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, THURSDAY, SEPTEMBER 6, 2007

The San Antonio City Council convened in a Regular Meeting on Thursday, September 6, 2007 at 9:00 am in the City Council Chambers.

The Invocation was delivered by Pastor Matthew Hagee, Associate Pastor, Cornerstone Church, guest of Councilmember Diane Cibrian, District 8.

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

City Clerk, Leticia M. Vacek, noted a quorum with the following present: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger.

MINUTES

Councilmember Cibrian made a motion to approve the Minutes for the August 9, 2007 Regular Council Meeting. Councilmember Cisneros seconded the motion.

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

OATH OF OFFICE – MAYOR PRO TEM

City Clerk Leticia M. Vacek administered the Oath of Office to Councilmember Diane Cibrian, District 8, whose term as Mayor Pro Tem becomes effective September 8, 2007.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-09-06-0928

Item 4. An Ordinance changing the Zoning District Boundary from "R-5" Residential Single Family District to "R-5" (CD-Clubhouse - Private, including Lodges and Meeting Halls) on 6.55 acres out of NCB 11629, 7735 and 7942 Mocking Bird Lane as requested by City Of San Antonio, Applicant for Denman Estate, Owner. Staff Recommends Approval. Zoning Commission Recommendation Pending September 4, 2007 Public Hearing.

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: 6.55 ACRES OUT OF NCB 11629 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-5" (CD-CLUBHOUSE - PRIVATE, INCLUDING LODGES AND MEETING HALLS) RESIDENTIAL

SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR A CLUBHOUSE – PRIVATE, INCLUDING LODGES AND MEETING HALLS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

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

Mr. Malcolm Matthews, Parks and Recreation Director, presented on the Denman Estate Property Zoning Amendment and Acquisitions. He noted that Items 5A and 5B were contingent on Item 4 being passed due to necessary re-zoning thus presented both items. The Denman Estate includes a Historic Main Home, three smaller structures, small pool, and open space. It is located in an area of the City that is deficient in Public Parkland. This Project was included in the 2007 Bond Program and acquisition of the property was authorized by the Planning Commission. The City and the University of Incarnate Word (UIW) developed a beneficial agreement including maintenance of the City's Park Area, saving the City $50,000 per year. The City will purchase 12.53 acres of the Denman Estate at a purchase price of $2.56 million and will be utilized as Park Space. UIW will purchase 7.74 acres of the Denman Estate for use as a Retreat Center. Additionally, the Zoning Commission unanimously approved the re-zoning. The following persons were recognized: Ricky Gross, Bill Kaufman, Dr. Louis Agnese, Councilmember Cibrian, and Former Councilmember Hall.

Mr. Ricky Gross addressed the City Council and thanked Councilmember Cibrian, Former Councilmember Hall, Gilbert Denman Jr., Pat DiGiovanni, Malcolm Matthews, Dalon Greggor and Dr. John Brazell from Trinity University, and Mike Smith and Dr. Marion Ettinger of the San Antonio Museum of Art.

Dr. Louis Agnese of the University of Incarnate Word expressed pleasure with the outcome of this Project. He spoke to the importance of such a landmark that would be protected for a long time and be an asset to the City. He thanked Councilmember Cibrian for her work on the project.

Mr. Lou Fox addressed the Council and noted the hard work by Councilmember Cibrian and city staff on said Project. He noted that he enjoyed working with Dr. Agnese and also thanked the Mayor and Council for their dedication and support.

Former Councilmember Art Hall also spoke to the project and the workings of it specifically, the financing. He thanked Ricky Gross, Bill Kaufman, Dr. Agnese and all city staff who worked on this worthwhile project. Lastly, he thanked Councilmember Cibrian for seeing the project through.

Ms. Dru Van Steenberg of the Conservation Society also addressed the Council and congratulated Councilmember Cibrian and city staff in protecting and acquiring the Estate. The Conservation Society noted its support of the Project and urged the Council to vote in favor of the project.

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

The City Clerk read the following Ordinances for items 5A and 5B:

2007-09-06-0929

Item 5A. AN ORDINANCE AUTHORIZING THE PURCHASE OF APPROXIMATELY 12.53 ACRES OF LAND WITH IMPROVEMENTS IN DISTRICT 8 FROM THE ESTATE OF GILBERT DENMAN, JR. FOR $2,561,081.00, ACQUIRING THE RIGHT TO ENFORCE RESTRICTIONS ON THE ADJACENT PROPERTY OF APPROXIMATELY 7.7 ACRES OF LAND TO BE PURCHASED BY THE UNIVERSITY OF THE INCARNATE WORD, APPROVING A TOTAL OF $3,250,000.00 IN PARK BOND FUNDS AND CERTIFICATES OF OBLIGATIONS FOR THE ACQUISITION AND FOR PARK IMPROVEMENTS, AND AMENDING ORDINANCE NO. 2007-06-21-0698.

2007-09-06-0930

Item 5B. AN ORDINANCE APPROVING A JOINT USE AND MAINTENANCE AGREEMENT WITH THE UNIVERSITY OF THE INCARNATE WORD (UIW) PROVIDING FOR THE COOPERATIVE OPERATION OF THE APPROXIMATELY 20 ACRES OF LAND PURCHASED FROM THE ESTATE OF GILBERT DENMAN, JR., TO INCLUDE THE PROVISION BY UIW OF MAINTENANCE IN PERPETUITY OF THE 12.53 ACRES OF PARKLAND.

Councilmember Cibrian moved to adopt ordinances 5A and 5B. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2007-09-06-0931

Item 6. AN ORDINANCE REQUESTING THAT THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION TO ISSUE UP TO $25,000,000.00 OF TAX-EXEMPT EMPOWERMENT ZONE BONDS, THE PROCEEDS FROM WHICH WOULD BE LOANED TO PIAZZA SAN LORENZO LTD., A TEXAS LIMITED PARTNERSHIP (OR A SIMILAR ENTITY TO BE CREATED BY THE RTK RESORT GROUP), AND USED TO PROVIDE A PORTION OF THE FUNDS REQUIRED TO RENOVATE AND REDEVELOP THE PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SOLEDAD AND HOUSTON STREETS AS A MIXED USED DEVELOPMENT EXPECTED TO BE KNOWN AS PIAZZA SAN LORENZO; AND DESIGNATING AND RESERVING UP TO $25,000,000.00 OF THE CITY'S $230,000,000.00 CAPACITY TO ISSUE EMPOWERMENT ZONE BONDS FOR SUCH REDEVELOPMENT PROJECT.

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

Ed Davis, Assistant Director of the Economic Development Department, presented Items 6 and 7. He stated that these items were related to a mixed use project downtown called the Piazza San Lorenzo Project. In reference to Item 6, staff recommended the designation of $25 million in Empowerment Zone Bond capacity for this project. For Item 7, staff requested that City Council convene as the Empowerment Zone Redevelopment Corporation and approve an intent to issue these bonds. Mr. Davis gave an overview on the Federal Empowerment Zone and stated that the current zone is set to expire at

the end of 2009. The objective of this zone is to create jobs and investment in targeted areas of the City, to empower low-income individuals and families to become self-sufficient, and to promote the revitalization of distressed areas. In the case of the Piazza Project, it is a mixed use project of 69 residential units and 74,000 square feet of commercial space, as well as 16,000 square feet of public space with multiple accesses to the Riverwalk. It was also noted that Mr. Davis referenced the proposed property on a map provided to the Mayor and City Council. It was also noted that the Historic Design Review Commission has given conceptual approval of the project.

Jack M. Finger spoke on Items 6 and 7. He stated that the Empowerment Zone is for distressed areas but this particular project is next to the riverwalk and therefore, considered premium real estate. He asked why public funding was needed. He also noted that he was tired of hearing that additional jobs would be created and asked for a better argument for utilizing public dollars.

Councilmember Cisneros recognized students from Northwest Vista College with their professor, Robert Moorebalk.

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

Mayor Hardberger recessed the meeting of the City Council and convened the Board of Directors of the Empowerment Zone Development Corporation noting a quorum was present.

