

**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, WEDNESDAY, AUGUST 2, 2006 AND THURSDAY, AUGUST 3, 2006

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The City Council convened in an informal "B" Session at 3:00 p.m., Wednesday, August 2, 2006 in the Municipal Plaza Building "B" Room, for the purpose of:

1. Convention Center Hotel Project Overview and Update.
2. Update on the FY 2007 Budget Process.

The Council members present were: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. ABSENT: None.

The "B" Session adjourned at 4:56 p.m.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, August 3, 2006 at 9:00 a.m.

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum with the following Council members present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger.

The Invocation was led by Rev. Trivedi, Priest, BAPS Temple, guest of Councilmember Art Hall, District 8.

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

Councilmember Perez made a motion to approve the minutes of the June 29, 2006 City Council meeting. Councilmember Flores seconded the motion. The motion passed unanimously.

PUBLIC HEARING AND ORDINANCE: ABANDONMENT OF A PORTION OF MICRON DRIVE

Mayor Hardberger declared the Public Hearing to be open.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, commented on the Priest who led the invocation. He asked if the Bexar County Jail visitor parking lot entrance on Martin Street would remain open.

Mayor Hardberger declared the Public Hearing to be closed

The City Clerk read the following Ordinance:

2006-08-03-0837

ITEM 4. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF AN IMPROVED PORTION OF MICRON DRIVE ADJACENT TO NEW CITY BLOCKS 18233 AND 18234 IN DISTRICT 6, AS REQUESTED BY COPT SAN ANTONIO, L.P. FOR A CONSIDERATION OF \$218,214.00.

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

Mr. Shawn Eddy, Acting Director of Asset Management made a presentation on the proposed closure of an improved portion of Micron Drive public right of way, a copy of which is on file with the Office of the City Clerk. He addressed the notification process and the coordination with the City departments and Utility agencies, adding that the City would collect \$218,214 as consideration for the proposed closure.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

PUBLIC HEARING AND ORDINANCE: ABANDONMENT OF AN IMPROVED PORTION OF N. COMAL STREET

Mayor Hardberger declared the Public Hearing to be open.

There being no citizens to speak, Mayor Hardberger declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

2006-08-03-0838

ITEM 5 AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF AN IMPROVED PORTION OF N. COMAL STREET IN FRONT OF THE BEXAR COUNTY JAIL AND ADJACENT TO NEW CITY BLOCKS 195 AND 225, DISTRICT 5, IN EXCHANGE FOR THE COUNTY'S AGREEMENT TO RECONSTRUCT AND IMPROVE N. COMAL STREET FROM W. TRAVIS TO W. COMMERCE STREETS, AT THE COUNTY'S SOLE COST AND EXPENSE.

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

Mr. Shawn Eddy, Acting Director of Asset Management addressed the proposed closure of an improved portion of N. Comal Street public right of way. He presented background information on the proposed closure, noting that he had coordinated these efforts with Bexar County, local businesses, and Union Pacific. He stated that the railroad tracks on N. Comal Street between Martin and Commerce Streets were no longer part of the Union Pacific's route and thus, would improve public safety in the area. He further added that N. Comal was in extremely poor condition and that removal of the rail lines had caused additional damage, and that if approved, the petitioner would reconstruct the proposed closure in a parking area expanding its current parking from its abutting property. He further noted that the petitioner has agreed to reconstruct and improve N. Comal Street at its sole cost and expense, from W. Travis to W. Commerce Streets.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

CONSENT AGENDA

Consent agenda items 6, 11-14, 22, and 25C were pulled for individual consideration. The remaining Consent Agenda items were approved upon a motion made by Councilmember Gutierrez and seconded by Councilmember Radle.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, questioned the lawsuit of Gres v. City of San Antonio, and wanted to know if the City really was liable for the defective chair. He also spoke on SG Hotel campaign finance contributions to Council members.

The motion carried the passage of the Ordinances by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0839

ITEM 7. AN ORDINANCE ACCEPTING THE OFFER SUBMITTED BY SOUTHWEST SOLUTIONS GROUP, UTILIZING THE TEXAS MULTIPLE AWARD SCHEDULE, TO PROVIDE THE MUNICIPAL RECORDS FACILITY WITH ROLLER STORAGE SHELVING FOR A TOTAL COST OF \$74,474.41, OF WHICH A PORTION WILL BE PAID FROM CERTIFICATES OF OBLIGATION.

2006-08-03-0840

ITEM 8. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF THE BIDS SUBMITTED BY GRANDE TRUCK CENTER, ITEMS 1A, 1B, 2, 5, 7, AND 8-13; AND SANTEX CENTER, LTD, ITEMS 3, 4, 4A, AND 6 TO PROVIDE THE PARKS & RECREATION, PUBLIC WORKS, FIRE, PURCHASING & GENERAL SERVICES AND ENVIRONMENTAL SERVICES DEPARTMENTS WITH 46 REPLACEMENT AND 3 ADDITIONAL MEDIUM AND HEAVY DUTY TRUCKS FOR A TOTAL COST OF \$3,324,699.00, FROM THE ADVANCED TRANSPORTATION DISTRICT FUND AND THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2006-08-03-0841

ITEM 9. AN ORDINANCE APPROVING A TOTAL ESTIMATED PROJECT AMOUNT OF \$2,422,621.00, AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,839,000.00 PAYABLE TO BRINKMAN ROOFING COMPANY, IN CONNECTION WITH THE HENRY B. GONZALEZ CONVENTION

CENTER ROOF RESURFACE PROJECT, AN AUTHORIZED HOTEL MOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE AND REFUNDING BOND SERIES 2004B FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1, AND APPROPRIATING FUNDS.

