

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

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 11, 2005**

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The Regular Meeting was called to order at 9:00 am by the Presiding Officer, Mayor Phil Hardberger, with the following members present: Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **ABSENT:** Gutierrez.

The Invocation was delivered by Pastor Herman Price, District 2, St. John Baptist Church.

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

The minutes of the Special City Council meeting of June 17, 2005 and the Regular meetings of June 23 and 30, 2005 were approved as presented.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

Item 4 being an Ordinance amending City Code, Chapter 2, Article II, Sections 2-26 and 2-35, as amended on June 23, 2005 by Ordinance Number 101069, to change the time certain for Citizens to be Heard from 6:00 p.m. to immediately follow Ceremonial recognitions at 5:00 p.m. and changing the time for registration of persons wishing to address the Council during Citizens to be Heard to no later than 5:00 p.m. of the day of the City Council meeting, as requested by Mayor Phil Hardberger was pulled from consideration.

The City Clerk read the following ordinance:

**AN ORDINANCE 101156**

**RELEASING APPROXIMATELY 252 ACRES FROM THE CITY OF SAN ANTONIO EXTRATERRITORIAL JURISDICTION (ETJ), AS PETITIONED BY THE CITY OF**

ELMENDORF CONTINGENT ON THE RELEASE OF APPROXIMATELY 183 ACRES FROM THE CITY OF ELMENDORF ETJ.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

Mr. Emil Moncivais, Director of Planning made a presentation on the request for release from the Extra-Territorial Jurisdiction (ETJ) from the City of Elmendorf, a copy of which is on file with the Office of the City Clerk. He stated that in exchange the City of Elmendorf has agreed to release from their ETJ, approximately 183 acres along the south right-of-way line of Highway 181. He further presented background information on the subject site, its use, and the annexation goals and policies

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke about the area being considered and noted that he used to go fishing in the Medina Lake area.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

The City Clerk read the following ordinance:

AN ORDINANCE 101157

RECEIVING THE UPDATES OF THE LAND USE ASSUMPTIONS PLAN AND THE WATER SUPPLY CAPITAL IMPROVEMENTS PLAN AND WATER SUPPLY MAXIMUM IMPACT FEE AND ESTABLISHING A PUBLIC HEARING TO BE HELD ON SEPTEMBER 15, 2005 AT 11:00 A.M. IN THE CITY COUNCIL CHAMBERS TO DISCUSS AND REVIEW BOTH PLANS AND CONSIDER AN UPDATE TO THE WATER SUPPLY IMPACT FEE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Sam Mills, Director of Infrastructure Planning, SAWS, made a presentation on the 2005-2005 Land Use Assumptions Plan, 2005-2015 Water Supply Capital Improvements Plan and the Maximum Water Supply Impact Fee, a copy of which of which is on file with the Office of the City Clerk. He spoke to the impact fees, the role and mission of the Capital Improvements Advisory Committee with respect to the subject plans. He

presented data on the Land Use Assumptions Plan (LUAP) including population projections methodology, the Equivalent Dwelling Units (EDU) per service level, the Water Supply Capital Improvements Plan, the calculation for the maximum impact fee, outlining the water supply projects being considered for construction within the next 10 years.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, addressed the Council relating to the ratepayers paying for much of the infrastructure. He further addressed the impact fees imported to developers.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

### CONSENT AGENDA – CITIZENS’ COMMENTS

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council relating to the sign that reads that the fish may be harmful and asked that it be changed that it will be harmful at Leon Creek.

Mr. David Arrevalo addressed the Council relating to the TIF program and asked how the non-profits do not pay taxes. He stated the sports facility is open to the public and is charging a fee for usage. He asked why the City would fund a non-profit that does not pay taxes.

Mr. Jack M. Finger addressed the Council and thanked them for their previous discussion on item 6. He added several Councilmembers received campaign contributions as noted for items 12 and 16.

### CONSENT AGENDA

Consent agenda items 10, 12, 14, 15, 16, 19, 20, 23, and 24 were pulled for individual consideration. The remaining items 7 through 29H were approved upon motion made by Councilmember Perez and seconded by Councilmember Haass.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

AN ORDINANCE 101158

ACCEPTING THE BID SUBMITTED BY DELL MARKETING, L.P., UTILIZING THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT, TO PROVIDE THE LIBRARY DEPARTMENT WITH 100 DESKTOP COMPUTERS FOR A TOTAL AMOUNT OF \$87,635.00 FROM TEXAS STATE LIBRARY AND ARCHIVES COMMISSION GRANT FUNDS.

AN ORDINANCE 101159

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY TNT RESCUE SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE RESCUE TOOLS FOR A TOTAL COST OF \$52,560.00, FROM URBAN AREA SECURITY INITIATIVE GRANT FUNDS.

AN ORDINANCE 101160

AUTHORIZING THE ACCEPTANCE OF THE LOW BID SUBMITTED BY SOUTHWEST SOLUTIONS GROUP, UTILIZING THE TEXAS MULTIPLE AWARD SCHEDULE CONTRACT, TO PROVIDE THE PUBLIC LIBRARY WITH LIBRARY SHELVING FOR THE BROOK HOLLOW, JULIA YATES SEMMES AND MAURY MAVERICK JR. BRANCHES FOR A TOTAL COST OF \$230,314.67 FROM 1999 GENERAL OBLIGATION BOND FUNDS.

AN ORDINANCE 101161

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY CONSOLIDATED TRAFFIC CONTROLS, UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS (HGAC) CONTRACT, TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC SIGNAL PREEMPTION EQUIPMENT FOR A TOTAL COST OF \$169,280.53, FROM ADVANCED TRANSPORTATION DISTRICT FUNDS.

AN ORDINANCE 101162

GRANTING A LICENSE TO USE PUBLIC RIGHTS OF WAY OVER AND UNDER EAST HOUSTON AND BROADWAY STREETS AND PEACOCK ALLEY FOR SEVEN (7) NEW BALCONIES, A NEW HANDRAIL, AN EXISTING SIDEWALK, A NEW CORNICE, AN EXISTING CANOPY, AND AN EXISTING BASEMENT AT THE ADJACENT NEISNER BUILDING AT 409 EAST HOUSTON STREET IN NCB 417 IN COUNCIL DISTRICT 1, FOR A 10-YEAR TERM AND THE CONSIDERATION OF \$32,216.00, WHICH WAS WAIVED IN ACCORDANCE WITH THE 100% REDUCTION PROVIDED UNDER THE CITY'S INCENTIVE SCORECARD PROGRAM.

