

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, OCTOBER 15, 2008 AND THURSDAY, OCTOBER 16, 2008, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **October 15, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

1. STAFF BRIEFING ON THE RECENTLY COMPLETED GROWTH MANAGEMENT PLAN PERFORMED IN RESPONSE TO RECOMMENDATIONS MADE BY THE 2005 BASE REALIGNMENT AND CLOSURE (BRAC) COMMISSION AND THE PROJECTED GROWTH AT FORT SAM HOUSTON.

Mayor Hardberger announced that San Antonio had achieved a AAA bond rating by Standard and Poors. He explained that this would save the City \$8 million when borrowing monies and thanked Ms. Sculley for her leadership on said effort.

General Murdock stated that the Office of Military Affairs (OMA) was the single point of contact for the City of San Antonio on the Military and Base Realignment and Closure (BRAC) issues. He reviewed the Fort Sam Houston BRAC growth and economic impact and spoke of the BRAC 2005 Growth Management Plan (GMP). He presented a video highlighting the cooperation between the military and the community.

Mr. Rudy Diluzio, President of The Diluzio Group, noted that he and Mr. Russ Freeman, Project Manager, had also worked on the Kelly BRAC. He stated that the Fort Sam Houston BRAC was a great opportunity for the community and had studied several successful projects throughout the country to develop their recommendations.

Mr. Freeman stated that there were three components to the business development program: 1) The creation of 8,000 jobs in target industries such as Medicine and Education; 2) Real Estate Development; and 3) Small Business Development along the corridors. He noted that they had been working on the project for six months and outlined the military and community outreach process undertaken. He summarized that: 1) The City would need to address employment vacancies, transportation, and housing; 2) There were opportunities to leverage BRAC through Healthcare, Healthcare Education, and Management Support; and 3) BRAC could be leveraged to revitalize the Eastside but would require significant intervention. He spoke of the community and military partnership and noted their benefits.

Mr. Freeman discussed the recommended comprehensive approach focusing on the Neighborhood Revitalization Action Program, Business/Development Action Plan, Workforce Action Plan, and Public Input Considerations. He noted the following Neighborhood Revitalization Elements: 1) A Three-Part Housing Program; 2) An Education Excellence Program; 3) A Mobility/Connectivity Program; 4) A Public Safety Program; and 5) Investment in Parks and Other Quality of Life Components. He presented an aerial map of the property and discussed best uses for each section. He reviewed Economic

Development Success Factors including: 1) Growing Industry; 2) Presence in San Antonio; 3) Capacity to fill new jobs; 4) Location advantage; 5) Pro-business environment; and 6) Excellent places to work, connected to a desirable place to live. He noted that the targeted development industries included health care, health care education, communications, technology, intelligence, and security. He added that they were all business areas that supported Fort Sam Houston's Mission.

Lastly, Mr. Freeman outlined the next steps: 1) Adopt the Plan; 2) Establish implementing Capacity/Capability; 3) Develop/Negotiate partnerships with the County, Chamber, Military, and State; 4) Refine the Implementation Plan to reflect Partner Agreements; 5) Craft, Submit, Track, and Support, Legislation; and 6) Pursue Dual-Track Implementation.

Councilmember McNeil thanked the Diluzio Group for their work and recognized the various organizations and community and business leaders in attendance.

Mr. Pat DiGiovanni, Deputy City Manager, presented recommended actions to begin work on BRAC as follows: 1) Build capacity in the Center City Development Office to manage and implement the GMP; 2) Establish or identify a vehicle such as an urban renewal agency or local government corporation to assist with the revitalization effort; 3) Identify incentives to encourage neighborhood revitalization to include programs for housing and commercial development; 4) Collaborate with SAISD and Alamo Area Academies to develop an Education Plan; 5) Build on the partnership with ACCD to develop a targeted Workforce Plan; 6) Develop and advertise a RFP for a Marketing Plan that promotes the City to individuals relocating as a result of BRAC; and 7) Identify and address infrastructure needs in the area and develop a finance plan to pay for the cost of improvements.

Mr. Mike Novak, Chair of the Military Transformation Task Force (MTTF), presented a letter and resolution from the MTTF. The MTTF requested the implementation of a BRAC Transformation Working Group comprised of staff from the City, County, State, and Military to champion the importance of BRAC. He noted BRAC's significance as a global opportunity.

The Mayor and Council thanked the presenters for the briefing and expressed their support for BRAC. Councilmember McNeil recommended that staff work with her on the creation of a work group and requested that they present the City Council with a strategic plan on moving forward within the next thirty days.

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:26 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **October 16, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Rev. Michael Steve Brown, Pastor of True Vision Church, guest of Councilmember Sheila McNeil, District 2.

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, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

MINUTES

Councilmember Herrera made a motion to approve the Minutes for the September 2, 2008 and September 3, 2008 Budget Worksessions, and the September 4, 2008 Regular City Council Meeting. Councilmember Cibrian seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-10-16-0922

Item 4. ORDINANCE ADOPTING THE CITY OF SAN ANTONIO'S 2009 STATE LEGISLATIVE PROGRAM FOR THE 81ST REGULAR STATE LEGISLATURE.

Mr. Andrew Smith, Intergovernmental Relations Director, stated that the State Legislative Plan consisted of three sections: 1) Initiatives; 2) Preservation of Municipal Authority; and 3) Endorsements. He noted that Graffiti had been added to the list of Priority Issues as a result of discussions at the October 8, 2008 B Session. He stated that it would be necessary to brief the Council regularly and ask for amendments even after the Session had begun. Lastly, he introduced the City of San Antonio Legislative Team.

Mr. Nazirite Ruben Flores Perez stated that he was pleased that the Ten Commandments had been posted in Hebrew at the State Capitol and spoke of water conservation and protecting the environment.

Mr. Jack M. Finger spoke on Item 4 noting issues with Transportation, Property Tax Appraisals and Revenue Caps, and Meet and Confer. He expressed opposition to the \$100,000.00 in funding being awarded to Beat AIDS on Item 5.

Councilmember Cibrian asked Mr. Smith to discuss items related to SAWS and CPS. Mr. Smith noted that they were hoping to preserve the electric industry deregulation opt-out clause for municipally-owned utilities. He added that they were anticipating policy statements from Central Water System, Alamo Community College District, Port San Antonio, City South, University Hospital, and others. Councilmember Cibrian spoke of Transportation Funding and Vested Rights.

