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, MAY 7, 2008 AND THURSDAY, MAY 8, 2008.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **May 7, 2008**, in the Municipal Plaza Building with the following Councilmembers present: Cisneros, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **ABSENT**: McNeil. Ms. Vacek noted that Councilmember McNeil was in Alabama attending her daughter's graduation.

1. **STAFF BRIEFING ON THE PROPOSED VOELCKER PARK MASTER PLAN PREPARED BY THE DESIGN TEAM OF STEPHEN STIMSON ASSOCIATES/D.I.R.T. STUDIO.**

Mr. Malcolm Matthews, Director of Parks and Recreation, presented said item and reviewed the projects history and goals. He introduced Ms. Julie Bargmann, D.I.R.T. Studio, and Mr. Stephen Stimson, Stephen Stimson Associates.

Ms. Bargmann thanked the Council for the opportunity to work on the Voelcker Park Master Plan. She noted that because the two firms were not local, they utilized several state and city consultants, as well as conducted meetings for citizens input. She stated that the Master Plan was inspired by native Texas Landscape Origins. The cultural landscape of San Antonio was also included as well as the agricultural landscape of the Missions. Ms. Bargmann noted that the goal was to make Voelcker Park a national destination, but still allow for uses such as Easter Egg Hunts. She added that they would like to make the park a larger part of the ecosystem by bridging Wurzbach Parkway and expanding it to include Salado Creek.

Ms. Bargmann noted the sensitivity of the Edwards Aquifer and spoke of plans to capture, filter, and reuse water on and around the property. She noted that the property consisted of three eco-regions which allowed for diverse plant and animal life to thrive. She reported that renewing, recreating, and learning were most important to citizens who participated in community meetings. Lastly, she reviewed design responses and spoke of the four park principles and strategies established by the Master Plan.

Mr. Stimson presented the Master Plan. He stated that citizens wanted to keep as much landscape as possible, so site activities were limited. He reviewed diagrams of the property depicting the percentage of developed area versus restored landscape, the site plan, trail system, as well as security access and routes. He noted that both entrances to the park coincide with existing intersections and VIA Bus Stops, but only the NW Military Highway entrance had a traffic signal. Mr. Stimson also noted that parking would be nontraditional, spread out, surrounded by vegetation, and allowed room for buses and turnarounds. He spoke of the land bridge which will be 175 feet wide and the first in the United States. He noted the possibility of a Farmer's Market and preservation of the Voelcker Heritage Homestead.

Mr. Matthews concluded the presentation by stating that the Master Plan was a 200-Year Plan and therefore, should be flexible. He noted that the plan had been presented to various groups and reviewed

whereby, issues and solutions had been identified. He thanked Mr. Larry Zinn for his work on the project and reviewed next steps.

Councilmember Cisneros asked about restrooms, solar panels, and what other cities had urban ecology model parks. Ms. Bargmann stated that there was a similar park in Milwaukee. Mr. Stimson stated that restrooms would most likely be at all site anchors. He added that they had not drawn detailed plans, but there was a great opportunity for solar power. Councilmember Cisneros asked about the Texas Parks and Wildlife Grant. Mr. Stimson replied that the application was submitted in April and expected a response in October. Councilmember Rowe noted that parking continued to surface as an issue with citizens. Mayor Hardberger noted his approval for the site plans and timeline and thanked the design team.

2. STAFF BRIEFING BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT CONCERNING THE MANAGEMENT OF COMMUNICATION SERVICES FOR CITY FACILITIES AND EMPLOYEES.

Ms. Sculley introduced said item and reported that a Request for Proposals (RFP) would be issued in the Summer.

Mr. Richard Varn, Chief Information Officer, introduced issues that had been identified in 2007 and the solutions currently underway. He stated that various sources were being utilized to fund said project and the monies had a spending deadline. Therefore, the City was proposing to build a Fiber Optic Network which could be utilized as a Traffic Management System. He presented the modernization phases and stated that radio towers and other locations with nodes and signals may not have the fiber or copper connections needed to tell the system which areas have congestion. Mr. Varn emphasized that it was critical for the network to be secure and reliable since the system could not fail. He added that having a city-owned network and a commercially-owned network meant that if one was not working properly, a backup was available. Mr. Varn stated that the City would re-bid all Communication Services Contracts and presented the RFP timeline. He concluded by reviewing budget impacts and noting that having an advanced network would enhance quality of life.