AN ORDINANCE 101163

AUTHORIZING FUNDS IN THE TOTAL AMOUNT OF \$1,662.38 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE FEES IN CONNECTION WITH: THE ASHLEY ROAD - BASCUM TO SOUTH FLORES PROJECT (\$400.00) IN COUNCIL DISTRICT 3; THE ESCALON STREET #L008 DRAINAGE PROJECT (\$235.86) IN COUNCIL DISTRICT 3; THE JAMES PARK DEVELOPMENT AND HOLBROOK ROAD IMPROVEMENTS PROJECT (\$200.00) IN COUNCIL DISTRICT 2; THE PECAN VALLEY- I.H. 10 TO J STREET, A METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT (\$540.66) IN COUNCIL DISTRICT 2; AND THE PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD, A METROPOLITAN PLANNING ORGANIZATION PROJECT (\$285.86) IN COUNCIL DISTRICT 3, FROM GENERAL OBLIGATIONS OF THE CITY.

AN ORDINANCE 101164

AUTHORIZING FUNDS PAYABLE TO LAWYERS TITLE OF SAN ANTONIO, AS ESCROW AGENT FOR SERVANDO CORDOVA AND IRMA YOLANDA CORDOVA, IN THE AMOUNT OF \$750.00, FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND AND \$350.00 FOR TITLE FEES; \$100.00 FOR A RIGHT OF ENTRY FEE PAYABLE TO SERVANDO CORDOVA AND IRMA YOLANDA CORDOVA, AND \$800.00 PAYABLE TO ECKMANN GROLL INCORPORATED FOR APPRAISAL SERVICES, FOR A TOTAL AMOUNT OF \$2,000.00 IN CONNECTION WITH THE ROSABELL STREET-CULEBRA TO INEZ PROJECT, A 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDED PROJECT, IN COUNCIL DISTRICT 5.

AN ORDINANCE 101165

AUTHORIZING THE EXECUTION OF A PUBLIC USE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, THE ANTIOCH COMMUNITY TRANSFORMATION NETWORK, AND THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS FOR PUBLIC USE RIGHTS TO THE EASTSIDE SPORTS COMPLEX IN CITY COUNCIL DISTRICT 2.

AN ORDINANCE 101166

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$5,378.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO SUPPORT PERSONNEL COSTS FOR TEMPORARY STAFF AND OPERATING EXPENSES DURING THE REMAINDER OF THE CONTRACT YEAR.

AN ORDINANCE 101167

APPROVING THE TEMPORARY STREET CLOSURE OF HOWARD STREET (CUL-DE-SAC) BETWEEN HOWARD STREET AND DEAN STREET ON SUNDAY AUGUST 21, 2005 FROM 5:00 P.M. TO 9:30 P.M. FOR "DOING IT IN THE PARK" CHURCH FESTIVAL, AS REQUESTED BY THE GREATER GALILEE MISSIONARY BAPTIST CHURCH. (COUNCIL DISTRICT 1).

AN ORDINANCE 101168

APPROVING THE TEMPORARY STREET CLOSURE OF E. HOUSTON STREET BETWEEN SOLEDAD STREET AND N. PRESA STREET ON SATURDAY SEPTEMBER 24, 2005 FROM 6:00 A.M. TO 6:00 P.M. FOR THE ANNUAL "CHALK IT UP" ART FESTIVAL, AS REQUESTED BY ARTPACE SAN ANTONIO. (COUNCIL DISTRICT 1).

AN ORDINANCE 101169

APPROVING THE TEMPORARY STREET CLOSURE OF EAST HOUSTON STREET BETWEEN AVENUE E AND NORTH ALAMO ON SATURDAY NOVEMBER 19, 2005 FROM 8:30 A.M. TO 12:00 P.M. FOR THE ANNUAL PONY EXPRESS SWEARING-IN CEREMONY, AS REQUESTED BY ALAMO AREA COUNCIL OF GOVERNMENTS (COUNCIL DISTRICT 1).

AN ORDINANCE 101170

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE ALAMO HEIGHTS AND OLMOS PARK AREAS IN CONNECTION WITH THE DAM 09 TRIATHLON BEING HELD ON SATURDAY, AUGUST 20, 2005; AS REQUESTED BY ROGER SOLER'S SPORT.

AN ORDINANCE 101171

APPOINTING SHIRLEY FLORES (DISTRICT 8) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2007.

AN ORDINANCE 101172

APPOINTING LUCIO CANTU (DISTRICT 8) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2007.

AN ORDINANCE 101173

APPOINTING PAULA BEAVERS (DISTRICT 7) TO THE KEEP SAN ANTONIO BEAUTIFUL, INC., A NON-PROFIT ORGANIZATION, FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2007.

AN ORDINANCE 101174

APPOINTING JOHN BELLETT (DISTRICT 9) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2007.

AN ORDINANCE 101175

APPOINTING MICHELLE HERRERA (DISTRICT 2) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2007.

AN ORDINANCE 101176

APPOINTING SUSAN WRIGHT (DISTRICT 2) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE (CATEGORY: REAL ESTATE/BUILDING INDUSTRY) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 2006.

AN ORDINANCE 101177

APPOINTING JURETTA MARSHALL (DISTRICT 2) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2007.

AN ORDINANCE 101178

RE-APPOINTING CONSUELO R. ROCHA (DISTRICT 5) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2007.

Item 29I being an Ordinance re-appointing Daniel Lopez (District 5) to the South Texas Business Fund Board for a term of office to expire May 9, 2007 was pulled from consideration.

**PRESENTATION OF THE FY2005-2006 PROPOSED BUDGET**

City Manager Rolando Bono made a presentation on the proposed budget for FY 2005-2006, a copy of which is on file with the Office of the City Clerk. He spoke to the FY 2006 budget goals, authorized personnel levels, significant changes to the revenues and expenditures by service category, the other funds summary, the One-Year and Six-Year Capital Improvements Plan, and reorganizations. He further outlined the General Fund Five-Year Financial Forecast, distribution of resources, General Fund reductions, mandates/improvements of the General Fund Streets and Infrastructure, Public Safety, Neighborhood Services, Health and Human Services, Economic Development, and Convention/Tourism/Culture. He expounded on the Employee Compensation including Health Benefits, goals and improvements for General Fund Operational and Administrative, Reserve for Revenue loss, and the proposed budget public hearings and work sessions schedule.

