

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

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY,
JANUARY 18, 2007**

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, January 18, 2007 at 9:00 am.

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

The Invocation was led by Reverend Omar Pitman, Interim Canon Missioner, Holy Cross Episcopal Church, guest of Councilmember Roland Gutierrez, District 3.

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

Swearing-In of Mayor Pro Tem Christopher "Chip" Haass

City Clerk, Leticia M. Vacek, administered the Oath of Office to Christopher "Chip" Haass to assume the duties as Mayor Pro Tem effective January 20, 2007.

Councilmember Perez made a motion to approve the minutes of the January 4, 2007 City Council Meeting. Councilmember McNeil 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.

CONSENT AGENDA: Items 9 – 26C

Consent Agenda Items 13, 14, 18, 24 and 25 were pulled for individual consideration. The remaining Agenda Items were approved upon motion made by Councilmember Perez and seconded by Councilmember Wolff.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger addressed the City Council relating to Item 25; he stated the he is against Toll Roads. Mr. Finger also addressed Item 20 relating to the contract with the Texas Department of State Health Services for ongoing Federal Refugee Health Screening Program. He stated that the backup documentation refers to \$27,000 being allocated for an interpreter. Mr. Finger noted if anyone is checking on the status of the individuals' immigration and criminal status. Mr. Finger spoke to Item 14 relative to the Capital Improvements program with Civil Engineering Consultants; he noted that there was no bidding on said Item.

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

2007-01-18-0076

Item 9. AN ORDINANCE ACCEPTING THE BID FROM POSTON EQUIPMENT SALES, INC. TO PROVIDE THE CITY WITH TWO REPLACEMENT TOW-BEHIND BRUSH CHIPPERS FOR A TOTAL COST OF \$46,671.00, FROM THE ACCRUED VEHICLE REPLACEMENT FUND.

2007-01-18-0077

Item 10. AN ORDINANCE AUTHORIZING A CONTRACT WITH MUSCO SPORTS LIGHTING, LLC, UTILIZING THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE CONTRACT, TO PROVIDE THE CITY WITH LABOR, MATERIALS AND EQUIPMENT TO RE-LIGHT THE PLAYING FIELD OF NELSON WOLFF STADIUM FOR A TOTAL COST OF \$275,000.00, FROM 2005 CERTIFICATES OF OBLIGATION - ALAMODOME.

2007-01-18-0078

Item 11. AN ORDINANCE ACCEPTING THE BIDS SUBMITTED BY MDI TRAFFIC CONTROL PRODUCTS, ITEMS 1 & 2, AND SAFETY SUPPLY, INC., ITEM 3, TO PROVIDE THE FIRE DEPARTMENT WITH VESTS, SIGNS, SIGN STANDS, AND CONES FOR A COST OF \$39,254.20, FROM THE ASSISTANCE TO FIREFIGHTERS GRANT.

2007-01-18-0079

Item 12. AN ORDINANCE ACCEPTING THE BID SUBMITTED BY CASCO INDUSTRIES, INC. TO PROVIDE THE FIRE DEPARTMENT WITH 6 THERMAL IMAGING CAMERAS AND 2 VIDEO CAPTURE SYSTEMS FOR A COST OF \$54,670.00, FROM THE FIREMAN'S FUND HERITAGE GRANT 2006.

2007-01-18-0083

Item 16. AN ORDINANCE APPROVING CHANGE ORDER NO. 3 IN THE AMOUNT OF \$25,646.55 TO THE \$1,884,958.15 CONSTRUCTION CONTRACT, AS CHANGED, WITH R.L. JONES, L.P. TO RECONCILE ACTUAL QUANTITIES USED IN CONNECTION WITH THE DURANGO/SAN MARCOS TO TRINITY PROJECT, LOCATED IN DISTRICT 5.

2007-01-18-0084

Item 17. AN ORDINANCE AUTHORIZING THE EXECUTION OF A SAN ANTONIO INTERNATIONAL AIRPORT CONCESSION AGREEMENT WITH HOST

INTERNATIONAL, INC. FOR AN INITIAL TERM ENDING ON JUNE 30, 2009 AND ASSOCIATED GUARANTEED RENTALS OF AT LEAST \$5,625.00 PER MONTH.

2007R-01-18-0086

Item 19. A RESOLUTION SETTING TIMES, DATES AND LOCATIONS FOR TWO (2) CITY COUNCIL PUBLIC HEARINGS REQUIRED FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG - 33RD YEAR), HOME INVESTMENT PARTNERSHIP GRANT (HOME -16TH YEAR), AMERICAN DREAM DOWNPAYMENT INITIATIVE (ADDI), HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA), AND EMERGENCY SHELTER GRANT (ESG) ANNUAL CONSOLIDATED ACTION PLAN/BUDGET PROCESS FOR FY 2007-2008.