Councilmember Galvan asked if Bus Rapid Transit (BRT) would have an affect on the centralization and modification of signals. Mr. Varn replied that the signal switching technology would be programmed into the software pending VIA's needs and that the proposed fiber optic network would make it possible. Ms. Sculley noted that VIA had been involved in discussions and the City had prioritized signals that VIA had identified for BRT routes.

Councilmember Clamp asked if there were plans to avoid technological waste in individual Departments. Mr. Varn stated that departments were asked to analyze their needs and the network's ability before purchasing new technology. Councilmember Clamp inquired how long this network would serve the City. Mr. Varn replied that fiber optics did not have a shelf life, but the equipment attached to it would last approximately seven years. Ms. Sculley noted that Mr. Varn was heading an Information Technology Council of Departments to coordinate technology requests throughout the City.

Councilmember Cisneros asked if there were other cities with similar systems and if the effort could be coordinated with Bexar County. Mr. Varn stated that most major cities had at least part of the proposed network. He also noted that there was a partnership with the County, but State Law limited the extent of that relationship.

There being no further discussion, Mayor Hardberger adjourned the meeting at 4:46 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 8, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Reverend David Miracle, Pastor, Northridge Park Baptist Church, Guest of Councilmember John Clamp, District 10.

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

City Clerk, Leticia M. Vacek, noted a quorum of the Council with the following present: Cisneros, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **ABSENT**: McNeil. Again, Councilmember McNeil was in Alabama attending her daughter's graduation.

MINUTES

Councilmember Herrera made a motion to approve the Minutes for the April 10, 2008 City Council Meeting. Councilmember Cisneros seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

Item 4. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO VOELCKER PARK:

The City Clerk read the following Ordinances for Items 4A and 4B:

2008-05-08-0365

A. AN ORDINANCE APPROVING THE VOELCKER PARK MASTER PLAN PREPARED BY THE DESIGN TEAM OF STEPHEN STIMSON ASSOCIATES/D.I.R.T. STUDIO.

2008-05-08-0366

B. AN ORDINANCE APPROVING $852,907.00, INCLUDING A $613,191.00 PROFESSIONAL SERVICES AGREEMENT WITH STEPHEN STIMSON ASSOCIATES/D.I.R.T. STUDIO FOR DESIGN OF PHASE I IMPROVEMENTS FOR VOELCKER PARK, FROM FY 2008 CERTIFICATES OF OBLIGATION.

Mr. Malcolm Mathews, Director of Parks and Recreation, presented the Voelcker Park Master Plan and Design Development Phase. He stated that the City selected Stephen Stimson Associates and D.I.R.T. Studios to complete the design of Voelcker Park. Mr. Mathews stated that Stephen Stimson Associates had extensive experience in Parks, Gardens, and Campus Restoration around the country. He stated that D.I.R.T. Studio was selected for this project because they were known for site restoration and remediation.

Ms. Julie Bargmann with D.I.R.T. Studios addressed the Council and stated that the challenge was to design a 21st Century Park creating a World Class Park for the citizens of San Antonio. Ms. Bargmann stated that an important part of the process was community involvement which took place with Public Meetings held in all Districts. She stated that the restoration along with the native landscape and cultural history would create a unique park. Ms. Bargmann stated that Voelcker Park was within the Transition Zone of the Edwards Aquifer. She stated that the design would take advantage of the precious resources to capture, filter, and reuse water. She stated that the best management practice was to demonstrate a model of Star Management Practice.

Councilmember Cortez entered the Meeting at this time.

Mr. Stephen Stimson addressed the Council and stated that dynamic relationships existed between built landscapes and native landscapes, both of which are prevalent throughout the park. The Western side of Voelcker Park was cited as a new urban ecology center with access from Northwest Military Highway with parking and play fields. He stated that the Central portion, being the heart of the park, was going to be grasslands which was designed to reinvigorate the native landscape. The Eastern side of Voelcker Park would anchor Salado Creek and provide access from Blanco Road where parking would be available. On the Northern side where the Heritage Homestead sits, has potential for adaptive reuse. Mr. Stimson stated that the historic remnant of the Texas Farm along Salado Creek would become an important destination at Voelcker Park. He stated that his vision was to connect both parcels of land through the design of a Land Bridge. Mr. Stimson stated that there are European Models of Land Bridges; however, none have been built in the United States.

Mr. John Linkhart addressed the Council in support of the Voelcker Park Master Plan. He stated that he had been involved with and attended many Public Meetings held by the City. Mr. Linkhart stated that he was the President of the Churchill Forest Homeowners Association which was the neighboring subdivision of Voelcker Park. He acknowledged Mayor Hardberger's leadership in providing for the successful preservation of the park. He also acknowledged Councilmembers Cibrian and Rowe who supported the project from the beginning and understood that the goal was to create a World Class Park. Lastly, Mr. Linkhart recognized staff members Mr. Matthews and Ms. Krystal Strong with the Parks and Recreation Department.

