

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

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO
WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
WEDNESDAY, FEBRUARY 14, 2007 AND
THURSDAY, FEBRUARY 15, 2007**

The City Council convened in an informal "B" Session at 3:00 pm, Wednesday, February 14, 2007 in the Council Chambers, Municipal Plaza Building, with the following Councilmembers present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger.

1) Discussions, deliberations and possible actions by the City Council regarding all aspects of the 2007-2012 General Obligation Bond Program, including determination of projects to be included in the Program.

City Manager Sculley gave an update on the 2007-2012 Bond Program. The informational package presented denoted the distribution for funds for each bond project, a listing of street, bridge, and sidewalk improvements, as well as a copy of the proposed Bond Ordinance reflecting the ballot language.

The information provided by Ms. Sculley is on file with the Office of the City Clerk.

Ms. Sculley also spoke on the Five-Year Park Facility Renovation Program. She stated that the Program called for the funding of \$1 million annually for Park Improvements.

At this this time, Mayor Hardberger recessed the meeting at 3:15 pm to convene in Executive Session for the purpose of:

A. Discuss legal issues related to the 2007-2012 General Obligation Bond Program pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the meeting at 4:01 pm.

Ms. Sculley requested councilmembers provide her with any comments and/or changes as soon as possible in order for the changes to be reflected in the Bond Ordinance which is scheduled to be called on Thursday, February 15, 2007.

The "B" Session adjourned at 4:15 pm.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, February 15, 2007 at 9:00 am.

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

The Invocation was delivered by Reverend Kevin Love, Assistant to the Pastor, Macedonia Missionary Baptist Church, Guest of Councilmember Delicia Herrera.

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

MINUTES

Councilmember Perez made a motion to approve the minutes of the February 1, 2007 City Council Meeting. Councilmember Guajardo seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSENT: None.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-02-15-0154

Item 4. AN ORDINANCE ADOPTING A FIVE-YEAR PARKS MAINTENANCE AND RENOVATION PROGRAM TO IDENTIFY AND PRIORITIZE PROJECTS, PRIORITIZE RENOVATION ACTIVITIES, PROPOSE BUDGETS FOR EACH PROJECT, AND OUTLINE THE YEAR OF COMPLETION OF EACH PROJECT.

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

Ms. Sculley made a presentation which covered both Items 4 and 5. Councilmembers were presented with a listing of Park Improvements that would be undertaken as part of the Five-Year Maintenance Program. She stated that funding in the amount of \$1 million for Park Improvements would part of the Annual Operating Budget.

Also presented was an informational package that listed street, bridge, and sidewalk improvements by proposition, as well as a copy of the Bond ordinance reflecting the ballot language.

Ms. Sculley commented that 1999 Bond Projects would be substantially complete by December.

She continued by stating that this Bond Package is one of several be presented to the voters for approval. Ms. Sculley envisioned presenting a \$300 million Bond Package to the voters in 5 years with another \$300 million Bond Package being presented 5 years after that.

Ms. Sculley stated that if passed, the City would repay annually \$110 million for a total of 5 years. All 151 projects are expected to be completed in 5 years.

The following citizen(s) appeared to speak:

Mr. Bob Martin, President, Homeowners Taxpayer Association, addressed the Council with regards to the negative financial impact the Bond Program would have on the community if it was passed.

Ms. Mary Kathryn Luna addressed the Council with regards to the petition submitted by the Rainbow Hills Area Neighborhood Association. The petition requested that the \$400,000 that was originally allocated to build a new gymnasium at the Jean Yates Community Center be restored. She noted that the after-school program at the Community Center and Park averages 40 to 50 children a day. Ms. Luna continued by stating that in 1996 a petition with 649 signatures was submitted. The petition requested the City build a Community Center and various recreational facilities at the Jean Yates Park.

Mr. Fred Magee, President, Rainbow Hills Area Neighborhood Association, also addressed the Council relating to the funding information provided regarding the Jean Yates Community Center. He commented on the fact that funding for the center had changed several times since the information was originally presented.

Mr. Jerry Smith, President of the Shavano Ridge Homeowners Association, addressed the Council with regards to the change in funding in the amount of \$11 million for the DeZavala Road Expansion Project. Based on staff recommendations, the money for said project was reallocated. Mr. Smith stated that a traffic study was not completed prior to the removal of the project from the Bond Program and that area residents would be affected by the change.

Mr. Nelson Lopez of the San Antonio Hispanic Chamber of Commerce spoke in favor of the method that was exercised in identifying bond projects. Mr. Lopez noted that the approach was a good one and encouraged the Council to embrace the recommendations made by the various committees. He suggested that in the future more time be allowed for citizen input. Mr. Lopez requested that the Council inform the public on the progress of the bond projects once they commenced.

Mr. Jack M. Finger, P.O. Box 12048, addressed the Council relating to the Bond and Parks Maintenance Programs. He asked when the approved bond proposals would be completed since projects from the 1999 Bond Program took 8 years to complete. He noted that one other project from a previous Bond Program took 18 years to complete.

Ms. Carol Abitz of the Southwest Community Association addressed the Council relating to the change in funding for Pearsall Park Improvements. She recommended that the Council include Pearsall Park in its Park Maintenance Program due to the fact that it is the 5th Largest Park in the City.

Ms. Brenda Vickery Johnson, 2007 Chairman of the Greater San Antonio Chamber of Commerce, congratulated the Council for its holistic approach in identifying the 2007 Bond Projects. She also commended the process which allowed for citizens to make recommendations as well as be involved in the decision-making. She stated that the Chamber supported projects that allowed the City to increase public safety and enhance the quality of life. Ms. Johnson commented that the needs of the community are much greater than what can be funded in the

current bond proposal. She stated that the Chamber was appreciative of the Council identifying such bond projects as priorities: the purchase of the Voelcker Ranch, the development of Soccer Fields, the expansion of the Witte Museum, and funding of UTSA. Ms. Johnson stated that great cities must invest in themselves.

The motion to adopt the ordinance prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

The City Clerk read the following Ordinance:

2007-02-15-0155

Item 5. AN ORDINANCE ORDERING A BOND ELECTION TO BE HELD ON THE 12TH DAY OF MAY, 2007, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ON A PROPOSED BOND ISSUE FOR STREETS, BRIDGES AND SIDEWALKS IMPROVEMENTS, DRAINAGE IMPROVEMENTS, PARKS, RECREATION, OPEN SPACES, AND ATHLETICS IMPROVEMENTS, LIBRARY IMPROVEMENTS, AND PUBLIC HEALTH FACILITIES IMPROVEMENTS; SPECIFYING THAT SAID ELECTION SHALL BE HELD JOINTLY WITH OTHER PARTICIPATING LOCAL POLITICAL SUBDIVISIONS WITHIN BEXAR COUNTY; MAKING PROVISION FOR THE HOLDING OF THIS ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The motion to adopt the ordinance prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

The City Clerk read the following Ordinance:

2007-02-15-0156

Item 6. AN ORDINANCE ORDERING THE GENERAL MUNICIPAL ELECTION TO BE HELD ON SATURDAY, THE 12TH DAY OF MAY, 2007, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS FOR THE PURPOSE OF ELECTING THE MEMBERS OF THE CITY COUNCIL AND THE MAYOR OF THE CITY OF SAN ANTONIO; AUTHORIZING ELECTION TO BE HELD JOINTLY WITH OTHER LOCAL POLITICAL SUBDIVISIONS; MAKING PROVISION FOR THE HOLDING OF THIS ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

City Clerk Leticia M. Vacek made a presentation highlighting key dates for the May 12, 2007 General Election. Ms. Vacek informed Council of the election procedures to be utilized as well

as presented them with a copy of the Early Voting and Election Day sites. She stated that for this election a total of 39 Early Voting sites would be utilized. Typically, the City utilizes 21 Early Voting sites. This increase was due to the fact that several local entities will be joining the City of San Antonio on the May 12, 2007 ballot.