2007-01-18-0087

Item 20. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TOTALING \$143,495.00 TO RENEW SUPPORT FOR THE ONGOING FEDERAL REFUGEE HEALTH SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007; AUTHORIZING A DELEGATE AGENCY CONTRACT IN THE AMOUNT OF \$33,000.00 WITH CATHOLIC CHARITIES, ARCHDIOCESE OF SAN ANTONIO FOR THE PERIOD OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

2007-01-18-0088

Item 21. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TOTALING \$100,000.00 TO RENEW SUPPORT FOR THE ONGOING CHILDHOOD LEAD POISONING PREVENTION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JULY 1, 2006 THROUGH JUNE 30, 2007; APPROVING THE PERSONNEL COMPLEMENT; AND APPROVING THE PROGRAM BUDGET.

2007-01-18-0089

Item 22. AN ORDINANCE AUTHORIZING THE EXECUTION OF A SUB-AWARD AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO TOTALING \$36,543.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONTINUE ITS PARTICIPATION IN THE SAN ANTONIO CENTER FOR THE STUDY OF STILLBIRTH FOR THE PERIOD AUGUST 1, 2006 THROUGH JULY 31, 2007; ADOPTING THE PROJECT BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

2007-01-18-0090

Item 23. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FUNDS FROM, AND EXECUTION OF CONTRACT AMENDMENTS WITH, ALAMO WORKFORCE DEVELOPMENT, INC., D/B/A ALAMO WORKSOURCE (AWS) IN A COMBINED AMOUNT OF \$128,371.00 FOR THE PROVISION OF ADDITIONAL QUALITY IMPROVEMENT ACTIVITIES WITHIN THE ALAMO AREA CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM THROUGH SEPTEMBER 30, 2007; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH FAMILY SERVICE ASSOCIATION OF SAN ANTONIO, INC. AND A CONTRACT WITH UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY IN THE AMOUNTS OF \$103,371.00 AND \$25,000.00, RESPECTIVELY, FOR THE PERIOD ENDING SEPTEMBER 30, 2007; AND APPROVING A REVISED FY 2007 CCDS PROGRAM BUDGET.

2007R-01-18-0093

Item 26A. A RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION REPLACEMENT OR REHABILITATION OF THE BRIDGE LOCATED ON HAUSMAN ROAD AT LEON CREEK AND AUTHORIZING THE EXECUTION OF A WAIVER REQUEST OF THE CITY'S MATCHING FUND PARTICIPATION.

2007R-01-18-0094

Item 26B. A RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION REPLACEMENT OR REHABILITATION OF THE BRIDGE LOCATED ON NORTH SAN JACINTO AT ALAZAN CREEK AND AUTHORIZING THE EXECUTION OF A WAIVER REQUEST OF THE CITY'S MATCHING FUND PARTICIPATION.

2007R-01-18-0095

Item 26C. A RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION REPLACEMENT OR REHABILITATION OF THE BRIDGE LOCATED ON RITTIMAN ROAD AT RITTIMAN CREEK AND AUTHORIZING THE EXECUTION OF A WAIVER REQUEST OF THE CITY'S MATCHING FUND PARTICIPATION.

[CONSENT ITEMS CONCLUDED]

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-01-18-0071

Item 5. AN ORDINANCE APPROVING THE CITY OF SAN ANTONIO'S 2007 FEDERAL INITIATIVES PROGRAM FOR THE 1ST SESSION OF THE 110TH CONGRESS, WHICH BEGINS IN EARLY JANUARY 2007.

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

Mr. Andrew Smith, Director of Intergovernmental Relations, made a presentation on the Federal Legislative Plan. Mr. Smith identified the following initiatives: San Antonio River Improvements, Rail Safety, Police Technology and Equipment, Emergency Management/Homeland Security Grant Funding, Air Quality, Community Development Block Grants, Port of Entry/Landing Rights Designation, Perimeter Rule, Community-Military Partnership Office, Targeted Job Training and Omnibus Policy. A copy of the presentation is on file with the Office of the City Clerk.

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

RECONSIDERATION OF CONSENT ITEMS

Councilmember Gutierrez made a motion to reconsider the Consent Agenda and pull Item 15 for individual consideration. Councilmember Perez seconded the motion.

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

After reconsideration, Consent Agenda Items 13, 14, 15, 18, 24 and 25 were pulled for individual consideration. The remaining Agenda Items were approved upon motion made by Councilmember Gutierrez and seconded by Councilmember Perez.