Mr. Dick Slife addressed the Council in support of the project. He stated that he was a resident of Summerfield which abuts the Voelcker Homestead. Mr. Slife stated that he had raised issues regarding security, safety, privacy and preservation of property values to Mr. Larry Zinn of the Mayor's Office. He stated that Mr. Zinn ensured that residents' concerns were considered. Additionally, citizens were able to provide substantive input concerning the Master Plan. Mr. Slife recognized Ms. Strong who played a key role in laying the groundwork for three follow-up studies that were noted in the Master Plan.

Ms. Bonnie Conner addressed the Council and stated that today was a fabulous day in San Antonio. She stated that she was excited about entering the Council Chambers through the Main Plaza entrance which had been redesigned to provide more park space. Ms. Conner stated that the Mayor and Council would be recorded in San Antonio's History for approving the Voelcker Park Master Plan.

Mayor Hardberger stated that great buildings must have great foundations and thanked Ms. Conner for laying those foundations during her tenure on the Council. Mayor Hardberger expressed his

appreciation for Ms. Conner's dedication and love for parks and green space. Lastly, Mayor Hardberger thanked Ms. Conner for her continued work and service to the community.

Mr. Ray Knox, President of Friends of the Parks spoke in support of the Voelcker Park Master Plan. He stated that Voelcker Park provided an opportunity for citizens to embrace the natural environment and promote conservation. Mr. Knox stated that the project was unique and utilized public input in the design process. He stated that the design was to incorporate facilities and the native environment to develop the property. Lastly, he stated that 75% of the land will be left in its natural state or restored to its native habitat, while 25% will be developed into low-impact areas of recreation and educational facilities.

Mr. Mark Trevino, Chairman of the Parks and Recreation Advisory Board spoke in support of the Master Plan. He stated that the Parks and Recreation Advisory Board voted unanimously to endorse the Master Plan. He added that the Board would continue to oversee the project and pay special attention to amendments and/or projects that may be added going forward. He noted that there had been discussions with regards to adding a skate and dog parks.

Ms. Colleen Taylor Waguespack addressed the Council and stated that she was a resident of North Castle Hills Subdivision which borders Voelcker Park. She stated that she once dreaded looking out of her backyard. She thought that one day bulldozers would come and uproot the trees and destroy the habitat to build homes. Ms. Waguespack stated that Voelcker Park magnified the need for open space where children could play. She noted that she had attended every Public Meeting and was able to voice her opinions. She believed that the input of the citizens, the skills of the design team, and the participation from City Staff resulted in creating a World Class Park.

Mr. Chuck Saxer addressed the Council in support of Voelcker Park and mentioned that it would establish a conceptual plan for the future. He stated that the design created would restore and preserve irreplaceable Flora and Fauna. He noted that the Historic Diary Farm would be preserved and therefore provide an urban ecology model. Mr. Saxer stated that the citizens spoke and the design team listened. Lastly, he thanked Mayor Hardberger for his vision and leadership.

Mr. George Longoria thanked Mayor Hardberger for his vision and seeing the park come to fruition. He stated that he was a lifelong resident of District 4. Mr. Longoria added that May was National Biking Month and that he began riding mountain bikes in 1995. He noted that the week prior, the Council presented a Resolution supporting Hike and Bike Week. Mr. Longoria stated that the Voelcker Park Master Plan ignored the overwhelming input of mountain bikers. He stated that mountain bikers supported the 2007 Bond Program and put in hundreds of hours in park clean-up and trail maintenance. Mr. Longoria mentioned that there were only three existing parks that allowed mountain biking. He stated that community input had been a vital component to the Master Plan, yet despite the mountain bikers input they were shut out and passed over. Lastly, he expressed that the plan was no longer Hike and Bike rather it had become Hike and Walk.

Councilmember Rowe moved to adopt the proposed Ordinances for Items 4A and 4B. Councilmember Cibrian seconded the motion.

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

Item 5. AN ORDINANCE APPROVING THE FINAL PROJECT AND FINANCING PLANS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF SAN ANTONIO, TEXAS KNOWN AS THE BROOKS CITY-BASE TIRZ, AUTHORIZING THE PAYMENT OF ALL INCREMENTAL AD VALOREM TAXES INTO THE TAX INCREMENT FUND, AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT.

