and was very concerned for the environment. He noted that the Aquifer would become heavily polluted if it had propane gas and diesel on top of it.

Councilmember Wolff moved to continue the proposed Zoning Item. Councilmember Clamp seconded the motion.

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

2007-11-29-1238

Item Z-3. **ZONING CASE # Z2007308 CD (DISTRICT 1):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-4" (CD - MULTI-FAMILY DWELLINGS) RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT EXCEEDING 11 UNITS PER ACRE OR A TOTAL OF 2 UNITS ON LOT 37, BLOCK 14, NCB 9217, 862 CLOWER STREET AS REQUESTED BY RODRIGO AND ROXANNI GONZALEZ, APPLICANT FOR RODRIGO AND ROXANNI GONZALEZ, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Rodrigo Gonzalez, 7002 Rosefield, noted that he was the property owner. He stated that the home was 3000 square feet, one story, and could easily accommodate two families. Lastly, he added that it was a great opportunity to alleviate congestion and overcrowding in the area.

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

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

2007-11-29-1239

Item Z-4. **ZONING CASE # Z2007303 H (DISTRICT 1):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT; "MF-33" MULTI-FAMILY DISTRICT; "RM-4" RESIDENTIAL MIXED DISTRICT; "C-3" GENERAL COMMERCIAL DISTRICT; "IDZ" INFILL DEVELOPMENT ZONE; "R-6" (CD-DUPLEX) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX; "C-2 NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT; "C-3 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES DISTRICT; "R-6" HS RESIDENTIAL SINGLE-FAMILY HISTORIC SIGNIFICANCE DISTRICT; "RM-4" HS RESIDENTIAL MIXED HISTORIC SIGNIFICANCE DISTRICT; "O-2" OFFICE DISTRICT; "MF-33" HS MULTI-FAMILY HISTORIC SIGNIFICANCE DISTRICT; "C-3 R" COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "R-6" H RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT; "MF-33" H MULTI-FAMILY HISTORIC DISTRICT; "RM-4" H RESIDENTIAL MIXED HISTORIC DISTRICT; "C-3" H GENERAL COMMERCIAL HISTORIC DISTRICT; "IDZ" H INFILL DEVELOPMENT ZONE HISTORIC DISTRICT; "R-6" H (CD-DUPLEX) RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX; "C-2 NA" H COMMERCIAL, NONALCOHOLIC SALES HISTORIC DISTRICT; "C-3 NA" H COMMERCIAL DISTRICT, NONALCOHOLIC SALES HISTORIC DISTRICT; "R-6" HS H RESIDENTIAL SINGLE FAMILY HISTORIC SIGNIFICANCE HISTORIC DISTRICT; "RM-4" HS H RESIDENTIAL SINGLE-FAMILY HISTORIC SIGNIFICANCE HISTORIC DISTRICT; "O-2" H OFFICE HISTORIC DISTRICT; "MF-33" HS H, MULTI-FAMILY HISTORIC SIGNIFICANCE HISTORIC DISTRICT; "C-3 R" H COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES HISTORIC DISTRICT ON MULTIPLE LOTS GENERALLY BOUND BY EAST ASHBY PLACE TO THE NORTH; NORTH ST. MARY'S STREET TO THE EAST; EAST EVERGREEN COURT TO THE SOUTH; AND NORTH MAIN AVENUE TO THE WEST, AS REQUESTED BY CITY OF SAN ANTONIO, PLANNING DEPARTMENT, HISTORIC PRESERVATION OFFICER, APPLICANT FOR MULTIPLE PROPERTY OWNERS. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Roberto Hinkson, San Antonio Conservation Society Vice President, asked for the Council's support in redesignating Tobin Hill as a Historical District. He noted that the rezoning had been proposed many times before, but had not been approved. Mr. Hinkson added that the designation would promote neighborhood stability, preserve the architecture and culture of the area, and that the residents would be eligible for tax credits.

Mr. Richard Moore, 1806 McCullough, noted that he was the President of the Tobin Hill Residents Association. He stated that he was one of the older residents in the neighborhood and he was against the historical designation. He expressed dissatisfaction with the procedures followed to get to this point of a proposed designation. He noted that the last meeting on the topic occurred August 19, 2004 and the ordinance required them to proceed within one year.

Mr. George Blakey, 315 East Park Avenue, Tobin Hill Residents Association, stated that he had moved from Laredo in 2001 and that he had been restoring his home for the past five years. He expressed that the neighborhood had potential and thanked the San Antonio Police Department for their help in cleaning the neighborhood of prostitution and vagrancy.

Ms. Frederica Kushner, 405 East Myrtle, stated that the neighborhood had been working with the City to revise their neighborhood plan. She noted that San Antonio College and the hospital were in the area and continue to grow.