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

PUBLIC HEARING:

The City Clerk read the following Ordinance:

2007-01-18-0073

Item 7A. AN ORDINANCE DESIGNATING THE WESTOVER HILLS REINVESTMENT ZONE CONSISTING OF APPROXIMATELY 44 ACRES OF LAND LOCATED AT 5150 ROGERS ROAD IN WESTOVER HILLS NORTH OF WISEMAN BOULEVARD.

Mayor Hardberger declared the Public Hearing open.

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

Mr. Robert Peche, Interim Director of Economic Development, made a presentation on the Microsoft Corporation Data Center. A copy of the presentation is on file with the Office of the City Clerk.

The following citizen(s) appeared to speak:

Jack M. Finger P.O. Box 12048 addressed the City Council against the tax abatement for Microsoft. He stated that Westover Hills is not a dilapidated part of town that warrants tax abatement. He explained that the city needs School Vouchers so that students can qualify for high paying jobs. Mr. Finger also spoke against CPS Energy granting 5 million to Microsoft.

Mr. Mario Hernandez, President of the San Antonio Economic Foundation addressed the Council noting that he had worked on this project for the past year. He added that bringing Microsoft to San Antonio has placed the city on a higher level in the technology field and community.

Mr. Marty Wendor, Developer of Westover Hills, addressed the Council noting that the City is planting a seed, watering the seed and nurturing it, allowing it to grow in hopes that one day it will bear fruit. He added that this is what the city is doing, by investing in the community. Lastly, he stated that the number one highest paid jobs in the wage cluster are in Information Technology.

Mr. Mike Manos, Senior Director of Microsoft Datacenter Services addressed the Council noting the City of San Antonio pulled together with CPS Energy and San Antonio Water Systems. He stated that this venture proves San Antonio can compete on a world class stage which is very promising for future growth in the city. He noted that outside of the natural resources and the welcome from the community leaders is the diversity of the community and the culture of the City of San Antonio.

Judge Nelson Wolff addressed the City Council noting one of the many benefits of Microsoft coming to San Antonio. He reported that the University Health System will receive approximately \$1.3 million annually from taxes on this property. He added that Northside Independent School District will receive approximately \$8.7 million annually from taxes on this property.

John Monford, Chair of the Economic Development Foundation, addressed the Council noting that San Antonio is on the move economically.

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

Item 7B. AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TAX PHASE-IN AGREEMENT WITH MICROSOFT CORPORATION TO EXEMPT 100% OF AD VALOREM TAXES FOR A PERIOD OF TEN (10) YEARS ON REAL AND PERSONAL PROPERTY IMPROVEMENTS OF APPROXIMATELY \$550 MILLION AND THE CREATION OF 75 JOBS; GRANTING CERTAIN EXCEPTIONS TO THE CITY'S TAX PHASE-IN GUIDELINES; AND RECOMMENDING TO THE BOARD OF DIRECTORS OF CPS ENERGY APPROVAL OF UP TO \$5.2 MILLION FROM THE COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT (CIED) FUND TO SUPPORT THE MICROSOFT PROJECT.

The City Clerk read a written testimony from Faris Hodge, Jr. noting that it is wrong to exempt Microsoft from paying taxes, in his opinion everyone should pay taxes, and if they do not pay, they should be fined or jailed.

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

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

Mayor Hardberger declared the Public Hearing closed.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Meeting at 11:54 am, to convene in Executive Session for the purpose(s) of:

- A. Discuss legal issues related to Advanced Long Term Care Corp. – Perrin Beitel v. City of San Antonio; Cause No. 2002-ED-13194; 288th District Court, Bexar County, Texas pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss the appointment of members to the Fire Fighters' and Police Officers' Civil Service Commission, pursuant to Texas Government Code Section 551.074 (personnel matters).
- C. Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Regular Meeting from Executive Session at 2:51 pm, at which time he stated the City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

2007-01-18-0072

Item 6. AN ORDINANCE AMENDING THE CITY CODE OF SAN ANTONIO, TEXAS, CHAPTER 14, ARTICLES II AND III, TO PROVIDE LEAF PICK-UP SERVICES TO SOLID WASTE CUSTOMERS ON AUTOMATED GARBAGE COLLECTION ROUTES AND REDUCING APPROPRIATE RATES.

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

Mr. Eric Walsh, Assistant City Manager, made a presentation on the Special Collection Service Amending City Code Chapter 14. A copy of the presentation is on file with the Office of the City Clerk.