2006-08-03-0842

ITEM 10. AN ORDINANCE AUTHORIZING PAYMENT AND EXECUTION OF A LOCAL PROJECT ADVANCE FUNDING AGREEMENT IN THE AMOUNT OF \$700,000.00 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY AND REAL PROPERTY IN CONNECTION WITH THE IH 10 OVERPASS AT DOMINION PROJECT, AN AUTHORIZED 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND AND METROPOLITAN PLANNING ORGANIZATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 8.

2006-08-03-0843

ITEM 15. AN ORDINANCE AUTHORIZING A CONTRACT WITH SHUCHI DEVELOPMENT, L.L.C. WHEREBY THE CITY SELLS APPROXIMATELY 1.03 ACRES, THE SALES PRICE BEING THE GREATER OF \$78,408 PER ACRE OR THE APPRAISED VALUE, AND THE PROPERTY BEING LOCATED IN THE GENERAL VICINITY OF HIGHWAY 90W AND HIGHWAY 151, DISTRICT 6.

2006-08-03-0844

ITEM 16. AN ORDINANCE APPROVING A 15-YEAR LICENSE AGREEMENT WITH A.P. KNIGHT, L.P., \$20,500 PAYABLE TO THE CITY, FOR CONTINUED USE AND MAINTENANCE OF FOUR ENTRY SIGNS IN PUBLIC RIGHTS OF WAY AT THE CENTERVIEW EXECUTIVE CENTER NEAR CALLAGHAN AND LOOP 410, NEW CITY BLOCKS 13934 AND 14277, DISTRICT 7.

2006-08-03-0845

ITEM 17. AN ORDINANCE AUTHORIZING A LICENSE TO SSG HOTEL, LLC FOR 2 BALCONIES, 1 CANOPY AND 11 SUPPORTING COLUMNS OVER HEIMAN STREET ADJACENT TO THE NEW STAYBRIDGE HOTEL IN NCB 679, IN DISTRICT 2, FOR A 10 YEAR TERM, FOR A \$3,750.00 FEE, WHICH

INCLUDES A REDUCTION UNDER THE CITY'S INCENTIVE SCORECARD PROGRAM.

2006-08-03-0846

ITEM 18. AN ORDINANCE AUTHORIZING A LICENSE TO SPORTS SA HOLDINGS, L.P. FOR UNDERGROUND CONDUITS UNDER SPURS LANE ADJACENT TO THE NEW TEXAS CENTER FOR ATHLETES IN NCB 17660, DISTRICT 8, FOR A 10-YEAR TERM, FOR A \$5,000.00 FEE.

2006-08-03-0847

ITEM 19. AN ORDINANCE AUTHORIZING A 10-YEAR RENEWAL OF THE LICENSE TO THE BEXAR COUNTY HOSPITAL DISTRICT AND THE VETERANS' ADMINISTRATION HOSPITALS ON MERTON MINTER BLVD., FOR A \$5,000 FEE, FOR USE AND MAINTENANCE OF A PEDESTRIAN SKY BRIDGE OVER MERTON MINTER, DISTRICT 8.

2006-08-03-0848

ITEM 20. AN ORDINANCE AUTHORIZING THE SAN ANTONIO FIRE DEPARTMENT TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$55,975 FROM FIREMAN'S FUND HERITAGE PROGRAM FOR THE PURCHASE OF THERMAL IMAGING EQUIPMENT.

2006-08-03-0849

ITEM 21. AN ORDINANCE AUTHORIZING A \$55,000.00 SETTLEMENT OF A LAWSUIT STYLED GRES V. CITY OF SAN ANTONIO, CAUSE NO. 2004-CI-06931.

2006-08-03-0850

ITEM 23. AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$1,900,000.00 AND AUTHORIZING PAYMENT TO THE PORT AUTHORITY OF SAN ANTONIO (AUTHORITY) FOR CONSTRUCTION OF THE FRIO CITY RAMP PROJECT AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE AUTHORITY, FOR CONSTRUCTION AND

MANAGEMENT SERVICES IN CONNECTION WITH THE FRIO CITY RAMP PROJECT LOCATED IN COUNCIL DISTRICT 4, AN AUTHORIZED CERTIFICATE OF OBLIGATION FUNDED PROJECT.

2006-08-03-0851

ITEM 25A. AN ORDINANCE ABOLISHING THE HOME IMPROVEMENT ADVISORY COMMITTEE; REPEALING THE ORDINANCES ESTABLISHING AND APPOINTING MEMBERS TO THE COMMITTEE; AND AMENDING CHAPTER 16, ARTICLE IV, OF THE CITY CODE OF SAN ANTONIO TO REMOVE REFERENCES TO THE HOME IMPROVEMENT ADVISORY BOARD.

2006-08-03-0852

ITEM 85B. AN ORDINANCE ABOLISHING THE TAX PHASE-IN ADVISORY COMMITTEE AND REPEALING THE ORDINANCES ESTABLISHING AND APPOINTING MEMBERS TO THE COMMITTEE.