Councilmember Ramos noted the importance of working with the Alamo Community College District, University of Texas San Antonio (UTSA), and Texas A&M-San Antonio in having an educated workforce in San Antonio. She complimented staff on the comprehensiveness of the plan and noted that she would like to work with staff on implementing fines for other issues such as prostitution. Councilmember Cortez asked if the Presidential Election would have an impact on the Plan. Mr. Smith noted the possibility of amendments due to the election. Councilmember Cortez highlighted the Military Installation Protection Act, Graffiti, Meet and Confer, and Diabetes Issues. Councilmember Galvan expressed support for the Graffiti, Meet and Confer, and Military Installation Protection Act Initiatives.

Councilmember Clamp spoke of the effect that Graffiti had on the community and budget. He stated that the District 10 Neighborhood Alliance, which formally represented sixty neighborhood associations, would be willing to testify on the subject. Councilmember Herrera expressed concerns with the TMRS Initiative. She added that the City should be more aggressive on Graffiti Issues and noted the importance of notifying neighborhoods of upcoming rezoning cases. Lastly, she noted support for the Meet and Confer Initiative.

Ms. Sculley thanked the Council for their policy direction. She noted that the Legislative process would begin in January and that weekly updates were scheduled during Council Meetings.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0923

Item 5. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF \$100,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO BEAT AIDS FOR THE RENOVATION OF THE HUDSON STREET TRANSITIONAL HOUSING FACILITY AND AUTHORIZING THE REALLOCATION OF CDBG FUNDS TO THE GENERAL FUND FOR FOUR AGENCIES WITHIN BUDGET ALLOCATION.

Mr. Andrew Cameron stated that said item was a reallocation and reprogramming of Community Development Block Grant (CDBG) Funds that were allocated through the Social Service Funding Process. He noted that funds would be reprogrammed from the Catholic Charities, Family Services Association, San Antonio OASIS, and YWCA because the services provided by the agencies were not consistent with Housing and Urban Development (HUD) Guidelines. He explained that the YMCA had received funding through the Social Service Funding Process through the General Fund and because they met the CDBG Guidelines, it was being proposed that the funds be exchanged. Additionally, he stated that \$100,000 was being reprogrammed to Beat Aids for the renovation of the Hudson Street Transitional Housing Facility.

Ms. Vacek read written testimony from Faris Hodge, Jr. He wrote in favor of Item 5, stating that more transitional housing was needed and expressed support for the grant application to the National Historic Publications and Records Commission on Item 14. He wrote in favor of Item 16 regarding the veterinary services contracts, and Item 19 regarding the aquatic and floor exercise programs at the Bob Ross Senior Center. He wrote against Item 18 noting that the cost of the Firefighter Training was too high and expressed opposition to the railroad quiet zones on Item 30.

Councilmember McNeil expressed support for said item. Councilmember Galvan also expressed support of said item and requested additional information on the transitional housing facility. Mr. Cameron replied that the facility could serve twenty-four individuals at a time for a six-month program. He noted that the organization was projecting to serve a total of 125 individuals through outreach.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0924

Item 6. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING A 10-FOOT WIDE ALLEY RUNNING SOUTHWEST OFF BROOKLYN BETWEEN EUCLID AND ELMIRA, LOCATED IN COUNCIL DISTRICT 1, AS REQUESTED BY SELECT MEDICAL PROPERTY VENTURES, LLC FOR A FEE OF \$18,598.00.

Mayor Hardberger declared the Public Hearing open. There being no one registered to speak, Mayor Hardberger closed the Public Hearing.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0925

Item 7. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING A SEGMENT OF N. CALAVERAS ST. BETWEEN PEREZ ST. AND MORALES ST. AND AN INTERSECTING 10-FOOT WIDE ALLEY RUNNING EAST OFF N. CALAVERAS ST., DISTRICTS 1 AND 5, AS REQUESTED BY SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR A FEE OF \$32,097.00.

Mayor Hardberger declared the Public Hearing open. There being no one registered to speak, Mayor Hardberger closed the Public Hearing.

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

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

CONSENT AGENDA: Items 8 –33

Consent Agenda Items 16, 17, 19, 20, 23, 24, 25, 26 and 30 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Cibrian seconded the motion.

Jack Mr. Finger expressed concern with Item 17 regarding the \$50,000 in incentives being awarded to Northwest Airlines. He spoke in opposition to Item 28 in reference to the contract with Deer Oaks for an Employee Assistance Program and Item 31 for a vocational training program for the Solid Waste Management Department.

Lesley Wenger, BexarMet Water District, spoke in support of Item 12 and stated that the conservation easement was great for the City. She noted that BexarMet had been negotiating with the property owner representative for a small piece of the property due to the need for a water tower in the area.

Elyzabeth Earnley, AGUA Representative, spoke in support of Item 12 and stated that it was a great opportunity for the City. She noted that it has become increasingly difficult to find affordable properties for aquifer protection and thanked the landowner for being a steward of the land.

John Linz, Terry Carmichael, and Lani Linz spoke in favor of Item 30. Mr. Linz stated that he was an independent businessman and landowner in District 8 in support of railroad improvements. He noted that he employed 30 employees and that the quiet zone would have a positive impact on his business. Ms. Carmichael stated that she was also a business owner in District 8 and supported the quiet zone. Ms. Linz expressed support for the quiet zone.

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

2008-10-16-0926

Item 8. AN ORDINANCE ACCEPTING THE BIDS OF THE FOLLOWING COMPANIES TO PROVIDE THE CITY WITH THE FOLLOWING COMMODITIES AND/OR SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2009 FOR A COMBINED ESTIMATED COST OF \$1,146,000.00, INCLUDING: (A) HANSEN INFORMATION TECHNOLOGIES FOR HANSEN SOFTWARE MAINTENANCE; (B) CARAHSOFT TECHNOLOGY CORPORATION FOR BMC SOFTWARE (MAINFRAME SYSTEM) MAINTENANCE; (C) GTSI CORP. FOR HP-MERCURY MAINTENANCE AND SUPPORT (HEWLETT PACKARD APPLICATION TESTING SOFTWARE); (D) GLOBALSCOPE COMMUNICATIONS, INC. FOR TELEPHONE TECHNICAL SERVICES.

2008-10-16-0927

Item 9. AN ORDINANCE APPROVING CHANGE ORDER NO. 2 IN THE AMOUNT OF \$43,480.50, OF WHICH \$34,784.40 WILL BE REIMBURSED BY TXDOT, WITH SILVERADO BROTHERS FOR ADDITIONAL WORK IN CONNECTION WITH THE LOCKHILL SELMA – WEST AVENUE TO NW MILITARY HWY PROJECT, LOCATED IN COUNCIL DISTRICT 9, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT.