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

PUBLIC HEARING:

The City Clerk read the following Ordinance:

2007-01-18-0075

Item 8. A PUBLIC HEARING AND ORDINANCE AUTHORIZING THE REPROGRAMMING OF FY 2005-2006 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) GRANT FUNDS IN THE AMOUNT OF \$18,361.00 AVAILABLE FROM THE SAN ANTONIO AIDS FOUNDATION (SAAF) IN THE AMOUNT OF \$17,925.00 AND HOPE ACTION CARE IN THE AMOUNT OF \$706.00 AND AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO THE ALAMO AREA RESOURCE CENTER (AARC) TO PROVIDE TRANSPORTATION SERVICES TO INDIVIDUALS WHO HAVE HIV/AIDS FOR MEDICAL AND SOCIAL SERVICE APPOINTMENTS; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

Mayor Hardberger declared the Public Hearing open.

Mr. Dennis Campa, Director of Community Initiatives made a brief presentation on Housing Opportunities for Persons with AIDS (HOPWA). Mr. Campa noted some of HOPWA services include skilled nursing/hospice care, housing, transportation, counseling and case management. A copy of the presentation is on file with the Office of the City Clerk.

The following citizen(s) appeared to speak:

Ms. Jill Rips, Associate Director of the San Antonio AIDS Foundation. Ms. Rips noted that the San Antonio AIDS Foundation (SAAF) was San Antonio's first response to the AIDS epidemic and started operations over twenty (20) years ago. SAAF provides skilled nursing, hospice care and housing for 75,000 individuals with AIDS in San Antonio.

Ms. Amie Smith, Housing Coordinator for the San Antonio AIDS Foundation (SAAF), addressed the Council noting that in May 2006 the foundation had funding cuts. Therefore, stopped accepting applications for assistance. The last application that was accepted was on June 5, 2006. Ms. Smith noted that requests for applications are received daily, and requested additional funding.

City Clerk, Leticia M. Vacek, read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Faris Hodge Jr., 140 Dora. Mr. Hodge wrote that the city is not spending enough money on the homeless. The city needs to provide public restrooms for the homeless and additional places for them to sleep.

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

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

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

2007-01-18-0080

Item 13. AN ORDINANCE ACCEPTING THE BIDS FROM UTEC-WEST, ITEMS 1, 2 & 4-6, WABASH NATIONAL TRAILER CENTERS, ITEM 3, AND DYNAMIC CONVERSIONS, ITEM 7, FOR THE PURCHASE AND INSTALLATION OF REPLACEMENT PICKUP TRUCK SERVICE BODIES FOR A COST OF \$81,189.00, FROM THE VEHICLE REPLACEMENT FUND.

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

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

2007-01-18-0081

Item 14. AN ORDINANCE AUTHORIZING PAYMENT AND EXECUTION OF A LOCAL PROJECT ADVANCED FUNDING AGREEMENT IN AN AMOUNT NOT TO EXCEED \$7,746,150 WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH CIVIL ENGINEERING

CONSULTANTS IN THE AMOUNT OF \$239,142 FOR ADDITIONAL ENGINEERING SERVICES, IN CONNECTION WITH THE MISSION TRAILS PROJECT – PACKAGES 4 AND 5, AN AUTHORIZED 2001 CERTIFICATES OF OBLIGATION STREET IMPROVEMENT BONDS AND METROPOLITAN PLANNING ORGANIZATION FUNDED PROJECT, LOCATED IN DISTRICTS 1, 3, AND 5, AND APPROPRIATING FUNDS.

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

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

2007-01-18-0082

Item 15. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED \$2,210,000 FOR DESIGN, CONSTRUCTION, AND CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE BROOKS CITY-BASE SOUTH NEW BRAUNFELS ROAD FROM S.E. MILITARY TO SIDNEY BROOKS PROJECT, LOCATED IN DISTRICT 3, AND APPROPRIATING FUNDS.

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

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

2007-01-18-0085

Item 18. AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$174,300.00 TO MI TIERRA TITLE COMPANY, AS ESCROW AGENT FOR FOUR PARCELS OF LAND (\$172,200.00), TITLE FEES (\$2,100.00); AND AUTHORIZING MOVING EXPENSES IN THE AMOUNT OF \$3,250.00; ALL IN CONNECTION WITH THE MOBILE CITY ESTATES BUYOUTS (LEON CREEK) PHASE II, LOCATED IN DISTRICT 8, FOR A TOTAL SUM OF \$177,550.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

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

2007-01-18-0091

Item 24. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DONATION OF A 2006 POLARIS RANGER 6 X 6 ALL TERRAIN UTILITY VEHICLE FROM THE U. S. SMOKELESS TOBACCO COMPANY FOR CONCENTRATED PREVENTATIVE PATROL AND RESPONSE BY THE PARK POLICE ALONG THE LEON CREEK GREENWAY TO DETER ORDINANCE VIOLATIONS, CRIMINAL MISCHIEF, AND ENVIRONMENTAL CRIMES.