The following citizen(s) appeared to speak:

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August 11, 2005  
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Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council and stated the amount of the Cost of Living Adjustment proposed is unjust. He proposed an equal amount of money for all employees.

COPS Metro representative spoke and stated that an increase in the education partnership needs to be done. He also proposed that Project Quest be moved to Economic Development. He noted that if Project Quest is fully funded it can produce the demands of the industry.

Mayor Hardberger recessed the meeting at 12:00 noon to break for lunch and reconvened the meeting at 1:00 pm.

### **EXECUTIVE SESSION**

The Mayor recessed the Regular Session at 1:00 pm in order to convene in Executive Session for the purpose of:

Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071. (consultation with attorney)

Discuss legal issues related to *Farmco Trust; Richard Schaefer, Nancy Schaefer, John M. Schaefer and Mary Schaefer v. City of San Antonio, Cause No. 2003-CI-05122*, in the 150th Judicial District Court of Bexar County, Texas, et al. pursuant to Texas Government Code Section 551.071. (consultation with attorney)

The Mayor reconvened the Regular Session from Executive Session at 3:30 pm, at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

### **FY2005-2006 PROPOSED BUDGET CONTINUED**

The City Clerk read the following ordinance:

#### AN ORDINANCE 101179

SETTING THE FOLLOWING DATES AND TIMES FOR THE FIRST AND SECOND PUBLIC HEARINGS ON THE PROPOSED BUDGET FOR FY 2005-2006: TUESDAY, AUGUST 23, 2005, 6:00 P.M. AND TUESDAY, SEPTEMBER 6, 2005,

6:00 P.M. AT THE CITY COUNCIL CHAMBERS, AND SETTING THE FOLLOWING DATES AND TIMES FOR THE PUBLIC HEARINGS ON THE PROPOSED TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 2005 AND ENDING DECEMBER 31, 2005: THURSDAY, SEPTEMBER 1, 2005, 6:00 P.M., AND THURSDAY, SEPTEMBER 8, 2005, 6:00 P.M., AT THE CITY COUNCIL CHAMBERS.

Councilmember Haass made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez, Wolff.

### **CONSENT ITEMS CONSIDERED INDIVIDUALLY**

The City Clerk read the following ordinance:

#### AN ORDINANCE 101180

ACCEPTING BIDS TO PROVIDE VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2005-2006 FOR A COMBINED ANNUAL COST OF APPROXIMATELY \$3,658,402.00, INCLUDING: PARTS AND SERVICE FOR CATERPILLAR GENERATOR, AUTOMOTIVE INDUSTRIAL DRIVE LINE, HEIL & PAK-MOR REFUSE BODY, RANCO TRAILER, WIRTGEN RECLAIMING & MILLING MACHINE, FORD MOTOR CO. AUTOMOBILE & LIGHT DUTY PICKUP TRUCK, MEDIUM & HEAVY DUTY TRUCK, DAIMLER/CHRYSLER AND GENERAL MOTORS AUTO AND LIGHT DUTY TRUCKS COLLISION REPAIR FOR CITY VEHICLES, RTC CPR2102 TIME SWITCH WITH ANTENNA & CPC HARNESS, EMERGENCY VEHICLES TIRES, EXTRICATION COLLARS, PHOTOGRAPHIC FILM, COPIER PRINTER PAPER; RENTAL OF BARRICADES & ALLIED ITEMS, TRAFFIC PULL BOXES; TARGET TECH WARNING LIGHT PARTS & ACCESSORIES, INDUSTRIAL FIREFIGHTING FLASHLIGHTS & BATTERIES, EMS VEHICLE BODY REPAIR SERVICE, ELEVATOR MAINTENANCE AT MUNICIPAL COURT BLDG, SUPPLEMENTAL BUS DRIVER SERVICES/BUS RENTAL FOR INTERNATIONAL AIRPORT, RENTAL OF CONSTRUCTION EQUIPMENT, DISPOSABLE BATTERIES, PRINTING OF PUBLICATIONS FOR AVIATION DEPARTMENT, SYNAGIS AND FLUARIX VACCINES, TRAFFIC POSTS & HARDWARE; MISCELLANEOUS SAFETY SUPPLIES; GIS MAPPING SOFTWARE & MAINTENANCE; SOLAR SCHOOL FLASHER PARTS, MAINTENANCE OF ICE

SHEET CHILLERS AT THE ALAMODOME, AND LONG LIFE TRAFFIC SIGNAL LAMPS.

Councilmember Haass made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez, Wolff.

The City Clerk read the following ordinance:

AN ORDINANCE 101181

ACCEPTING THE QUALIFIED BID OF MCNIEL ROOFING AND SHEET METAL, INC. IN THE AMOUNT OF \$57,750.00 IN CONNECTION WITH THE RAMIREZ COMMUNITY CENTER ROOF REPAIRS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT IN COUNCIL DISTRICT 4, AUTHORIZING EXECUTION OF A STANDARD CONSTRUCTION CONTRACT, \$5,775.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AND \$16,275.00 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$79,800.00, REVISING THE PROJECT BUDGET, AND PROVIDING FOR PAYMENT.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinance:

AN ORDINANCE 101182

APPROVING THE EXECUTION OF CONTRACTS WITH WES ATKINSON AND JERRY VAN OVERBORG FOR THE MOWING OF CITY-OWNED LAND AT THE SOUTHWEST BUSINESS & TECHNOLOGY PARK FOR A PERIOD OF JUNE 1, 2005 THROUGH MAY 31, 2006, AT NO COST TO THE CITY, AND AUTHORIZING THE DIRECTOR OF ASSET MANAGEMENT DEPARTMENT TO EXECUTE

THESE AND FUTURE SOUTHWEST BUSINESS & TECHNOLOGY PARK MOWING CONTRACTS.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinances:

AN ORDINANCE 101183

AUTHORIZING FUNDS IN THE AMOUNT OF \$24,746.54 PAYABLE TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS-HAUSMAN TO DEZAVALA PROJECT (\$630) IN COUNCIL DISTRICT 8, BITTERS ROAD-WEST AVENUE TO HEIMER, A METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT (\$2,378.94) IN COUNCIL DISTRICT 9, CULEBRA/LOOP 410 DETENTION POND PROJECT (\$539.54) IN COUNCIL DISTRICT 6, LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENT PROJECT (\$20,928.06) IN COUNCIL DISTRICTS 9 AND 10, AND THE MISSION TRAILS PACKAGE IV PROJECT (\$270) IN COUNCIL DISTRICT 1, 3, AND 5, FROM GENERAL OBLIGATIONS OF THE CITY.