The power point presentation made by Ms. Vacek is on file with the Office of the City Clerk.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

CONSENT AGENDA: Items 7-35D

Consent Agenda Items 7, 16, 24, 26, 30, and 33 were pulled for individual consideration. Item 13 was pulled from the agenda while Item 25 was deferred to 5:30 pm. It was noted that with regards to Item 10; rather than Loop 410 the agenda should read Loop 1604. The remaining items were approved upon the motion made by Councilmember Gutierrez and seconded by Councilmember Perez.

The motion prevailed by the following vote: AYES: Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSENT: McNeil.

The following citizen(s) appeared to speak:

Mr. Jack Finger, P.O. Box 12048, addressed the Council in regards to Items 7, 8, 10, 11, 15, 17, 18, 20, 28, and 30. For Item 26, he asked why the City was funding therapeutic dance classes. As it relates to Item 7, Mr. Finger commented on the City purchasing electrolyte replacement drink mixes for workers. For Item 9, he stated that the City was promoting gambling by selling confiscated eight-liners. Mr. Finger stated that the agenda contained an error for Item 10 – it should read Loop 1604 and not Loop 410. For Item 20, he stated that a survey was going to be conducted to determine condom usage in the prevention of HIV/AIDS. Lastly, Mr. Finger noted that several Councilmembers had conflicts of interest related to Item 15.

City Clerk Leticia M. Vacek read a written testimony submitted by Faris Hodge, Jr., 140 Dora, relating to Item 34. Mr. Hodge wrote in favor of the City disannexing Timberwood Park because the City needs to take care of what it currently has within the City limits. He noted the shortage of police and fire personnel as well as code enforcement officers.

2007-02-15-0158

Item 8. AN ORDINANCE ACCEPTING THE OFFER FROM SAFETY STORAGE, INC. TO PROVIDE THE ENVIRONMENTAL SERVICES DEPARTMENT WITH A HAZARDOUS MATERIAL STORAGE BUILDING FOR A COST OF \$46,083.00, FROM THE TCEQ GRANT: AACOG HOUSEHOLD HAZARDOUS WASTE BITTERS BRUSH RECYCLING CENTER. FY 06.

2007-02-15-0159

Item 9. AN ORDINANCE AUTHORIZING THE SALE TO EXPRESS VIDEO, INC. OF 225 GAMBLING DEVICES (EIGHT-LINERS) FOR A PURCHASE PRICE OF \$80,361.00; AND AUTHORIZING PAYMENT TO THE BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE IN THE AMOUNT OF \$32,144.40.

2007-02-15-0160

Item 10. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO REIMBURSE THE CITY OF SAN ANTONIO AN AMOUNT NOT TO EXCEED \$18,750.00 FOR THE COST OF FURNISHING AND INSTALLING TRAFFIC SIGNAL EQUIPMENT AT THE INTERSECTION OF BANDERA ROAD AND LOOP 1604 FRONTAGE ROADS AND APPROPRIATING FUNDS.

2007-02-15-0161

Item 11. AN ORDINANCE APPROVING A PORTION OF A TOTAL PROJECT AMOUNT OF \$4,918,047.74 TO INCLUDE AWARDDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,790,343.12 TO VALEMAS, INC., OF WHICH \$2,479,285.00 WILL BE REIMBURSED BY TEXAS DEPARTMENT OF TRANSPORTATION, \$566,932.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, AND \$444,192.20 WILL BE REIMBURSED BY CPS ENERGY, IN CONNECTION WITH THE CLARK AVENUE: FAIR TO SOUTHCROSS PROJECT LOCATED IN DISTRICT 3, AND AUTHORIZING AN AMENDMENT TO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS, INC. IN THE AMOUNT OF \$67,719.00 FOR CONSTRUCTION PHASE ENGINEERING SERVICES, FUNDED BY GENERAL OBLIGATIONS OF THE CITY, AND APPROPRIATING FUNDS.

2007-02-15-0162

Item 12. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$2,590,381.58, TO INCLUDE AWARDDING A \$2,299,008.50 CONTRACT WITH PRONTO SANDBLASTING & COATING & OIL FIELD SERVICES, INC., \$162,672.50 OF WHICH WILL BE REIMBURSED BY SAWS AND \$138,888.00 OF WHICH WILL BE REIMBURSED BY CPS FOR THE RECONSTRUCTION OF A 2-LANE STREET SECTION, TO INCLUDE 4-FOOT SIDEWALKS, CURBS, WHEELCHAIR RAMPS, DRIVEWAY APPROACHES AND DRAINAGE SYSTEM IN CONNECTION WITH THE EL MONTE: SAN PEDRO TO BLANCO (PHASES I & III), AN AUTHORIZED U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT IN DISTRICT 1; AND APPROPRIATING FUNDS.

Item 13. SAID ITEM WAS PULLED FROM THE AGENDA.

2007-02-15-0163

Item 14. AN ORDINANCE APPROVING A TOTAL ESTIMATED AMOUNT OF \$1,770,931.67 AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,757,030.04 TO COLLECTIVE CONTRACTING, INC., OF WHICH \$503,443.99 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$63,423.05 WILL BE FUNDED BY CPS ENERGY, IN CONNECTION WITH THE FY2006 & FY2007 STREET MAINTENANCE PROGRAM - RECONSTRUCTION PACKAGE II, FUNDED WITH CERTIFICATES OF OBLIGATION, LOCATED IN DISTRICTS 2 AND 3, AND APPROPRIATING FUNDS.

2007-02-15-0164

Item 15. AN ORDINANCE APPROVING A TOTAL ESTIMATED AMOUNT OF \$1,000,000.00 AND SELECTING PAPE DAWSON ENGINEERS, INC. AND POST, BUCKLEY, SCHUH & JERNIGAN, INC. (PBS&J) FOR NEGOTIATION AND EXECUTION OF TWO PROFESSIONAL ENGINEERING CONSULTING SERVICES AGREEMENTS EACH IN AN AMOUNT NOT TO EXCEED \$500,000.00 PER CONTRACT YEAR, FOR INDEFINITE DELIVERY PROFESSIONAL ENGINEERING CONSULTING SERVICES ON AN AS NEEDED BASIS, TO SUPPLEMENT CITY OF SAN ANTONIO TRAFFIC ENGINEERING RESOURCES IN CONNECTION WITH CITY -OWNED FACILITIES AND IMPROVEMENTS, CONSTRUCTION PROJECTS, AND EMERGENCY SITUATIONS.