The City Clerk read the following Ordinance:

2007-09-06-0005R

Item 7. A RESOLUTION OF THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION TAKING AFFIRMATIVE OFFICIAL ACTION, AT THE REQUEST OF PIAZZA SAN LORENZO, LTD., A TEXAS LIMITED PARTNERSHIP, TOWARD THE ISSUANCE OF TAX-EXEMPT EMPOWERMENT ZONE BONDS TO RENOVATE AND REDEVELOP PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SOLEDAD AND HOUSTON STREETS AS A MIXED-USE DEVELOPMENT EXPECTED TO BE KNOWN AS PIAZZA SAN LORENZO; AND DECLARING AN OFFICIAL INTENT TO USE BOND PROCEEDS TO REIMBURSE EXPENDITURES INCURRED BY PIAZZA SAN LORENZO, LTD. PRIOR TO THE ISSUANCE OF SUCH BONDS IN CONNECTION WITH SUCH REDEVELOPMENT PROJECT.

Director Gutierrez moved to approve the Resolution. Director Cisneros seconded the motion.

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

Mayor Hardberger adjourned the meeting of the Board of Directors of the Empowerment Zone Development Corporation. Mayor Hardberger reconvened the meeting of the City Council and addressed item 8.

The City Clerk read the following Ordinance:

2007-09-06-0932

Item 8. AN ORDINANCE APPROVING THE LEVY OF A SPECIAL ASSESSMENT FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (PID); LEVYING AN ASSESSMENT RATE FOR FISCAL YEAR 2008 AT $0.12 PER $100 VALUE OF REAL PROPERTY IN THE PID; AND APPROVING THE FISCAL YEAR 2008 SERVICES AND ASSESSMENT PLAN FOR THE PID.

Councilmember Herrera moved to adopt the proposed ordinance. Councilmember Cisneros seconded the motion.

Paula Stallcup presented the item and noted that the PID was created in 1999 for an initial 5-year period and was reauthorized in 2004 for an additional 5 years. The purpose of the PID is to provide supplemental services in the downtown area, as well as enhance the overall appearance and quality of downtown. To provide PID services, the City contracts with Centro San Antonio Management Corporation (Centro). The purpose of said item is to provide the service and assessment plan for FY 08. The Plan: 1) Includes a financial plan/program budget, 2) Sets the assessment rate, and 3) Must be approved annually by the City Council. For FY 2008, the proposed assessment rate remains at $0.12 per $100 of assessed property valuation. The proposed budget totals $1,860,000. The City has also included $86,704 in the proposed FY 2008 Budget for the PID. Other contributions to the PID include CPS Energy ($17,791), Bexar County ($30,000), and VIA ($60,000).

Mayor Hardberger asked about the quarterly newsletter and its distribution. He stated that since the theme is "Rediscover Downtown," the newsletter should be sent to those outside the Downtown area.

Nazarite Ruben Flores Perez spoke in favor of keeping the city clean, but not just within Downtown. He stated that the Main Plaza area and Riverwalk should also be kept clean.

Mr. Ben Brewer of the Downtown Alliance asked for the Council's support of said item.

Councilmember Wolff asked staff in the future, to include all those affected early on in the process. In some instances, existing property owners have changed and the new owners need to be involved in the communication. Councilmember Galvan added that she would like additional public parking and more metered parking available so that citizens can enjoy the Downtown area. Mayor Hardberger agreed and added that staff needed a comprehensive plan for Downtown Parking, as this keeps people away from the area.

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

CONSENT AGENDA: Items 9-30K

Consent Agenda Items 21 and 27 A, B, and C were pulled for Individual Consideration. Councilmember McNeil made a motion to approve the remaining Consent Agenda Items. Councilmember Cisneros seconded the motion.

City Clerk Leticia Vacek read a written testimony on Item 26 from Faris Hodge, Jr, 140 Dora. He asked why the Airport and Park Police do not take random drug tests. Mr. Hodge suggested that Airport and

Park Police Officers be required to take random drug tests just as the San Antonio Police Officers. Lastly, he stated that the Mayor and Council should set the example for others by taking a drug test.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez spoke in support of the Memorandum of Understanding referenced in Item 24 between the City, Texas A&M University System, and other local entities. He noted the future economic impact that the Campus would bring to the South Side. Councilmember Gutierrez also thanked City staff for assisting with said Item.

2007-09-06-0933

Item 9. AN ORDINANCE ACCEPTING THE BID FROM SHOOK MOBILE TECHNOLOGY TO PROVIDE THE FIRE DEPARTMENT WITH A MOBILE COMMUNICATIONS TRAILER FOR A COST OF $54,818.00, FROM URBAN AREA SECURITY INITIATIVE GRANT FUNDS.

2007-09-06-0934

Item 10. AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CHANGE ORDER TO THE CONTRACT WITH PLANET FORD 6, TO PROVIDE THE ENVIRONMENTAL SERVICES AND PUBLIC WORKS DEPARTMENTS WITH FOUR NEW TWO-WHEEL DRIVE, CREW CAB PICKUP TRUCKS AND ONE REPLACEMENT FOUR-WHEEL DRIVE, EXTENDED CAB PICKUP TRUCK FOR A TOTAL ADDITIONAL COST OF $93,334.00, FROM THE SOLID WASTE OPERATING FUND AND THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2007-09-06-0935

Item 11. AN ORDINANCE ACCEPTING THE OFFER FROM PHILPOTT MOTORS, LTD. AND CALDWELL COUNTRY CHEVROLET, UTILIZING THE TEXAS BUYBOARD CONTRACT #208-04 AND HOUSTON-GALVESTON AREA COUNCIL CONTRACT #VE03-06, TO PROVIDE THE POLICE AND AVIATION DEPARTMENTS WITH THREE SPORTS UTILITY VEHICLES FOR A COST OF $82,334.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND AND THE AIRPORT OPERATIONS AND MAINTENANCE FUND.

2007-09-06-0936

Item 12. AN ORDINANCE ACCEPTING THE OFFER FROM VION CORPORATION, UTILIZING THE TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT # DIR-SDD-253, TO PROVIDE THE INFORMATION TECHNOLOGY DEPARTMENT WITH THE HITACHI ADOPTABLE MODULE SYSTEM AMS200, TO EXPAND NETWORK STORAGE CAPACITY, FOR A COST OF $64,778.60.

2007-09-06-0937

Item 13. AN ORDINANCE AUTHORIZING ISSUANCE OF A JOB ORDER TO CENTENNIAL CONTRACTORS ENTERPRISES, LTD. IN THE AMOUNT OF $362,171.10 FOR SAN ANTONIO POLICE ACADEMY ROOF REPAIRS, 12200 SOUTHEAST LOOP 410, DISTRICT 3.

2007-09-06-0006R

Item 14. A RESOLUTION RECOMMENDING TO THE CPS ENERGY BOARD AN EXPENDITURE OF $57,965.00 FROM THE COMMUNITY INFRASTRUCTURE AND

ECONOMIC DEVELOPMENT (CIED) FUND FOR THE CONSTRUCTION OF UNDERGROUND ELECTRICAL SUPPLY LINES IN CONNECTION WITH THE LANDA LIBRARY CONVERSION PROJECT, LOCATED IN CITY COUNCIL DISTRICT 1.

2007-09-06-0938

Item 15. AN ORDINANCE APPROPRIATING $23,435.36 FOR PROJECT CONTINGENCY AND $50,564.64 FOR SURFACE ELEMENTS OF TRAFFIC SIGNAL EQUIPMENT INSTALLATION BY TRAFFIC OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT, IN CONNECTION WITH THE BLANCO ROAD - HILDEBRAND TO SUMMIT PHASE I PROJECT, LOCATED IN DISTRICT 1.

2007-09-06-0939

Item 16. AN ORDINANCE AUTHORIZING THE ASSIGNMENT TO DELTA AIRLINES, INC. OF THE JETT CARE AEROSPACE GROUP LEASE FOR 1,130 SQUARE FEET OF SPACE IN THE AIR CARGO BUILDING WEST AT SAN ANTONIO INTERNATIONAL AIRPORT.

2007-09-06-0940

Item 17. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN AWARD INCREASE IN THE AMOUNT OF $112,500.00 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION BLOCK GRANT IN SUPPORT OF VARIOUS AIRPORT IMPROVEMENTS AT STINSON MUNICIPAL AIRPORT, APPROPRIATING $12,500 IN CITY MATCHING FUNDS, AND AUTHORIZING THE EXECUTION OF ALL RELATED DOCUMENTS.