2008-10-16-0928

Item 10. AN ORDINANCE APPROVING CHANGE ORDER NO. 7 FINAL IN THE AMOUNT OF \$65,368.60, OF WHICH \$52,294.88 WILL BE REIMBURSED BY TXDOT, WITH JERDON ENTERPRISES FOR ADDITIONAL WORK AND TO RECONCILE ACTUAL QUANTITIES USED IN THE BICYCLE FACILITIES PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 2, 3, 5, 7, AND 10, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT.

2008-10-16-0929

Item 11. AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT AND TEMPORARY CONSTRUCTION EASEMENT INTERESTS, AND RELATED RIGHTS OF INGRESS AND EGRESS FOR THE EXPANSION AND OPERATION OF THE CITY OF SAN ANTONIO'S WATER AND WASTEWATER UTILITY SYSTEM, IN CERTAIN PRIVATELY OWNED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS (THE "PROPERTY") BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, THE PROPERTY TO BE ACQUIRED IS LOCATED IN CLOSE PROXIMITY OF AND BETWEEN ROOSEVELT AVENUE AND GARNETT IN THE HARLANDALE ACRES NO. 8 SUBDIVISION FOR THE PUBLIC PURPOSE OF THE EXPANSION AND OPERATION OF THE WATER AND WASTEWATER SYSTEM, INCLUDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SANITARY SEWER LINES AND RELATED APPURTENANCES COMMONLY REFERRED TO AS THE CENTRAL WATERSHED SEWER RELIEF LINE C-02 PROJECT (COLLECTIVELY, THE "PROJECT"); AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES, RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ITS ATTORNEYS, AGENTS AND EMPLOYEES IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION.

2008-10-16-0930

Item 12. AN ORDINANCE APPROVING THE ACQUISITION OF AN AQUIFER-PROTECTION CONSERVATION EASEMENT OVER THE APPROXIMATELY 89-ACRE CLASSEN RANCH IN BEXAR COUNTY, TEXAS FOR AN AMOUNT UP TO \$374,500.00.

2008-10-16-0931

Item 13. AN ORDINANCE APPROVING A FIVE-YEAR LEASE AGREEMENT WITH AMERICAN JAZZ, INC. D/B/A JIM CULLUM'S LANDING FOR USE OF PATIO SPACE ALONG THE RIVER WALK.

2008-10-16-0932

Item 14. AN ORDINANCE AUTHORIZING THE SUBMISSION AND ACCEPTANCE, UPON AWARD, OF A GRANT APPLICATION TO THE NATIONAL HISTORIC PUBLICATIONS AND RECORDS COMMISSION (NHPRC) IN THE AMOUNT OF \$75,703.00 TO CONTINUE A FORMAL ARCHIVES AND PRESERVATION PROGRAM FOR THE CITY OF SAN ANTONIO.

2008-10-16-0933

Item 15. AN ORDINANCE APPOINTING MANUEL A. PELAEZ TO THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER 28, CITY OF SAN ANTONIO, TEXAS (VERANO) FOR THE REMAINDER OF AN UNEXPIRED TERM TO EXPIRE DECEMBER 5, 2009, AND WAIVING THE TIF MANUAL AT-LARGE APPOINTMENT PROCESS FOR THIS APPOINTMENT.

2008-10-16-0936

Item 18. AN ORDINANCE APPROVING AN AGREEMENT WITH THE TEXAS ENGINEERING EXTENSION SERVICE FOR LIVE FIRE AIRCRAFT RESCUE AND FIRE FIGHTING TRAINING AT A COST OF \$65,000.00.

Item 21. CONSIDERATION OF THE FOLLOWING IN CONNECTION WITH THE CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008, AND CITY OF SAN ANTONIO, TEXAS, GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2008:

2008-10-16-0939

- A. AN ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2008" IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000.00; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12, INCLUDING THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE OF SUCH OBLIGATIONS, AND APPROXIMATELY \$78,000,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2008", AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS, AND CO-BOND COUNSEL, TO TAKE ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH OBLIGATIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

2008-10-16-0051R

- B. A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS FROM THE PROCEEDS OF TAX EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 2009" AND CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2009"; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

Item 22. CONSIDERATION OF THE FOLLOWING IN CONNECTION WITH THE CITY OF SAN ANTONIO, TEXAS TAX NOTES, SERIES 2008:

2008-10-16-0940

- A. AN ORDINANCE AUTHORIZING AND APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE OF APPROXIMATELY \$16,100,000.00 "CITY OF SAN ANTONIO, TEXAS TAX NOTES, SERIES 2008"; COMPLYING WITH THE REQUIREMENTS CONTAINED IN MUNICIPAL SECURITIES RULE MAKING BOARD RULE 15C2-13; AND OTHER MATTERS IN CONNECTION THEREWITH.

2008-10-16-0052R

- B. A RESOLUTION ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS FROM THE PROCEEDS OF TAX EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS TAX NOTES, SERIES 2009".

2008-10-16-0943

Item 27. AN ORDINANCE RENEWING A CONTRACT WITH SPECTERA, INC., A UNITEDHEALTH GROUP COMPANY, TO PROVIDE MANAGED VISION PROGRAM SERVICES FOR TWO ADDITIONAL YEARS BEGINNING ON JANUARY 1, 2009, FOR AN ESTIMATED ANNUAL COST OF \$607,249.00.

2008-10-16-0944

Item 28. AN ORDINANCE RENEWING A CONTRACT WITH DEER OAKS TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM SERVICES FOR A ONE-YEAR PERIOD BEGINNING JANUARY 1, 2009.

2008-10-16-0945

Item 29. AN ORDINANCE RENEWING AND AMENDING THE CONTRACT WITH AETNA TO PROVIDE MEDICARE HEALTH MAINTENANCE ORGANIZATION (HMO) PROGRAM SERVICES FOR ONE TWO-YEAR EXTENSION BEGINNING JANUARY 1, 2009.

2008-10-16-0947

Item 31. AN ORDINANCE APPROVING A CONTRACT IN AN AMOUNT UP TO \$148,500.00 BETWEEN THE SOLID WASTE MANAGEMENT DEPARTMENT (SWMD) AND THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) TO PROVIDE VOCATIONAL SKILLS TRAINING FOR SWMD STAFF.

2008-10-16-0948

Item 32. AN ORDINANCE APPROVING A CONTRACT IN AN AMOUNT UP TO \$75,000.00 WITH WALKER PARKING CONSULTANTS TO CONDUCT MARKET AND FINANCIAL ANALYSES OF PROPOSED DOWNTOWN PARKING GARAGES.