2007-02-15-0166

Item 17. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH STINSON AVIATION CORPORATION FOR 2,488 SQUARE FEET OF HANGAR SPACE AND 5,800 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT FOR A TERM OF FIVE (5) YEARS AND ASSOCIATED RENTALS OF \$373.13 PER MONTH.

2007-02-15-0167

Item 18A. AN ORDINANCE DECLARING THE CULEBRA DRAINAGE #58, PHASE 2A, LOCATED IN DISTRICT 7.A 1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT PROJECT A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO APPROXIMATELY 0.0917 OF AN ACRE (3.995 SQUARE FEET) OUT OF THE WEST ONE HALF OF LOT 2, BLOCK 3, NCB 12000, LIFSHUTZ SUBDIVISION NO. 8, SAN ANTONIO, TEXAS, FOR PUBLIC IMPROVEMENTS; APPROPRIATING FUNDS AND ANY MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT; AUTHORIZING CITY STAFF TO NEGOTIATE WITH AND ACQUIRE THE PROPERTY FROM THE OWNERS ON APPROVED TERMS AND IF NECESSARY, AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

2007-02-15-0168

Item 18B. AN ORDINANCE DECLARING THE VALLEY VIEW ACRES BUYOUTS PROJECT IN DISTRICT 8 TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE AND/OR EASEMENT INTEREST TO CERTAIN PRIVATELY OWNED REAL PROPERTY, BY NEGOTIATIONS AND/OR CONDEMNATION, FOR PUBLIC IMPROVEMENTS AS A PART OF THIS PROJECT; TO-WIT ALL OR PORTIONS OF THE PROPERTIES DESCRIBED AS FOLLOWS:

PARCEL	LOT(S)	BLK	NCB
18089	W 50 ft of 7	2	14448
18071	SE 1/2 of 3	6	15660
18072	NW 1/2 of 3	6	15660
18074	SE 1/2 of 2	6	15660
18076	NW 1/2 of 2	6	15660
18073	1	7	15661
18073A	1	7	15661
18095	E 1/2 of 5	7	15661
18078	2	8	15662
18075	S 1/2 of 3	8	15662
18077	N 1/2 of 3	8	15662

ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS IN THE AMOUNT OF \$635,000.00 FUNDED FROM PREVIOUS AUTHORIZED PROJECT APPROPRIATIONS FOR THE PROJECT AND MISCELLANEOUS ASSOCIATED EXPENSES; AUTHORIZING CITY STAFF TO NEGOTIATE WITH AND TO ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS AND IF NECESSARY; AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

2007-02-15-0169

Item 18C. AN ORDINANCE ACCEPTING FEE TITLE TO ONE PARCEL OF LAND CONSISTING OF 0.1676 OF AN ACRE, OUT OF LOT 7, BLOCK 1, NCB 14350 FROM WALTRUST PROPERTIES, INC., AND FIVE PARCELS OF LAND TOTALING 1.0313 ACRES. MORE OR LESS FROM THE SAN ANTONIO MEDICAL FOUNDATION, IN CONNECTION WITH THE MEDICAL CENTER INTERSECTION IMPROVEMENTS PHASES II, AND IV THROUGH VII PROJECT, AN AUTHORIZED CERTIFICATE OF OBLIGATION PROJECT LOCATED IN DISTRICT 8.

2007-02-15-0170

Item 19. AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH BIOMED SA IN THE AMOUNT OF \$100,000.00 TO PROMOTE AND FACILITATE THE DEVELOPMENT OF THE BIOTECHNOLOGY AND HEALTHCARE INDUSTRY IN SAN ANTONIO.

2007-02-15-0171

Item 20. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IN THE AMOUNT OF \$118,318.00 TO RENEW SUPPORT FOR THE ONGOING HIV SURVEILLANCE PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2007; AND APPROVING THE PROGRAM BUDGET AND PERSONNEL COMPLEMENT.

2007-02-15-0172

Item 21. AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TOTALING \$147,294.00 WHICH WILL PROVIDE ADDITIONAL SUPPORT FOR THE ONGOING INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT BY INCREASING THE CURRENT CONTRACT FROM \$429,812.00 TO \$577,106.00 FOR THE PERIOD SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007; AND REVISING THE PROGRAM BUDGET AND PERSONNEL COMPLEMENT.

2007-02-15-0173

Item 22. AN ORDINANCE AUTHORIZING THE RATIFICATION OF AN INTERLOCAL AGREEMENT TOTALING \$27,965.32 WITH THE TEXAS OFFICE FOR PREVENTION OF DEVELOPMENTAL DISABILITIES FOR SERVICES PROVIDED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE FETAL ALCOHOL SPECTRUM DISORDERS PREVENTION PROJECT DURING THE PERIOD NOVEMBER 1, 2006 THROUGH FEBRUARY 28, 2007; ADOPTING THE PROJECT BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

2007-02-15-0174

Item 23. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES IN THE AMOUNT OF \$298,000.00 TO INCREASE SUPPORT FOR THE CITIES READINESS INITIATIVE OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FROM THE CURRENT \$197,750.00 TO \$495,750.00 AND EXTEND THE CONTRACT PERIOD UNTIL AUGUST 31, 2007; REVISING THE PROGRAM BUDGET; AND ADOPTING THE PERSONNEL COMPLEMENT.

Item 25. Deferred to 5:30 pm.

2007-02-15-0178

Item 27. AN ORDINANCE TERMINATING A CONTRACT WITH FAMILY FORWARD FOR ADMINISTRATION OF THE YOUTH SOLUTION PROGRAM AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO FOR THE PERIOD JANUARY 1, 2007 THROUGH SEPTEMBER 30, 2007 FOR CONTINUED ADMINISTRATION OF THE PROGRAM; AND AUTHORIZING THE REALLOCATION OF FUNDING IN THE AMOUNT OF \$71,604.58.

2007-02-15-0179

Item 28. AN ORDINANCE APPROVING THE FISCAL YEAR 2006-2007 ANNUAL PAYMENT IN THE AMOUNT OF \$35,000.00 TO THE SOUTH CENTRAL TEXAS REGIONAL CERTIFICATION AGENCY.

2007R-02-15-0180

Item 29. A RESOLUTION EXPRESSING SUPPORT FOR THE TEXAS BIO- AND AGRO-DEFENSE CONSORTIUM PROPOSAL TO THE DEPARTMENT OF HOMELAND SECURITY TO LOCATE THE NATIONAL BIO AND AGRO- DEFENSE FACILITY IN SAN ANTONIO.

2007-02-15-0182

Item 31. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH COMMUNITY FIRST HEALTH PLANS, INC. (CFHP) ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO RECEIVE REIMBURSEMENT FOR PROVIDING MEDICAID AND CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP) ELIGIBLE HEALTH SERVICES TO CFHP ENROLLEES FOR THE PERIOD OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2009.

2007-02-15-0183

Item 32. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF BEXAR COUNTY EMERGENCY SERVICES DISTRICT #4 WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ).

2007-02-15-0185

Item 34A. AN ORDINANCE DISANNEXING THE AREA KNOWN AS THE TIMBERWOOD PARK AREA WHICH CONSISTS OF APPROXIMATELY 4,345 ACRES FROM LIMITED PURPOSE ANNEXATION STATUS.