AN ORDINANCE 101184

AUTHORIZING FUNDS IN THE AMOUNT OF \$15,115.30 PAYABLE TO OPPENHEIMER BLEND HARRISON & TATE, INC. FOR LEGAL SERVICES PROVIDED IN *CITY OF SAN ANTONIO V. ALAMO GARAGE ASSOCIATES, LTD., AND MARINE MIDLAND BANK*, CONDEMNATION CAUSE NO. 2005-ED-0035 IN CONNECTION WITH THE LOCKHILL-SELMA: WEST AVENUE TO N.W. MILITARY PROJECT, A METROPOLITAN PLANNING ORGANIZATION (MPO) AND 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND PROJECT IN COUNCIL DISTRICT 9.

Councilmember Radle made a motion to approve the proposed Ordinances. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinance:

AN ORDINANCE 101185

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY (BDA) FOR 5,500 SQUARE FT. OF OFFICE SPACE AT 8005 CHALLENGER DRIVE, BUILDING 624 WEST, SUITE NO. 4 WITHIN BROOKS CITY-BASE FOR THE PERIOD OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2010 AT A RENTAL RATE OF \$5,729.17 PER MONTH, TO HOUSE THE BIOTERRORISM PREPAREDNESS DIVISION OF THE HEALTH DEPARTMENT.

Councilmember Radle made a motion to approve the proposed Ordinance. Councilmember Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinance:

AN ORDINANCE 101186

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$900,000.00 FROM THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) FOR THE GRANT PERIOD OF SEPTEMBER 1, 2005 TO AUGUST 31, 2006, AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE BEXAR COUNTY SHERIFF'S OFFICE TO FUND TWO (2) DEPUTIES FOR AN AMOUNT NOT TO EXCEED \$127,343.00, AND A CASH MATCH OF \$498,018.00 FROM THE GENERAL FUND.

Councilmember Haass made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinance:

AN ORDINANCE 101187

AMENDING AN AGREEMENT WITH SMITHKLINEBEECHAM CORPORATION, D/B/A/ GLAXOSMITHKLINE (GSK), PROVIDING UP TO AN ADDITIONAL \$143,640.00 FROM GSK FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO CONTINUE PARTICIPATION IN A CLINICAL VACCINE STUDY FOR HEPATITIS A, REVISING THE PROGRAM BUDGET, AMENDING THE PERSONNEL COMPLEMENT, AND AUTHORIZING PAYMENT OF STIPENDS TO THE PARENTS/GUARDIANS OF PARTICIPANTS ENROLLED IN THE STUDY.

Councilmember Haass made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

The City Clerk read the following ordinance:

AN ORDINANCE 101188

AUTHORIZING THE EXECUTION OF A CLINICAL TRIAL AGREEMENT WITH SANOFI PASTEUR, INC. PROVIDING UP TO \$48,709.00 FOR THE PERIOD OF JULY 1, 2005 THROUGH JUNE 30, 2007 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO PARTICIPATE IN A VACCINE STUDY FOR PERTUSSIS, DIPHTHERIA, AND TETANUS ADOPTING THE PROGRAM BUDGET, APPROVING THE PERSONNEL COMPLEMENT, AND AUTHORIZING PAYMENT OF STIPENDS TO PARENTS/GUARDIANS OF CHILDREN ENROLLED IN THE STUDY.

Councilmember Radle made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez, Haass.

**2:00 P.M. PUBLIC HEARING AND ZONING CASES**

The City Clerk read the following ordinance:

**AN ORDINANCE 101189**

AMENDING THE LAND USE PLAN CONTAINED IN THE MIDTOWN NEIGHBORHOODS PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF AN 0.3284-ACRE TRACT OF LAND LOCATED AT 3015 SAN PEDRO AVENUE FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL; (ASSOCIATED ZONING CASE NO. Z2005128)

Councilmember Flores made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

**Z-1 ZONING CASE #Z2005128 (District 1):** An Ordinance changing the zoning district boundary from “MF-33” C “NCD-2” Multi-family District with Conditional Use for a Medical Office Neighborhood Conservation District-2 to “O-1” “NCD-2” Office District Neighborhood Conservation District-2 on Lots 16, 17, 18, 19, and 20, Block 22, NCB 6601, 3015 San Pedro, as requested by Fortunato and Maria Abello, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

AN ORDINANCE 101190

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 16, 17, 18, 19, AND 20, BLOCK 22, NCB 6601 FROM "MF-34" C "NCD-2" MULTI-FAMILY DISTRICT WITH CONDITIONAL USE FOR A MEDICAL OFFICE NEIGHBORHOOD CONSERVATION DISTRICT-2 TO "O-1" "NCD-2" OFFICE DISTRICT NEIGHBORHOOD CONSERVATION DISTRICT-2.

**P-2. PLAN AMENDMENT CASE #05009 (District 2):** An Ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use of an 16.43-acre tract of land located at 3841 Commerce Street East from High Density/Multifamily Residential land use to Light Industrial land use. Staff and Planning Commission recommend approval; (Associated Zoning Case No. Z2005145).

Councilmember McNeil made a motion to continue the proposed plan amendment and zoning cases Z-2 and Z-7 for 30 days. Councilmember Flores seconded the motion.

After consideration, the motion to continue prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

Plan amendment case #05009 was continued for 30 days.

**Z-2. ZONING CASE #Z2005145 (District 2):** An Ordinance changing the zoning district boundary from "R-5" "EP-1" Residential Single-Family District Event Parking District-1 and "C-2" "EP-1" Commercial District Event Parking District-1 to "L" "EP-1" Light Industrial District Event Parking District-1 on 16.432 acres out of NCB 10578, 3841 East Commerce Street, as requested by Brown, P. C., Applicant, for Rockhill Partners, Ltd., Owner(s). Staff and Zoning Commission recommend approval contingent on plan amendment.

See vote for P-2 as noted above.