2007-09-06-0941

Item 18. AN ORDINANCE RATIFYING A CONTRACT WITH UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY (UNITED WAY) TO PROVIDE $100,000.00 IN MATCH FUNDING FOR INDIVIDUAL DEVELOPMENT ACCOUNTS (IDA) FOR FIFTY INDIVIDUALS FOR THE PERIOD FROM JULY 1, 2007 THROUGH JUNE 30, 2008 IN CONNECTION WITH THE FAMILIES SAVE IDA PROGRAM; AND AUTHORIZING THE EXECUTION OF ADDITIONAL AGREEMENTS IN AN AMOUNT UP TO A COMBINED TOTAL OF $100,000.00 WITH ENTITIES PROVIDING MATCH FUNDS FOR THE FAMILIES SAVE IDA PROGRAM.

2007-09-06-0942

Item 19. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DAIMLERCHRYSLER FOUNDATION, AND ACCEPTANCE UPON AWARD OF A GRANT IN AN AMOUNT UP TO $60,000.00 TO SUPPORT A PUBLIC ART PROJECT AND BANNERS IN NEIGHBORHOOD COMMERCIAL REVITALIZATION CORRIDORS FOR THE PERIOD DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2008; AND AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT DOCUMENTS.

2007-09-06-0943

Item 20. AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT WATER LINE EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS, AND RELATED RIGHTS OF INGRESS AND EGRESS FOR THE EXPANSION AND OPERATION OF THE CITY OF SAN ANTONIO'S WATER AND WASTEWATER UTILITY SYSTEM, IN CERTAIN PRIVATELY OWNED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS AS DESCRIBED HEREIN BELOW (THE "PROPERTY") BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, THE PROPERTY TO BE ACQUIRED CONSISTS OF

PERMANENT AND TEMPORARY EASEMENTS AS DESCRIBED BELOW:

1) PART OF 74.72 ACRES IN THE SARAH TYLER SURVEY NO. 367, ABSTRACT NO. 744,
2) PART OF 297.00 ACRES IN THE SARAH TYLER SURVEY NO. 367, ABSTRACT NO. 744, AND THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
3) PART OF 10.00 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
4) PART OF 101.216 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
5) PART OF 34.616 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
6) PART OF 5.00 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
7) PART OF 2.758 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
8) PART OF 218.913 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269, AND THE EMANUEL ESCALERO SURVEY NO. 369, ABSTRACT NO. 225,
9) PART OF 14.85 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
10) PART OF 2.744 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
11) PART OF 20.15 ACRES AND 4.393 ACRES IN THE JOSE J. GONZALES SURVEY NO. 255, ABSTRACT NO. 269,
12) PART OF 157.48 ACRES IN THE EMANUEL ESCALERO SURVEY NO. 369, ABSTRACT NO. 225,
13) PART OF 117.985 ACRES IN THE JOHN HOFFMAN SURVEY, ABSTRACT NO. 962 AND THE EMANUEL ESCALERO SURVEY NO. 369, ABSTRACT NO. 225,
14) PART OF 0.776 ACRES IN THE MARY SAVAGE SURVEY NO. 371, ABSTRACT NO. 694,
15) PART OF 9.242 ACRES IN THE MARY SAVAGE SURVEY NO. 371, ABSTRACT NO. 694,
16) PART OF 10.00 ACRES IN THE MARY SAVAGE SURVEY NO. 371, ABSTRACT NO. 694,
17) PART OF 426.974 ACRES IN THE M.M.Y. MUSQUIZ SURVEY NO. 80, ABSTRACT NO. 467,
18) PART OF 6.25 ACRES IN THE M.M.Y. MUSQUIZ SURVEY NO. 80, ABSTRACT NO. 467,
19) PART OF 30.954 ACRES IN THE MARY SAVAGE SURVEY NO. 371, ABSTRACT NO. 694

FOR THE PUBLIC PURPOSE OF THE EXPANSION AND OPERATION OF THE WATER AND WASTEWATER SYSTEM, INCLUDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE WATER LINES AND RELATED APPURTENANCES COMMONLY REFERRED TO AS THE TALLEY ROAD 24" WATER TRANSMISSION

MAIN PROJECT (THE "PROJECT"); AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ACQUIRE SUCH EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RIGHTS OF INGRESS AND EGRESS.

2007-09-06-0945

Item 22. AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT SANITARY SEWER LINE EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS, AND RELATED RIGHTS OF INGRESS AND EGRESS FOR THE EXPANSION AND OPERATION OF THE CITY OF SAN ANTONIO'S WATER AND WASTEWATER UTILITY SYSTEMS, IN CERTAIN PRIVATELY OWNED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS AS DESCRIBED HEREIN BELOW (THE "PROPERTY") BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, THE PROPERTY TO BE ACQUIRED CONSISTS OF PERMANENT AND TEMPORARY EASEMENTS AS DESCRIBED BELOW:

1. PART OF 536.83 ACRE TRACT IN THE B.F. BRADFORD SURVEY NO. 201, ABSTRACT NO. 88 COUNTY BLOCK 4390,

2. PART OF 24.00 ACRE TRACT IN THE THOMAS DAVIDSON SURVEY NO. 200, ABSTRACT 196, COUNTY BLOCK 4361,

3. PART OF 63.23 ACRE TRACT IN THE THOMAS DAVIDSON SURVEY NO. 200, ABSTRACT 196, COUNTY BLOCK 4361

FOR THE PUBLIC PURPOSE OF THE EXPANSION AND OPERATION OF THE WATER AND WASTEWATER SYSTEM, INCLUDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SANITARY SEWER LINES AND RELATED APPURTENANCES COMMONLY REFERRED TO AS THE ALAMO RANCH/MEDIO CREEK SOUTHERN SANITARY SEWER OUTFALL PROJECT (THE "PROJECT"); AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ACQUIRE SUCH EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RIGHTS OF INGRESS AND EGRESS.

2007-09-06-0946

Item 23. AN ORDINANCE APPROVING AN AMENDMENT TO THE FUNDING AGREEMENT FOR THE PROMOTION OF LA VILLITA WITH THE LA VILLITA TENANTS ASSOCIATION EXTENDING THE TERM OF THE AGREEMENT UNTIL JUNE 30, 2008.

2007-09-06-0947

Item 24. AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO, CPS ENERGY, THE TEXAS A&M UNIVERSITY SYSTEM AND VERANO LAND GROUP, LP WHICH EXPRESSES THE INTENTIONS OF THE PARTIES IN CONNECTION WITH THE ESTABLISHMENT OF A TEXAS A&M UNIVERSITY SAN ANTONIO CAMPUS.

2007-09-06-0948

Item 25. AN ORDINANCE APPROVING THE UPDATE OF CERTAIN OFFERING DOCUMENTS RELATING TO OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS COMMERCIAL PAPER NOTES, SERIES A AND CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003; APPROVING AN AMENDMENT TO THE REVOLVING CREDIT AGREEMENT RELATING TO THE CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS COMMERCIAL PAPER NOTES, SERIES A; APPROVING AN AMENDMENT TO THE STANDBY BOND PURCHASE AGREEMENT RELATING TO THE CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003; APPROVING AN AMENDMENT TO THE STANDBY BOND PURCHASE AGREEMENT RELATING TO THE CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2004; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2007-09-06-0949

Item 26. AN ORDINANCE APPROVING A ONE-YEAR EXTENSION TO THE CONTRACT WITH ALCOHOL AND DRUG TESTS, INC. TO PROVIDE RANDOM AND REASONABLE SUSPICION DRUG TESTING SERVICES TO THE SAN ANTONIO FIRE DEPARTMENT IN AN AMOUNT UP TO $20,000.00.

2007-09-06-0953

Item 28. AN ORDINANCE APPOINTING BETH COYLE, AND NEAL LINNARTZ AS ALTERNATE, TO FILL AN UNEXPIRED TERM FOR THE ALAMO WORKSOURCE BOARD TO EXPIRE DECEMBER 31, 2008.

Item 29. CONSIDERATION OF DISTRICT BOARD, COMMISSION AND COMMITTEE APPOINTMENTS:

A. Reappointing Dr. Paul Frisch (District 3) to the San Antonio Public Library Board of Trustees for the remainder of an unexpired term of office commencing immediately and expiring September 30, 2008, and reappointing Elda L. Flores (District 4) for the remainder of an unexpired term of office commencing October 1, 2007 and expiring September 30, 2009.