Mr. Pat DiGiovanni, Deputy City Manager presented the Tax Increment Reinvestment Zone (TIRZ) Project. He stated that there was; the adoption of the final project and financing plans to be considered. Upon approval by the Council, said item authorized the payment of incremental taxes into the TIRZ Fund. Mr. DiGiovanni stated that in addition, said approval will authorize the execution of the development agreement with the Brooks Development Authority and the TIRZ Board #16.

Mr. Donald Jakeway, President and CEO of Brooks City-Base, stated that he has enjoyed the partnership with the City. He thanked the Mayor and Council for their vision and foresight in creating Brooks City-Base, especially the conveyance of the land which has made the project unique. Mr. Jakeway stated that the Council was wise to create an authority to oversee future development of the former Air Force Base. Lastly, he stated that future economic development around Brooks City-Base would improve the quality of life.

Leticia M. Vacek, City Clerk read the following written testimony from Faris Hodge Jr. San Antonio businesses should have to pay taxes equally. Individuals who do not pay taxes go to jail and pay fines. Some businesses are exempt from paying taxes for up to twenty-five years. He expressed his concerns with businesses being exempt from paying taxes, especially new businesses.

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

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

POINT OF PERSONAL PRIVILEGE

Councilmember Galvan expressed her sadness as citizens watched broadcasts of Our Lady of the Lake (OLLU), as it was engulfed in flames. Councilmember Galvan thanked Fire Chief Hood and the 112 brave firefighters who went beyond the call of duty and spent the entire night fighting the fire at OLLU. Councilmember Galvan stated that she went to the command post and was very proud of how Chief Hood handled the situation. Councilmember Galvan thanked Police Chief McManus and the officers who immediately responded and rerouted traffic. Councilmember Galvan added that she was very proud of their collaborative efforts. Lastly, she thanked Assistant City Manager, Erik Walsh for immediately contacting her and providing updates throughout the evening on the progress of the fire.

Councilmember Galvan stated that she was proud of how the community comes together during times of need. She thanked the Aleman Family, and the Acosta Family, Selrico, and other community partners for rushing to the aid of the students and faculty.

Councilmember Galvan thanked the Red Cross for their services provided to the City. Councilmember Galvan pledged HDFC funding to provide essentials such as hygiene, blankets, sheets, and pillows. She

called upon her colleagues to step up to the plate and pledge additional funding. Lastly, she thanked the entire city for their prayers and positive messages during such a difficult time as we rebuild the beloved OLLU.

Mayor Hardberger stated that Councilmember Galvan spoke for everyone providing a wonderful message. He added that San Antonio was a complex city of 1.5 million people with different opinions on many issues. Mayor Hardberger noted that one thing you can always rely upon is the sense of compassion and sense of community.

CONSENT AGENDA: Items 6 –20

Consent Agenda Items 18 and 19 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Clamp seconded the motion.

Mayor Hardberger stated that Item 11 had not been pulled; however, he recognized Ms. Sherri Wagner with the Women's Pavilion at Hemisfair Park.

Ms. Wagner stated that when Hemisfair Park opened, one of the significant attributes was the Women's Pavilion. She stated that the Pavilion was to be a permanent structure and was built with contributions from more than 8,000 women from all over the United Stated and 11 countries. Ms. Wagner stated that this was the first time that a grass-roots group of women organized and built a structure that addressed Women's Achievements. Ms. Wagner stated that after the Fair of 1968, the building was turned over to the City of San Antonio thru a Resolution that resolved that the building was for social, cultural, and educational purposes. However, as time passed, the building became a storage facility and had deteriorated. In order to restore the structure to its original purpose, Ms. Tobin has led a group of women to restore the building which will be used for events, celebrations, conventions and educational purposes.

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

2008-05-08-0368

Item 6. 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 $797,000.00, INCLUDING: (A) MATERIALS & LABOR TO MAINTAIN HEATING & AIR CONDITIONING SYSTEMS AT VARIOUS CITY FACILITIES; (B) IBM CONSOLIDATED SOFTWARE MAINTENANCE; AND (C) PUBLIC SAFETY INTEGRATED TECHNOLOGY (PSIT) SOFTWARE MAINTENANCE.

2008-05-08-0369

Item 7. AN ORDINANCE RATIFYING CHANGE ORDER NO. CIMS-02 IN THE AMOUNT OF $31,256.20 WITH R.L. JONES, L.P. IN CONNECTION WITH THE GRANDVIEW NEIGHBORHOOD STREETS PH. IIIH (HAMMOND – AMANDA TO ROLAND) PROJECT, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT (HUD) 108 FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

2008-05-08-0370

Item 8. AN ORDINANCE APPROVING $32,420.00 FOR DESIGN OF ELECTRICAL IMPROVEMENTS IN THE RIVER EXTENSION AND UNDER THE PRESA STREET BRIDGE IN CONNECTION WITH RIVER WALK IMPROVEMENT PROJECTS-ELECTRICAL PHASE I PROJECT, AN APPROVED 2007 CERTIFICATE OF OBLIGATION FUNDED PROJECT.