Zoning case #Z2005145 was continued for 30 days.

**P-3. PLAN AMENDMENT CASE #05005 (District 3):** An Ordinance amending the land use plan contained in the City South (Southside Initiative) Community Plan, a component of the Master Plan of the City, by changing the use of a 479.9 acre tract of land located at 16196 and 16700 Highway 281 South at the Medina River from Agriculture and Rural Living land uses to Urban Living land use. Staff recommends approval for the property east of Highway 281 (approximately 188.8 acres at 16196 and 16700 Highway 281S) and denial for the property west of Highway 281 (approximately 291 acres at 16795 Highway 281S). Planning Commission recommends denial; (Associated Zoning Case No. Z2005066).

Councilmember Hass made a motion to continue the proposed plan amendment case and zoning cases Z-3 and Z-32 to the meeting of September 8, 2005. Councilmember Radle seconded the motion.

After consideration, the motion to continue prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

Plan amendment case #05005 was continued to the meeting of September 8, 2005.

**Z-3. ZONING CASE #Z2005066 (District 3):** An Ordinance changing the zoning district boundary from "FR" Farm and Ranch District and "RD" Rural Development District to "UD" Urban Development District on P-10, P-10B, P-10C, P-10D, and 16.4 acres out of P-10A and P-62, CB 4006, 16795, 16196, and 16700 Highway 281 South, as requested by Manuel Gonzales, Applicant, for Day, McDaniel, and Fight for the Family of Texas Inc., Owner(s). Staff and Zoning Commission recommend approval of east side and denial of west side of Hwy 281.

See vote for P-3 as noted above.

Zoning case #z2005066 was continued to the meeting of September 8, 2005.

**Z-4. ZONING CASE #Z2005120 (District 1):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3" General Commercial District on 0.259 acres out of NCB 11688, 5132 West Avenue, as requested by Scott Farrimond, Applicant, for Sneckner Partners, Ltd., Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

#### AN ORDINANCE 101191

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.259 ACRES OUT OF NCB 11688 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

**Z-5. ZONING CASE #Z2005149** (District 1): An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "O-1" Office District on Lots 8 and 9, Block 19, NCB 8490, 2800 Block of Santa Anna, as requested by Garcia Properties, Inc., Applicant, for Rosemary Garcia-Green, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101192

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY

DESCRIBED HEREIN AS LOTS 8 AND 9, BLOCK 19, NCB 8490 FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

Z-6. ZONING CASE #Z2005095 C (District 2): An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "C-2" C Commercial District with Conditional Use for trucks ingress and egress on the North 56 feet of Lot 38, NCB 12888, 2417 Jupe Drive, as requested by Allied Feeds, Inc., Applicant and Owner(s). Staff recommends approval and Zoning Commission recommends approval with conditions.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember McNeil made a motion to approve the proposed rezoning case with stipulations. Councilmember Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Ken Brown noted that a landscape buffer be provided, and stated they supported staff recommendation.

Ms. Mary Trejo, 2500 Jupe, stated they would abide to the stipulations and also cited safety issues.

Mr. Thomas Howard, 2417 Jupe, spoke against the zoning.

Ms. Susan Howard, 5608 Enchanted Sun, addressed the Council in opposition of the zoning change.

Ms. Claudia Spang also addressed the Council against the zoning.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101193

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS NORTH 56 FEET OF LOT 38, NCB 12888 FROM "R-5"

RESIDENTIAL SINGLE-FAMILY DISTRICT TO “C-2” C COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR TRUCKS INGRESS AND EGRESS.

**Z-7. ZONING CASE #Z2005121** (District 2): An Ordinance changing the zoning district boundary from “R-4” Residential Single-Family District to “L” Light Industrial District on Lots 13, 14 and 15, Block 1, NCB 10612, 458 North W. W. White Road, as requested by Aggregate Plant Products Company, Applicant, for Aggregate Plant Products Company (BESSER), Owner(s). Staff and Zoning Commission recommend approval.

See vote for P-2 as noted on page 16.

Zoning case #z2005121 was continued for 30 days.

**Z-8. ZONING CASE #Z2005156** (District 2): An Ordinance changing the zoning district boundary from “MF-25” Multi-Family District and “R-4” Residential Single-Family District to “MF-25” Multi-Family District on 1.931 acres out of NCB 1584, Hallie Avenue and Hammond Avenue, as request by Brown, P.C., Attorneys at Law, Applicant, for Southwest Housing and San Antonio Housing Authority, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember McNeil made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101194

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.931 ACRES OUT OF NCB 1584 FROM “MF-25” MULTI-FAMILY DISTRICT AND “R-4” RESIDENTIAL SINGLE-FAMILY DISTRICT TO “MF-25” MULTI-FAMILY DISTRICT.

**Z-9. ZONING CASE #Z2005061** (District 3): An Ordinance changing the zoning district boundary from “C-2NA” Commercial, Nonalcoholic Sales District to “MF-34” Multi-Family District on 0.5406 acres and “R-6” Residential Single Family District on 0.1670 acres on Lot 265A, Block 23, NCB 11122, 730 W. Mally Boulevard, as requested by Ramiro Reyes, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101195

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.1670 ACRES ON LOT 265A, BLOCK 23, NCB 11122 BOUNDARY FROM “C-2NA” COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO “MF-33” MULTI-FAMILY DISTRICT ON 0.5406 ACRES AND “R-6” RESIDENTIAL SINGLE FAMILY DISTRICT.

**Z-10. ZONING CASE #Z2005122 C** (District 3): An Ordinance changing the zoning district boundary from “R-6” Residential Single-Family District to “R-6” C Residential Single-Family District with a Conditional Use for a Professional Office on 0.421 acres out of NCB 7896, 673 Flanders Avenue, as requested by Joe L. Sanchez, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Gloria Sanchez, 121 Oak Creek, requested approval of the zoning change.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

**AN ORDINANCE 101196**

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.421 ACRES OUT OF LOTS 28 AND 29, NCB 7896 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A PROFESSIONAL OFFICE.

**Z-11. ZONING CASE #Z2005139 C (District 3):** An Ordinance changing the zoning district boundary from "FR" Farm and Ranch District to "FR" C Farm and Ranch District with Conditional Use for a Convenience Store on P-44H, NCB 11166, 12060 Pleasanton Road #4, as requested by Paul Segura, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

**AN ORDINANCE 101197**

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON P-44H, NCB 11166 FROM "FR" FARM AND RANCH DISTRICT TO "FR" C FARM AND RANCH DISTRICT WITH CONDITIONAL USE FOR A CONVENIENCE STORE.