2008-10-16-0949

Item 33. AN ORDINANCE APPROVING A THREE-YEAR CONTRACT WITH JALAPENO JOE'S TO OPERATE THE FOOD AND BEVERAGE CAFETERIA AT THE POLICE TRAINING ACADEMY.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-10-16-0934

Item 16. AN ORDINANCE APPROVING TWO CONTRACTS WITH DR. SANDRA J. STRONG AND DR. JOSEPH WRIGHT TO PROVIDE VETERINARY SERVICES FOR THE ANIMAL CARE SERVICES DEPARTMENT, EACH FOR A ONE-YEAR TERM UP TO \$104,000.00.

Councilmember Cortez requested information on how funds would be utilized. Mr. Jeffrey Hale stated that the funds would be used to contract with two veterinarians to provide high-capacity sterilization. He noted that Dr. Strong and Dr. Wright had been employed in a temporary capacity at the Animal Care Facility for several months. He added that approximately 30 surgeries would be performed per day to address the issue of overpopulation of strays and that some of the funds would be used for training for Animal Care Officers.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0935

Item 17. AN ORDINANCE APPROVING AN INCENTIVE PACKAGE FOR NORTHWEST AIRLINES FOR A NEW DAILY NON-STOP FLIGHT TO INDIANAPOLIS, INDIANA INITIATED MAY 2, 2008, FOR MARKETING COST REIMBURSEMENTS UP TO \$50,000.00 IN ACCORDANCE WITH THE AIR SERVICE DEVELOPMENT INCENTIVE PROGRAM.

Mr. Mike Sawaya stated that said item was an incentive package that would reimburse Northwest Airlines for their marketing and promotional expenses. He noted that the Incentive Program was implemented in May 2006 and revised in December 2007. He added that the daily flight to Indianapolis began flying in May 2008 and all were pleased with the results. Councilmember Cibrian stressed the importance of direct flights to the economy of the City. She requested that the Aviation Department continue to identify ways to attain more non-stop flights for the City of San Antonio.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0937

Item 19. AN ORDINANCE APPROVING A CONTRACT WITH OASIS TO PROVIDE SENIOR AQUATIC AND FLOOR EXERCISE CLASSES AT THE BOB ROSS SENIOR MULTI-SERVICE HEALTH AND RESOURCE CENTER THROUGH SEPTEMBER 30, 2009.

Councilmember Cortez requested additional information on said contract. Mr. Dennis Campa reported that said item was a non-monetary agreement between the City of San Antonio and OASIS, a national non-profit organization that provides volunteer and fitness services for Senior Citizens. He noted that the three types of services included: 1) Tai Chi; 2) Arthritis Floor Exercise; and 3) Aquatic Stretch Classes, and that over 800 Senior Citizens would be served annually through the contract. Councilmember Cortez asked about the possibility of providing same services to other Senior Centers throughout the City. Mr. Campa stated that four new multi-service centers were being opened in various districts and that fitness services would be provided. He added that those individuals interested in aquatic services could be transported to the Bob Ross Senior Center.

Councilmember Cibrian expressed pleasure with the many services provided at the Bob Ross Senior Center. Councilmember Ramos recognized OASIS and the services they provide to Senior Citizens. Councilmember Galvan thanked Mr. Campa for his work and expressed pleasure with the new District 5 Senior Center.

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

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

The City Clerk read the following:

Item 20. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO WORKFORCE SOLUTIONS - ALAMO (WS-A):

2008-10-16-0938

- A. AN ORDINANCE APPROVING APPOINTMENTS TO THE WORKFORCE SOLUTIONS-ALAMO BOARD, FORMERLY ALAMO WORKSOURCE.

2008-10-16-0050R

- B. A RESOLUTION REQUESTING STATE LEGISLATIVE APPROPRIATION FOR WORKFORCE DEVELOPMENT DUE TO A REDUCTION IN FEDERAL FUNDING.

Councilmember Herrera read the Resolution as adopted on September 24, 2008 by the Committee of Six. She expressed concern with the reduction in Federal Workforce Funding and requested that the initiative be included in the City of San Antonio's Legislative Program. Mr. Robert Peche stated that Federal Funds are distributed to Workforce Solutions Alamo (WSA) through the State and their budget has been reduced significantly for the upcoming year.

Councilmember Cibrian expressed concern with the decrease in Federal Workforce Funding and asked about prior year's funding. Mr. Peche stated that there was a 3% reduction the previous year that came at the end of the year so provisions were not made. He added that although there was a 14% decrease this year, WSA could begin planning for the reduction with advance notice. Councilmember Galvan expressed her concern with the high turnover and caseloads for employees of WSA and the locations they are assigned to.

Councilmember Herrera moved to approve items 20A and 20B. Councilmember Cibrian seconded the motion.

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

The City Clerk read the following Ordinance:

2008-10-16-0941

Item 23. AN ORDINANCE APPROVING A ONE-YEAR AGREEMENT WITH HUMANA HEALTH PLAN OF TEXAS, INC. TO ALLOW THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO RECEIVE UP TO \$5,000.00 FOR PROVIDING INFLUENZA IMMUNIZATION SERVICES TO HUMANA HEALTH INSURANCE ENROLLEES.

Councilmember Clamp noted that the transition of preventative clinical services to University Health Systems had taken place earlier in the year and expressed concern with the possible duplication of services. Dr. Brian Alsip stated that there was not a duplication of services and explained that the City provided only a small amount of vaccinations to high-risk individuals. He noted that the City had agreements with Humana, Superior, and Humana First for said services.

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

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

The City Clerk read the following Ordinance:

2008-10-16-0942

Item 24. AN ORDINANCE ADOPTING THE 2008 TAX INCREMENT FINANCING PROGRAM POLICY AND IMPLEMENTATION MANUAL ("2008 MANUAL").

Councilmember Ramos asked if said item would affect Tax Increment Financing Projects previously authorized. Mr. David Garza stated that it would only affect future projects which included Items 25 and 26 on the Agenda. Councilmember Herrera made a friendly amendment that the fee structure be amended annually based on the Consumer Price Index. Councilmember Ramos accepted the friendly amendment. Councilmember Cibrian asked if all of the recommended projects would be prioritized inside Loop 410. Mr. Garza stated that some projects outside of Loop 410 could possibly qualify based on the scoring criteria but could be subject to different terms and participation levels. Councilmember Cortez expressed support for said item and noted that it focused on areas of great need including the Empowerment Zone, Enterprise Zone, and the areas outlined by the Community Revitalization Action Group (CRAG).

Councilmember Ramos moved to adopt the proposed Ordinance with the amendment of the fee structure to include language in the TIF Manual that would allow for the City to require that administrative fees be adjusted on an annual basis in accordance with the Consumer Price Index. Councilmember McNeil seconded the motion.

