STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, AUGUST 15, 2007 AND THURSDAY, AUGUST 16, 2007

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, August 15, 2007, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. ABSENT: Gutierrez.

1. A BRIEFING ON THE 2007-2012 BOND PROGRAM IMPLEMENTATION STRATEGY AND PROJECT SCHEDULE

Ms. Sheryl Scullery, City Manager, stated that a new city department would be created with the sole purpose of managing Capital Improvement Projects and implementing 2007-2012 Bond Programs. She noted the benefits of creating the Capital Improvements Management Services Department and the Personnel Complement of the department.

Ms. Jelynne L. Burley, Deputy City Manager, presented the history of the 2007-2012 Bond Program and highlighted information relating to the implementation priorities of the various Bond Projects. She noted that a Committee was convened to review contracts and practices for capital improvement delivery methods. Ms. Burley noted that an Executive Committee would be created to ensure recommendations are implemented and managed appropriately. The Executive Committee, in conjunction with the Citizens Oversight Committee, would report periodically to the Council. Lastly, she presented the goal of the Capital Improvements Management Services Department and the benefits of creating the new department.

2. A BRIEFING ON THE FINDINGS AND RELATED POLICY IMPLICATIONS OF A COMMUNITY SURVEY ON ANIMAL CARE NEEDS, VALUES, AND PRACTICES.

Mr. Pat DiGiovanni, Deputy City Manager, presented findings from an Animal Community Survey that was conducted as part of the Strategic Plan to make the Animal Shelter a No-Kill facility by 2012. He stated that five Strategic Goals had been identified as part of the Strategic Plan. The Goals were identified as follows: Increasing Community Awareness, Reducing the Number of Stray/Homeless Animals, Promoting Best Practices, Implementing Effective Public Polices, and Securing Resources. He stated that key community partners were vital to the development of said Strategic Plan.

Mr. Clarence "Reggie" Williams, President/Executive Officer of the San Antonio Area Foundation, noted that the agency would partner with the City to educate pet owners on their responsibilities and to help make the Animal Care Facility a no-kill facility by 2012.

Mr. Mike Baumann, Culture & Policy Institute from the University of Texas at San Antonio, presented the findings of the 2-part survey conducted to determine the perception of Animal Care Services in San Antonio and Bexar County. He noted that the phone survey focused on animal control problems while the focus group component of the survey focused on safety and nuisance issues. Mr. Baumann stated that survey findings determined that attitudes and behaviors of participants directly correlated to the

likelihood of pet owners to spay/neuter as well as vaccinate pets. He added that survey recommendations were to increase advertising pet adoption events and bundling pet vaccination and licensing services. Lastly, Mr. Baumann noted that recurring concerns of participants included the cost of pet licenses and services as well as lack of awareness programs to educate individuals on being a responsible pet owner.

Councilmember Galvan requested a policy be created to address pit bull breeders.

There being no further discussion, the meeting was adjourned the meeting at 5:05 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, August 16, 2007 at 9:00 am in the City Council Chambers.

The Invocation was delivered by Sister Mary Louise Barba, Superior General, Missionary Catechists of Divine Providence, guest of Councilmember Delicia Herrera, District 6.

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

City Clerk, Leticia M. Vacek, noted a quorum present 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 June 22, 2007 Special Council Meeting and June 28, 2007 Regular Council Meeting. Councilmember Cisneros seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-08-16-0865

ITEM 4A. AN ORDINANCE SETTING A PROPOSED AD VALOREM TAX RATE FOR FISCAL YEAR 2008, ALSO BEING TAX YEAR 2007 ("FY 2008") AT 57.230 CENTS PER $100 OF TAXABLE VALUATION, WHICH INCLUDES 36.080 CENTS PER $100 OF TAXABLE VALUATION FOR MAINTENANCE AND OPERATIONS AND 21.150 CENTS PER $100 OF TAXABLE VALUATION FOR DEBT SERVICE; AND PROVIDING THAT SEPARATE ORDINANCES ADOPTING THE MAINTENANCE AND OPERATIONS TAX RATE AND THE DEBT SERVICE TAX RATE FOR FY 2008 WILL BE CONSIDERED AT THE SEPTEMBER 13, 2007, CITY COUNCIL MEETING.

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

Ms. Sculley presented the Council with an overview of the FY 2008-2009 Proposed Budget. She noted that Citizen input and Council priorities were integral in the development of the Budget. Ms. Sculley stated that ten public hearings would be held within the next 30 days with adoption of the FY 2008 Budget on Thursday, September 13, 2007.

Ms. Sculley stated that it was anticipated that the City would generate $852,099,322 in revenues during FY 2008-2009. Of this amount, 58% would be spent on Public Safety. She noted that said revenues would come primarily from CPS Electric and Gas Sales. Ms. Sculley noted that in order to be compliant with the Texas Constitution and with the Property Tax Code, the proposed FY 2008 Budget recommended property taxes being rolled back by 0.624 cents. Local property owners would pay $57.230 cents per $100 property valuation in FY 2008. Overall, each property owner would save approximately $7.00 dollars annually.

Ms. Sculley also noted that the proposed FY 2008 Budget recommended reductions and consolidation of services with no layoffs being recommended.

Ms. Sculley presented the budget video which was shown relative to the proposed FY 2008 Budget. It was noted that said video would be shown at each of the ten public hearings.