2007-02-15-0186

Item 34B. AN ORDINANCE REMOVING THE TIMBERWOOD PARK AREA FROM THE CITY OF SAN ANTONIO'S THREE-YEAR ANNEXATION PLAN.

BOARD APPOINTMENTS: ITEM 35A-35D

Item 35A. Appointing Helen Dutmer (District 3) to the Board of Adjustment for a term of office to commence February 23, 2007 and expire February 22, 2009.

Item 35B. Reappointing Bennie Lunsford (District 6) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office commencing immediately upon appointment, to expire December 22, 2008.

Item 35C. Appointing Carol Marler (District 9) to the San Antonio Commission on Literacy for a term of office commencing immediately upon appointment, to expire May 31, 2007.

Item 35D. Appointing the following to the San Antonio Development Agency: Peter Zanoni to replace Jonathan Starr for the remainder of an unexpired term of office to expire December 18, 2008; Troy Elliott to replace Tim Kelley, Lori Hall to replace Diane Gonzales Cibrian, and Oscar Serrano to replace Shirley Flores for the remainder of unexpired terms of office to expire December 18, 2007, with all four terms to commence immediately upon appointment.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-02-15-0157

Item 7. 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 A COMBINED ESTIMATED COST OF \$1,032,160.00, INCLUDING: (A) SUBSCRIPTION RENEWAL FOR STOCK MARKET & INVESTMENT RELATED MATERIALS FOR THE LIBRARY; (B) OVERNIGHT, SECOND DAY, & SMALL PARCEL GROUND DELIVERY SERVICES; (C) JANITORIAL SERVICES; (D) LUBRICATION EQUIPMENT PARTS & SERVICES (E) SPEED HUMPS; AND (F) ELECTROLYTE REPLACEMENT DRINK MIX.

Mayor Hardberger excused himself from the meeting at this time. Councilmember Haass presided.

Councilmember Perez moved to adopt the proposed Ordinance. Councilmember Gutierrez seconded the motion.

The motion prevailed by the following vote: AYES: Flores, Gutierrez, Perez, Radle, Guajardo, Hall, Wolff, and Haass. NAY: None. ABSTAIN: None. ABSENT: McNeil, Herrera, and Mayor Hardberger.

The City Clerk read the following Ordinance:

2007-02-15-0165

Item 16. AN ORDINANCE APPROVING A TOTAL ESTIMATED CONSTRUCTION AMOUNT OF \$783,821.52 AND AWARDING AN INDEFINITE DELIVERY CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$783,821.52 TO SAECO ELECTRIC AND UTILITY FOR AS-NEEDED CONSTRUCTION SERVICES FOR INSTALLATION OF TRAFFIC SIGNAL EQUIPMENT, SIGNS, PAVEMENT MARKINGS, CURB RAMPS, VEHICLE DETECTION DEVICES, AND OTHER WORK, IN CONNECTION WITH THE CITY-WIDE TRAFFIC SIGNAL INSTALLATION PROJECT, FROM THE FY 06-07 ANNUAL TRAFFIC SIGNAL INSTALLATION AND TRAFFIC SIGNAL UPGRADE PROGRAM AND DISTRICT 4 HUD SECTION 108 DISTRICT-WIDE ACCESS AND MOBILITY FUNDS.

Councilmember Perez moved to adopt the proposed Ordinance. Councilmember Gutierrez seconded the motion.

The motion prevailed by the following vote: AYES: Flores, Gutierrez, Perez, Radle, Guajardo, Hall, Wolff, and Haass. NAY: None. ABSTAIN: None. ABSENT: McNeil, Herrera, and Mayor Hardberger.

Mayor Hardberger returned to the meeting at this time and presided.

The City Clerk read the following Ordinance:

2007-02-15-0175

Item 24. AN ORDINANCE AMENDING CHAPTER 2 ARTICLE IX, ENTITLED "BOARDS AND COMMISSIONS", SECTIONS 2-528 AND 2-529 OF THE CITY CODE, RELATING TO THE AT-LARGE APPOINTMENT PROCESS, AND AMENDING ANY RELATED ORDINANCES, AS REQUESTED BY COUNCILMEMBERS RICHARD PEREZ, DISTRICT 4; ART A. HALL, DISTRICT 8; AND CHIP HAASS, DISTRICT 10.

Councilmember Perez moved to adopt the proposed Ordinance. Councilmember Radle seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

The City Clerk read the following Ordinance:

2007-02-15-0177

Item 26. AN ORDINANCE AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT WITH GOOD SAMARITAN CENTER IN AN AMOUNT NOT TO EXCEED \$37,616.00 FOR THERAPEUTIC DANCE CLASSES AT SENIOR CENTERS THROUGHOUT THE CITY FOR THE PERIOD FROM MARCH 1, 2007 THROUGH SEPTEMBER 30, 2007; AND APPROPRIATING FUNDS.

Councilmember Perez moved to adopt the proposed Ordinance. Councilmember Haass seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

The City Clerk read the following Ordinance:

2007-02-15-0181

Item 30. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE EXISTING TAX PHASE-IN AGREEMENT WITH MAXIM INTEGRATED PRODUCTS, INC. ("MAXIM") TO EXEMPT 100% OF AD VALOREM TAXES ON NEW REAL AND PERSONAL PROPERTY IMPROVEMENTS OF APPROXIMATELY \$36.2 MILLION, FOR BUILDING RENOVATION AND MANUFACTURING EQUIPMENT TO EXPAND OPERATIONS, FOR THE REMAINING EIGHT YEARS OF A TEN-YEAR ABATEMENT TERM.

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

City Clerk Leticia M. Vacek read a written testimony submitted by Faris Hodge, Jr., 140 Dora, regarding his opposition to said tax phase-in agreement. He noted that large companies should pay taxes and that the City of San Antonio does not give anyone else a tax break. He noted tax breaks given to Toyota and other companies.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: Wolff.

The City Clerk read the following Ordinance:

2007-02-15-0184

Item 33. AN ORDINANCE APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF EMERGENCY SERVICES DISTRICT #8 WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ).

Councilmember Guajardo moved to adopt the proposed Ordinance. Councilmember Hall seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

Item 36. CITY MANAGER'S REPORT

City Manager Sheryl Sculley reported on the following:

- San Antonio Public Library – The Central Library will officially announce that the Central Library and all branch libraries will be WIFI accessible.
- Viva San Antonio – On Tuesday, February 20, 2007 the Legislature will host delegates from the City of San Antonio. The event will be sponsored by the San Antonio Chamber of Commerce, the San Antonio Hispanic Chamber of Commerce, Bexar County, and the City of San Antonio.
- First Quarter Budget Status – Council was presented with a Quarterly Report of the FY 2006-2007 Budget. The report noted General Fund Revenues and Expenditures made during the first quarter of the budget year.

Councilmember Perez requested staff to visit Senior Centers and find out who may need smoke detectors. He noted that the City had many detectors still to provide and install.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Session at 12:04 pm in order to break for lunch and to convene in Executive Session for the purposes of:

A. Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Deliberations and discussion regarding information relating to economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development) and the purchase, exchange, lease or value of real property pursuant to Texas Government Code Sec. 551.072 (real property) in connection with a Texas A&M University campus in San Antonio.