B. Appointing Patricia Runyan (District 5) (Category: Consumer) to the Transportation Advisory Board, and appointing Patrick Absher (District 4) and waiving Category of Air Transportation Advisory Commission Representative, for the remainder of unexpired terms of office commencing immediately and expiring May 31, 2009.

C. Appointing Gabrielle Lynn Reyes and Anjelica G. Hernandez (District 4) to the San Antonio Youth Commission for the remainder of unexpired terms of office commencing immediately and expiring May 31, 2009.

D. Reappointing Gloria A. Merrell (District 4) to the Small Business Advocacy Committee for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

E. Reappointing Dr. Randall S. Preissig (District 4) to the Linear Creekway Parks Advisory Board for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

F. Reappointing Roger Morin (District 5) to the Affirmative Action Advisory Committee for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

G. Reappointing Roxanne Cuevas (District 5) to the Animal Care Services Advisory Board for a term of office commencing immediately and expiring September 5, 2009.

H. Appointing George L. Alejos (District 5) to the Board of Adjustment for the remainder of an unexpired term of office commencing immediately and expiring February 22, 2009, and also reappointing Mr. Alejos to the San Antonio Housing Trust Fund Board of Trustees for the remainder of an unexpired term of office commencing immediately and expiring May 30, 2009.

I. Appointing Jesse A. Herrera (District 5) to the City Commission on Veterans Affairs for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

J. Appointing Richard E. Solano (District 5) to the Commission for Children and Families for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

K. Appointing Fernando J. Velazquez (District 5) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office commencing immediately and expiring December 22, 2008.

L. Appointing Elsa Sixtos (District 5) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

M. Appointing Gerardo J. Montanez (District 5) to the Parks and Recreation Board for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

N. Appointing Noemi Cue (District 5) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

O. Appointing Oralia Salame (District 5) to the San Antonio Local Development Company, Inc (d/b/a South Texas Business Fund) (Category: Trustee) for the remainder of an unexpired term of office commencing immediately and expiring May 9, 2010.

Item 30. CONSIDERATION OF THE APPOINTMENT OF CITY COUNCILMEMBERS TO BOARDS, COMMISSIONS AND COMMITTEES, AS REQUESTED BY MAYOR HARDBERGER:

A. Appointing Mayor Hardberger, Councilmember Delicia Herrera (District 6) and Councilmember Lourdes Galvan (District 5) to the Alamo Area Council of Governments (AACOG) for terms of office to expire May 31, 2009.

B. Appointing Councilmember Mary Alice Cisneros (District 1) to the Air Improvement Resources Committee of the Alamo Area Council of Governments (AACOG) for a term of office to expire May 31, 2009.

C. Appointing Councilmember Mary Alice Cisneros (District 1) and Councilmember Delicia Herrera (District 6) to the Committee of Seven for terms of office to expire May 31, 2009.

D. Appointing Councilmember Mary Alice Cisneros (District 1) and Councilmember Diane Cibrian (District 8) to the Convention and Visitors Commission for terms of office to expire May 31, 2009.

E. Appointing Councilmember Lourdes Galvan (District 5) and Councilmember Phil Cortez (District 4) to the Greater San Antonio Crime Prevention Commission for terms of office to expire May 31, 2009.

F. Appointing Councilmember John Clamp (District 10) to the San Antonio Mobility Coalition (SAMCo) for a term of office to expire May 31, 2009.

G. Appointing Councilmember Sheila McNeil (District 2) to the Military Transformation Task Force for a term of office to expire May 31, 2009.

H. Appointing Councilmember Mary Alice Cisneros (District 1) and Councilmember Lourdes Galvan (District 5) to the San Antonio Education Partnership Board of Directors for terms of office to expire May 31, 2009.

I. Appointing Councilmember Phil Cortez (District 4) to the San Antonio Commission on Literacy (Ex-Officio) for a term of office to expire May 31, 2009.

J. Appointing Councilmember Delicia Herrera (District 6) to the Planning Commission (Ex-Officio) for a term of office to expire May 31, 2009.

K. Appointing Councilmember Lourdes Galvan (District 5), Councilmember Sheila McNeil (District 2), Councilmember Mary Alice Cisneros (District 1) and Councilmember Justin Rodriguez (District 7) to the Community Action Advisory Board for terms of office to expire May 31, 2009.

Mayor Hardberger recessed the meeting at 10:55 am and stated that the Council would reconvene at 2:00 pm.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-09-06-0944

Item 21. AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT SANITARY SEWER LINE EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS, AND RELATED RIGHTS OF INGRESS AND EGRESS FOR THE EXPANSION AND OPERATION OF THE CITY OF SAN ANTONIO'S WATER AND WASTEWATER UTILITY SYSTEM, IN CERTAIN PRIVATELY OWNED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS AS DESCRIBED HEREIN BELOW (THE "PROPERTY") BY NEGOTIATION

AND/OR CONDEMNATION, IF NECESSARY, THE PROPERTY TO BE ACQUIRED CONSISTS OF PERMANENT AND TEMPORARY EASEMENTS AS DESCRIBED BELOW:

1. PART OF 13.424 ACRE TRACT OUT OF LOT J, BLOCK 31, N.C.B. 10583 AS RECORDED IN VOLUME 3425, PAGES 409-411 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS,

2. PART OF 13.424 ACRE TRACT RECORDED IN VOLUME 12469, PAGE 1516 OFFICIAL PUBLIC RECORDS BEXAR COUNTY, TEXAS

FOR THE PUBLIC PURPOSE OF THE EXPANSION AND OPERATION OF THE WATER AND WASTEWATER SYSTEM, INCLUDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SANITARY SEWER LINES AND RELATED APPURTENANCES COMMONLY REFERRED TO AS THE EASTERN WATERSHED SEWER RELIEF LINE E-03 PROJECT AND SALADO OUTFALL SIPHONS STAGE II 8, 9 AND 10 PROJECT (COLLECTIVELY, THE "PROJECTS"); AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ACQUIRE SUCH EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND RIGHTS OF INGRESS AND EGRESS.

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

Representatives from San Antonio Water Systems addressed the Council and noted that the Project entailed upgrading and expanding the existing sewer system due to increased capacity needs. It was noted that the Project would take approximately two years to complete.

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

CITY MANAGER'S REPORT

City Manager Sheryl Sculley addressed the following topics:

- Update on the Budget Process – Ms. Sculley thanked Councilmembers for hosting the public hearings and the Citizens of San Antonio for participating and assisting with the development of the FY 2008 Budget.
- VITA Program – Ms. Sculley noted the number of citizens that utilized the Department of Community Initiatives Tax Preparation Assistance Program entitled "VITA" in FY 2007. She noted the successful cooperative effort between the Department of Community Initiatives and the Library System to provide the staff as well as the facilities, respectively.

Mayor Hardberger recessed the meeting at 10:58 am and noted that the Council would break for lunch at

this time. He announced that the Council would reconvene at 2:00 pm to address the balance of the agenda.

Mayor Hardberger reconvened the meeting at 2:19 pm and addressed Items 27A, B and C.

The City Clerk read Ordinances for Items 27A, B and C.

2007-09-06-0950

Item 27A. AN ORDINANCE AMENDING ORDINANCE 2007-04-19-0447 BY AMENDING THE BOUNDARY OF THE HAVEN FOR HOPE, A PUBLIC PROJECT, TO AN AREA BOUNDED BY RUIZ STREET, UNION PACIFIC RAILROAD RIGHT-OF-WAY, LEAL STREET, NORTH FRIO STREET, NORTH SALADO STREET, MORALES STREET, MEDINA STREET, WEST MARTIN STREET, NORTH SAN MARCOS STREET, UNION PACIFIC RAILROAD RIGHT-OF-WAY, LEAL STREET, AND LOTS 10-12 AND 19-21A, NCB 2182, AND CONTAINING PROPERTY LOCATED WITHIN NCB'S 196, 197, 198, 199, 219, 220, 221, 250, 252, 2182, 2211, AND 2212, SAVE AND EXCEPT THE WEST 164.65 OF LOT 23, BLOCK 2, NCB 2182, 807 NORTH SAN MARCOS; AND LIMITING THE CITY'S CONDEMNATION AUTHORITY TO NCB 199, LOTS 10-12 AND 19-21A, 22, AND 24 OUT OF NCB 2182, NCB 2211, AND NCB 2212 AND ONLY UTILITY EASEMENTS IN NCB 196.