ITEMS 24A- F: BOARD APPOINTMENTS

A. APPOINTMENT OF VICTORIA LETICIA VENEGAS (DISTRICT 1), A'RIELLE GATLIN (DISTRICT 2) AND REBECCA JORDAN DE LA GARZA (DISTRICT 8) TO THE SAN ANTONIO YOUTH COMMISSION FOR TERMS OF OFFICE TO EXPIRE MAY 31, 2007.

B. REAPPOINTMENT OF ARTHUR D. CLAY (DISTRICT 3) (CATEGORY: LICENSED MECHANICAL TECH. – UNION REP.) AND JIMMY SALAZAR (DISTRICT 10) (CATEGORY: LAYPERSON) TO THE MECHANICAL BOARD OF APPEALS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MARCH 20, 2007 AND MARCH 20, 2008, RESPECTIVELY.

C. APPOINTMENT OF BILL GELLHAUSEN (DISTRICT 9) AND LEO GOMEZ (DISTRICT 6) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE MAY 31, 2007.

D. REAPPOINTMENT OF JEAN L. BRADY (DISTRICT 1) TO THE SAN

ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2007.

E. REAPPOINTMENT OF ROBERT ECHAVARRIA (DISTRICT 8) TO THE CITY OF SAN ANTONIO TEXAS EDUCATION FACILITIES CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 15, 2007.

F. REAPPOINTMENT OF TRAVIS COX (DISTRICT 8) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

Consent Agenda Items Pulled for Individual Consideration

The City Clerk read the following Ordinance:

2006-08-03-0853

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 2006-2007 FOR COMBINED ESTIMATED COST OF \$426,628.00, INCLUDING: LEARNING EXPRESS LIBRARY ONLINE SUBSCRIPTION; TEXSHARE DATABASE ANNUAL MEMBERSHIP FEE; AGGREGATE FOR SURFACE TREATMENT; FLEXIBLE BASE; GOLF RANGE BALLS; AND FIRST CLASS PRESORT MAIL SERVICE.

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2006-08-03-0854

ITEM 11. AN ORDINANCE APPROVING A TOTAL ESTIMATED PROJECT AMOUNT OF \$4,225,000.00, TO INCLUDE PAYMENT OF \$282,800.00 TO BEATY & PARTNERS ARCHITECTS, INC., FOR ARCHITECTURAL SERVICES UNDER A PREVIOUSLY APPROVED INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENT FOR ARCHITECTURAL SERVICES, IN CONNECTION WITH THE CONVENTION CENTER EXTERIOR IMPROVEMENTS PROJECT, AN AUTHORIZED HOTEL MOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE AND REFUNDING BOND SERIES 2004B FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1, AND APPROPRIATING FUNDS.

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Mayor Hardberger. **NAYS:** Wolff, Haass. **ABSENT:** None.

The City Clerk read the following Ordinances:

2006-08-03-0855

ITEM 12. AN ORDINANCE APPROVING A TOTAL OF \$60,517.60, TO INCLUDE A \$55,016.00 AMENDMENT TO A \$57,817.00 PROFESSIONAL ENGINEERING SERVICES AGREEMENT, AS AMENDED, WITH BROWN ENGINEERING CO., FOR REACTIVATING AND UPDATING PLANS, RE-ESTABLISHING SURVEY CONTROL DATA, INCORPORATING NEW CITY REQUIREMENTS, EXECUTION OF BID DOCUMENTS AND CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE CARDIFF – ARANSAS TO DEAD END PROJECT, AN AUTHORIZED U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT IN DISTRICT 2; AND APPROPRIATING FUNDS.

2006-08-03-0856

ITEM 13. AN ORDINANCE APPROVING A TOTAL OF \$55,680.90, TO INCLUDE A \$50,619.00 AMENDMENT TO A \$32,860.00 PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH SUN BELT ENGINEERS, INC., FOR REACTIVATING AND UPDATING PLANS, RE-ESTABLISHING SURVEY CONTROL DATA, INCORPORATING NEW CITY REQUIREMENTS, GEOTECHNICAL SERVICES, DRIVEWAY PLATS, PREPARATION AND EXECUTION OF BID DOCUMENTS AND CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE ROBESON – YUCCA TO MARTIN LUTHER KING PROJECT, AN AUTHORIZED U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT IN DISTRICT 2; AND APPROPRIATING FUNDS.

2006-08-03-0857

ITEM 14. AN ORDINANCE APPROVING A TOTAL OF \$26,219.60, TO INCLUDE A \$23,836.00 AMENDMENT TO A \$197,533.61 PROFESSIONAL ENGINEERING SERVICES AGREEMENT, AS AMENDED, WITH GRANT ENGINEERING CO., FOR REACTIVATING AND UPDATING PLANS, RE-ESTABLISHING SURVEY CONTROL DATA, INCORPORATING NEW CITY REQUIREMENTS, GEOTECHNICAL SERVICES, PREPARATION AND EXECUTION OF BID DOCUMENTS AND CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE GRANDVIEW NEIGHBORHOOD STREETS PHASE III H (HAMMOND – AMANDA TO ROLAND) PROJECT, AN AUTHORIZED U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT IN DISTRICT 2; AND APPROPRIATING FUNDS.