**Z-12. ZONING CASE #Z2005141** (District 3): An Ordinance changing the zoning district boundary from “C-3” “RIO-6” General Commercial District River Improvement Overlay District-6 to “I-1” “RIO-6” General Industrial District River Improvement Overlay District-6 on Lots 13, 14 , 15 and 35, Block 2, NCB 10926, 8002 South Presa Street, as requested by Louis C. Vickers, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101198

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 13, 14 , 15 AND 35, BLOCK 2, NCB 10926 FROM “C-3” “RIO-6” GENERAL COMMERCIAL DISTRICT RIVER IMPROVEMENT OVERLAY DISTRICT-6 TO “I-1” “RIO-6” GENERAL INDUSTRIAL DISTRICT RIVER IMPROVEMENT OVERLAY DISTRICT-6.

**Z-13. ZONING CASE #Z2005160** (District 3): An Ordinance changing the zoning district boundary from “R-4” Residential Single-Family District to “RM-4” Residential Mixed District on 44.99 acres out of NCB 10879, Fairlawn Drive and Monte Seco, as requested by Earl & Associates, P.C., Applicant, for STLP 2 Ltd., Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101199

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 44.99 ACRES OUT OF NCB 10879 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

Z-14. **ZONING CASE #Z2005148** (District 5): An Ordinance changing the zoning district boundary from "I-1" "HS" General Industrial District Historic Significant to "IDZ" "HS" Infill Development Zone Historic Significant with uses permitted in "MF-33" Multi-Family District and "NC" Neighborhood Commercial District on Lot 6, Block 5, NCB 1675, 2340 South Presa Street, as requested by Presa Partners, LLP, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Radle made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101200

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON LOT 6, BLOCK 5, NCB 1675 FROM "I-1" "HS" GENERAL INDUSTRIAL DISTRICT HISTORIC SIGNIFICANT TO "IDZ" "HS" INFILL DEVELOPMENT ZONE HISTORIC SIGNIFICANT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "NC" NEIGHBORHOOD COMMERCIAL DISTRICT.

Z-15. **ZONING CASE #Z2005169** (District 5): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "R-6" Residential Single-Family District on the east 31.25 feet of Lot 9, Block 4, NCB 2575, 418 East Fest Street, and all of Lot 10, as requested by the City of San Antonio, Applicant, for Mary and Billy Kirkland, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Radle made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101201

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 31.25 FEET OF LOT 9, BLOCK 4, NCB 2575 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT.

Z-16. **ZONING CASE #Z2004218** (District 6): An Ordinance changing the zoning district boundary from "C-2NA" Commercial, Nonalcoholic Sales District to PUD "R-5" Planned Unit Development Residential Single-Family District on Lot P-5, Block 35, NCB 17875, Southwest corner of Cable Ranch Road and Waters Edge Drive, as requested by Earl & Associates, P. C., Applicant, for William E. Cooper, Inc., Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to continue the proposed rezoning case to the meeting of September 8, 2005. Councilmember Radle seconded the motion.

After consideration, the motion to continue the proposed rezoning case prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

Zoning case #z2004218 was continued to the meeting of September 8, 2005.

**Z-17. ZONING CASE #Z2005116 S (District 6):** An Ordinance changing the zoning district boundary from “C-2” Commercial District to “C-2” S Commercial District with a Specific Use Authorization for a Bar on Lot 1, Block 1, NCB 18818, 8805 Grissom Road, as requested by Daniel Danh, Applicant and Owner(s). Staff recommends denial of “C-3” and approval of “C-2” S with a Specific Use Authorization for Alcohol Sales and Zoning Commission recommends approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101202

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 18818 FROM “C-2” COMMERCIAL DISTRICT TO “C-2” S COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BAR.

**Z-18. ZONING CASE #Z2005117 (District 6):** An Ordinance changing the zoning district boundary from “I-1” General Industrial District to “MF-34” Multi-Family District on Parcel 69 and Parcel 69A, Block 55, NCB 13951, Old Highway 90 West, as requested by Shelton & Valadez, P.C. c/o Bobby Perez, Applicant, for Highway 90 Joint Venture, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to continue the proposed rezoning case to the meeting of September 22, 2005. Councilmember Perez seconded the motion.

After consideration, the motion to continue the proposed rezoning case prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

Zoning case #z2005117 was continued to the meeting of September 22, 2005.

**Z-19. ZONING CASE #Z2005129** (District 6): An Ordinance changing the zoning district boundary from PUD “RM-4” Planned Unit Development District Residential Mixed to “R-5” Residential Single-Family District on 1.0559 acres, “RM-4” Residential Mixed District on 0.7385 acres and “C-2NA” Commercial Non-Alcoholic Sales District on 1.0786 acres, all out of NCB 15095, Northeast corner of Fenwood Street and Wellwood Street, as requested by Raul B. Fernandez, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Radle made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

The following citizen(s) appeared to speak:

Mr. Raul Fernandez stated he was in favor of the zoning.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101203

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.0559 ACRES, “RM-4” RESIDENTIAL MIXED DISTRICT ON 0.7385 ACRES AND “C-2NA” COMMERCIAL NON-ALCOHOLIC SALES DISTRICT ON 1.0786 ACRES, ALL OUT OF NCB 15095 FROM PUD “RM-4” PLANNED UNIT DEVELOPMENT DISTRICT RESIDENTIAL MIXED TO “R-5” RESIDENTIAL SINGLE-FAMILY DISTRICT.

**Z-20. ZONING CASE #Z2005143** (District 6): An Ordinance changing the zoning district boundary from “I-1” “GC-2” General Industrial District Gateway Corridor District-2 and “I-1” General Industrial District to “C-3” “GC-2” General Commercial Nonalcoholic Sales District Gateway Corridor District-2 and “C-3” General Commercial Nonalcoholic Sales District on 9.427 acres out of NCB 17642, Wiseman Boulevard and Future Rogers Road, as requested by Westover Hills Development Partners, Applicant, for Westover Hills Development Partners c/o Charles M. Wender, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101204

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 9.427 ACRES OUT OF NCB 17642 FROM “I-1” “GC-2” GENERAL INDUSTRIAL DISTRICT GATEWAY CORRIDOR DISTRICT-2 AND “I-1” GENERAL INDUSTRIAL DISTRICT TO “C-3” “GC-2” GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT GATEWAY CORRIDOR DISTRICT-2 AND “C-3” GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT.