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

The City Clerk read the following Resolution:

2008-10-16-0053R

Item 25. A RESOLUTION EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO CONSIDER CREATING A TAX INCREMENT REINVESTMENT ZONE KNOWN AS MIDTOWN LOCATED IN COUNCIL DISTRICTS 1, 2, & 9, BOUNDED APPROXIMATELY FROM HILDEBRAND TO THE NORTH, U.S. HWY 281 AND ST. MARY'S STREET TO THE WEST, IH 35 TO THE SOUTH, AND BROADWAY TO THE EAST.

Councilmember Cisneros requested additional information of said item. Mr. David Garza stated that staff from various departments had been working on the Midtown Tax Increment Reinvestment Zone

(TIRZ) and was a great opportunity to continue work on Broadway Street. He noted that it was comprised of 436 acres and that the Resolution of Intent was only the first step in the process. He added that staff would continue to finalize details and begin working with the taxing entities on the project.

Councilmember Cisneros expressed support and moved to approve the Resolution. Councilmember McNeil seconded the motion.

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

The City Clerk read the following Resolution:

2008-10-16-0054R

Item 26. A RESOLUTION EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO CONSIDER CREATING A TAX INCREMENT REINVESTMENT ZONE KNOWN AS WESTSIDE LOCATED IN COUNCIL DISTRICT 5, BOUNDED APPROXIMATELY BY MARTIN STREET TO THE NORTH, IH 35 TO THE EAST, ZARZAMORA TO THE WEST, CERALVO AND PENDLETON TO THE SOUTH, THEN EXTENDING EAST OF IH35 ALONG PEDEN ALLEY TO IH10 TO THE SOUTH, ROOSEVELT TO THE EAST, AND JUST NORTH OF GROVE TO THE NORTH.

Councilmember McNeil expressed support for the project located in District 5 and highlighted the need for revitalization in the area. Councilmember Cisneros requested that staff research the possibility of including the Little Flower Basilica located on Culebra Road.

Councilmember McNeil moved to approve the Resolution. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2008-10-16-0946

Item 30. AN ORDINANCE AUTHORIZING PUBLIC NOTICE AND ESTABLISHMENT OF TWO (2) RAILROAD QUIET ZONES, ONE EXTENDING FROM BURLESON ST. TO COMMERCE ST. AND ANOTHER EXTENDING FROM DE ZAVALA RD. TO DREAMLAND DR., LOCATED IN COUNCIL DISTRICTS 2 AND 8.

Councilmember McNeil expressed support for the quiet zone in District 2 and noted that it would help bring more economic development to the area. She thanked Public Works and Union Pacific for their work on said item. Councilmember Herrera recognized Union Pacific for their work and support, and for being a leader in the community. Councilmember Cisneros requested information on the associated costs and expressed interest for a quiet zone in District 1. Councilmember Cibrian recognized Councilmember McNeil for her efforts on the quiet zone and noted that public safety had been a priority in the decision-making process for the quiet zone in District 8. Mayor Hardberger recognized Councilmember McNeil for accomplishing the project within her four-year Council Term Limit.

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

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

CITY MANAGER'S REPORT

A. Update on Hurricane Ike recovery assistance

Ms. Sculley stated that the City of San Antonio had provided assistance to the City of Houston following Hurricane Ike. She reported that 25 Police Department Employees, 18 Solid Waste Department Employees, and four Public Works Department Employees had assisted with recovery efforts. She noted that they helped repair traffic signals and infrastructure damaged by the hurricane, as well as provided assistance with public safety. She added that Solid Waste Employees had helped collect close to 12 million cubic yards of debris created by the hurricane. She stated that the costs associated with assistance efforts would be reimbursed by the City of Houston and the State of Texas. Lastly, she thanked all who participated in the effort.

B. Update on Zarzamora Street Project, a 2007-2012 Bond Project.

Ms. Sculley reported that the Zarzamora Street Project (located in District 4) work had begun in August, 2008. She noted that the project included street and drainage improvements, and encompassed 1.7 miles. She reported that a change order had been approved that reduced the construction time and cost by three months and \$182,000.00. She added that the project was scheduled for completion in the Spring 2010.

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros requested a meeting with staff to address issues with Retiree Health Benefits.

Councilmember Ramos expressed support for the Zarzamora Street Project and highlighted its connection to the Texas A&M San Antonio Campus and Palo Alto College.

Councilmember Cortez thanked City Staff for their work on the Zarzamora Street Project.

Councilmember Cibrian recognized the City of San Antonio for achieving a AAA Bond Rating for the first time in the City's History.

Mayor Hardberger expressed appreciation for the AAA Bond Rating and thanked the City Council and the City Manager for making good financial decisions for the City of San Antonio.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 12:15 pm to break for lunch and convene in Executive Session at 2:00 pm for the purposes of:

- A. Deliberate 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. Discuss legal issues related to meet and confer and collective bargaining legislation pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues related to wastewater permit compliance pursuant to Texas Government Code Section 551.071 (consultation with attorney). **ITEM PULLED BY STAFF**
- D. Discuss legal issues and economic development negotiations related to the proposed Texas A&M - San Antonio Campus pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.087 (deliberations regarding economic development negotiations).

Mayor Pro Tem Rodriguez reconvened the Regular Meeting at 4:25 pm at which time it was noted that the City Council had been briefed on the above-styled matters (except Item C) but took no action.

CONSENT ZONING

Councilmember Herrera made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had registered to speak: Z-2, Z-3, Z-4, Z-5, Z-10, Z-11, Z-13, and Z-14. Councilmember Clamp seconded the motion.

Mr. Jack M. Finger spoke in opposition to Items Z-1 and Z-4 and noted that he was pleased that Items P-2 and Z-8 had been pulled for discussion. He stated that he was in favor of Z-15 and did not understand why the owners were opposed to the historic designation.

Mr. Tommy J. Taylor spoke in support of Item Z-10. He stated that he would be opening a small mechanical shop on Zarzamora Street that would provide repairs and vehicle maintenance in a low-income area.

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

WITHDRAWN

Item Z-1. **ZONING CASE # Z2008224 CD (District 1):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales on Lot 1 and the west 12.5 feet of Lot 2, Block 174, NCB 9083 located at 2514 West Avenue. Staff and Zoning Commission recommend denial.