C. Deliberate the duties, appointment, and employment of the City Internal Auditor and review process of council-appointed positions, pursuant to Texas Government Code Section 551.074 (personnel matters).

Mayor Hardberger reconvened the Regular Session from Executive Session at 2:46 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.

The City Clerk read the following Item:

Item 37. WAIVING THE CURRENT AT-LARGE BOARD INTERVIEW PROCESS AND APPOINTING AN INDIVIDUAL TO THE PLANNING COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM TO EXPIRE OCTOBER 12, 2008, AS REQUESTED BY COUNCILMEMBER HALL.

Nominees are:
Andrew Ozuna
Gopinath Akalkotkar
Sherry Chao

Mr. Ozuna and Ms. Chao appeared before the Council and briefly explained their background and interest to serve on the Planning Commission. Leticia M. Vacek, City Clerk, read a letter from Mr. Akalkotkar who was unable to attend the meeting. A copy of which is on file with the Office of the City Clerk.

The City Clerk took a roll call vote to determine the appointee to the Planning Commission.

Councilmember Perez moved to appoint Sherry Chao. Councilmember Flores seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSENT: None.

MASTER PLAN AND ZONING CASES

Item P-1. **PLAN AMENDMENT (Districts 4 and 5):** An Ordinance amending the Master Plan of the City of San Antonio by adopting the Kelly/South San P.U.E.B.L.O. Community Plan, a 6.31 square mile area bound by Highway 90 on the north, Frio City Road and S. Zarzamora St. on the east, S.W. Military Drive on the south, and Quintana Road, Imperial, General McMullen, Growdon Road, and the San Antonio Port Authority on the west, as a component of the City's Comprehensive Master Plan, as it conforms to the approval criteria set forth in the Unified Development Code, §35-420, pertaining to "Comprehensive, Neighborhood, Community and Perimeter Plans." Staff and Planning Commission recommend adoption of the Kelly/South P.U.E.B.L.O Plan.

Mr. Emil Moncivias, Director of the Planning Department, outlined the proposed plan amendment.

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

The following citizen(s) appeared to speak:

Ms. Dolores Mendez addressed the Council on behalf of Leticia Rodriguez. Ms. Rodriguez, representative of Port San Antonio, wanted to thank the Council for their support of the Kelly/South San Master Plan.

Mr. Robert Alvarado, 234 Baker, addressed the Council and spoke in support of the plan amendment.

Ms. Diana Lopez, Southwest Workers Union, addressed the Council and stated that the plan amendment was a good thing for the Southside.

Ms. Laura Cushing, Southwest Workers Union, addressed the Council in support of the plan amendment. She stated that community members worked hard for months to develop the plan and the adoption of said plan would be an important step towards the creation of a healthier Southside. Ms. Cushing commented that she planned on ensuring that the goals of the plan amendment were followed.

Ms. Jill Johnston, Southwest Workers Union, addressed the Council and stated that Southwest Workers Union had been soliciting community support for said plan amendment for over two years. Ms. Johnston commented that the plan amendment incorporated the voice and vision of the community. For such reason, Southwest Workers Union was in support of said plan.

Mr. Chavel Lopez, Southwest Workers Union, addressed the Council with regards to Southwest Workers Union organizing the community for about two years and mentioned that said plan would increase the quality of life of area residents.

Ms. Lucha Lopez, addressed the Council and spoke in favor of said plan amendment because it would be good for the community.

Ms. Tanya Garduno, addressed the Council and spoke in favor of said plan amendment.

Ms. Monica Garcia, Southwest Workers Union, addressed the Council and stated that the youth of the area assisted in the development of the plan amendment. She expressed her support for the plan and hoped that the City Council would support the youth of the community.

Mr. Genaro Rendon, Southwest Workers Union and Community for Environmental Justice Action, also expressed his support for said zoning and noted that the development of the plan allowed for the community to build relationships with various Southside neighborhood associations.

Ms. Dolores Mendez, Quintana Neighborhood Association, addressed the Council in support of said item. She thanked Councilmembers Perez and Radle for their help to decrease crime and improve streets. Ms. Mendez requested that the Council consider creating a walking path, erecting benches, tables, and a play ground; as well as a park in the green space areas.

Mr. Robert Davila, 723 Peabody, also expressed his support for the plan and urged the Council to approve same.

The motion prevailed by the following vote: AYES: Flores, Perez, Radle, Herrera, Guajardo, Hall, Wolff, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: McNeil, Gutierrez, and Haass.

2007-02-15-0190

Item P-1. ADOPTING THE KELLY/SOUTH SAN P.U.E.B.L.O. COMMUNITY PLAN AS A COMPONENT OF THE MASTER PLAN OF THE CITY IN AN AREA BOUNDED BY HIGHWAY 90 TO THE NORTH; FRIO CITY ROAD, EAST KELLY RAILPORT, AND ZARZAMORA TO THE EAST; MILITARY DRIVE TO THE SOUTH; AND QUINTANA ROAD, IMPERIAL, GENERAL MCMULLEN, GROWDEN AND PORT SAN ANTONIO TO THE WEST.

CONSENT ZONING CASES

Items Z-1, Z-6, Z-7, Z-9, Z-10, Z-11, Z-13, Z-15, Z-17, Z18, and Z-23 were approved upon the motion made by Councilmember Perez and seconded by Councilmember Gutierrez.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSENT: None.

Item Z-1. **ZONING CASE # Z2007057 (District 8):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3" General Commercial District on Lot 7 and Lot 8, Block 3, NCB 17403, 5000 Block of Beckwith Boulevard as requested by Dalpatbhai Patel, Applicant for Einav LLC, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0191

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 7 AND LOT 8, BLOCK 3, NCB 17403 FROM "C-2" COMMERCIAL TO "C-3" GENERAL COMMERCIAL DISTRICT.

Item Z-6. **ZONING CASE # Z2007059 (District 1):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 6 and Lot 7, Block 8, NCB 1730, 225 E. Locust Street as requested by Gary M. Carter and Ruben L. Castro, Applicants for Gary M. Carter and Ruben L. Castro, Owners. Staff and Zoning Commission recommend Approval.

2007-02-15-0195

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: LOT 6 AND LOT 7, BLOCK 8, NCB 1730 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Item Z-7. **ZONING CASE # Z2007019 (District 2):** An Ordinance changing the zoning district boundary from "C-2" Commercial District and "NP-10" Neighborhood Preservation District to "C-2" (CD - Hotel) Commercial District with a Conditional Use for a Hotel on Lot 4 and Lot 5, Block 1, NCB 17990, 8669 I.H. 10 East and 8673 I.H. 10 East as requested by R. P. Stout, Applicant for Four Corners Hospitality, Inc., Owner. Staff and Zoning Commission recommend.

2007-02-15-0196

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 4 AND LOT 5, BLOCK 1, NCB 17990 FROM "C-2" COMMERCIAL DISTRICT AND "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "C-2" (CD-HOTEL) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A HOTEL.