Leticia M. Vacek, City Clerk, read the following written testimony from Faris Hodge Jr. It is against free enterprise to stop a small business owner from selling to big businesses. The Riverwalk may be the Landmark of San Antonio, but it is the small businesses that make up the Riverwalk, not the river. Mr. Hodge also wrote that he understood that the City would like to keep the old look of the Riverwalk; however, businesses located on the Riverwalk should be allowed to decide what happens to their property.

2008-05-08-0371

Item 9. AN ORDINANCE AUTHORIZING A LEASE WITH ALAMO HELICOPTER TOURS SAN ANTONIO, LLC AT STINSON MUNICIPAL AIRPORT FOR A MONTH-TO-MONTH TERM COMMENCING ON MAY 1, 2008 AND ESTIMATED ANNUAL RENTALS OF $2,849.70.

2008-05-08-0372

Item 10. AN ORDINANCE AUTHORIZING THE CITY TO LEASE APPROXIMATELY 3,203 SQUARE FEET OF OFFICE SPACE FOR FIVE YEARS FROM RIVERVIEW TOWER PARTNERS, LTD. FOR CIMS'S ENVIRONMENTAL MANAGEMENT DIVISION, AT 111 SOLEDAD STREET AT A RENT OF $16.00 PER SQUARE FOOT INITIALLY AND INCREASING OVER TIME, PLUS PRO-RATA OPERATING EXPENSES; THE LEASE TO PROVIDE FOR POSSIBLE RENEWAL AND A FIRST REFUSAL RIGHT ON ADDITIONAL SPACE.

2008-05-08-0373

Item 11A. AN ORDINANCE APPROVING A LEASE AGREEMENT WITH THE SAN ANTONIO WOMEN'S PAVILION AT HEMISFAIR PARK, INC. TO RENOVATE AND OPERATE THE WOMEN'S PAVILION AND THE ADJACENT GARDEN AREA IN HEMISFAIR PARK FOR AN INITIAL TERM OF 25 YEARS.

2008-05-08-0374

Item 11B. AN ORDINANCE APPROVING A $50,000.00 FUNDING AGREEMENT WITH SAN ANTONIO WOMEN'S PAVILION AT HEMISFAIR PARK, INC. IN SUPPORT OF ENGINEERING AND ARCHITECTURAL SERVICES RELATED TO REDEVELOPMENT OF THE WOMEN'S PAVILION.

2008-05-08-0375

Item 12. AN ORDINANCE AUTHORIZING A FIVE-YEAR RENEWAL OF THE REIMBURSEMENT GRANT AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR THE OPERATION OF FIVE CANINE TEAMS AT SAN ANTONIO INTERNATIONAL AIRPORT; ACCEPTING $125,500.00 IN GRANT FUNDS FOR FISCAL YEAR 2008; AND ESTABLISHING A PROGRAM BUDGET.

2008-05-08-0376

Item 13. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS, UPON AWARD, NOT TO EXCEED $123,725.00 FROM THE U.S. DEPARTMENT OF JUSTICE FOR FUNDING OF THE BALLISTIC VEST GRANT PROGRAM FOR THE GRANT PERIOD ENDING DECEMBER 31, 2010.

2008-05-08-0377

Item 14. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS, UPON AWARD, OF A $120,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE "CLICK IT OR TICKET" SELECTIVE ENFORCEMENT PROGRAM'S SEAT BELT AND CHILD SAFETY SEAT ENFORCEMENT PROGRAM FOR THE GRANT PERIOD MAY 19, 2008, TO JUNE 1, 2008.

PULLED FROM AGENDA

Item 15. AN ORDINANCE APPOINTING AN INTERIM CITY INTERNAL AUDITOR FOR THE CITY OF SAN ANTONIO.

2008-05-08-0378

Item 16. AN ORDINANCE AUTHORIZING APPLICATION FOR REIMBURSEMENT FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS FOR EXPENSES INCURRED FOR THE 2007 BIG 12 FOOTBALL CHAMPIONSHIP AND THE REMITTANCE OF $76,082.00 TO THE COMPTROLLER AS REQUIRED BY STATE LAW.