2008-10-16-0950

Item Z-2. **ZONING CASE # Z2008250 (District 1):** An Ordinance changing the Zoning District Boundary from "I-1 RIO-2" General Industrial River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development Zone, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District, "MF-50" Multi-Family District with these additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather

products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products. The following uses shall be prohibited: auto sales, auto and light truck repair, auto muffler installation, auto upholstery, taxi services, medical wholesale, home improvement center, gasoline station with repair and car wash, lawn mower repair and tool rental on 1.602 acres out of NCB 6791 and 7008 located at 102 E. Grayson Street and 1366 E. Elmira Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.602 ACRES OUT OF NCB 6791 TO WIT: FROM "I-1 RIO-2" GENERAL INDUSTRIAL RIVER IMPROVEMENT OVERLAY DISTRICT-2 TO "IDZ RIO-2" INFILL DEVELOPMENT, RIVER IMPROVEMENT OVERLAY DISTRICT-2 WITH USES PERMITTED IN "C-3" GENERAL COMMERCIAL DISTRICT, "D" DOWNTOWN DISTRICT, "MF-50" MULTI-FAMILY DISTRICT WITH THESE ADDITIONAL USES: 1. BEVERAGE MANUFACTURE OR MICROBREWERY (ALCOHOL OR NON-ALCOHOL) AND WATER DISTILLATION, PURIFICATION AND BOTTLING. 2. FABRICATION AND MANUFACTURING OF ARTISAN GOODS AND PRODUCTS INCLUDING FURNITURE, CABINETRY, WOOD PRODUCTS, METALWORK AND METAL PRODUCTS, BREAD, CANDY AND OTHER FOOD PRODUCTS, LEATHER PRODUCTS, CLOTHING, GLASS AND TILE. 3. THE FABRICATION AND MANUFACTURING OF PROTOTYPES DEVELOPED OR CONCEIVED BY ANY COLLEGE, UNIVERSITY, TRADE SCHOOL, INSTITUTE OR OTHER EDUCATIONAL FACILITY. 4. THE FABRICATION OF GLASS AND METAL PRODUCTS. THE FOLLOWING USES ARE PROHIBITED: AUTO SALES, AUTO AND LIGHT TRUCK REPAIR, AUTO MUFFLER INSTALLATION, AUTO UPHOLSTERY, TAXI SERVICES, MEDICAL WHOLESALE, HOME IMPROVEMENT CENTER, GASOLINE STATION WITH REPAIR AND CAR WASH, LAWN MOWER REPAIR AND TOOL RENTAL.

2008-10-16-0951

Item Z-3. **ZONING CASE # Z2008251 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA RIO-2" General Commercial, Nonalcoholic Sales, River Improvement Overlay District-2 to "IDZ RIO-2" Infill Development Zone, River Improvement Overlay District-2 with uses permitted in "C-3" General Commercial District, "D" Downtown District "MF-50" Multi-Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan goods and products including furniture, cabinetry, wood products, metalwork and metal products, bread, candy and other food products, leather products, clothing, glass and tile. 3. The fabrication and manufacturing of prototypes developed or conceived by any college, university, trade school, institute or other educational facility. 4. The fabrication of glass and metal products. The following uses shall be prohibited: auto sales, auto and light truck repair, auto muffler installation, auto upholstery, taxi services, medical wholesale, home improvement center, gasoline station with repair and car wash, lawn mower repair and tool rental, on 0.465 acres out of NCB 1758 located at 101 Newell. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.465 ACRES OUT OF NCB 1758 TO WIT: FROM "C-3NA RIO-2" GENERAL COMMERCIAL,

NONALCOHOLIC SALES, RIVER IMPROVEMENT OVERLAY DISTRICT-2 TO "IDZ RIO-2" INFILL DEVELOPMENT ZONE, RIVER IMPROVEMENT OVERLAY DISTRICT-2 WITH USES PERMITTED IN "C-3" GENERAL COMMERCIAL DISTRICT, "D" DOWNTOWN DISTRICT "MF-50" MULTI-FAMILY DISTRICT AND THE FOLLOWING ADDITIONAL USES: 1. BEVERAGE MANUFACTURE OR MICROBREWERY (ALCOHOL OR NON-ALCOHOL) AND WATER DISTILLATION, PURIFICATION AND BOTTLING. 2. FABRICATION AND MANUFACTURING OF ARTISAN GOODS AND PRODUCTS INCLUDING FURNITURE, CABINETRY, WOOD PRODUCTS, METALWORK AND METAL PRODUCTS, BREAD, CANDY AND OTHER FOOD PRODUCTS, LEATHER PRODUCTS, CLOTHING, GLASS AND TILE. 3. THE FABRICATION AND MANUFACTURING OF PROTOTYPES DEVELOPED OR CONCEIVED BY ANY COLLEGE, UNIVERSITY, TRADE SCHOOL, INSTITUTE OR OTHER EDUCATIONAL FACILITY. 4. THE FABRICATION OF GLASS AND METAL PRODUCTS. THE FOLLOWING USES ARE PROHIBITED: AUTO SALES, AUTO AND LIGHT TRUCK REPAIR, AUTO MUFFLER INSTALLATION, AUTO UPHOLSTERY, TAXI SERVICES, MEDICAL WHOLESALE, HOME IMPROVEMENT CENTER, GASOLINE STATION WITH REPAIR AND CAR WASH, LAWN MOWER REPAIR AND TOOL RENTAL.

2008-10-16-0952

Item Z-4. **ZONING CASE # Z2008214 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Wireless Communication System on 0.0094 acres out of NCB 10064 located at 906 Oblate Drive. Staff recommends denial. Zoning Commission recommends approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.0094 ACRES OUT OF NCB 10064 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM.

2008-10-16-0953

Item Z-5. **ZONING CASE # Z2008260 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3" General Commercial District on 4.106 acres out of Lot 2, NCB 14525 located at 4641 Goldfield Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 4.106 ACRES OUT OF LOT 2, NCB 14525 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

2008-10-16-0956

Item Z-10. **ZONING CASE # Z2008261 (District 5):** An Ordinance changing the Zoning District Boundary from "I-1" General Industrial District to "L" Light Industrial District on Lot 31, Block A, a/k/a Tract A, NCB 2523, save and except a portion of land described as 0.0087 acres out of Lot 31, NCB 2523 located at 1706 South Zarzamora. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 31, BLOCK A, NCB 2523, SAVE AND EXCEPT A PORTION OF LAND DESCRIBED AS 0.0087 ACRES OUT OF LOT 31, NCB 2523 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "L" LIGHT INDUSTRIAL DISTRICT.