Councilmember McNeil made a motion to approve the proposed Ordinances. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinances by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinances and Resolution:

2006-08-03-0858

ITEM 22A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$393,555,000 "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE BONDS, NEW SERIES 2006A"; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A BOND PURCHASE AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY PUBLIC SERVICE BOARD STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2006-08-03-0859

ITEM 22B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$134,480,000 "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE AND REFUNDING BONDS, NEW SERIES 2006B"; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND A BOND PURCHASE AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY PUBLIC SERVICE BOARD STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2006-08-03-0860

ITEM 22C. AN ORDINANCE AUTHORIZING THE REDEMPTION AND DEFEASANCE OF CERTAIN CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE AND REFUNDING BONDS, NEW SERIES 1997 AND CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, TAXABLE NEW SERIES 1998B; AND PROVIDING AN EFFECTIVE DATE.

2006-08-03-0861

ITEM 22D. AN ORDINANCE AUTHORIZING A CREDIT AGREEMENT PERTAINING TO THE ISSUANCE OF OBLIGATIONS DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE AND REFUNDING BONDS, NEW SERIES 2006B"; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2006R-08-03-0862

ITEM 22E. A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENTS TO THE CITY'S ELECTRIC AND GAS SYSTEMS FROM THE PROCEEDS OF TAX-EXEMPT OR TAXABLE OBLIGATIONS NOT TO EXCEED \$400,000,000 TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO.

Councilmember Gutierrez made a motion to approve the proposed Ordinances. Councilmember McNeil seconded the motion.

The motion carried the passage of the Ordinances and Resolution by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSTAIN:** Hall. **ABSENT:** None.

ITEM 25C

An Ordinance abolishing the Affirmative Action Advisory Committee and repealing the ordinances establishing and appointing members to the committee.

Councilmember Radle made a motion to deny the proposed Ordinance. Councilmember Gutierrez seconded the motion.

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

Item 25 C was denied.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Session at 10:30 a.m. in order to convene in Executive Session for the purpose of:

A. Deliberate the offer of financial or other incentives related to economic development negotiations with Hanford Development Inc., and Hollyhills GP, LLC, and other entities pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Discuss legal issues related to *Gres v. City of San Antonio*, Cause No. 2004-CI-06931, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Deliberate legal issues related to vested rights and pending and potential litigation pursuant to Texas Government Code Section 551.071 (consultation with attorney).
Planning and Zoning

Mayor Hardberger reconvened the Regular Session from Executive Session at 2:00 p.m., 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.

PUBLIC HEARING AND ORDINANCE: ROGERS RANCH ROAD

Mayor Hardberger declared the Public Hearing to be open.

CONSIDERATION OF THE CITY MANAGER'S APPEAL OF THE DECISIONS BY THE PLANNING COMMISSION ON MAY 24, 2006 AND JUNE 28, 2006 TO GRANT VESTED RIGHTS TO A 1,700 +/- ACRE TRACT OF LAND LOCATED GENERALLY IN THE VICINITY OF LOOP 1604 AND ROGERS RANCH ROAD.

Mayor Hardberger declared the Public Hearing to be open.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, cited arrogance of developer for showing a sketch of plan to claim vested rights.

Mr. Ken Brown, informed Council that the developer already has vested rights. He explained that the developer is seeking a SAWS permit and has already submitted the required information for said permit. He further outlined a history of the proposed project.

Mayor Hardberger declared the Public Hearing to be closed.

Councilmember Radle made a motion to approve the staff's recommendation. Councilmember Guajardo seconded the motion.

The motion carried the passage of the staff's recommendation by the following vote:
AYES: Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Mayor Hardberger.
NAYS: Gutierrez, Wolff, Haass. **ABSENT:** None.

MASTER PLAN AND ZONING CASES

P-1 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 NUMBER: Z2005145

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed plan amendment.

Z-11. ZONING CASE #Z2005145 (District 2): An Ordinance changing the zoning district boundary from "R-5 EP-1" Residential Single-Family Event Parking District and "C-2 EP-1" Commercial Event Parking District to "L EP-1" Light Industrial Event Parking District 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 an amendment to the Arena District/Eastside Community Plan.

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

Councilmember McNeil made a motion to continue Items P-1 and Z-11 to November 2, 2006. Councilmember Perez seconded the motion.

The motion to continue items P-1 and Z-11 to November 2, 2006 passed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Haass.

Ordinance No. 2006-08-03-0863 is void.

Z-1. ZONING CASE #Z2006145 (District 1): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "IDZ" Infill Development Zone with Uses Permitted in the "MF-25" Multi-Family District on Lot 6, Block 4, NCB 844, 621 E. Euclid as requested by Brownstone Traditions, SA Ltd., Applicant, for Bernard R. Eaton, 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 motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Gutierrez, Haass.

2006-08-03-0864

ITEM Z-1. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6, BLOCK 4, NCB 844 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "MF-25" MULTI-FAMILY DISTRICT.

Z-2. ZONING CASE #Z2006151 (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "MF-33" HS Multi-Family Historic Significance District on the East 50 Feet of Lot 1, Block 6, NCB 1751, 332 East Myrtle Street as requested by City of San Antonio Planning Department, Historic Preservation Officer, Applicant, for Sciaraffa Bertie Condra 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** McNeil, Haass.

2006-08-03-0865

ITEM Z-2. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 50 FEET OF LOT 1, BLOCK 6, NCB 1751 FROM "MF-33" MULTI-FAMILY DISTRICT TO "MF-33" HS MULTI-FAMILY HISTORIC SIGNIFICANCE DISTRICT.