2008-05-08-0379

Item 17A. AN ORDINANCE AUTHORIZING EXECUTION OF THE FIRST RENEWAL AND AMENDMENT TO THE AGREEMENT FOR AUDIO/VISUAL SERVICES WITH AUDIO VISUAL SERVICES GROUP, INC. D/B/A PSAV EVENT SERVICES DIVISION.

2008-05-08-0380

Item 17B. AN ORDINANCE AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH AUDIO VISUAL SERVICES GROUP, INC. D/B/A PSAV EVENT SERVICES DIVISION.

2008-05-08-0383

Item 20. AN ORDINANCE APPROPRIATING $11,516.00 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION AS MATCHING FUNDS FOR ADDITIONAL CONSTRUCTION COSTS ASSOCIATED WITH THE HAZARD ELIMINATION AND SAFETY PROGRAM GRANT - MAINLAND (MONTEGO TO MAINLAND SQUARE) PROJECT.

[CONSENT ITEMS CONCLUDED]

Mayor Hardberger announced that a Joint Press Conference with CPS Energy would take place in the Media Briefing Room of City Hall at 1:30 pm and encouraged everyone to attend.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 11:45 am to convene into Executive Session for the purpose of:

A. Discuss legal issues related to the convention center hotel and condominium project pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Discuss legal issues related to various Municipal Court cases styled *State of Texas v. Scott Holden* and involving the premises located at 11150 Applewhite Road, San Antonio, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney). **ITEM WITHDRAWN FROM AGENDA BY CITY ATTORNEY**

Mayor Hardberger reconvened the Regular Meeting at 3:05 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-05-08-0381

Item 18. AN ORDINANCE RATIFYING AN AMENDMENT TO THE AGREEMENT WITH THE SAN ANTONIO PARKS FOUNDATION TO MODIFY THE FORMULA FOR THE ANNUAL PAYMENT FOR THE 2008 FIESTA EVENT "FIESTAS FANTASIAS" AT MARKET SQUARE.

Councilmember Herrera requested information on the relationship between the Parks Foundation, City of San Antonio, and the Vendors at Market Square. Ms. Paula Stallcup, Director of Downtown Operations, stated that the City has a License Agreement with the Parks Foundation who produces the Fiesta Fantasias Event. The City also has various lease agreements with the various tenants of Farmers Market and Market Square.

Councilmember Herrera requested additional information on the type of notification that was given to the vendors that are at the Market year-round as well as the pricing of merchandise. Ms. Stallcup stated that the current lease agreement with the tenants in the Farmers Market states hours of operation and that shops are required to close at 6:00 pm. However, the lease agreement has a provision that allows tenants to petition the City during Fiesta to extend their hours of operation. The City granted the request subsequent to agreeing to certain rules and regulations such as maintenance, security, and maintaining the same price structure for alcoholic beverages that are produced and sold by the Fiesta Fantasias Event.

Councilmember Herrera directed Ms. Stallcup to provide written notice to all the tenants of Market Square to ensure that everybody benefits from the Fiesta Celebration as it relates to the agreed rules and regulations.

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

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cibrian took a personal moment to congratulate Councilmember McNeil who was in Alabama. She stated that Councilmember McNeil's daughter was graduating from Oakwood College which also happened to be Councilmember McNeil's Alma Mater.

The City Clerk read the following Ordinance:

2008-05-08-0382

Item 19. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH VERMONT CLINICAL DECISION SUPPORT, LLC TO COLLECT, STORE, MAINTAIN AND ASSIST IN ANALYZING MEDICAL DATA FOR THE STATE-MANDATED DIABETES REGISTRY PILOT PROGRAM ASSIGNED TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH SEPTEMBER 30, 2009.

Councilmember Rodriguez stated that said item was an important initiative and asked Dr. Alsip to provide highlights of the Diabetes Registry Pilot Program.

Dr. Alsip stated that the Council took a visionary approach to create an agreement between the City of San Antonio and the Texas State Department of Health Services. Dr. Alsip stated that the agreement would create a Diabetic Registry laboratory measurement which is only the second one in the nation; the first by New York City. The registry will collect data in terms of how Diabetes was being managed. He stated that Diabetes has such a prolific and inherent adverse health impact, and that San Antonio was second in the nation in Diabetic related deaths. Dr. Alsip stated that the benefit of the registry was to provide a view of the community whereby medical organizations can have access to datasets related to Diabetes.

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

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

POINTS OF PERSONAL PRIVILEGE

Councilmember Clamp wished his father a Happy 70th Birthday.

Councilmember Cortez wished all Mothers a Happy Mother's Day.