2007-09-06-0951

Item 27B. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING PROVISIONS FOR A HUMAN SERVICES CAMPUS AND PROVIDING FOR PUBLICATION.

2007-09-06-0952

Item 27C. An Ordinance changing the Zoning District Boundary from "I-1" General Industrial District and "I-2" Heavy Industrial District to "C-3 NA" S General Commercial Nonalcoholic Sales District with Specific Use Permit for a Human Services Campus on 11.372 acres out of NCB 197, NCB 198, NCB 219, NCB 220, NCB 221, NCB 250, and NCB 252, also known as 601 North Frio Street, 717 North Frio Street, 524 Leal Street, 1301 West Martin Street; 1323 West Martin Street, 519 North Medina, 720-722 Morales, 801 Morales, 825 Morales, 903 Morales, 523 Perez Street and 615 Perez Street, 701 North Salado Street, 727 North Salado Street and 626 North San Marcos as requested by City Of San Antonio, Applicant for City Of San Antonio, Owner. Staff Recommends Approval. Zoning Commission Recommendation pending the September 4, 2007, Public Hearing.

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:11.372 ACRES OUT OF NCB 197, NCB 198, NCB 219, NCB 220, NCB 221, NCB 250 AND NCB 252 FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "I-2" HEAVY INDUSTRIAL DISTRICT TO "C-3 NA" S GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH SPECIFIC USE PERMIT FOR A HUMAN SERVICES CAMPUS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the zoning case related to Item 27C and provided a history of the zoning designation under the Unified Development Code related to Item 27B.

Mr. Dennis Campa, Department of Community Initiatives Director, presented background information to the planning and implementation of the Haven for Hope Homeless Campus as reflected in Item 27A. Mr. Campa stated that various public and private entities would be involved in the development of the facility which includes the City of San Antonio, Bexar County, CPS Energy, San Antonio Water Systems, and the State of Texas. He noted that the San Antonio Police Department would have an on-site office and would patrol the community regularly. Lastly, Mr.Campa noted the various providers that would be located at the facility and their intent to minimize the use of emergency services.

Mr. Bill Greehey, Haven for Hope Chairman, presented information related to homelessness and noted that there was no current facility that provided homeless individuals with assistance on all their needs. He noted that the Haven for Hope Facility would transform the lives of the homeless since the facility would provide such services as job training, health and detoxification care, and child care. Mr. Greehey stated that the community would also be able to utilize the services offered at the facility.

Mr. Robert Marbut, Haven for Hope Executive Director, stated that the facility was committed to providing quality and excellence. He detailed seven factors that would help facilitate the success of the Homeless Campus. Several factors being instilling the notion that the Haven for Hope Homeless Campus is a transformation facility, co-locating critical care services, rewarding positive behavior, and not allowing loitering and panhandling. Mr. Marbut detailed the layout of the facility and noted various organizations that would serve the Homeless and the community. He noted that the facility layout focused on keeping Homeless individuals off the streets and out of the neighborhood. As it relates to security, Mr. Marbut stated that in addition to SAPD having an office on-site, the facility would have armed and unarmed security guards patrolling twenty-four hours a day, seven days a week. Other security measures include increased lighting and surveillance cameras.

Mr. Campa addressed next steps to be undertaken. Such actions include implementing state mandated buffer zones surrounding the Homeless Campus, street closures, sale of City owned homeless shelters, and signing of Interlocal and Operational Agreements.

The following citizens appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council and recommended that Kelly USA be used as the site for the Haven for Hope Homeless Campus.

Mr. Ruben Espronceda with Save the Community addressed the Council and spoke against the Haven for Hope Homeless Campus due to the process of not including input from the community. Mr. Espronceda recommended that the Project be continued for 60 days in order for a safer site to be considered. He stated that the current site was not appropriate due its proximity to active railroad lines, the number of police calls to the area to remove vagrants, and the potential for homeless individuals to encroach the community.

Father Guadalupe Martin Elsner, 1321 El Paso, addressed the Council stated that he was in favor of the Project. He noted that when friends come to visit San Antonio he takes them to see sites that give hope to the hopeless.

Ms. Regina Smith, 1023 Iowa, addressed the Council and stated that she was in support of the development of Haven for Hope due to the co-location of other critical care services.

Ms. Connie Rodriguez, 1407 El Paso, addressed the Council and requested that they vote in favor of the facility's development. She asked for the City to provide the same assistance to homeless individuals as it did for Hurricane Katrina evacuees. Ms. Rodriguez stated that as a member of the working poor she could one day be homeless and need the services scheduled to be provided.

Mr. Jason Mata, Prospect Hill Neighborhood Association President, addressed the Council and noted that the Association was neither in favor nor against the Project. He noted that there would be more support for the facility if the City had involved the community. Lastly, he requested that a safety planned project be developed due to the proximity of the facility to schools.

Mr. Greg Lovekamp, addressed the council and stated that due to his mental illness he was homeless. He spoke in support of the Homeless Campus since it would contain a medical care facility and other needed services all under one roof.

Ms. Shannon Adkins, 318 Aransas #3, addressed the Council and stated that she was in support of the Homeless Campus since it would be a safe place for homeless individuals.

Mr. Kizer Cavazos, addressed the Council and noted his support of the facility.

Mr. Phil Watkins of Corazon Ministries addressed the Council and noted that the organization was partnering with Haven for Hope to provide services to the homeless. He stated that the proposed site was ideal since it would bring social service providers directly to the homeless. Mr. Watkins requested the Council support the development of the Haven for Hope Facility.

Ms. Joanna Foster, Downtown Residents Association, addressed the Council and stated that she was proud to see the City address homelessness. She noted that the Association endorsed Haven for Hope since it would increase individual responsibility and accountability and would provide additional security.

Ms. Ann Meyers with SAMMinistries addressed the Council and spoke in support of the Haven for Hope Homeless Campus since the facility would assist homeless individuals become self sufficient.

Mr. Navarra Williams, SAMMinistries CEO, addressed the Council and also spoke in support of the Haven for Hopeless Campus. He noted that security at the facility would not be a concern due to leaders collaborating with a number of different entities and because the facility was designed to encompass all the needs of homeless individuals under one roof.

Ms. Betty Eckert, 233 W. Wildwood, addressed the Council and noted her support for the facility. She recommended that additional homeless facilities be developed throughout the City. However, she expressed concern with the City in not including the community in the process and site selection.

Mr. Ed Coleman of the American GI Forum addressed the Council and spoke in support of the facility due to the site location and willingness of private and public entities to work together.

Judge Kimberly Kreider, addressed the Council and noted her support of the Haven for Hope Homeless Campus. She noted that in her capacity as Municipal Court Judge for the City of San Antonio she presided over numerous cases involving homeless individuals. Judge Kreider stated that the facility would address the medical needs of the homeless.

Mr. Carlos Martinez with American GI Forum addressed the Council and stated that their organization was in support of the homeless facility. He noted that the American GI Forum operated a homeless shelter and that the facility was at capacity. Mr. Martinez stated that the Haven for Hope Homeless Campus would help fulfill a need to an underserved population.

Mr. Rudy Phillips of Corazon Ministries addressed the Council and stated that he was in support of the facility. He noted that the facility was needed and would help individuals realize their worth and potential.

Mr. Jon Runnels, 230 Travis, addressed the Council and noted that he was in support of the facility due to its centralized location. He noted that homeless individuals were eager to give back to the community.

Mr. Jack Finger, P.O. Box 12048, addressed the Council and noted that he was against the Haven for Hope development since citizens were not informed or involved in the location selection process. Mr. Finger stated that he was not against the facility just the location and the process followed. He noted that Haven for Hope was not a non-profit facility and questioned some of the services that would be provided. Mr. Finger requested the item be continued to allow other sites to be considered.

Ms. Monserrate Iturrino, addressed the Council and spoke in support of the facility due to the various services that would be provided at the facility. She also noted that the facility would help homeless individuals like herself become self sufficient.