Item Z-9. **ZONING CASE # Z2007083 (District 3):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-3" General Commercial District on 15.01 acres out of NCB 10879, 3302 Goliad Road as requested by McEntee Engineering and Design, Applicant for Jon Lange, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0198

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: 15.01 ACRES OUT OF NCB 10879 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Item Z-10. **ZONING CASE # Z2007068 (District 3):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "R-4" Residential Single-Family District on 3.168 acres out of NCB 10839, approximately located at the 3000 to 4000 block of Chandler Road as requested by Andre Bezuidenhout, Applicant for BGB and Company, Inc., Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0199

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: 3.168 ACRES OUT OF NCB 10839 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT.

Item Z-11. **ZONING CASE # Z2007053 (District 3):** An Ordinance changing the zoning district boundary from "MF-33" Multi-family District and "I-1" General Industrial to "C-2" Commercial District on 0.49 acres out of NCB 7522 and 7525, 1670 Rigsby Avenue as requested by Andy Guerrero, Applicant for Krystal K. Nerio, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0200

Item Z-11. 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: 0.49 ACRES OF NCB 7522 AND NCB 7525 FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Item Z-13. **ZONING CASE # Z2007080 (District 4):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot P-28, NCB 16000, 6000 Block of Southwest Loop 410 as requested by Chuck Christian, Applicant for LEKU Texas, LP, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0202

Item Z-13. 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-28, NCB 16000 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Item Z-15. **ZONING CASE # Z2007049 (District 5):** An Ordinance changing the zoning district boundary from "MH" Manufactured Housing District to "RM-5" Residential Mixed District on Lot 28 and Lot 29, Block 8, NCB 8736, 2423 West Gerald Avenue as requested by Martin & Drought, P.C., Applicant for Randy S. Vail, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0204

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: LOT 28 AND LOT 29, BLOCK 8, NCB 8736 FROM "MH" MANUFACTURED HOUSING DISTRICT TO "RM-5" RESIDENTIAL MIXED DISTRICT.

Item Z-17. **ZONING CASE # Z2007097 (District 5):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to IDZ Infill Development Zone with Uses Permitted in "C-2" Commercial District, "O-1" Office District and "MF-25" Multi Family District on Lot A and Lot D, NCB 2569, 119 Clay Street and 120 East Cevallos Street as requested by the City of San Antonio, Applicant for Billy A. Lawrence/Magnificent So Flo Seven Ltd., Owners. Staff and Zoning Commission recommend Approval.

2007-02-15-0205

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 A AND LOT D, NCB 2569 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, "O-1" OFFICE DISTRICT AND "MF-25" MULTI-FAMILY DISTRICT.

Item Z-18. **ZONING CASE # Z2007050 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-1" Light Commercial District on .204 acres out of NCB 18057, 7903 Culebra as requested by 7903 Culebra, Ltd., Applicant for 7903 Culebra, Ltd., Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0206

Item Z-18. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: .204 ACRES OUT OF NCB 18057 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

Item Z-23. **ZONING CASE # Z2007084 S (District 7):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with Specific Use Permit for a Mini-Storage Facility Exceeding 2.5 Acres, on 3.2683 acres out of NCB 16663, 3000 Block of Wurzbach Road as requested by SS Ingram Park, LLC c/o Strickland Construction Company., Applicant for SS Ingram Park, LLC c/o Strickland Construction Company, Owner. Staff and Zoning Commission recommend Approval.

2007-02-15-0210

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: 3.2683 ACRES OUT OF NCB 16663 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT FOR A MINI-STORAGE FACILITY EXCEEDING 2.5 ACRES.

[CONSENT AGENDA CONCLUDED]

INDIVIDUAL ZONING CASES

Item Z-2. **ZONING CASE # Z2006282 CD (District 9):** An Ordinance changing the zoning district boundary from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2" ERZD (CD - Mini Warehouse) Commercial Edwards Recharge Zone District with a Conditional Use for a Mini Warehouse over 2.5 acres on P-4 and P-7, NCB 18393, 17875 Blanco Road as requested by SV2020 Joint Venture, Applicant for Katherine Henneke and Carolyn O'Leary, Owners. Staff and Zoning Commission recommend Approval.

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

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

The following citizen(s) appeared to speak:

Mr. Scotty Gibbs, Blanco Bluffs Homeowners Association, addressed the Council and spoke in favor of said zoning case. Mr. Gibbs noted the various reasons their Association was in favor of the zoning change.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Herrera, Hall, Wolff, Haass, and Mayor Hardberger. NAY: Radle and Guajardo. ABSTAIN: None. ABSENT: None.

2007-02-15-0192

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: LOT P-4 AND LOT P-7, NCB 18393 FROM "R-6" ERZD RESIDENTIAL SINGLE FAMILY EDWARDS RECHARGE ZONE TO DISTRICT TO "C-2" ERZD (CD-MINI WAREHOUSE) RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT WITH A CONDITIONAL USE FOR A MINI-WAREHOUSE FACILITY EXCEEDING 2.5 ACRES.

Item Z-3. **ZONING CASE #Z2007018 CD (District 10):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-2" (CD - Wrecker Service) General Commercial District with Conditional Use for a Wrecker Service on 3.529 acres out of NCB 13802, 5206 Randolph Boulevard as requested by Brown, P.C., Applicant for Powers Living Trust, Owner. Staff recommends Denial. Zoning Commission recommends Approval.

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

The following citizen(s) appeared to speak:

Mr. Ken Brown addressed the Council and withdrew said item on behalf of the applicant.

Mr. Jack Finger, P.O. Box 12048, addressed the City Council and spoke against the zoning case. He also spoke on the commercial encroachment that would result from the zoning change involved in Items Z-5 and Z-19. For Item Z-12, Mr. Finger commented on how the zoning change was not consistent with the master plan.

City Clerk, Leticia M. Vacek, read one of five written testimonies in opposition to the zoning case. The written testimony read was from Ms. McKay who was opposed to the zoning case.

No action was necessary on said item.

Item Z-4. **ZONING CASE # Z2007085 S (District 10):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3 S" General Commercial District with Specific Use Permit for a Mini-Storage Facility Exceeding 2.5 Acres on 3.8791 acres out of NCB 16584, 16000 and 17000 Block of Nacogdoches Road as requested by SS Rolling Oaks, LLC c/o Strickland Construction Company, Applicant for SS Rolling Oaks, LLC c/o Strickland Construction Company, Owner. Staff and Zoning Commission recommend Approval.

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

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

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

2007-02-15-0193

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: 3.8791 ACRES OUT OF NCB 16584 FROM "C-2" COMMERCIAL DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR A MINI-STORAGE FACILITY EXCEEDING 2.5 ACRES.

Item Z-5. **ZONING CASE # Z2006274 (District 10):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District and "I-1" General Industrial District to "R-4" Single-Family Residential District on 28.769 acres out of NCB 14049 and "MF-25" Multi Family District on 26.932 acres out of NCB 14049, 13900 Block of Lookout Road, as requested by Tesoro Homes Ltd., Applicant, for Cosas Claras Ltd., Owner. Staff recommends Denial. Zoning Commission recommends Approval.

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

Councilmember Haass made a motion to approve the proposed Ordinance with exceptions. Councilmember Wolff seconded the motion.

The following citizen(s) appeared to speak:

Ms. Jacci Wickware addressed the Council in opposition to the zoning change and stated that throughout the area you would find many multi-family apartment complexes advertising to move-in for free. She noted that one reason was because duplexes do not provide the same amenities as a home or an apartment. Ms. Wickware stated that there were 228 rental units available in one area of District 10.