**Z-21. ZONING CASE #Z2005127** (District 7): An Ordinance changing the zoning district boundary from “R-6” Residential Single-Family District to “RM-4” Residential Mixed District on Lot 3, Block 20, NCB 13481, 5811 Deerhorn, as requested by Francisco Rodriguez, Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Guajardo made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

The following citizen(s) appeared to speak:

Mr. Francisco Rodriguez, 7319 Pipe Spring, spoke in favor of the zoning change.

Mr. Virgil Anders, 7319 Pipe Spring, also spoke in favor of the zoning change.

Mr. Robert Ramirez, 5807 Deerhorn, spoke about the area neighbors and the problems with renters.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** Perez. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101205

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 20, NCB 13481 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

**Z-22. ZONING CASE #Z2005137 C (District 7):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-2" C Commercial District with Conditional Use for a Ballroom, Party House, and Meeting Facilities on 21,492 square feet out of Lot 96, Block B NCB 11513, 1327 Bandera Road, as requested by Y H Plaza, L. P., Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Guajardo made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

AN ORDINANCE 101206

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 21,492 SQUARE FEET OUT OF LOT 96, BLOCK B NCB 11513 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" C COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A BALLROOM, PARTY HOUSE, AND MEETING FACILITIES.

Z-23. **ZONING CASE #Z2005027** (District 8): An Ordinance changing the zoning district boundary from "O-2" ERZD Office Edwards Recharge Zone District to PUD "O-2" ERZD Office Planned Unit Development Edwards Recharge Zone District on 8.5178 acres out of Block 1, NCB 17841, 14000 Block of Huebner Road, as requested by Equitas Investments, Inc., Applicant, for Equitas Investments, Inc. (Lyle Hotchkiss), Owner(s). Staff's recommends approval and Zoning Commission recommends approval with 65% impervious cover limit.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case with the stipulation not to exceed 65% impervious cover. Councilmember Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger spoke with regards to the impervious cover not being more than 30% in order to protect the Aquifer. He also spoke to item Z-26 and noted the denial of the staff recommendation.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Haass.

AN ORDINANCE 101207

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 8.5178 ACRES OUT OF BLOCK 1, NCB 17841 FROM "O-

2" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT TO PUD "O-2" ERZD OFFICE PLANNED UNIT DEVELOPMENT EDWARDS RECHARGE ZONE DISTRICT.

Z-24. **ZONING CASE #Z2005123** (District 8): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to PUD "MF-33" Planned Unit Development Multi-Family District on P-41A, NCB 13664, 80 feet west of the intersection of Norman Lane and Lamb Road, as requested by Woodside Texas Land Holdings, L. C., Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Sue Bell, 7119 Painted Way, addressed the Council relating to the streets in the area which are too narrow for emergency vehicles to utilize and expressed concern with the street.

Ms. Sarah Waldrip noted that she too was concerned with the street width and referenced the Unified Development Code with regards to City standards imposed on the developer.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Haass.

#### AN ORDINANCE 101208

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-41A, NCB 13664 FROM "MF-33" MULTI-FAMILY DISTRICT TO PUD "MF-33" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT.

## CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

Special recognition to the participants of the San Antonio Ambassador program.

A Proclamation for World Breastfeeding Month.

A Proclamation for National Health Center Week.

A Certificate of Congratulations to Keep San Antonio Beautiful.

## ZONING CASES CONTINUED

**Z-25. ZONING CASE #Z2005134** (District 8): An Ordinance changing the zoning district boundary from “C-3” General Commercial District and “I-1” General Industrial District to “C-3NA” General Commercial District, Nonalcoholic Sales on Lot 3, Block 2, NCB 19189, Interstate Highway 10 West, as requested by Georgetown Manor, Inc., Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil, Gutierrez.

### AN ORDINANCE 101209

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 2, NCB 19189 FROM “C-3” GENERAL COMMERCIAL DISTRICT AND “I-1” GENERAL INDUSTRIAL DISTRICT TO “C-3NA” GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

Z-26. **ZONING CASE #Z2005152** (District 8): An Ordinance changing the zoning district boundary from “O-1” Office District Gateway Corridor District-1 (GC-1) to “C-2” Commercial District Gateway Corridor District-1 (GC-1) on 2.0695 acres out of NCB 18348, 23095 Interstate Highway 10 West, as requested by George Atallah, Applicant and Owner(s). Staff recommends denial and Zoning Commission recommends approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101210

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 2.0695 ACRES OUT OF NCB 18348 FROM “O-1” OFFICE DISTRICT GATEWAY CORRIDOR DISTRICT-1 (GC-1) TO “C-2” COMMERCIAL DISTRICT GATEWAY CORRIDOR DISTRICT-1 (GC-1).

Z-27. **ZONING CASE #Z2005155** (District 8): An Ordinance changing the zoning district boundary from “C-2” Commercial District to “MF-33” Multi Family District on Lot 18, NCB 11619, 7342 Oak Manor, as requested by Brown, P. C., Applicant, for Estate of Lydia Goforth, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

AN ORDINANCE 101211

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, NCB 11619 FROM "C-2" COMMERCIAL DISTRICT TO "MF-33" MULTI FAMILY DISTRICT.

**Z-28. ZONING CASE #Z2005179** (District 8): An Ordinance changing the zoning district boundary from "RM-4" S Residential Mixed District with a Specific Use Authorization for a Golf Course to PUD "R-6" Planned Unit Development Residential Single-Family District on 40.176 acres out of NCB 18345, West of the intersection of Babcock Road and Heuermann Road, as requested by Zuniga Development, Inc., Applicant, for Babcock Road, Ltd., Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

AN ORDINANCE 101212

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 40.176 ACRES OUT OF NCB 18345 FROM "RM-4" S RESIDENTIAL MIXED DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A GOLF COURSE TO PUD "R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT.