Z-3. ZONING CASE #Z2006152 (District 1): An Ordinance changing the zoning

district boundary from "R-6" Residential Single Family District to "R-6" HS Residential Single-Family Historic Significance District on Lot 6 and the East 8.3 Feet of Lot 5, Block 29, NCB 396, 422 East Park Avenue as requested by City of San Antonio Planning Department, Historic Preservation Officer, Applicant, for Abelardo Trevino, 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 motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Haass.

2006-08-03-0866

ITEM Z-3. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6 AND THE EAST 8.3 FEET OF LOT 5, BLOCK 29, NCB 396 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-6" HS RESIDENTIAL SINGLE-FAMILY HISTORIC SIGNIFICANCE DISTRICT.

Z-4. ZONING CASE #Z2006130 (District 1): An Ordinance changing the zoning district boundary from "C-3 NA" General Commercial Nonalcoholic Sales District and "C-1" Commercial District to "IDZ" Infill Development Zone with uses permitted in the "C-2" Commercial District and "MF-33" Multi-Family District on Lots A1, A7 and A8, Block 4, NCB 2972, 1002 and 1006 South Flores Street and 302 West Guenther Street as requested by Flores and Company, Inc., Applicant, for MAGA Enterprises, 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 Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Perez.

2006-08-03-0867

ITEM Z-4. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT A1, A7 AND A8, BLOCK 4, NCB 2972 FROM "C-3" NA GENERAL COMMERCIAL NON ALCOHOLIC SALES DISTRICT AND "C-1" COMMERCIAL DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN THE "C-2" COMMERCIAL DISTRICT AND THE "MF-33" MULTI FAMILY DISTRICT.

Z-5. ZONING CASE #Z2006101 CD (District 1): An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "R-4" (CD-Medical/Dental Office) Residential Single Family District with a Conditional Use for a Medical/Dental Office on the East 75 Feet of the West 79.5 Feet of Lots 1A, 2A, 3A, 4A and the North 15 Feet of the East 75 Feet of the West 79.5 Feet of Lot 5A, Block 9, NCB 9017, 292 West Hermosa Street as requested by Rodolfo Tomasino, Applicant, for Rodolfo Tomasino, Owner(s). Staff and Zoning Commission recommend Denial.

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

Councilmember Flores made a motion to deny the proposed rezoning case. Councilmember McNeil seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, stated this zoning case would encourage commercial development upon the nearby residential neighborhood and would continue the strip line commercialization of San Pedro. He agreed with the zoning staff's recommendation of item Z-29.

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

Z-6. ZONING CASE #Z2006165 (District 1): An Ordinance changing the zoning district boundary from "RM-4" Residential Mixed District to "IDZ" Infill Development Zone with uses permitted in the "O-1" Office District on the East 80.17 Feet of the North 5.89 Feet of Lot 6 and the East 80.17 Feet of Lot 7, Block 6, NCB 775, 325 Jackson Street as requested by Yolanda Gonzales, Applicant, for Yolanda Gonzales, Owner(s). Staff and Zoning Commission recommend Approval.

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

Mr. Andrew Guerrero, 3134 Ranker, stated that a change in the plans is in process.

Councilmember Flores made a motion to approve the proposed rezoning case with conditions as noted by Mr. Andrew Guerrero. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0868

ITEM Z-6. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 80.17 FEET OF THE NORTH 5.89 FEET OF LOT 6 AND THE EAST 80.17 FEET OF LOT 7, BLOCK 6, NCB 775 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "O-1" OFFICE DISTRICT.

Z-7. ZONING CASE #Z2006146 (District 1): An Ordinance changing the zoning district boundary from "RM-4" Residential Mixed District to "IDZ" Infill Development

Zone with Uses Permitted in "MF-25" Multi-Family District on Lot 7, Block 2, NCB 2965, 404 East Courtland as requested by Brownstone Traditions, SA Ltd., Applicant, for Josias & Rebecca Villarreal, 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 Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Wolff.

2006-08-03-0869

ITEM Z-7. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 2, NCB 2965 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN THE "MF-25" MULTI-FAMILY DISTRICT.

Z-8. ZONING CASE #Z2006144 (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "IDZ" Infill Development Zone with Uses Permitted in the "MF-33" Multi-Family District on the North 50 Feet of Lots 5 and 6, Block 12, NCB 1744, 409 Kendall as requested by Brownstone Traditions, SA Ltd., Applicant, for Eric Gustafson & Doug Merritt, 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 Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0870

ITEM Z-8. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS NORTH 50 FEET OF LOTS 5 AND 6, BLOCK 12, NCB 1744 FROM "MF-33" MULTI FAMILY DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN THE "MF-33" MULTI-FAMILY DISTRICT.

Z-9. ZONING CASE #Z2006143 (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "IDZ" Infill Development Zone with Uses Permitted in the "MF-33" Multi-Family District on Lots 5 and 6, Block 5, NCB 1727, 119 and 123 East Dewey Place as requested by Brownstone Traditions, SA Ltd., Applicant, for Marion W. Cain, 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 motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0871

ITEM Z-9. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 5 AND 6, BLOCK 5, NCB 1727 FROM "MF-33" MULTI FAMILY DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN THE "MF-33" MULTI-FAMILY DISTRICT.