2008-10-16-0957

Item Z-11. **ZONING CASE # Z2008263 CD (District 5):** An Ordinance changing the zoning district boundary from "C-3 R CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial District, Restrictive Alcohol Sales with a Conditional Use for a Lumberyard and Building Materials with Outside Storage and "C-3 R" General Commercial District, Restrictive Alcohol Sales to "C-3 CD" (CD-Lumberyard and Building Materials with Outside Storage) General Commercial District with a Conditional Use for a Lumberyard and Building Materials with Outside Storage on 1.392 acres out of NCB 8204 located at 4638 and 4610 West Commerce. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.392 ACRES OUT OF NCB 8204 TO WIT: FROM "C-3 R CD" (CD-LUMBERYARD AND BUILDING MATERIALS WITH OUTSIDE STORAGE) GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT WITH A CONDITIONAL USE FOR A LUMBERYARD AND BUILDING MATERIALS WITH OUTSIDE STORAGE AND "C-3 R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT TO "C-3 CD" (CD-LUMBERYARD AND BUILDING MATERIALS WITH OUTSIDE STORAGE) GENERAL COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A LUMBERYARD AND BUILDING MATERIALS WITH OUTSIDE STORAGE PROVIDED ALL CONDITIONS IMPOSED BY THE ARE CITY COUNCIL ADHERED TO.

2008-10-16-0959

Item Z-13. **ZONING CASE # 2008249 (District 7):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "L" Light Industrial District on Lot 4, Block 1, NCB 13719 located at 5311 Jackwood Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 4, BLOCK 1, NCB 13719 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "L" LIGHT INDUSTRIAL DISTRICT.

2008-10-16-0960

Item Z-14. **ZONING CASE # Z2008259 (District 7):** An Ordinance changing the Zoning District Boundary from "C-2NA" Commercial District, Nonalcoholic Sales to "C-3NA" General Commercial District, Nonalcoholic Sales on a 566.44 square foot space out of Lot 1, Block 1, NCB 17367 located at 4436 Culebra Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A 566.44 SQUARE FOOT SPACE OUT OF LOT 1, BLOCK 1, NCB 17367 TO WIT: FROM "C-2NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO "C-3NA" GENERAL COMMERCIAL, NONALCOHOLIC SALES DISTRICT.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2008-10-16-0954

Item P-1. **PLAN AMENDMENT (District 2):** An Ordinance amending the Government Hill Neighborhood Plan, Phase I a component of the Master Plan of the City, by updating the plan for an area bound by Fort Sam Houston to the north and east, IH-35 to the south, and North New Braunfels Avenue to the west. Staff and Planning Commission recommend Approval. **(Associated Zoning Case Z2008233)**

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

Mr. Robert Brown stated that he was against the item, but would support it in the future if the Growth Management Plan (GMP) was approved. He stated that many of the details had not been worked out and requested that the Council postpone said item until the GMP was approved.

Councilmember McNeil expressed support for said item and stated that the GMP had been presented to the City Council the previous day and included the proposed Plan Amendment.

Councilmember McNeil moved to adopt the proposed Plan Amendment. Councilmember Cisneros seconded the motion.

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

2008-10-16-0955

Item Z-6. **ZONING CASE # Z2008233 CD S (District 2):** An Ordinance amending the Zoning District Boundary from I-2" Heavy Industrial District, "I-1" General Industrial District, "HS I-1" Historic Significant, General Industrial District, "C-2" Commercial District and "MF-33" Multi-Family District to "C-2 P" Commercial Pedestrian District, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for a Bar or Tavern, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Outside Storage, "C-2 P CD" Commercial Pedestrian District with a Conditional Use for Warehousing, "C-2 P HS" Historic Significant, Commercial Pedestrian District, "C-2 P S" Commercial Pedestrian District with a Specific Use Authorization for a Hotel/ Motel, "IDZ R-4 CD, C-2 P" Infill Development Zone with uses permitted in R-4 Residential Single-Family District with a Conditional Use for a Duplex and C-2 P Commercial Pedestrian District, "IDZ R-6, C-2 P" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P Commercial Pedestrian District, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P S Commercial Pedestrian District with a Specific Use Authorization for a Bus Maintenance Facility, "IDZ R-6, C-2 P S" Infill Development Zone with uses permitted in R-6 Residential Single-Family District and C-2 P S Commercial Pedestrian District with a Specific Use

Authorization for a Wireless Communication Tower, "O-2" Office District, "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for a Fourplex, "R-5 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Duplex, "R-6 CD" Residential Single-Family District with a Conditional Use for an Office, "R-6 CD" Residential Single-Family District with a Conditional Use for a Triplex, "R-6 CD" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot, and "R-6 CD" Residential Single-Family District with a Conditional Use for a Multi-Family Dwelling on Multiple properties bounded by Ft. Sam Houston to the north and east, IH 35 to the south and New Braunfels to the west. Staff and Zoning Commission recommend approval of Phase 1 pending the Government Hill Plan Update.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: MULTIPLE PROPERTIES BOUNDED BY FT. SAM HOUSTON TO THE NORTH AND EAST, IH 35 TO THE SOUTH AND NEW BRAUNFELS TO THE WEST. TO WIT: FROM "I-2" HEAVY INDUSTRIAL DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, "HS I-1" HISTORIC SIGNIFICANT, GENERAL INDUSTRIAL DISTRICT, "C-2" COMMERCIAL DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2 P" COMMERCIAL PEDESTRIAN DISTRICT, "C-2 P CD" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE FOR A BAR OR TAVERN, "C-2 P CD" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE FOR OUTSIDE STORAGE, "C-2 P CD" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE FOR WAREHOUSING, "C-2 P HS" HISTORIC SIGNIFICANT, COMMERCIAL PEDESTRIAN DISTRICT, "C-2 P S" COMMERCIAL PEDESTRIAN DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOTEL/ MOTEL, "IDZ R-4 CD, C-2 P" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN R-4 RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX AND COMMERCIAL PEDESTRIAN DISTRICT, "IDZ R-6, C-2 P" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN R-6 RESIDENTIAL SINGLE-FAMILY DISTRICT AND COMMERCIAL PEDESTRIAN DISTRICT, "IDZ R-6, C-2 P S" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN R-6 RESIDENTIAL SINGLE-FAMILY DISTRICT AND COMMERCIAL PEDESTRIAN DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BUS MAINTENANCE FACILITY, "IDZ R-6, C-2 P S" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN R-6 RESIDENTIAL SINGLE-FAMILY DISTRICT AND COMMERCIAL PEDESTRIAN DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION TOWER, "O-2" OFFICE DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-5 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A FOURPLEX, "R-5 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A MULTI-FAMILY DWELLING, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX, "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR AN OFFICE, "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A TRIPLEX, "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A COMMERCIAL PARKING LOT, AND "R-6 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A MULTI-FAMILY DWELLING.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember McNeil moved to adopt the proposed Zoning Item. Councilmember Herrera seconded the motion.