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

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

2007-01-18-0092

Item 25. AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$70,000 TO THE SAN ANTONIO MOBILITY COALITION, INC. FOR ANNUAL MEMBERSHIP DUES AND THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR THE IMPLEMENTATION OF TRANSPORTATION AND MOBILITY SOLUTIONS BEGINNING FEBRUARY 1, 2007 THROUGH JANUARY 31, 2008.

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

The motion prevailed with the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Hall, Haass, and Mayor Hardberger. **NAY:** Guajardo. **ABSENT:** Wolff.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley reported on the following:

Monday January 22, 2007 the Volunteer Income Tax Assistance (VITA) program will begin. VITA provides income tax assistance to families whose annual salary is under \$40,000.00. Last year VITA assisted over 25,000 taxpayers returning \$39 million dollars to working families in San Antonio.

Thanked the Police Department, Fire Department, Public Works, and Aviation personnel for their hard work during the last 48 hours dealing with the Ice Storm.

Thanked Ms. Gayle McDaniel who is retiring form the City after 29 years of service.

Status of Budget Priorities identified by the Council 54 new Police Officers were added to the force and 46 Police Officers were transferred from civilian positions to become sworn peace officers. Secondly, 175 additional trees have been planted out of the 200 budgeted. The certification pay for Park Police was implemented in October, 2006 and is in progress.

Report on the Development Services Workflow Study. Ed Kelly is the chair of the workflow study and the city has hired a consultant to conduct a study. Ms. Sculley noted that she has received positive response to the changes made by Rod Sanchez.

Lastly, Ms. Sculley thanked Councilmember McNeil and the City Staff for their work and participation on the Martin Luther King March.

CONSENT ZONING

Councilmember Gutierrez made a motion to approve the following rezoning cases noting that staff recommendation and Zoning Commission recommendation were for approval. Additionally, he added that no citizens had signed up to speak on said cases: Z-2, Z-3, Z-5, Z-10, and Z-11. Councilmember Perez seconded the motion.

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

Note: Item Z-3 was reconsidered at a later time during the meeting. See page 15.

2007-01-18-0097

Z-2. AN ORDINANCE 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: 2.330 ACRES OUT OF NCB 7589 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2" S COMMERCIAL DISTRICT WITH A SPECIFIC USE FOR A CARWASH.

2007-01-18-0098

Z-3. AN ORDINANCE 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 57, 58, 59 AND THE SOUTH 60 FEET OF LOT 56, BLOCK 6, NCB 11099 TO WIT: FROM "MF-33" MULTI FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-3 NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT, "C-3 R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES, "C-3 NA" (CD-OUTSIDE STORAGE) GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE TO ALLOW THE OUTSIDE STORAGE OF EQUIPMENT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT AND "C-3" GENERAL COMMERCIAL DISTRICT.

2007-01-18-0099

Z-5. AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN

PROPERTY DESCRIBED HEREIN AS: P-1, BLOCK 4, NCB 18234 TO WIT: FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-01-18-0100

Z-10. AN ORDINANCE 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: 3.97 ACRES OUT OF NCB 18333 TO WIT: FROM "MF-25" GC-1 MULTI-FAMILY GATEWAY CORRIDOR OVERLAY DISTRICT-1 TO "C-2" GC-1 GENERAL COMMERCIAL GATEWAY CORRIDOR OVERLAY DISTRICT-1.

2007-01-18-0101

Z-11. AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: P-57, NCB 15823, P-57F, NCB 15823, LOT 3, BLOCK, 1, NCB 17247 TO WIT: FROM "MF-33" MULTI FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT TO PUD "MF-33" PLANNED UNIT DEVELOPMENT MULTI FAMILY DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[END OF CONSENT ZONING]

MASTER PLAN AND ZONING CASES

Z-1. **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.

Councilmember McNeil made a motion to continue said item to February 1, 2007. Councilmember Perez seconded the motion.

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

2007-01-18-0096

P-1. AMENDING THE CITY OF SAN ANTONIO'S MAJOR THOROUGHFARE AS A COMPONENT OF THE SAN ANTONIO MASTER PLAN BY DEDESIGNATING AND

DELETING PROPOSED THOROUGHFARES WITHIN THE CITY'S CORPORATE LIMITS AND PORTIONS OF ITS EXTRATERRITORIAL JURISDICTION.

Mr. Emil Moncivais, Director of Planning and Community Development explained the proposed Plan Amendment.

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

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

Z-4. 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 approval.

Mr. John Jacks announced that the Zoning Department postponed said item; thus, no action is required.