Z-10. ZONING CASE #Z2006116 CD (District 1): An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "MF-50" (CD-Multi-Family Dwellings) Multi-Family District with a Conditional Use for Multi-Family Dwellings not to exceed 100 units per acre on Lot 39, NCB 12025, 8610 McCullough Avenue as requested by Brown, P.C., Applicant, for Carlos Sotomayor, 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 with conditions as specified in the letter submitted by Ken Brown. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0872

ITEM Z-10. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 39, NCB 12025 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-50" (CD-MULTI-FAMILY DWELLINGS) MULTI-FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT TO EXCEED 100 UNITS PER ACRE.

Z-12. ZONING CASE #Z2006167 (District 2): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "MF-25" Multi-Family District on Parcel 3 and Parcel 11, NCB 15894, 6670 and 6726 Walzem Road as requested by H. B. Newman, Applicant, for C. E. Brehm, 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 continue the proposed rezoning case to October 5, 2006. Councilmember Radle seconded the motion.

The motion to continue Item Z-12 to October 5, 2006 passed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

Zoning Case 2006167 was continued to October 5, 2006.

Z-13. ZONING CASE #Z2006140 (District 2): An Ordinance changing the zoning district boundary from "I-1" General Industrial District and "O-2" Office District to "C-3" General Commercial District on Lot 2, Block 6, NCB 12633 and Lots 1 though 4, Block 1, NCB 13735, 4000 IH-10 East as requested by Greater Apostolic Faith Church, Applicant, for Greater Apostolic Faith Church, 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 continue the proposed rezoning case to August 17, 2006. Councilmember Perez seconded the motion.

The motion to continue the proposed rezoning case to August 17, 2006 passed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

Zoning Case 2006140 was continued to August 17, 2006.

Z-14. ZONING CASE #Z2006111 (District 3): An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "C-2" Commercial District or "RD" Rural Development District on Lots 2 through 7, Block 16, NCB 5699 and Lots 21 through 24, Block 15, NCB 5699, 2045 Cuba Avenue and the 15000 Block of FM 1937 as requested by David Casas, Applicant, for David and Maria Elena Casas, Owner(s). Staff and Zoning Commission recommend Approval of RD.

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

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0873

ITEM Z-14. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 THROUGH 7, BLOCK 16, NCB 5699 AND LOTS 21 THROUGH 24, BLOCK 15, NCB 5699 FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT.

Z-15. ZONING CASE #Z2006134 (District 3): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "R-4" Residential Single-Family District on the South 90 Feet of Lot 12, Block 9, NCB 7700, 200 Block of Barrett Avenue as requested by Spanish Homes, Inc., Applicant, for Javier Ponce, Owner(s). Staff and Zoning Commission recommend Approval.

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

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0874

ITEM Z-15. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS SOUTH 90 FEET OF LOT 12, BLOCK 9, NCB 7700 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4"

RESIDENTIAL SINGLE-FAMILY DISTRICT.

Z-16. ZONING CASE #Z2006155 (District 4): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-3" General Commercial District on Lot P-13J, NCB 15655, 5038 W. Military Drive as requested by Eddie Eng Company, Inc., Applicant, for Eddie Eng Company, Inc., Owner(s). Staff and Zoning Commission recommend Approval of C-2 (CD-Automobile and Light Truck Repair) with conditions.

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

Councilmember Perez made a motion to approve the proposed rezoning case as C-2 with conditions. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0875

ITEM Z-16. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT P-13J, NCB 15655 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" (CD-AUTO AND LIGHT TRUCK REPAIR) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTOMOBILE AND LIGHT TRUCK REPAIR.

Z-17. ZONING CASE #Z2006150 (District 5): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "I-2" HS Heavy Industrial Historic Significance District on Lot 46, NCB 2585, 375 Lone Star Boulevard as requested by City of San Antonio Planning Department, Historic Preservation Officer, Applicant, for Kathy Ann Ruiz, 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 Hall seconded the motion.

The following citizen(s) appeared to speak:

Ms. Mary Ozuna, 140 Simon, District 5 Advisory Board, South Central Community Plan, spoke in favor of item Z-17.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0876

ITEM Z-17. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 46, NCB 2585 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "I-2" HS - HEAVY INDUSTRIAL HISTORIC SIGNIFICANCE DISTRICT.

Z-18. ZONING CASE #Z2006156 (District 5): An Ordinance changing the zoning district boundary from "C-2" Commercial District to "IDZ" Infill Development Zone with Uses Permitted in "R-4" Residential Single-Family District and "C-2" Commercial District on Lots 1 and 2, Block 5, NCB 6130, 1602 Guadalupe Street as requested by Abelardo Garza, Applicant, for Mary Alice Crowe, 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 McNeil seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0877

ITEM Z-18. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 5, NCB 6130 FROM "C-2" COMMERCIAL DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "R-4" SINGLE-FAMILY RESIDENTIAL DISTRICT AND "C-2" COMMERCIAL DISTRICT.

Z-19. ZONING CASE #Z2006153 (District 5): An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone District to "IDZ" HS Infill Development Zone Historic Significance District on the South 116 Feet of Lots A1 and A2, save and except the North 54 Feet of the West 25 Feet, NCB 2569, 1512 South Flores Street as requested by City of San Antonio Planning Department, Historic Preservation Officer, Applicant, for Magnificent So Flo Seven, Owner(s). Staff and Zoning Commission recommend Approval.

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

The following citizen(s) appeared to speak:

Ms. Mary Ozuna, 140 Simon, South Central Community Plan, informed Council that she never received information on the Historic aspect of this case. She asked why the property was considered a historic site and wanted to know who made that determination.