Ms. June Kachtik, President of UU Housing Assistance, expressed support for said item and explained that UU Housing was a City funded organization that repaired homes for less fortunate citizens. She stated that she was a member of the planning team for Tobin Hill and that it had been a great experience.

Mr. Jon Thompson, 215 East Park Avenue, Tobin Hill Residents Association, stated that he was in favor of the historic designation. He added that the Pearl Brewery and River Extension were both in Tobin Hill and may encourage people to buy homes and turn them into commercial lots. Lastly, he added that the tax breaks that came with historic designation would benefit the elderly in the area.

Mr. Martin Kushner, 405 East Myrtle Street, Tobin Hill Residents Association, stated his support for said item and gave examples of how the tax credits would benefit the residents.

Ms. Candy Anderson, 425 East Evergreen, stated that she had recently moved to San Antonio from a historic district in Houston and that she looked forward to this historic designation.

Ms. Angie Ruiz, 502 East Evergreen Street, Tobin Hill Residents Association, stated that she was proud to live in the area. She noted that she had originally been worried about seniors who lived in the area, but now believed that the historical district tax exemption would help them.

Mr. William Kohm, 502 East Locust, Tobin Hill Residents Association, stated that he used to be on a historical preservation board and had worked on numerous revitalization projects. He presented photos of Tobin Hill Homes that he had restored.

Ms. Melissa Miller, 326 East Dewey Place, Tobin Hill Residents Association, stated her support for the historic designation. Ms. Miller noted that she was a Hawaii Native, but had moved to San Antonio to live in her great grandmother's house. She added that her family had worked hard to restore the home.

Ms. Melissa Johnson, 405 East Park, Tobin Hill Residents Association, stated that the historic designation was necessary to preserve the neighborhood. She added that it would create pride and help to preserve the memories in the neighborhood.

Ms. Pat Brockman, 509 East Park Avenue, Tobin Hill Residents Association, stated that she and her husband had lived in many cities all over the world, but chose to retire in San Antonio. She added that they had worked hard to restore their home and noted her support for the historic designation.

Ms. Nancy Marioles, 526 East Courtland, stated that she was one of the founding members of the Tobin Hill Residents Association. She thanked the Council for helping them to revitalize the neighborhood by designating it historic.

Ms. Carolyn Kelley, 420 East Courtland, Tobin Hill Residents Association, expressed her support for said item and stated that she had worked hard to restore her home.

Mr. Dan Steinke, 419 Shadywood Lane, Tobin Hill Residents Association, stated that he was an investor and had restored properties all over San Antonio. He added that he liked the area and that the historic designation would be beneficial to all.

Mr. Ray Hernandez, 525 East Park Avenue, Tobin Hill Residents Association, stated that he had moved to the area and has stayed in the area because he loves his home.

Mr. Joe Metcalfe, 405 Gillespie Street, Tobin Hill Residents Association, stated that the City should designate Tobin Hill as historic because it would help to create San Antonio's identity.

Mrs. Vacek read written testimony from Marcie Ince, San Antonio Conservation Society President. Ms. Ince wrote that historic designation would help promote neighborhood stability, preserve architectural and cultural characteristics, and create tax benefits for the residents.

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

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

DENIED

Item Z-6. **ZONING CASE # Z2007270 CD (DISTRICT 2):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM"R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2NA" (CD-MODULAR HOUSING SALES) COMMERCIAL, NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR MODULAR HOUSING SALES ON 2.227 ACRES OUT OF NCB 12886, 1722 SEMLINGER AS REQUESTED BY UNITED BILT HOMES, INC., APPLICANT FOR UNITED BILT HOMES, INC. OWNER. STAFF AND ZONING COMMISSION RECOMMEND APPROVAL WITH CONDITIONS.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember McNeil moved to deny the proposed Zoning Ordinance. Councilmember Cisneros seconded the motion.

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

CONTINUED

Item Z-7. **ZONING CASE # Z2007185 (DISTRICT 3):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "R-4" SINGLE FAMILY RESIDENTIAL DISTRICT TO "C-3NA" GENERAL COMMERCIAL, NONALCOHOLIC SALES DISTRICT ON 4.0 ACRES OF LAND OUT OF NCB 11156, 12000 BLOCK OF SOUTHEAST LOOP 410 AS REQUESTED BY RAMIRO VALADEZ, APPLICANT FOR RAMIRO VALADEZ, OWNER. STAFF RECOMMENDS DENIAL. ZONING COMMISSION RECOMMENDS APPROVAL.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Rodriguez moved to continue the proposed Zoning Ordinance. Councilmember Cibrian seconded the motion.

Mr. Jack M. Finger addressed the Council and spoke against items Z-7, P-1, and Z-12. He noted that the applicant for P-1 had withdrawn their request and stated that Z-12 went against the City plan.