Z-6. ZONING CASE #Z2007051 (District 6): An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3NA" General Commercial District Nonalcoholic Sales, on the West 49.13 feet of East 189.13 feet of Lot 4, Block 1, NCB 15559, 7630 Marbach Road as requested by Isidoro & Myrna Olvera, Applicant for Isidoro & Myrna Olvera, Owner. Staff and Zoning Commission recommend Denial.

The following citizen(s) appeared to speak:

Mr. Jack Finger, P.O. Box 12048, addressed the Council regarding the proposed Auto Sales Lot. Mr. Finger stated that if both the City Staff and the Zoning Commission recommend denial, then the Council should vote against this rezoning case.

Mr. Isidoro "Abel" Olvera, addressed the Council requesting a vote in favor of the rezoning case.

Lori Orr, 1811 Fieldstone Rd, also addressed the Council in favor of the rezoning case.

After due consideration, the proposed rezoning case was withdrawn by the Applicant. No action required.

Z-7. ZONING CASE #Z2006033 (District 6): An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "R-5" Residential Single-Family District, on 31.66 acres out of NCB 16115, 1800 Grandstand Drive as requested by Perry Homes, a Joint

Venture, Applicant, for State of Texas: General Land Office, Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks announced that the Zoning Department postponed said item. No action was required.

RECONSIDERATION OF Z-3

Z-3. ZONING CASE #Z2007054 (District 3): An Ordinance changing the zoning district boundary from "MF-33" Multi Family District, "C-2" Commercial District, "C-3 NA" General Commercial Nonalcoholic Sales District, "C-3 R" General Commercial District, Restrictive Alcoholic Sales, "C-3 NA" (CD-Outside Storage) General Commercial Nonalcoholic Sales District with a Conditional Use to Allow the Outside Storage of Equipment and "I-1" General Industrial District to "C-3" General Commercial District on Lot 57, Lot 58, Lot 59, and the South 60 feet of Lot 56, all in Block 6, NCB 11099, 3847 Pleasanton Road, 3855 Pleasanton Road, and 127 West Ansley Boulevard, as requested by PasoSan Properties, LP and E. P. Marcus Investments, LP, Applicants, for PasoSan Properties, LP and E. P. Marcus Investments, LP, Owners. Staff and Zoning Commission recommend Approval

Councilmember Gutierrez made a motion to reconsider the Zoning Case Z-3. Councilmember Hall seconded the motion.

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

Mr. John Jacks stated that the applicant amended their application; the original request was C-3 for the entire property. The applicant requested an amendment to C-2 on the West Side of the property that is currently zoned MF-33. Mr. Jacks stated that Staff and the Zoning Commission concur with the amendment made by the applicant.

Councilmember Gutierrez made a motion to approve the amendment made by the applicant. Councilmember Perez seconded the motion.

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

Z-8. ZONING CASE # Z2006272 CD (District 7): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "R-4" (CD- Duplexes) Residential Single Family District with a Conditional Use for duplexes with density not exceeding 12 units per gross acre on Lot P-119, NCB 15664 (8.004 acres out of NCB 15664), 11100 Block of Bandera Road. As requested by Duran Investments, Inc., Applicant, for Marlin and Gabriel Biefing, Owner. Staff recommends Approval. Zoning Commission recommends Denial.

Mr. John Jacks explained the proposed rezoning case.

Councilmember Guajardo made a motion to postpone the proposed rezoning case to February 1, 2007. Councilmember Perez seconded the motion.

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

Z-9. ZONING CASE #Z2006273 (District 7): An Ordinance changing the zoning district boundary from "BP" Business Park District to "R-4" (CD- Town homes) Residential Single Family District with a Conditional Use for town homes 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 explained the proposed rezoning case.

Councilmember Guajardo made a motion to continue to February 15, 2007. Councilmember Perez seconded the motion.

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

2007-01-18-0102

AN ORDINANCE 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-25, NCB 14857 TO WIT: FROM "I-1" ERZD GENERAL INDUSTRIAL EDWARDS RECHARGE ZONE DISTRICT TO "MF-25" ERZD MULTI-FAMILY EDWARDS RECHARGE ZONE DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-12. ZONING CASE #Z2007030 (District 8): An Ordinance changing the zoning district boundary from "I-1" ERZD General Industrial Edwards Recharge Zone District to "MF-25" ERZD Multi-Family Edwards Recharge Zone District on Lot P-25, NCB 14857, 12200 Block of Vance Jackson, as requested by Brown, P.C., Applicant, for Huebner Land Partnership, Ltd., Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case with the understand that there will be no more than 50% impervious cover. Councilmember Perez seconded the motion.