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0878

ITEM Z-19. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 116 FEET OF LOTS A1 AND A2, SAVE AND EXCEPT THE NORTH 54 FEET OF THE WEST 25 FEET, NCB 2569 FROM "IDZ" INFILL DEVELOPMENT ZONE TO "IDZ" HS INFILL DEVELOPMENT HISTORIC SIGNIFICANCE ZONE.

Z-20. ZONING CASE #Z2005288 (District 6): An Ordinance changing the zoning district boundary from "I-1" Industrial District to "C-3" General Commercial District on 22.435 acres out of NCB 11493, 7620 Northwest Loop 410 as requested by Wade Interest, Inc., Applicant, for Southwest Foundation for Research and Education, 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0879

ITEM Z-20. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 22.435 ACRES OUT OF NCB 11493 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-21. ZONING CASE #Z2006195 (District 6): An Ordinance changing the zoning district boundary from "I-1" GC-2 General Industrial Gateway Corridor Overlay District-2 to "C-3" GC-2 (CD-Warehousing) General Commercial Gateway Corridor Overlay District-2 with a Conditional Use for Warehousing on Lot 1, Block 49, NCB 15329, 655

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Richland Hills Drive as requested by the City of San Antonio, Applicant, for Concordia TW Ltd., Owner(s). Staff and Zoning Commission recommend Approval

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case and stated that the applicant for the proposed zoning case withdrew the request.

Item Z-21 was withdrawn by the applicant.

Z-22. ZONING CASE #Z2006138 (District 8): An Ordinance changing the zoning district boundary from “C-1 ERZD” Light Commercial Edwards Recharge Zone District and “C-2 ERZD” Commercial Edwards Recharge Zone District to PUD “C-1 ERZD” Planned Unit Development Light Commercial Edwards Recharge Zone District and PUD “C-2 ERZD” Planned Unit Development Commercial Edwards Recharge Zone District on Lots P-8 and P-8A, NCB 17704, 4600 Block of North Loop 1604 West as requested by Elmco Real Estate, Ltd., Applicant, for Elmco Real Estate, 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Herrera, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Radle, Guajardo.

2006-08-03-0880

ITEM Z-22. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS P-8 AND P-8A, NCB 17704 FROM “C-1 ERZD” COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT “C-2 ERZD” COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO PUD “C-1 ERZD” PLANNED UNIT DEVELOPMENT COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT, PUD “C-2 ERZD” PLANNED UNIT DEVELOPMENT COMMERCIAL

EDWARDS RECHARGE ZONE DISTRICT.

Z-23. ZONING CASE #Z2006139 (District 8): An Ordinance changing the zoning district boundary from "R-20" Residential Single-Family District to "C-2" Commercial District on Lots P-11 and P-12, NCB 34034, 21651 and 21667 Milsa Drive as requested by Brown, P.C., Applicant, for Galo Properties, 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:

Mr. Faris Hodge, Jr., 140 Dora, expressed concerned with building over the Acquifer and contaminating the water. He stated the time for zoning hearings does not allow input from citizens who work at that time. He thanked the Zoning Commisioner for not limiting the amount of time Citizens have to speak.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

2006-08-03-0881

ITEM Z-23. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS P-12 AND P-11, NCB 34034 FROM "R-20" RESIDENTIAL SINGLE- FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Z-24. ZONING CASE #Z2006154 (District 9): An Ordinance changing the zoning district boundary from "C-2" RIO-1 Commercial River Improvement Overlay District-1 to "C-2" IDZ RIO-1 Commercial Infill Development Zone River Improvement Overlay District-1 on Lots 141 through 144, Block 4, NCB 6298, 3003 Broadway as requested by

H. Glenn Huddleston, Applicant, for H. Glenn Huddleston, 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0882

ITEM Z-24. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS Lots 141 THROUGH 144, NCB 6298 FROM "C-2" RIO-1 COMMERCIAL RIVER IMPROVEMENT OVERLAY DISTRICT 1 TO "C-2"IDZ RIO-1 COMMERCIAL INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY DISTRICT 1.

NOTE: Item Z-24 was incorrectly posted and will be reconsidered at the August 17, 2006 City Council Meeting.

Z-25. ZONING CASE #Z2006090 (District 9): An Ordinance changing the zoning district boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to PUD "C-2 ERZD" Planned Unit Development Commercial Edwards Recharge Zone District on 7.2550 acres out of NCB 19218, Stone Oak Parkway as requested by Gordan Hartman, Applicant, for Gordan Hartman Investment, Inc., 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 with SAWS conditions. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** Herrera, Guajardo. **ABSENT:** None.

2006-08-03-0883

ITEM Z-25. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 7.2550 ACRES OUT OF NCB 19218 FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO PUD "C-2 ERZD" PLANNED UNIT DEVELOPMENT COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

Z-26. ZONING CASE #Z2006148 (District 9): An Ordinance changing the zoning district boundary from "MF-25" Multi-Family District to PUD "MF-25" Multi-Family Planned Unit Development District on 28.72 acres out of NCB 17721, 15150 Blanco Road as requested by Blanco Bitters Ltd., c/o Paul Milosevich, Applicant, for Blanco Bitters Ltd., c/o Paul Milosevich, 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0884

ITEM Z-26. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 28.72 ACRES OUT OF NCB 17721 FROM

"MF-25" MULTI-FAMILY DISTRICT TO PUD "MF-25" MULTI-FAMILY PLANNED UNIT DEVELOPMENT DISTRICT.