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

WITHDRAWN

Item P-1. **PLAN AMENDMENT # 07016 (DISTRICT 7):** AN ORDINANCE AMENDING THE LAND USE PLAN IN THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 2.20 ACRE TRACT OF LAND LOCATED AT 8900 GUILBEAU ROAD FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. **(ASSOCIATED ZONING CASE # Z2007198)**

Mr. Chris Looney noted that the applicant had withdrawn their application for said zoning.

Councilmember Rodriguez moved to remove said item from the agenda. Councilmember Cisneros seconded the motion.

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

2007-11-29-1245

Item Z-12. **ZONING CASE # Z2007198 (DISTRICT 7):** AN ORDINANCE CHANGING THE ZONING DISTRICT BOUNDARY FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO PUD "MF-25" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT ON P-123A, NCB 18553 (2.20 ACRES), 8900 GUILBEAU ROAD AS REQUESTED BY BROWN, P.C., APPLICANT FOR BERNARDO AND ROCIO ARTOLA, OWNERS. STAFF AND ZONING COMMISSION RECOMMEND DENIAL.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Patrick Christianson addressed the Council and stated that he had worked with Margaret Tovar of the Braun West Neighborhood Association to come to an arrangement that worked for everyone.

Councilmember Rodriguez moved to adopt the proposed Zoning Ordinance with Conditions. Councilmember Wolff seconded the motion.

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

[ZONING ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2007-11-29-1231

Item 45. AN ORDINANCE AMENDING THE SAN ANTONIO FIRE DEPARTMENT COMMISSARY CONTRACT WITH STERLING'S PUBLIC SAFETY, INC., TO ADD ADDITIONAL UNIFORM ITEMS FOR PURCHASE.

Councilmember Herrera inquired about price gouging and whether or not the inventory on this contract had been expanded. Chief Hitzfelder responded that the inventory had been expanded through the assistance of a commissary committee who helped identify items. Unfortunately, this caused issues with the availability of certain items. He provided the example of jackets that were not available from wholesalers which had to be purchased through retailers, thus leading to a higher cost. Chief Hitzfelder assured the Council that management was working closely with the committee members and the vendors to ensure that items were affordable and available.

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

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

CEREMONIAL ITEMS

Mayor Hardberger read and presented a proclamation for the City of San Antonio and Bexar County 7th Annual Small, Minority and Women Business Owners Conference on Wednesday, December 5, 2007, at the Henry B. Gonzalez Convention Center. The morning workshop speaker will be Elaine Mendoza, President and CEO of Conceptual MindWorks, Inc. and the afternoon speaker is Jovita Carranza, Deputy Administrator of the U.S. Small Business Administration. The conference is free and open to the public.

Mayor Hardberger also presented a proclamation for the City Manager's 5K Run/Walk December 1, 2007, at Brackenridge Park. The event is free and open to all City employees and their families. The event will feature the 5K Run/Walk, a kid's fun run, health information booths, awards, post-race refreshments, door prizes and more.

The Mayor and City Council congratulated City of San Antonio employees who had completed 30, 35, 40, 45 and 50 years of service in 2007. City Manager Sculley announced that the employees will also be honored at a Banquet on December 7, 2007, in the Convention Center Ball Room. Mrs. Sculley thanked the employees and their families for their dedicated service to the City.

CITIZENS TO BE HEARD

A representative from the San Antonio Cesar Chavez Scholarship Fund thanked the Mayor and Council for their contributions. She noted that the Fund had given more than 100 scholarships over the past eleven years for inner city students to pursue undergraduate and graduate degrees.

Javier Hernandez, 216 Blanco Road, addressed the Council and stated that he was a local welder and vendor. He spoke regarding the vending situation at numerous City events, noting that Mr. Steve Cline of Dallas owned all of the permits. Mr. Hernandez requested that a task force investigate the situation.

Mr. Greg Tilton, 523 West Ridgewood, played a recording of roosters in his neighborhood which he could hear all day and night. He asked for help enforcing the noise ordinance so that he could sleep at night.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, stated that he had recently been elected to the San Antonio River Authority Board. He noted that he had gone to the Palm Heights Community to thank God and the voters and everyone else who had helped him get elected.

Mr. Mark Perez spoke of hazardous chemicals housed at businesses that operated without permits. He asked for the City to respond to his concerns.

Mr. Gabriel Mansbach stated that he had been fortunate to obtain a vendor permit in the past, but would not have the permit next year. Mr. Mansbach noted issues with Downtown Operations staff.

Mr. Bobby Contreras Jr., 6260 Ben Milam, stated that he was a member of the Downtown Venders Association. He noted that Mr. Steve Cline had a monopoly on vending at San Antonio Events and that Mr. Cline was making in excess of $400,000 a year on those events. Mr. Contreras stated that Mr. Cline brought in vendors from New Mexico and excluded locals. Lastly, he stated that Councilmember Cisneros had done a lot to help the local vendors, but she needed help from the entire Council.