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

2007-01-18-0103

AN ORDINANCE 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: 1.37 ACRES OUT OF NCB 17160 TO WIT: FROM PUD "C-1" LIGHT COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT TO PUD "C-1" (CD-BANK) COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT WITH A CONDITIONAL USE FOR A BANK PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-13. **ZONING CASE #Z2007037 (District 9):** An Ordinance changing the zoning district boundary from PUD "C-1" Light Commercial Planned Unit Development District to PUD "C-2" Commercial Planned Unit Development District, on 1.37 acres out of NCB 17160, 1400 Block of Walker's Way as requested by Kaufman & Associates, Inc., Applicant, for Mahlon Chapman-Stout, Owner. Staff recommends Approval with Conditions. Zoning Commission recommends Approval.

Mr. John Jacks explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Ms. Lucy Peveto, representative for the applicant addressed the Council in favor of the rezoning case. Ms. Peveto requested an amendment to the zoning case from a PUD C-2 to PUD CD for a conditional use for a Bank.

Mr. Jeff Finley, 1218 Salazar Trail, President of the Walker Ranch Homeowners Association spoke in favor of this zoning case with the amendment from PUD C-2 to PUD CD.

Mr. Frank Burney, 300 Convent, representative of Walker Ranch requested clarification of the motion. Mr. Burney requested that the motion include the amendment as requested by the applicant.

Councilmember Wolff made a motion to approve the proposed rezoning case with conditions that include PUD C-1 Conditional use for a Bank.. Councilmember Haass seconded the motion.

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

2007-01-0104

AN ORDINANCE 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: 3.533 ACRES OUT OF NCB 18218 TO WIT: FROM "R-6" ERZD RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-3"

ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-14. ZONING CASE # Z2007020 S (District 9): An Ordinance changing the zoning district boundary from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD S" Commercial Edwards Recharge Zone District with a specific use permit for a bar on 3.533 acres out of NCB 18218, as requested by Kaufman & Associates, Inc., Applicant, for RAD Investments, Inc., Owner. Staff and Zoning Commission recommend Approval with conditions.

Mr. John Jacks explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case with conditions. Councilmember Perez seconded the motion.

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

2007-01-18-0105

AN ORDINANCE 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 10, BLOCK 11, NCB 19216 TO WIT: FROM "C-3" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO PUD "C-3" ERZD PLANNED UNIT DEVELOPMENT GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-15. ZONING CASE #Z2006230 (District 9): An Ordinance changing the zoning district boundary from "C-3" ERZD General Commercial Edwards Recharge Zone District to PUD "C-3" ERZD Planned Unit Development General Commercial Edwards Recharge Zone District on Lot 10, Block 11, NCB 19216, 21022 Gathering Oak, as requested by Brown, P.C., Applicant, for Traditional Value Homes, Ltd., Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case with deed restrictions of 75% impervious cover. Councilmember Perez seconded the motion.

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

Note: Item Z-15 was reconsidered at a later time during the meeting. See page 19.

Z-16. 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 explained the proposed rezoning case.

City Clerk, Leticia M. Vacek, read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Gloria Moss, 10238 Grand Meadow. Ms. Moss wrote that she is against rezoning the area of land at 5206 Randolph Blvd., as property for a wrecker service, vehicle storage, and monthly auctioning.

City Clerk, Leticia M. Vacek, read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Wanda Croft, 6003 Royal Circle. Ms. Croft wrote that she is against rezoning and would like to area to remain a residential zone in order to keep the property values up and not let the area become an industrial area.

The following citizen(s) appeared to speak:

T. L. Fentress, 5820 Grandwood Dr, addressed the Council in opposition to the proposed rezoning case.

Councilmember Haass made a motion to continue said item to February 15, 2007. Councilmember Gutierrez seconded the motion.

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

RECONSIDERATION OF Z-15

Councilmember Radle made a motion to reconsider Zoning Case Z-15. Councilmember Guajardo seconded the motion.

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

Councilmember Wolff noted that he was moving for the same motion which is to approve the proposed rezoning case with deed restrictions of 75% impervious cover. Councilmember Perez seconded the motion.