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

POSTPONED INDEFINITELY

Item Z-7. **ZONING CASE # Z2008229 (District 4):** An Ordinance amending the Zoning District from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 2, CB 4297 located on the north side of Lone Star Pass, between State Hwy 16 South and Applewhite Road. Staff recommends approval. Zoning Commission recommendation pending the September 16, 2008 public hearing.

Councilmember Cortez moved to postpone said item indefinitely. Councilmember Clamp seconded the motion.

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

CONTINUED TO NOVEMBER 6, 2008

Item P-2. **PLAN AMENDMENT # 08027 (District 5):** An Ordinance amending the land use plan contained in the Kelly South San PUEBLO Community Plan, a component of the Master Plan of the City, by changing the use of an 1.997 acre tract of land located at 2634 SW 34th Street from Low Density Residential land use to Industrial land use. Staff's and Planning Commission's recommendations are for denial. (**Associated Zoning Case # Z2008182 S**)

Councilmember Galvan moved to continue said item to November 6, 2008. Councilmember Clamp seconded the motion.

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

CONTINUED TO NOVEMBER 6, 2008

Item Z-8. **ZONING CASE # Z2008182 S (District 4, District 5):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "I-1 S" General Industrial District with a Specific Use Authorization for Metal Products Fabrication on Lots 23 and 24, Block 5, NCB 11370 located at 2634 Southwest 34th Street. Staff and Zoning Commission recommend denial.

Councilmember Galvan moved to continue said item to November 6, 2008. Councilmember Clamp seconded the motion.

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

CONTINUED TO NOVEMBER 6, 2008

Item Z-9. **ZONING CASE # Z2008257 (District 5):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-2 P NA" Commercial Pedestrian District, Nonalcoholic Sales located on Lot 4, Block 19, NCB 2331 at 2416 Buena Vista. Staff and Zoning Commission recommend Approval.

Councilmember Galvan moved to continue said item to November 6, 2008. Councilmember Cisneros seconded the motion.

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

2008-10-16-0958

Item Z-12. **ZONING CASE #Z2008186 S (District 5):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "IDZ S" Infill Development Zone with uses permitted in C-2 S Commercial District with a Specific Use Authorization for a Bail Bond Office on 1.012 acres out of NCB 191 located at 1202 and 1228 West Commerce. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.012 ACRES OUT OF NCB 191 TO WIT: FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN C-2 COMMERCIAL DISTRICT (0.9395 ACRES) AND "IDZ S" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN C-2 S COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BAIL BOND OFFICE (0.0725 ACRES).

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Galvan moved to adopt the proposed Zoning Item with the designation of IDZ with uses permitted in C2; and for the 0.0725 acres as IDZ S with uses permitted in C-2 S with a specific use authorization for a Bail Bond Office. Councilmember Cortez seconded the motion.

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

POSTPONED INDEFINITELY

Item Z-15. **ZONING CASE # Z2008242 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional, Residential Single-Family, Edwards Recharge Zone District on 3.30 acres out of NCB 14615 located at 12347 Woller Road. Staff recommends approval. Zoning Commission recommends denial.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Cibrian moved to postpone said item indefinitely. Councilmember Cortez seconded the motion.

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

PULLED

Item Z-16. **ZONING CASE # Z2008243 (District 8):** An Ordinance changing the zoning district boundary from "MF-33" Multi Family District to "C-1" Light Commercial District (0.901 acres) and "O-2" Office District (1.226 acres) on 2.12 acres out of NCB 14281 (P-116, NCB 14281) located at 4100 block of Gardendale Drive. Staff and Zoning Commission recommend Approval.

2008-10-16-0961

Item Z-17. **ZONING CASE # Z2008254 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "I-1" General Industrial District, save and except the northwest 75 feet to be rezoned "C-3NA" General Commercial District Nonalcoholic Sales, on a 2.000 acre tract of land out of NCB 15687 located at 4317 Stahl Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A 2.000 ACRE TRACT OF LAND OUT OF NCB 15687 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT, SAVE AND EXCEPT THE NORTHWEST 75 FEET TO BE REZONED "C-2NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Clamp moved to approve C-2NA for the northwest 75 feet and approved the other portion as recommended by staff. Councilmember Cortez seconded the motion.

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

CONTINUED TO NOVEMBER 6, 2008

Item Z-18. **ZONING CASE #Z2008206 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District to "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District on Lot 11, NCB 13804 located at 10811 IH 35 North. Staff and Zoning Commission recommend approval.

Councilmember Clamp moved to continue said item to November 6, 2008. Councilmember Cortez seconded the motion.

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

CEREMONIAL ITEMS

Mayor Pro Tem Rodriguez read and presented a Proclamation to the San Antonio Founder's Day Alliance that will celebrate Founder's Day on Saturday, October 25, 2008 at Main Plaza. Founder's Day pays tribute to the more than 20 cultural groups that have shaped the unique character and identity of San Antonio.

Newly appointed Board and Commission Members were sworn-in by City Clerk Leticia Vacek. The Council presented certificates of appointment and congratulated each member. The City of San Antonio is fortunate to have loyal and dedicated citizen volunteers who contribute their time and energy as members of the various Boards and Commissions.

CITIZENS TO BE HEARD

Mr. Elijah G. Canady stated that there were issues with loud music, binge drinking, and drunk driving in his neighborhood. He mentioned specific addresses and asked that they be provided with notices on the ordinance referencing loud music. He expressed concern with the excess number of stray animals in his neighborhood.

Mr. Nazirite Ruben Flores Perez spoke of the management and conflicts in the Purchasing and General Services Department and expressed opposition to the department's dress code.

Mr. Mark Perez expressed concern that he had not been contacted by City Staff regarding the issues he brought to the Council. He spoke on the company, TETCO, and noted that they had moved two facilities out of San Antonio. He added that the Kimberly Clark Facility had been operating without permits for thirty-five years.

Mr. Faris Hodge, Jr. asked about pay for the Mayor Pro-Tem and Councilmembers per year, and the amount of money designated for the railroad quiet zone located in District 8. He stated that the City was required to post the Public Information Act and expressed concern that elevator inspection stickers were not posted at Market Square. He spoke in opposition to the railroad quiet zones and stated that he would be writing the Texas Railroad Commission and the Federal Government to investigate.

ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:20 pm.

A P P R O V E D



PHIL HARDBERGER
MAYOR

Attest:



LETICIA M. VACEK
City Clerk