Councilmember Rodriguez wished his wife a Happy Birthday and Happy Mother's Day.

Councilmember Rowe also wished his mother a Happy Birthday and Happy Mother's Day.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley reported on the following:

- Customer Service Training Program – The Customer Service Initiative has been led by Mr. Tony Bosmans, Director of 311-Customer Service. Secret Shoppers visit City Departments anonymously and rate services provided. Ms. Sculley recognized City Clerk, Leticia M. Vacek, and her department for their "Excellent" Secret Shopper review. Ms. Sculley congratulated the Office of the City Clerk for earning the Customer Service Excellence Award. She added that this was only the second award to be presented since the inception of the Customer Service Initiative.
- A Budget Planning Work Session is scheduled to take place on May 13th with the Mayor and Council. Ms. Sculley provided materials for the Council to review in preparation for the Budget Planning Work Session including the Five-Year Financial Forecast.

Mayor Hardberger recognized City Clerk, Leticia M. Vacek, for designing the Electronic Campaign Finance Filing System, which has worked very well for San Antonio. The City of Dallas recognized the need to follow San Antonio's lead and will implement San Antonio's Electronic Campaign Finance Filing System. The City of Dallas purchased the System for $10,000. The City of San Antonio was the first City in the State to implement an Electronic Campaign Finance Filing System.

Mayor Hardberger recessed the Meeting at 3:45 pm and stated that he would reconvene the Meeting at 5:15 pm for the Ceremonial Items.

CEREMONIAL ITEMS

Mayor Hardberger presented a Proclamation to Police Chief McManus in recognition of "Police Officer's Week" which runs from May 11 thru May 17, 2008. Additionally, he Proclaimed May 15, 2008, as "Peace Officer's Memorial Day" as designated by the President of the United States in recognition of the service given by the men and women who protect our citizens. During the week-long recognition, the Police Department will hold its annual "Police Officer Memorial Day" on Tuesday, May 13, 2008, in honor of the 48 members of the San Antonio Police Department who lost their lives in the line of duty.

Mayor Hardberger presented a Proclamation in recognition of "Stamp out Hunger" sponsored by The National Association of Letter Carriers Branch 421 on Saturday, May 10, 2008. Residents are asked to leave non-perishable food items at their mailboxes, which will be delivered to the San Antonio Food Bank. This is the largest one-day food drive in San Antonio and the surrounding area benefiting the San Antonio Food Bank.

Mayor Hardberger left the Meeting at this time. Mayor Pro Tem Mary Alice Cisneros presided over the Meeting.

Mayor Pro Tem Cisneros acknowledged the Project Re-directory Project which was a community-wide effort to collect thousands of outdated telephone books for recycling and help divert them from local landfills. The project provided a great opportunity for schools to earn prize money for their efforts as they help protect the environment. At this time, the various school winners were recognized.

CITIZENS TO BE HEARD

Ms. Karen Dalglish Seal cited her 100 year old office in Tobin Hill as an example of energy conservation through retrofitting. She stated that the Sierra Club's recommendation needed to be revisited. She noted her support for the CPS Energy rate increase for clean-up and energy efficiency, then thanked the CPS Energy Board for eliminating the nuclear component from the rate increase. Ms. Seal encouraged Council to postpone further discussion on the nuclear issue until the nation's new president is elected.

Mr. Jerry Morrisey noted that he was the director of a medical lab and discussed conservation. He added that commodity prices were increasing and energy issues needed to be addressed through incentives, building codes, and education. He praised the Councilmembers who have expressed doubts about cost and waste issues pertaining to nuclear energy and campaigned for a third party study on the issue.

Ms. Cindy Weehler, a San Antonio chemistry teacher, asked the Council to drop the issue of nuclear power and instead investigate conservation and renewable energy. She expressed her concerns with the monetary costs of a nuclear power plant by noting that they were unknown. She also cited a German study which concluded that children living five kilometers from a nuclear power plant were twice as likely to develop leukemia. Lastly, Ms. Weehler commented that Mr. Peter Bradford, former member of the Nuclear Regulatory Commission, has stated that there was no solution to storing nuclear waste.

Ms. Loretta Van Coppenolle stated that the citizens of San Antonio were in favor of energy efficiency and upset that nuclear energy was being considered. She read a letter from CPS Energy stating that San Antonio could not afford to wait to explore other options and countered that San Antonio could not afford nuclear power. She noted that cost estimates to build the nuclear plant were incorrect and that for $2.4 billion, every home in San Antonio could be retrofitted. She also referenced a book entitled *Carbon Free and Nuclear Free.*

Ms. Karen Weehler, a San Antonio High School environmental science teacher, asked why San Antonio was the first city in thirty years to consider building a nuclear plant. She also questioned the company selected to build the nuclear plant and why the City did not obtain insurance from the federal government on loan guarantees. She noted that plutonium was a man-made material which was why nature cannot recycle it and because the waste lasts for 500,000 years, there is no technology to handle it.