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

2007-01-18-0106

AN ORDINANCE 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-6, NCB 13806 TO WIT: FROM "R-6" IH-1 RESIDENTIAL SINGLE FAMILY NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICT 1 TO "C-2" IH-1 (CD-LANDSCAPE MATERIALS SALES AND STORAGE) COMMERCIAL NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICT 1 WITH A CONDITIONAL USE FOR LANDSCAPE MATERIALS SALES AND STORAGE ON THE EASTERN 380.00' OF LOT A-6 AND "I-1" IH-1 GENERAL INDUSTRIAL NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICT 1 ON THE REMAINING PORTION OF LOT A-6, NCB 13806 PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-17. ZONING CASE #Z2007048 CD (District 10): An Ordinance changing the zoning district boundary from "R-6" IH-1 Residential Single Family National Highway System High Priority Corridor District 1 to "C-2" IH-1 (CD-Landscape Materials Sales and Storage) Commercial National Highway System High Priority Corridor District 1 with a conditional use for landscape materials sales and storage on the Eastern 380.00' of Lot A-6 and "I-1" IH-1 General Industrial National Highway System High Priority Corridor District 1 on the remaining portion of Lot A-6, NCB 13806, 102 Joe Lee as requested by A and O Home Investors, Applicant, for Mark Ambrose, Owner. Staff and Zoning Commission recommend Approval with Conditions.

Mr. John Jacks explained the proposed rezoning case.

Councilmember Haass made a motion to approve the proposed rezoning case with conditions. Councilmember Gutierrez seconded the motion.

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

2007-01-18-0108

AN ORDINANCE 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 40 AND LOT 41, BLOCK 2, NCB 3031 TO WIT: FROM "R-6" NCD-5 RESIDENTIAL SINGLE-FAMILY NEIGHBORHOOD CONSERVATION DISTRICT-5 TO "R-6" NCD-5 (CD-BAKERY) RESIDENTIAL SINGLE-FAMILY NEIGHBORHOOD CONSERVATION DISTRICT-5 WITH CONDITIONAL USE FOR A BAKERY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Z-18. ZONING CASE #Z2007052 CD (District 1): An Ordinance changing the zoning district boundary from "R-6" NCD-5 Residential Single-Family Neighborhood Conservation District-5 to "R-6" NCD-5 (CD-Bakery) Residential Single-Family Neighborhood Conservation District-5 with Conditional Use for a Bakery on Lot 40 and Lot 41, Block 2, NCB 3031, 1117 and 1119

West Ashby Place, as requested by Roger V. Gary, Applicant, for South Blanco Group, Inc. ETAL, Owner. Staff and Zoning Commission recommend Approval with conditions.

Mr. John Jacks explained the proposed rezoning case.

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

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

CEREMONIAL ITEMS

Mayor Hardberger and Councilmembers came forward and congratulated the Winners of the Green Team Competition. The award of 3rd Place went to Woodlawn Hills Elementary in District 7; 2nd Place was awarded to Hidden Forest Elementary in District 9. The 1st Place Runner Up was Colonies North Elementary in District 8, and the Grand Prize Winner was Raba Elementary in District 6.

Mayor Hardberger presented a Citation was presented to the San Antonio Men's Senior Baseball League. The 18+ Pirates, 38+ Missions and 45+ Bombers each won a National Championship titles at the 2006 National Men's Senior Baseball League World Series.

Mayor Hardberger presented a Certificate of Appreciation was presented to Gayle McDaniel, Assistant to the Council, for her 29 years of service to the City of San Antonio.

Mayor Pro Tem McNeil and the City Council recognized Mayor Hardberger who will be awarded with Baylor's Distinguished Alumni Award this Friday in Waco Texas.

At this time, Mayor Hardberger excused himself from the meeting and Mayor Pro Tem McNeil presided over the meeting.

CITIZENS TO BE HEARD

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council with regards to the MLK March and stated that he enjoyed it. Mr. Flores Perez noted that in the future, he would like to talk about the City employees, Judges, and Prosecutors and giving them credit. He then read passages from Chapter 9 of Mark in the Bible.

Mr. Mark Perez, 119 Hardeman, addressed the Council and stated he was not satisfied with the response from the City regarding a building permit. He asked for direction on who he should contact.

Mr. Glen Alan Graham, 6900 N Vandiver Rd, wished the Council a Happy 2007. He stated he has been a resident of San Antonio for five (5) years and commended the Council on the good

job they are doing. He asked them to consider all the needs of the citizens of San Antonio for the year.

Mr. Faris Hodge Jr, 140 Dora, addressed the Council in regards to Affirmative Action and the hiring practice in the different Council Districts. He noted the Council Offices that had not hired black employees. He also noted that this was a city-wide organizational issue.

Ms. Julie Iris Oldham addressed the Council in regards to the Public Works Department and areas where there are streets that have cracked. Lastly, she stated that in her opinion, the family pictures at the dais were unprofessional and commended the Council for their dress attire.

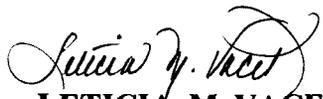
ADJOURNMENT

There being no further business to discuss, Mayor Pro Tem McNeil adjourned the meeting at 6:20 pm.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest:


LETICIA M. VACEK
City Clerk