Mr. Russell Johns addressed the Council and requested the Council approve the development of the facility.

Dr. David Phipps, San Antonio Christian Dental Clinic, addressed the Council and noted that he was in support of the facility due to the various services being offered. He spoke on the type of medical care his Dental Clinic provides other homeless facilities and noted the low income individuals throughout the City. He mentioned that he would be providing the same dental services at the Haven for Hope Campus.

Ms. Wanda House of Corazon Ministries addressed the Council and stated that she was in favor of the Haven for Hope Homeless Shelter due to it addressing chronic concerns associated with homelessness. She stated that Haven for Hope would allow homeless individuals to address all their needs such as health care, employment, and child care at the same facility.

Mr. Pete Kohrs, Chairman of Corazon Ministries, addressed the Council and spoke in favor of the facility. He noted that Haven for Hope was a one of a kind facility and that Corazon Ministries was proud to be key provider.

Mr. Jed Maebius, Haven for Hope Board member, addressed the Council and noted that he would use his time to show a video recorded by Patti Radle. The video in which Ms. Radle spoke expressed her support of the zoning change for the Haven for Hope Homeless Campus. She noted that the development of the facility was a cooperative effort by various private and public organizations to transform the lives of homeless individuals. Ms. Radle requested the Council provide local homeless individuals with the same compassion as provided to Hurricane Katrina victims. Lastly, she stated that the services to be provided at Haven for Hope would assist local homeless individuals with the

opportunity to change their lives for the better and give them hope for a better future.

Mr. Bill Mueller addressed the Council and noted that he was "transformed" due to the assistance provided by Corazon Ministries and similar entities providing services to homeless individuals. He stated that Haven for Hope would help eliminate sadness, hopelessness, and poverty in the community.

Mr. Jesse Monreal, 1015 Perez, addressed the Council and stated that he was in support of providing assistance to homeless individuals but was against the site selected for the Haven for Hope Campus. He noted that the selected site was not suitable and requested that another site be chosen. Mr. Monreal stated that the lot size was too small for the proposed design which would result in the Campus having to be expanded.

Ms. Maricela Garza, 409 Arbor, addressed the Council and spoke against the site location for the Haven for Hope facility. Ms. Garza requested that the Council continue Item 27 for 60 days so that an alternate site could be chosen for development. She stated that the outside of the facility would not be properly maintained and noted concerns regarding admission requirements for handicapped and elderly homeless individuals. Ms. Garza detailed other concerns such as the community not being informed of the process.

Mr. Roland Garcia addressed the Council and expressed his support of the Haven for Hope facility since it would assist him and other homeless individuals achieve their goals.

Mr. Darrell Mosque addressed the Council and noted that he was in support of the Haven for Hope facility since it would assist him and other homeless individuals become productive citizens.

Mr. Tony Warner noted his support that he was in favor of the Haven for Hope facility due to it co-locating social and medical services vital to the homeless community.

Mr. Glenn Targas, Corazon Ministries Administrator, addressed the Council and spoke in favor of the Haven for Hope Facility. He stated that the organization was proud to assist homeless individuals transform their lives. Mr. Targas requested the Council to vote in support of the development of the facility and encouraged City leaders to develop similar facilities in other parts of the country.

Mr. Adrian McDaniel addressed the Council and noted that he became homeless as a result of Hurricane Katrina. He added his support of the facility.

Mr. Eric Cooper, San Antonio Food Bank Executive Director, addressed the Council and noted the organization's support of the Haven for Hope Homeless Campus. Mr. Cooper stated that the design plan for the Haven for Hope Campus was the most strategic and efficient mannered in which to feed and serve the homeless. Lastly, he thanked the Council for their service to the community and requested their support for the development of the facility.

The City Clerk read written testimony from Jose H. Gomez, Archbishop of San Antonio. Archbishop Gomez noted his support for the Haven for Hope Homeless Campus due to its mission to transform the lives of individuals who cannot care for themselves and to help resolve the root cause of homelessness. He stated that he was pleased that the facility would aid individuals who struggle to make ends meet and are often only a paycheck away from homelessness. Archbishop Gomez asked the Council to vote in support of the zoning request.

Councilmember Lourdes Galvan stated that she was concerned with some issues related to the development of Haven for Hope to include the community not being involved in the decision making process from the beginning of the Project, boundaries of the facility, infrastructure maintenance, as well as lighting and security surrounding the area. She apologized to the community for the miscommunication and stated that she was working to address their concerns. Councilmember Galvan provided the benefits of the Haven for Hope Homeless Campus and noted that she was in support of the project.

Councilmember Galvan moved to adopt the proposed zoning case for Item 27C. Councilmember Cibrian seconded the motion.

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

Councilmember Clamp moved to adopt the proposed ordinances noted for Items 27A and B. Councilmember Wolff seconded the motion.

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

CONSENT ZONING

Councilmember McNeil made a motion to approve the following rezoning cases under consent noting that Staff and Zoning Commission recommendation was to approve and no citizens had signed up to speak: Z-1, P-1, Z-3, P-2, Z-4, Z-5, Z-7, and Z-12. Councilmember Cisneros seconded the motion.

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

2007-09-06-0954

Item Z-1. **ZONING CASE # Z2007243 (District 2):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "O-1" Office District on Lot 6, NCB 10757, 3035 Rigsby Avenue as requested by Virginia L. Gonzales, Applicant for Raymundo Y. and Mary B. Lopez, Owners. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 6, NCB 10757 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

2007-09-06-0955

Item P-1. **PLAN AMENDMENT # 07021 (District 2):** An Ordinance amending the land use plan in the IH 10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the use of a 4.36 acre tract of land located at Intersection of Mallard Meadows and Seguin Rd (F.M. 78) from Single Family Residential to Community Commercial land use. Staff and Planning Commission

recommend Approval. **(Associated Zoning Case Z2007245)**

2007-09-06-0957

Z-3. **ZONING CASE # Z2007259 CD (District 3):** An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "R-4" (CD-Manufactured Home) Residential Single Family District with a Conditional Use for a Manufactured Home on Lots 9, 10 and 11, Block 15, CB 5699, 15270 Rosa Street as requested by Marcos Retta, Applicant for Marcos and Francisca Retta, Owners. Staff, Zoning Commission and the City South Management Authority (CSMA) Board recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 9, 10 AND 11, BLOCK 15, CB 5699 FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-4" (CD-MANUFACTURED HOME) RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR A MANUFACTURED HOME PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-09-06-0958

P-2. **PLAN AMENDMENT # 07020 (District 4):** An Ordinance amending the land use plan in the United Southwest Communities Plan, a component of the Master Plan of the City, by changing the use of a 1.3190 acre tract of land located at Ray Ellison Blvd. from Low Density Residential to Community Commercial land use. Staff and Planning Commission recommend Approval. **(Associated Zoning Case Z2007221)**

2007-09-06-0959

Z-4. **ZONING CASE #Z2007221 (District 4):** An Ordinance amending the zoning district boundary from R-6" Residential Single Family District to "C-2" Commercial District on Lot P-37E, NCB 16001, 5000 Block of Ray Ellison Boulevard as requested by Craig Blume, Applicant for Benny's Motors LLC, Owners. Staff and Zoning Commission recommend Approval pending Plan Amendment.

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-37E, NCB 16001 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-09-06-0960

Z-5. **ZONING CASE # Z2007226 (District 4):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-2" Commercial District on 0.179 acres out of NCB 15910, 810 Fillmore Drive as requested by Brown, P. C., Applicant for D & R Development, Ltd., Owner. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.179 ACRES OUT OF NCB 15910 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Mayor Hardberger left the Meeting at this time. Mayor Pro Tem Wolff presided.

2007-09-06-0956

Z-2. **ZONING CASE # Z2007245 (District 2):** An Ordinance changing the zoning district boundary from "MF-33" Multi Family District to "C-2" Commercial District on 4.366 acres out of NCB 17730, 6900 Block of FM 78 as requested by Brown, P. C., Applicant for DFGG of Texas LTD Galo Properties, Owners. Staff and Zoning Commission recommend Approval pending plan amendment approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember McNeil moved to adopt the proposed zoning case with restrictive covenants. Councilmember Cisneros seconded the motion.