Z-27. ZONING CASE #Z2006147 CD (District 9): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "R-5" (CD - Multi-Family Dwellings) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings not exceeding 18 units per acre on Lots 18 through 21, Block 3, NCB 11719, 11310, 11314, 11318 and 11322 Brazil Drive as requested by John Campbell, Applicant, for Donald Pittman, 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0885

ITEM Z-27. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 18 THROUGH 21, BLOCK 3, NCB 11719 FROM "MF-33" MULTI FAMILY DISTRICT TO "R-5" (CD-MULTI-FAMILY DWELLINGS) RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT TO EXCEED 18 UNITS PER ACRE.

Z-28. ZONING CASE #Z2006154 (District 9): An Ordinance changing the zoning district boundary from "C-2" RIO-1 Commercial River Improvement Overlay District-1 to "C-2" IDZ RIO-1 Commercial Infill Development Zone River Improvement Overlay District-1 on Lots 141 through 144, Block 4, NCB 6298, 3003 Broadway as requested by H. Glenn Huddleston, Applicant, for H. Glenn Huddleston, 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 Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0886

ITEM Z-28. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 141 THROUGH 144, NCB 6298 FROM "C-2" RIO-1 COMMERCIAL RIVER IMPROVEMENT OVERLAY DISTRICT 1 TO "C-2"IDZ RIO-1 COMMERCIAL INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY DISTRICT 1.

Z-29. ZONING CASE #Z2006160 (District 10): An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-2 NA" Commercial Nonalcoholic Sales District on Lot 22, Block 1, NCB 17756, 16119 Classen Road as requested by Buchalter Real Estate, LLC, Applicant, for Jaqueline Charno, Owner(s). Staff recommends Denial; Zoning Commission recommends Approval.

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

Councilmember Haass made a motion to deny the proposed rezoning case. Councilmember Perez seconded the motion.

The motion to deny the passage of the Ordinance passed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

Zoning Case 2006160 was denied.

Z-30. ZONING CASE #Z2006135 (District 10): An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3" General Commercial District on the East 884.4 Feet of Lot 13, NCB 12100, 8505 Broadway as requested by T. W. Broadway Loop, Ltd., Applicant, for T. W. Broadway Loop, Ltd., 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 Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0887

ITEM Z-30. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 884.4 FEET OF LOT 13, NCB 12100 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-31. ZONING CASE #Z2006132 (District 10): An Ordinance changing the zoning district boundary from "C-3 R" General Commercial Restrictive Alcohol Sales District to "C-3" General Commercial District on .4552 acres out of NCB 15689, 12311 Nacogdoches Road as requested by Michael Lopez, Applicant, for NGSA, Ltd., 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 motion carried the passage of the Ordinance by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2006-08-03-0888

ITEM Z-31. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.4552 OF AN ACRE OUT OF NCB 15689 FROM "C-3R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

On a point of personal privilege, Councilmember Radle asked that Santiago Garcia speak to the passing of poet Trinidad Sanchez, Jr.

CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

- Presentation by USAA to present a donation from their Fireman's Insurance Grant funds to the San Antonio Fire Department for the purchase new equipment.
- Certificate of Appreciation to Ms. Florence Casarez for 50 years of employment with the City of San Antonio.
- Proclamation for National Clown Week to Jolley Joeys Clown Alley in San Antonio.

CITIZENS TO BE HEARD

Ms. Patsy Cheyenne, Home Comfort, addressed the Council with regards to the city's plan for the homeless center. She stated that an open tent center would benefit the homeless who are mentally ill.

Mr. Juan Salas, All American Pareda Association, asked why the City mandates SAPD security at parades downtown. He addressed the Council relating to payment plans as it relates to City rights-of-way.

Mr. Faris Hodge, Jr., 140 Dora, addressed the Council relating to the Affirmative Action Committee and the Council filling those vacancies. He asked that the Alamodome be

named after him. He also noted that written testimony forms were removed from the internet and asked the City Clerk's Office to look into same. Lastly, he sang a medley of songs.

Mr. Hal McCloskey, Riverwalk Vendor, addressed the Council relating to Riverwalk vendors. He noted the six locations designated at the Riverwalk and explained that 4 of the 6 areas designated were not a good location for vending. He referenced and read a specific section of the current ordinance as it relates to Riverwalk vendors.

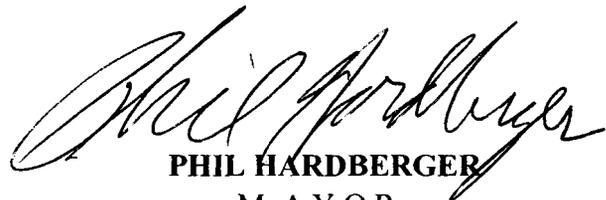
Mr. Nazarite Ruben Flores Perez addressed the Council relating to an article he distributed from San Antonio Express News. He stated concern for contamination in the Kelly area. He noted the pollution in the San Antonio River.

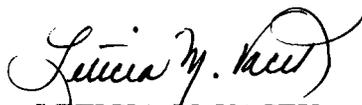
Mr. David Plylar addressed the Council in regard to the Water Quality Ordinance in draft form and asked that it be made public prior to its adoption.

ADJOURNMENT

There being no further business to discuss, Mayor Pro Tem Roland Gutierrez adjourned the meeting at 6:32 p.m.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest: 
LETICIA M. VACEK
City Clerk