Mr. Joel Hailey, 106 Irvington, stated that he was part of the Animal Care Services Ad Hoc Committee. He stated that the proposed Chapter 5 revisions were a compromise among groups with very strong and opposite opinions. He added that a mandatory spay/neuter law and a no breeding law would get the City to "no kill" very quickly.

Ms. Michelle Molina, 10611 Bluestone Creek, stated her support for the Chapter 5 revisions because they would improve the lives of both people and animals.

Ms. Linda Sowdal, 12014 Autumn Vista Street, stated her support for the Chapter 5 revisions. She spoke against irresponsible pet owners who did not spay or neuter their pets and then put them outside.

Ms. America Mascorro, 3250 McArthur, stated that her neighborhood streets were poorly lighted. She contacted the City to have more street lights put in, but was told that there was a fee. Ms. Mascorro stated that the streets were curvy and dangerous but that the residents did not have the money to fund additional street lights.

Mr. Rick Pratt, 206 Mason, gave his time to Ms. Pamela Hernandez. Ms. Hernandez spoke against the Chapter 5 revisions because she felt that the term "vicious dog" was vague and any dog could be declared vicious. She stated that the revisions did not address the underlying problem of irresponsible owners.

Ms. Nancy Bellett, 18007 Summer Knoll, stated her support for the Chapter 5 revisions.

Ms. Sally Scott, 84 Granburg Circle, noted that she was a representative of the Texas Federation of Humane Societies and the Animal Coalition. She voiced her support for the Chapter 5 revisions and reminded Council of her work to end the use of the gas chamber in San Antonio.

Ms. Laura Stanford, 1000 Central Parkway North, stated her support for the Chapter 5 revisions. She noted that everyone had different opinions but the revisions seemed to be a good compromise.

Mr. Faris Hodge Jr., 140 Dora, sang a song. He stated that parking downtown should be free. He was supportive of a shuttle for downtown City employees from the Alamodome. Lastly, he spoke against James Myart's arrest.

Ms. D'Ann Trechan, 1011 Clydeville, relayed a story of how her animals had been taken away from her. She stated that she was given little notice before the pound had broken down her door and started rounding up her cats.

Ms. Kathryn Bice, 8923 Burnt Path, voiced her support for the Chapter 5 revisions.

Mr. Ernest Tagle, 2947 Linn Road, stated his opposition to the Chapter 5 revisions, noting that the term "vicious dog" was vague and that even though spaying and neutering pets was a good idea, it should not be mandatory.

Ms. Tammy Haggerty, 818 Fawn River, Spring Branch, stated that spaying and neutering pets would help with overpopulation. She added that the current pet ordinances were not being enforced and she did not think the revisions would be either.

Ms. Lucy Campbell, 1947 Larkspur, stated that she was an apartment manager who dealt with many animals. She added that spay/neuter laws were a good idea and that the City should issue permits for breeders.

Ms. Stephanie Ramirez, 318 East Drexel, stated her opposition to the Chapter 5 revisions noting that her animals were part of her family. She added that the ordinance needed to address strays and clarify the term "vicious dog."

Mr. John Bachman, 515 Mebane, stated that he was in support of the Chapter 5 revisions but would have liked more time spent on them. He noted that the rewrite did not mention shelters or sanctuaries and that it would not be fair to force people to give up their pets.

Mr. Mike Sanchez, 5106 Woodgreen, voiced his opposition to the Chapter 5 revisions.

Ms. Aeriana Bozarth, 2414 Town Cliff Street, stated that she was a pet owner and trainer and she was opposed to the Chapter 5 revisions. She argued that the revisions went against Breed Specific Legislation laws in Texas and noted that she wanted her dogs to bark and alert her when people were on her property.

Ms. Lizanne Sanchez, 5706 Woodgreen, voiced her opposition to the Chapter 5 revisions, stating that the term "vicious dog" was vague. She was in favor of spay/neuter laws and stated that a responsible breeder would not mind paying fees.

Ms. Sydney Ostrom, 16007 Mission Ridge, stated her opposition to the Chapter 5 revisions. She noted that she was an American Pit Bull Terrier owner. She spoke of the numerous training courses and certificates her dog had earned. Ms. Ostrom expressed her concern with vindictive neighbors who might report her dog because of its breed.

Ms. Kimberly Hernandez, 9318 Charleton, expressed her opposition to the Chapter 5 revisions, stating that the City was targeting large breeds and punishing responsible owners.

Ms. Julie Iris Oldham, 4523 Allegheny, called for the resignation of Department Heads in the Code Compliance Division.

ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 8:02 pm.

A P P R O V E D

PHIL HARDBERGER
MAYOR

Attest:
LETICIA M. VACEK
CityClerk

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LV/lys