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

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 4.366 ACRES OUT OF NCB 17730 FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-09-06-0961

Z-6. **ZONING CASE # Z2007219 CD (District 5):** An Ordinance changing the zoning district boundary from "MF-33" Multi Family District to "IDZ" Infill Development Zone with uses permitted in "C-1" (CD-Meeting Facility/Reception Hall) Light Commercial District with a conditional use for a Meeting Facility/Reception Hall on Lots 9 and 10, Block 2, NCB 2440, 816 and 820 South Colorado Street as requested by Esperanza Peace & Justice Center, Applicant for Esperanza Peace & Justice Center, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Mr. Jack M. Finger, P.O. Box 12048, addressed the Council and spoke on Items Z-3, Z-6, Z-9, Z-10, Z-13. He spoke against zoning item Z-6. For Item Z-9, Mr. Finger noted that more petitions were submitted against the zoning case and therefore requested Council to vote against the rezoning. As it relates to Items Z-3 and Z-10, Mr. Finger spoke on the congestion that would result from the commercial development. Lastly, he requested the Council to vote against Item Z-13.

Councilmember McNeil moved to adopt the proposed zoning case. Councilmember Cisneros seconded the motion.

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

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

2007-09-06-0962

Z-7. **ZONING CASE #Z2007231 (District 5):** An Ordinance amending the zoning district boundary from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on Lot 7, Block 9, NCB 2314, 1823 Buena Vista Street as requested by Roberto Barrasa, Applicant for Roberto Barrasa, Owner. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 7, BLOCK 9, NCB 2314 FROM "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-09-06-0964

Z-12. **ZONING CASE # Z2007249 (District 10):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District and "C-3" General Commercial District to "MF-33" Multi-Family District on 26.740 acres out of NCB 14049 and "C-3" General Commercial District on 10.235 acres out of NCB 14049, 12765 Interstate Highway 35 North, as requested by Brown P.C., Applicant for Laredo Toepp, Ltd. c/o Galo Properties, Inc., Owner. Portions of this property are located within the Northeast Gateway Corridor Overlay District-1; however, the applicant is not requesting to remove or alter the existing overlay boundary. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 36.975 ACRES OUT OF NCB 14049 FROM "I-1" IH-1 GENERAL INDUSTRIAL DISTRICT NORTHEAST GATEWAY CORRIDOR OVERLAY DISTRICT-1, "I-1" GENERAL INDUSTRIAL DISTRICT AND "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT AND "MF-33" IH-1 MULTI-FAMILY DISTRICT NORTHEAST GATEWAY CORRIDOR OVERLAY DISTRICT-1 ON 26.740 ACRES OUT OF NCB 14049 AND "C-3"GENERAL COMMERCIAL DISTRICT AND "C-3" IH-1 GENERAL COMMERCIAL DISTRICT NORTHEAST GATEWAY CORRIDOR OVERLAY DISTRICT-1 ON 10.235 ACRES OUT OF NCB 14049.

[CONSENT ZONING ITEMS CONCLUDED]

<u>ZONING ITEMS FOR INDIVIDUAL CONSIDERATION</u>

CONTINUED FOR TWO WEEKS

Z-11. **ZONING CASE #Z2007075 (District 9):** An Ordinance amending the zoning district boundary from "C-2" ERZD Commercial Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on Lots 2 and 3, Block 35, NCB 19219, 20832 Stone Oak Parkway and 20840 Stone Oak Parkway as requested by Brown, P.C., Applicant for RKS Texas Investments, LP Owners. Staff recommends Denial. Zoning Commission recommends Approval.

Councilmember Cortez moved to continue the proposed zoning case for two weeks. Councilmember Herrera seconded the motion.

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

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 9 AND LOT 10, BLOCK 2, NCB 2440 FROM "MF-33" MULTI-FAMILY DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "C-1" (CD-MEETING FACILITY/RECEPTION HALL) LIGHT COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A MEETING FACILITY/RECEPTION HALL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

CONTINUED FOR 30 DAYS

Z-8. **ZONING CASE # Z2007225 (District 6):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 20.72 acres out of NCB 17640, 5000 Block of Rogers Road as requested by Kaufman and Associates, Inc., Applicant for 160 Culebra Ltd., a Texas Limited Partnership, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Herrera moved to continue the proposed zoning case for 30 days. Councilmember Clamp seconded the motion.

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

2007-09-06-0963

Z-9. **ZONING CASE # Z2007248 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "O-1" Office District on Lot 31, Block 21, NCB 16531, 6627 Old Highway 90 West, as requested by Jose Luis Lopez, Applicant for Jose Luis Lopez, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Herrera moved to adopt the proposed zoning case. Councilmember Cisneros seconded the motion.

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

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 31, BLOCK 21, NCB 16531 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

2007-09-06-0966

P-3. **PLAN AMENDMENT #06019 (District 7):** An Ordinance amending the Huebner/Leon Creeks Community Plan, a component of the Master Plan of the City, for an area covering approximately 2.69 acres of land East of the Bandera Road & Bristlecone Intersection, more specifically described as NCB 17948 P-9 & P-20E by changing the Land Use Plan designation from Medium Density Residential to Community Commercial. Staff recommends denial. Planning Commission recommends approval. **(Associated Zoning Case # Z2006256)**

Ms. Nina Nixon-Mendez presented the proposed plan amendment.

Councilmember Rodriguez moved adopt the proposed plan amendment. Councilmember Cibrian seconded the motion.

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

2007-09-06-0967

Z-10. **ZONING CASE # Z2006256 (District 7):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "O-1" Office District on Lot P-9 and Lot P-20E, NCB 17948, 8500 Block of Bristlecone Street as requested by Sandor Development Company, Applicant for Anant Utturkar, Owner. Staff recommends Approval of "O-1", pending a plan amendment. Zoning Commission recommends Approval of "C-2" pending a plan amendment.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Rodriguez moved to adopt the proposed zoning case. Councilmember Cibrian seconded the motion.

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

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-9 AND LOT P-20E, NCB 17948 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

2007-09-06-0968

Z-13. **ZONING CASE # Z2007163 CD (District 1):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "R-6" (CD-Catering Shop) Residential Single Family District with Conditional Use for a Catering Shop on Lot 13, Block 1, NCB 1011, 244 West Cevallos as requested by Hector Valadez, Applicant for Hector Valadez, Owner. Staff recommends Denial. Zoning Commission failed to make a recommendation.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Cisneros moved to adopt the proposed zoning case. Councilmember Cibrian seconded the motion.

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

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 13, BLOCK 1, NCB 1011 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-6" (CD-

CATERING SHOP) RESIDENTIAL SINGLE FAMILY DISTRICT WITH CONDITIONAL USE FOR A CATERING SHOP PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-09-06-0965

Z-14. **ZONING CASE # Z2007271 CD (District 1):** An Ordinance changing the zoning district boundary from "R-5" H Residential Single Family Historic District to "R-5" H (CD-Library Foundation Office) Residential Single Family Historic District with a Conditional Use for a Library Foundation Office on Lot 6 and the South 15 Feet of the North 105 Feet of the East 147 Feet of Lot 2, NCB 6120, 625 Shook Avenue as requested by San Antonio Public Library Foundation, Applicant for San Antonio Public Library Foundation. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Mr. Gene Ames, San Antonio Public Library Foundation Board member, addressed the Council and spoke in favor of the proposed zoning change. He noted how the zoning change would help the Library Foundation achieve its long term goals.

Councilmember Cisneros moved to adopt the proposed zoning case with the conditions proposed by the Staff and Zoning Commission, as well as allowing the facility to be operational between the hours of 7 am and 10 pm. Councilmember Cibrian seconded the motion.

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

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 SOUTH 15 FEET OF THE NORTH 105 FEET OF THE EAST 147 FEET OF LOT 2, NCB 6120 FROM "R-5" H RESIDENTIAL SINGLE FAMILY HISTORIC DISTRICT TO "R-5" H (CD-LIBRARY FOUNDATION OFFICE) RESIDENTIAL SINGLE FAMILY HISTORIC DISTRICT WITH A CONDITIONAL USE FOR A LIBRARY FOUNDATION OFFICE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[INDIVIDUAL ZONING ITEMS CONCLUDED]

Item 32. SECOND REQUIRED PUBLIC HEARING ON THE FY 2008 PROPOSED AD VALOREM TAX RATE FOR THE FY 2008 PROPOSED BUDGET AND THE TAX YEAR BEGINNING ON JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007.