**Z-29. ZONING CASE #Z2005165** (District 8): An Ordinance changing the zoning district boundary from "C-3R" ERZD General Commercial Restrictive Alcoholic Sales Edwards Recharge Zone District to "C-2" ERZD Commercial Edwards Recharge Zone

District on 0.07 acres out of NCB 17022, 4503 De Zavala Road, as requested by Starlight Oaks, Ltd., Applicant and Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101213

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.07 ACRES OUT OF NCB 17022 FROM "C-3R" ERZD GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT TO "C-2" ERZD COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

**Z-30. ZONING CASE #Z2005105** (District 9): An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "O-1" Office District on the East 12.5 feet of Lot 13, and all of Lots 14 and 15, NCB 12048, 927 Clydeville, as requested by Salah E. Diab, P. E., Applicant, for James Crane, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

AN ORDINANCE 101214

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON THE EAST 12.5 FEET OF LOT 13, AND ALL OF LOTS 14 AND 15, NCB 12048 BOUNDARY FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "O-1" OFFICE DISTRICT.

**Z-31. ZONING CASE #Z2005125C** (District 9): An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "R-5" C with Conditional Use for Multi-family at a density not to exceed 18 units per acre on Lots 3, 4, 5, 6, 7 and 12, Block 2, NCB 11718; Lot 1, Block 4, NCB 11720, and Lot 6, Block 3, NCB 11719, property generally located on Brazil between Silver Oaks and Anchor, as requested by John Campbell, Applicant, for Gerald K. Walter, Owner(s). Staff and Zoning Commission recommend approval with conditions.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

AN ORDINANCE 101215

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 3, 4, 5, 6, 7 AND 12, BLOCK 2, NCB 11718; LOT 1, BLOCK 4, NCB 11720, AND LOT 6, BLOCK 3, NCB 11719 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" C WITH CONDITIONAL USE FOR MULTI-FAMILY AT A DENSITY NOT TO EXCEED 18 UNITS PER ACRE.

**Z-32. ZONING CASE #Z2005068** (District 10): An Ordinance changing the zoning district boundary from "C-2" ERZD Commercial Edwards Recharge Zone District to "C-

3" ERZD General Commercial Edwards Recharge Zone District on 26.45 acres out of NCB 17728, North of the intersection of Bulverde Road and North 1604 East, as requested by Brown, P.C., Attorneys at Law, Applicant, for NEC BUL 1604, Ltd., Owner(s). Staff recommends approval and Zoning Commission recommends approval with 65% impervious cover limit.

See vote for P-3 as noted on page 17.

Zoning case #z2005068 was continued for 30 days.

**Z-33. ZONING CASE #Z2005119** (District 10): An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot 14, Block 1, NCB 14319, 10700 Perrin Beitel, as requested by the City of San Antonio, Applicant, for Snipe Properties et al % Allen L. Harborth, Owner(s). Staff recommends approval and Zoning Commission recommends approval of "C-3R" General Commercial District, Restrictive Alcoholic Sales.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

The following citizen(s) appeared to speak:

Mr. Bud Little, 4431 Bayliss, addressed the Council in support of the zoning change.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101216

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 14, BLOCK 1, NCB 14319 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-2NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT.

Z-34. **ZONING CASE #Z2005124** (Council District 10): An Ordinance changing the zoning district boundary from “R-6” Residential Single-Family District and “R-6” S Residential Single-Family District with a Specific Use Authorization for a cell phone tower to “R-5” Residential Single-Family District on P-2 and P-2B, NCB 15831, 14275 Nacogdoches Road, as requested by MG Joint Venture #6, Ltd., Applicant, for R. Friesenhahn, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

The following citizen(s) appeared to speak:

Ms. Betty Murphy, 15031 Spring Mist, stated the zoning change will have a significant impact in the neighborhood and will cause traffic concerns with at least 300 cars in the traffic pattern. She also spoke about the impact on the schools.

Mr. Andrew Guerrero spoke to the number of single family houses.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

#### AN ORDINANCE 101217

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-2 AND P-2B, NCB 15831 FROM “R-6” RESIDENTIAL SINGLE-FAMILY DISTRICT AND “R-6” S RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CELL PHONE TOWER TO “R-5” RESIDENTIAL SINGLE-FAMILY DISTRICT.

#### CITIZENS TO BE HEARD

Mr. Julio Ruiz, 418 Otter Dr., spoke to the membership on the Mechanical Board of Appeals and the number of vacancies.

Ms. Rose Araujo-Murray, SEIU, spoke about the safety of citizens due to the shortage of 9-1-1 Operators. She said people do experience up to 20 minutes of wait time before their call is answered. She stated City Management is aware of the problems, and noted the salary range for 9-1-1 Operators salary tops out at \$15.50. She added the City of Austin pays our top amount after a year, and workers are leaving due to such low pay.

Ms. Zee, Health Department employee, spoke to unstable funding and increased workload. She stated it is hard to keep qualified registered nurses and lab technicians, and all are stretched to the limit. She also asked the Council to hold the line on employee health insurance.

Mr. Francisco Pallos of the Street Maintenance Department noted many of the employees in that department have left for better paying jobs. He stated they do not receive adequate cost of living increases, and also noted they do not have clear criteria for merit/performance pay.

Mr. Faris Hodge, 140 Dora, sang *Happy Birthday* to Chip Haass and Mayor Hardberger. He then sang *I've Been Working on the Railroad*.

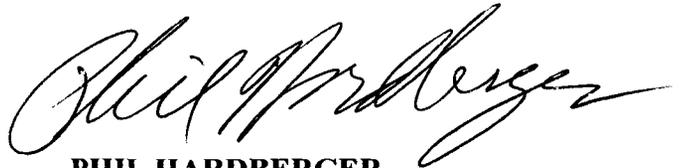
Ms. Elodia Flores Zuniga, 130 Hearne, complained about the Mayfield Street Sub-station and asked the Captain there be removed and replaced with another employee.

Mr. Eric Williams, 9611 Elmfield, spoke in regards to a space port.

Mr. Steve Shamblen spoke to Section 3 of Ordinance 101669 regarding where Citizen must sign and does not make reference to spokespersons to address elderly on their behalf. He also noted several suggestions to the written testimony form as well as the consent section.

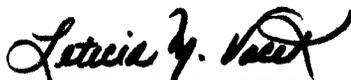
There being no further business to come before the City Council, Mayor Hardberger adjourned the meeting at 7:01pm.

A P P R O V E D



PHIL HARDBERGER  
MAYOR

Attest:



LETICIA M. VACEK  
CityClerk