Ms. Lorelei Ramon-Rubio also addressed the Council in opposition to the zoning change. She stated that California investors with deep pockets were ruining the community. Ms. Rubio stated that the investors were inflating the potential profit to be made. As such, it was likely that the duplexes would be foreclosed on.

City Clerk, Leticia M. Vacek, read a written testimony from Mr. and Mrs. Beghtol, 6327 Green Circle Drive, in opposition to said zoning case.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Hall, Wolff, Haass, and Mayor Hardberger. NAY: Guajardo. ABSTAIN: None. ABSENT: None.

2007-02-15-0194

Item Z-5. 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-8, NCB 14049.

Item Z-8. **ZONING CASE # Z2006222 CD (District 2):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "R-4" (CD - Dwelling, Two-Family) Residential Single-Family District with a Conditional Use for a Two-Family Dwelling not exceeding 13 units per acre on Lot 30, Block D, NCB 1161, 409 Coleman Street, as requested by HTG Real Property Management, Inc., Applicant, for HTG Real Property Management, Inc.. Owner. Staff and Zoning Commission recommend Approval.

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

Councilmember McNeil made a motion to approve the proposed Ordinance with exceptions. Councilmember Perez seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

2007-02-15-0197

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: LOT 30, BLOCK D, NCB 1161 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "R-4" (CD-TOWNHOMES) RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR TOWNHOMES.

Item Z-12. **ZONING CASE # Z2007060 CD (District 3):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "R-4" CD (professional office) Single-Family District with a conditional use for a professional office on Lot 22, Block 20. NCB 9615, 103 Glamis Avenue as requested by Santos S. Martinez, Jr., Applicant for Santos S. Martinez, Jr., Owner. Staff recommends Denial. Zoning Commission recommends Approval with Conditions.

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

Councilmember Gutierrez made a motion to approve the proposed Ordinance with amendments. Councilmember Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Christel Villarreal, Highland Hills Neighborhood Association and Highland Alliance, addressed the Council and stated that the organizations were in favor of the zoning change as a result of the property owner accepting the proposed amendments which include displaying a "No Parking" sign on Glamis St. and having no more than 5 parking spaces in the rear of the building.

The motion prevailed by the following vote: AYES: Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: McNeil.

2007-02-15-0201

ITEM Z-12. 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 22, BLOCK 20, NCB 9615 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4" (CD-PROFESSIONAL OFFICE) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE FOR A PROFESSIONAL OFFICE.

Item Z-14. **ZONING CASE # Z2007061 (District 4):** An Ordinance changing the zoning district boundary from "C-3 R" MAOZ-2 General Commercial District, Restrictive Alcohol Sales Military Airport Overlay Zone District-2 to "C-2" MAOZ-2 Commercial Military Airport Overlay Zone District-2 on Tract 1B, NCB 11211, 8800 Block of Interstate Highway 35 South as requested by Mesquite Holding LLC/Herman Ford, Applicant for Mesquite Holding LLC, Owner. Staff and Zoning Commission recommend Approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance and directed staff to coordinate with the Air Force regarding noise abatement and incompatibility issues. Councilmember Gutierrez seconded the motion.

The following citizen(s) appeared to speak:

Mr. John Heye, Lackland AFB, addressed the Council and stated that the Air Force was against the zoning change. Such reasons for opposing said change include the local government being in control of the land around Lackland AFB, run-way safety concerns, and noise abatement issues.

Mr. Chuck Christian, representative of the applicant, addressed the Council and stated that the applicant was willing to down-zone to C-2 in order to get said zoning approved.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: None.

Mayor Hardberger excused himself from the meeting at this time. Councilmember Haass presided.

2007-02-15-0203

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: TRACT 1B, NCB 11211 FROM "C-3 R" MAOZ-2 GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOL SALES MILITARY AIRPORT OVERLAY ZONE DISTRICT TO "C-2" MAOZ-2 COMMERCIAL MILITARY AIRPORT OVERLAY ZONE DISTRICT-2.

Item P-2. **PLAN AMENDMENT CASE # 07002 (District 5):** An Ordinance amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of an 11.13 acre tract of land bound by S. Flores St., E. Cevallos St., and Probandt St., more specifically NCB A-14 from Light Industrial land use to Mixed Use land use. Staff and Planning Commission recommend Approval. **Associated Zoning Case #Z2007024.**

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

Councilmember Radle made a motion to continue said item to March 1, 2007. Councilmember Perez seconded the motion.

The motion to continue said item prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, and Haass. NAY: None. ABSTAIN: None. ABSENT: Mayor Hardberger.

Item Z-16. **ZONING CASE # Z2007024 (District 5):** An Ordinance changing the zoning district boundary from "I-2" HS Heavy Industrial Historic Significant District and "I-1" HS General Industrial Historic Significant District to IDZ HS Infill Development Historic Significant Zone with uses permitted within "C-2" Commercial District and "MF-33" Multi-Family District on 11.13 acres out of NCB A-14, 1334 South Flores Street as requested by NRP Group, L.L.C., Applicant for Charlie Acuna, Owner. Staff and Zoning Commission recommend Approval pending Plan Amendment.

Councilmember Radle made a motion to continue said item to March 1, 2007. Councilmember Perez seconded the motion.

The motion to continue said item prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, and Haass. NAY: None. ABSTAIN: None. ABSENT: Mayor Hardberger.

Item Z-19. **ZONING CASE # Z2007069 (District 6):** An Ordinance changing the zoning district boundary from "O-2" Office District to "C-2" Commercial District on Lot 1, Block 3, NCB 14449, 5947 Culebra Road, as requested by Antonio Zavala, dba Zavala Capital Investments, LLC, Applicant for Antonio Zavala dba Zavala Capital Investments, LLC, Owner. Staff recommends Denial. Zoning Commission recommends Approval.

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

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

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, and Haass. NAY: None. ABSTAIN: None. ABSENT: Mayor Hardberger.

2007-02-15-0207

Item Z-19. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE CPMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESRIBED HEREIN AS: LOT 1, BLOCK 3, NCB 14449 FROM "O-2" OFFICE DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Item Z-20. **ZONING CASE # Z2007003 CD (District 6):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-2NA" (CD-Auto and Vehicle Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Auto and Vehicle Sales on Lot 7, Lot 8 and Lot 9, Block 35, NCB 8073, 1301 South General McMullen as requested by Carlos Roberto Jimenez, Applicant for Gustavo C. Lopez, Owner. Staff and Zoning Commission recommend Approval.

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

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

The following citizen(s) appeared to speak:

Mr. John Ricardo, 1322 S. General McMullen, addressed the Council and questioned what types of businesses would be allowed as a result of said zoning change.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, and Haass. NAY: None. ABSTAIN: None. ABSENT: Perez, Wolff, and Mayor Hardberger.

2007-02-15-0208

Item Z-20. AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE CPMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESRIBED HEREIN AS: LOT 7, LOT 8 AND LOT 9, BLOCK 35, NCB 8073 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2NA" (CD-AUTO AND VEHICLE SALES) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AUTO AND VEHICLE SALES.

Mayor Hardberger returned to the meeting at this time and presided.