Mayor Pro Tem Wolff declared the public hearing open and announced that this was the second required public hearing on the proposed ad valorem increase in the tax rate.

<u>The following citizens appeared to speak:</u>

Ms. Carrie Wells, Chairman of Public Affairs of The Greater Chamber of Commerce, addressed the Council in support of the FY 2007-2008 Budget. Specifically, the Chamber supported the decrease of ad valorem taxes and the increase in the reserve fund. She discouraged the Council from deviating from

the Budget because it focuses on job creation and industry growth.

Mr. Bob Martin, President of the Homeowner Taxpayer Association of Bexar County, addressed the Council and spoke against the adoption of the FY 2007-2008 Budget. Mr. Martin urged the Council to grant tax and fee relief based on the findings of a 2004 study by the Independent Budget Office that found San Antonio's taxes to be the fourth highest in the country.

Mr. Weston Martinez, District 9 resident, addressed the Council and stated that the FY 2007-2008 Budget was a good representation of the Councils' desire to serve the constituents. Mr. Martinez spoke of the need to plan for a broad and diverse community so that San Antonio can continue to grow and prosper.

Mr. Jack M. Finger addressed the Council and spoke against the proposed budget. He stated that the garbage rate, tax rebate, and CPS rebate off set each other.

Mr. Guadalupe Lopez addressed the Council and shared his experience with SAHA's Marisol Project. Mr. Lopez stated that he purchased his home for $79,000 and within five months, Bexar County Appraisal had revalued it at $140,000. Mr. Lopez requested assistance with rectifying this situation.

Mr. Faris Hodge Jr., 140 Dora, addressed the Council in opposition to several issues including, the Garbage Rate Tax increase, moving 3-1-1 away from Downtown, and the need for street lights to be turned on at 7:00 p.m. Mr. Hodge spoke in favor of staff increases for the Police Department and 3-1-1. He also requested more computers for the Library and that the Downtown Library be painted blue and white.

Ms. Amelia Payne, 6130 Fir Valley, addressed the Council regarding property values. She stated that the value of her home increased, but new homes being built in her area continue to sell for a lower amount than the value. Ms. Payne noted her dissatisfaction with the new trash can. Ms. Payne spoke against higher taxes because the City was not getting the necessary services.

Ms. Catrina Jacobo, 147 Villa Arboles, addressed the Council and stated that she and her neighbors were being overtaxed and that Bexar County Appraisal was not valuing property correctly. Ms. Jacobo urged the Council to look into other funds rather than taxing citizens.

Mr. George Alejo, a local realtor, addressed the Council and stated that Bexar County Appraisal has overvalued the properties in Marisol. He added that SAHA has recognized the substandard quality of the homes and has started buying them back.

Ms. Nikki Kuhns, 331 Twisted Wood Drive, addressed the Council and thanked Councilman Kevin Wolff for his questioning the use of funds for mandated city services opposed to services not required of the city. She noted that she was against the adoption of the Budget and felt that brochures placed by the Foundation for the Future violated the Fair Campaign Act.

Mr. Luis Cintron, 432 Precious Drive, addressed the Council and stated that he would rather be homeless and pay no taxes, than pay taxes to live in a Mirasol home. He expressed his opposition to the current use of tax dollars for a new facility for the homeless and park improvements, when City streets are unusable.

Mr. Ed O'Campo, former resident of 402 Precious Drive, addressed the Council and stated that he was told by his doctor and SAHA to evacuate his Mirasol home. He spoke of medical issues that Mirasol residents have endured and the need to get children out of substandard housing. He requested reimbursement for personal belongings that have been lost.

CITIZENS TO BE HEARD

Mayor Pro Tem Kevin Wolff presided over the meeting and addressed the Citizens to be Heard portion of the agenda.
Mr. Ruben Espronceda, addressed the Council and expressed his displeasure with the Council's decision to vote on and in favor of the Haven for Hope Project.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Ave., addressed the Council in opposition to the Haven for Hope Project.

Mr. Manuel Ruiz Landez, 823 E. Ware, addressed the Council and stressed the importance of children in society and offered statistics on how external influences affect them.

Ms. Pamela Taylor, representing Dress for Success San Antonio, addressed the Council and requested the Council reconsider the organization's budget request. She noted that the initial request was denied funding because of an error. Ms. Taylor then showed a video highlighting the organization's service to the community.

Mr. James Myart, 306 Preston, addressed the Council and expressed his displeasure with the attendance of Council during the Citizens to be Heard portion of the meeting. Mr. Myart then discussed police brutality in San Antonio and displayed poster size photos of a pending police brutality case.

Ms. Julie Iris Oldham, 4523 Allegheny, addressed the Council and spoke about the substandard homes built in Mirasol. She also spoke against the Haven for Hope Project.

Mr. Faris Hodge Jr., 140 Dora, addressed the Council and spoke against the Haven for Hope Project. He requested that the Downtown Library be painted blue and white and suggested that the city charge to park downtown on Sundays and holidays. Mr. Hodge also expressed the need for more public restrooms in the downtown area.

Ms. Amelia Payne, 6130 Fir Valley, addressed the Council requesting flood assistance. She spoke of the living conditions that flood victims have had to endure with no assistance.

Mr. George Alejos addressed the Council and spoke on behalf of flood victims. He requested help for the victims and that someone take responsibility for the flood. Mr. Alejos asked that the Council call statewide and national attention to the issue.

Mr. Roberto Salazar, 511 Ruiz, addressed the Council and stated that his calls to the Police were never answered. He asked for assistance relating to same.

Mr. Randy Zaragoza, 1602 NW 26th Street, spoke of the problems he has encountered with his Mirasol home. He noted that his home had increased in value even though the roof, windows, and air conditioning system need replacement/repairs.

Ms. Catrina Jacobo, 147 Villa Arboles, addressed the Council and spoke against Mirasol, SAHA, and KB Homes. She stated that she was unhappy with the buy-back process and requested KB Homes and SAHA be held responsible for the problems with all of the Mirasol homes.

Mr. Henry Rodriguez, Task Force Board Member, addressed the Council and stated that the Mirasol area should be declared a disaster area. He expressed his annoyance that KB Homes has not taken responsibility for the Mirasol Subdivision. Mr. Rodriguez asked the Council to show compassion towards the Mirasol homeowners and help rectify the situation.

A representative for Mr. Jaime Lazaro addressed the Council and read an inspector's report of approximately twenty items to be corrected in Mr. Lazaro's Mirasol home, issued by a mortgage company. He requested Councilmembers Galvan and Herrera look into why substandard housing is still being sold to citizens.

Ms. Estefana Adame-Battle, 448 Precious Drive, addressed the Council and stated that she is a Task Force member. She noted that the Task Force has not accomplished enough to make the residents happy. Ms. Adame-Battle felt that the solutions offered only benefit KB Homes and SAHA, but not the residents.

Mr. Abel Ruiz, 619 Delgado, stated his opposition to politics of the Haven for Hope Project. He pointed out that the citizens were not involved in the Haven for Hope Project and stated his desire to recall Councilmembers who have not represented the citizens.

Ms. Cirila Lozano, 750 Mathews, addressed the Council and stated that she sits on the Mirasol Task Force as a resident. She expressed her disappointment with SAHA and requested that the families be compensated for their suffering.

Ms. Brenda Gonzales, 2619 Villa Norte Drive, addressed the Council and spoke of her family's illness because of her KB Home. She stated that she had invested too much money into her home and that it may have to be demolished.

Mr. Mark Perez, 119 Hardeman, addressed the Council related to companies that are hazardous to the environment which are operating in areas that are not zoned for that type of operation. He stated the only organization that has helped him was San Antonio Hazmat.

Ms. Janet Ahmad addressed the Council and spoke against KB Homes. She stated that the Task Force was able to provide evidence that KB Homes did not comply with standards or specifications. Ms. Ahmad then requested an item be placed on the Council Agenda.

ADJOURNMENT

Mayor Pro Tem Wolff adjourned the meeting at 8:05 pm.

A P P R O V E D

PHIL HARDBERGER
MAYOR

ATTEST:

LETICIA M. VACEK
City Clerk