Mr. Eric Lane stated that at his town hall meeting, he was not given satisfactory answers to questions directed at CPS Energy. He added that CPS Energy should not be allowed to make decisions regarding a nuclear power plant on its own. He encouraged the City Council to request a third party study on the issue. Mr. Lane suggested CPS Energy executives meet with solar power representatives because the City has sunlight 320 days a year.

Ms. Christel Villarreal thanked the City Council for reconsidering nuclear power and reassigning those funds. She gave her remaining time to Ms. Karen Head. Ms. Head asked the City Council to pass a resolution to prevent CPS Energy from funding nuclear power until an outside, independent analysis of the cost is provided. She noted that costs have already escalated since their original estimate.

Mr. David Klar, resident of District 10, thanked the Mayor for including the community on the Voelcker Park Project and asked that the citizens also be included in the nuclear energy decision. He stated that the cost estimates from CPS Energy were inaccurate and that since 2000, power plant costs have increased by 130% and nuclear power construction has increased by 185%.

Ms. Janet Ahmad gave her time to Ms. Sandra Ybarra. Ms. Ybarra, a Blueridge Resident, thanked the City Council for Mr. Cavazos's appointment to the San Antonio Housing Authority (SAHA) Board and the work he has done. She added that since moving out of her home, her son has been doing much better. She added that although her house was being repaired, she was hesitant to move back.

Ms. Dolores Gonzales noted that she had been in the lease-to-purchase program for eight years and she also worked for SAHA. She stated that the program had promised her an affordable home and classes on how to budget. She added that her intent was to purchase a home in two years, but when a friend told her of the problems with the homes and that SAHA would not pay for repairs, Ms. Gonzales decided against purchasing. She noted that her home had already been repaired, but that mold was still apparent on the windows in her son's room.

Ms. Cynthia Ynman noted that she was promised help with her credit score and attending school through the Hope VI Program. The program also promised assistance if she ever lost her job, but none of these things ever happened. She stated that she was working two jobs and unable to go to school and now maybe terminated from the Hope VI Program due to budget cuts. She added that her personal belongings were trashed while repairs were being made to her home.

Ms. Henrietta DeHoyos stated that Mr. Cavazos was helping the Mirasol Residents. She added that KB Homes needed to be held accountable for their actions. She noted that her paperwork was missing and no one knew how much money she had invested into her home.

Mr. Don Horner, a government and economics teacher at Highlands High School, introduced Cassandra Wright, Brittany Noriega, Stacie Wright, and Jerald Segundo who presented their Civics Fair Project. The students spoke on graffiti and the effects it has on neighborhoods as well as the City's Budget. They took a survey that concluded that citizens would like to see offenders serve jail time for tagging and suggested this, along with surveillance as a solution.

Mr. Nazirite Ruben Flores Perez noted that he was in support of nuclear energy. He then referred to Revelations Chapter 13 and Isaiah from the Bible.

Mr. Mark Perez spoke on the fire at Our Lady of the Lake University. He then addressed problems with Development Services and a new chemical plant that located in a Historic District of the City. He referenced a chemical spill which he reported and stated that he was not satisfied with how the situation was handled. Mr. Perez also stated that he has several unanswered Open Record Requests and would like to meet with staff from Development Services.

Mr. Faris Hodge stated that locked doors in City Hall posed a fire safety issue. He also addressed police brutality and noted that police officers had used a water cannon aimed at citizens during the Fiesta Flambeau Parade. He stated that the Downtown Library smelled bad, the men's room was covered in graffiti, the lights were too dull, and that Library hours needed to be extended. Mr. Hodge also spoke against banning cell phones in school zones.

Mr. Michael John, Chairman of the Riverwalk Vendors Association noted that he had been a mobile vendor until an ordinance was adopted banning vending on the Riverwalk. He spoke of a federal lawsuit against the City. He stated that he cannot get a job because he has criminal charge cases against him for trespassing.

ADJOURNMENT

There being no further business to discuss, Mayor Pro Tem Cisneros adjourned the meeting at 7:19 pm.

A P P R O V E D

PHIL HARDBERGER
MAYOR

Attest:

LETICIA M. VACEK
City Clerk

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LV/tjf