Item Z-21. **ZONING CASE # Z2007081 CD (District 6):** An Ordinance changing the zoning district boundary from "R-6" GC-2 Residential Single-Family Gateway Corridor District 2 to "R-6" GC-2 (CD - Group Day Care Home) Residential Single-Family Gateway Corridor District-2 with a Conditional Use for a group day care home on Lot 12. Block 49, NCB 15384, 7042 Coral Tree Lane as requested by Leticia E. Montoya, Applicant for Anthony and Leticia Montoya, Owners. Staff and Zoning Commission recommend Approval.

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

Councilmember Herrera made a motion to approve the proposed Ordinance with the hours of 6:30 am to 6:00 pm to be reflected. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: Perez and Wolff.

2007-02-15-0209

Item Z-21. 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 12, BLOCK 49, NCB 15384 FROM "R-6" GC-2 RESIDENTIAL SINGLE FAMILY GATEWAY CORRIDOR OVERLAY DISTRICT-2 TO "R-6" GC-2 (CD-GROUP DAY CARE HOME) RESIDENTIAL SINGLE FAMILY GATEWAY CORRIDOR OVERLAY DISTRICT-2 WITH A CONDITIONAL USE FOR A GROUP DAY CARE HOME.

Item Z-22. **ZONING CASE #Z2006273 (District 7):** An Ordinance changing the zoning district boundary from "BP" Business Park District to "R-4" (CD- Townhomes) Residential Single Family District with a Conditional Use for townhomes with density not exceeding 18 units per gross acre on 16.44 acres out of NCB 18096, 18097, and 18102, 6300 Block of Crystal Bow, as requested by Earl and Associates. Applicant, for Ithaca Investments, L.P., Owner. Staff and Zoning Commission recommend Approval.

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

Councilmember Guajardo made a motion to continue said item to March 1, 2007. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: Perez and Wolff.

Item Z-24. **ZONING CASE # Z2007088 (District 7):** An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "O-1" Office District and "O-2" Office District on 0.490 acres out of NCB 12479, 3831 Northwest Loop 410 as requested by Brown, P.C. , Applicant for Maribal Properties, Inc., Owner. Staff and Zoning Commission recommend Approval.

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

Councilmember Guajardo made a motion to approve the proposed Ordinance with the inclusion of a Type C Buffer per the Unified Development Code along the Northwestern portion of the property. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: Perez and Wolff.

2007-02-15-0211

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: 0.490 ACRES OUT OF NCB 12479 (LOT 23). FROM "MF-33" MULTI-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

Mayor Hardberger recessed the meeting at 5:15 pm and reconvened at 5:30 pm.

The City Clerk read the following Ordinance:

2007-02-15-0176

Item 25. AN ORDINANCE CONFIRMING THE CONTINUED APPOINTMENT OF ROBERT OJEDA AS THE FIRE CHIEF OF THE CITY OF SAN ANTONIO UNTIL HIS REPLACEMENT ASSUMES THE POSITION OF FIRE CHIEF.

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

The motion prevailed by the following vote: AYES: Flores, McNeil, Radle, Herrera, Guajardo, Haass, and Mayor Hardberger. NAY: None. ABSTAIN: None. ABSENT: Gutierrez, Perez, Hall, and Wolff.

CEREMONIAL ITEMS

1. Mayor Hardberger read and presented a Certificate of Congratulations to Chief Robert Ojeda who will retire from the City of San Antonio after 33 years of dedicated service. Chief Ojeda joined the Fire Department in 1973 and has served as Chief since 1993.
2. Mayor Hardberger also presented a Certificate of Appreciation to the U.S. Olympic Committee in partnering with the San Antonio Sports Foundation creating the Community Olympic Development Program. The program offers training in 3 designated Olympic Sports – badminton, fencing and driving.

Mayor Hardberger excused himself from the meeting at this time. Councilmember Haass presided.

CITIZENS TO BE HEARD

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council and spoke on racism and religion.

Mr. Mark Perez, 119 Hardman, addressed the Council and stated that he was still awaiting a response from Environmental Services and Development Services regarding a facility that has been contaminating the environment with flammable chemicals. He also spoke in regards to Mission Petroleum Carriers operating without a certificate of occupancy.

Mr. Joe Fox, addressed the Council and presented examples of how the Bush Administration was in violation of the Declaration of Independence.

Mr. Faris Hodge, Jr., 140 Dora, addressed the Council and spoke on several issues. Such issues included the cost of getting married on the Riverwalk increasing, Councilmembers not having any Black staff members, the City being in violation of Affirmative Action policies, the CPS Energy Board not soliciting applications for Board members, the City not scheduling public hearings at more convenient times, and the Citizens to be Heard portion of City Council Meetings not being aired. Lastly, he noted the racial profiling being conducted by the Police Department.

Mr. Zaragosa, 1607 N.W. 26th St., addressed the Council and spoke about the defects in his SAHA home. Such defects include foundation issues, soil erosion, as well as health and safety issues.

Mayor Pro Tem Chip Haass excused himself from the meeting at the time. Councilmember Herrera presided.

Mr. George Alejos, LULAC, spoke on the behalf of Margarito and Yolanda Zuniga. He stated that SAHA was retaliating against the Zuniga Family simply for requesting adequate heat. Mr. Alejos stated that the property manager had Mr. and Mrs. Zuniga arrested and charged with intoxication. The Zuniga Children are under the care of Child Protective Services and the family was being evicted from their home. Mr. Alejos requested that the City Council investigate SAHA for intimidation.

Mayor Pro Tem Haass returned to the meeting at this time and presided.

Ms. Cirila Lozano, Ms. Amelia Fuentes, and Ms. Sandra Fuentes, residents of Mirasol Homes, addressed the Council and presented the problems they have had with their homes. Such issues include threats of eviction for a Chain Link fence (which had been up for over 3 years), not having cold water, and having a water leak for a year. The group requested that the City Council investigate SAHA.

Mr. Ed O'Campo, addressed the Council on behalf of residents of the Villa De Fortuna Subdivision. He stated that landscapers went to his home on February 15th to lay clay to protect the foundation. Previously, SAHA informed residents to water the foundation to their home in order to protect the foundation. Mr. O'Campo continued by commenting on issues his neighbor's had with their home. Such issues included homes being infected with flies and plumbing issues. The group requested that the City dissolve SAHA.

Ms. Cynthia Ynman, resident of Villa De Fortuna, addressed the Council and requested that the City Council investigate SAHA.

Mr. Bill Martinez, 1022 Arbor Place, addressed the Council and commented that the concerns presented by the homeowners are serious and need to be addressed immediately. He requested that KB Homes and SAHA do the right thing by helping out the homeowners.

Mr. Arthur Hernandez, a District 5 resident, addressed the Council and commented how councilmembers need to educate the public and develop programs on such issues as child care and financial management.

Mr. Charles Escobar, Foxbrough resident, addressed the Council and stated that KB Homes have design flaws. He commented that he was deceived by KB Homes and that disclaimer forms were not provided to him when he purchased his home.

ADJOURNMENT

Mayor Pro Tem Haass adjourned the meeting at 7:11 pm.

A P P R O V E D



PHIL HARDBERGER
M A Y O R

Attest:



LETICIA M. VACEK
CityClerk