The following citizens appeared to speak

Mr. Teddy Stewart, San Antonio Police Officers Association, addressed the Council. He presented a video from a retired emergency dispatcher commenting on the need for more police officers. Mr. Stewart stated that the Police Department needed more funding in order to adequately protect the citizens of San Antonio. He thanked the City Council for being supportive of the needs of the Police Department. Mr. Stewart requested the City find funding to hire 100 police officers per year for the next five years. He provided statistics noting the number of police officers of other Texas cities in relation to the City of San Antonio. Lastly, Mr. Stewart introduced Mr. Rick Ruiz who was recently shot while trying to arrest a suspect.

Sister Gabrielle and Mr. Mike Phillips, COPS/Metro, addressed the Council and spoke in support of funding for education and job training. It was noted that the After School Challenge Program, San Antonio Education Partnership, and Project Quest were extremely important for the City and in helping working families succeed and prosper. Funding in the amount of $3 million for said programs from the FY 2008 Budget was requested.

Mr. Bob Martin, President of the Homeowners Taxpayers Association, addressed the Council and thanked the Councilmembers that supported tax relief. He stated that the City of San Antonio was the highest taxed city in the State of Texas according to a study conducted by a New York company. Mr. Martin commented that the 6/10 of one cent tax relief that was being proposed in the FY 2008 Budget was "embarrassing". He requested the Council reject the proposed tax cut and support a more significant tax cut.

Mr. Jack Finger, P.O. Box 12048, addressed the Council and also spoke on the proposed tax roll back. He requested a real tax cut of at least 10%. Mr. Finger suggested that the City could save money and still provide adequate basic services by not funding the Cultural Arts Department, the Esperanza Peace and Justice Center, and Project Quest. In addition, he recommended the City request the funds loaned to the Metropolitan Planning Organization.

The City Clerk read two written testimonies from Mr. Farris Hodge, Jr., 140 Dora relating to Item 4. He stated that CPS Energy should extend its closing time past 5:00 pm to allow customers to reconnect utilities. Mr. Hodge asked the City Council to draft a memo requesting that the Downtown Social Security Office not be relocated. He recommended disallowing compensatory time, raising salaries by $2.00 an hour, offering longevity pay, and creating a policy where employees have to be employed 90 days before being eligible for benefits. He also recommended that the City purchase vehicles every other year, hire 500 more Police Officers, pick up trash on Holidays, install filters on computers at the Library, and hire a Wildlife Biologist to look into the pigeon population for diseases.

As it relates to Item 10, Mr. Hodge noted that the redevelopment of Main Plaza was creating traffic and safety issues. He requested lights be installed at Main Plaza to deter crime and loitering.

Councilmember Rodriguez noted that his constituents would rather have more fire and police officers on the streets than the proposed $7.00 tax savings.

Councilmember Galvan requested that the proposed FY 2008 Budget include upgrades to the West Side YMCA Facility. Councilmember Clamp noted that the tax roll back being offered was a move in the right direction. He also stated that the City needed to develop a Long Term Maintenance Fund for the City.

Councilmember Cortez requested that the proposed FY 2008 Budget include additional funding for basic services, specifically as it relates to increased fire and police protection. He noted that he would continue to support additional funding to address employee compensation, graffiti abatement, job training, as well as District 4 improvement projects. Lastly, he noted that the tax roll back being proposed was not significant enough. However, he realized that it was necessary in order to remain in compliance with State Law.

Councilmember Gutierrez requested the City look at hiring more Police Officers and at methods to cut costs.

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

The City Clerk read the following Ordinance:

2007-08-16-0866

ITEM 4B. AN ORDINANCE SETTING THE FOLLOWING DATES, TIMES, AND LOCATIONS FOR THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR FY 2007-2008: WEDNESDAY, SEPTEMBER 5, 2007, 6:00 P.M., IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA; AND SETTING THE FOLLOWING DATES, TIMES, AND LOCATIONS FOR THE FIRST AND SECOND PUBLIC HEARINGS ON THE PROPOSED TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007: THURSDAY, AUGUST 30, 2007, 5:00 P.M., AND THURSDAY, SEPTEMBER 6, 2007, 5:00 P.M., IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA.

Councilmember Cibrian moved to adopt the proposed ordinance. Councilmember Herrera 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.

EXECUTIVE SESSION

Mayor Hardberger recessed the meeting at 12:17 pm to break for lunch and to convene in Executive Session for the purposes of:

A. Discuss legal issues related to the claim filed by Joseph Fennell, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Discuss legal issues related to towing services contract pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the meeting at 2:57 pm and stated that the Council gave staff direction but took no action.

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

2007-08-16-0867

ITEM 5A. AN ORDINANCE APPROVING A TOTAL AMOUNT OF $585,582.00 FOR DESIGN SERVICES TO INCLUDE THE SELECTION OF STEPHEN STIMSON ASSOCIATES/D.I.R.T. STUDIO FOR A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT UP TO $399,565.00, AND ACCEPTING A $5,000 DONATION FROM THE SAN ANTONIO PARKS FOUNDATION FOR USE IN THIS AUTHORIZED 2007 PARK BOND FUNDED PROJECT.

2007-08-16-0868

ITEM 5B. AN ORDINANCE APPROVING A VOELCKER PARK CARETAKER LEASE AGREEMENT WITH DALE CHUMBLEY FOR A THREE-YEAR TERM BEGINNING ON SEPTEMBER 1, 2007 AND ENDING ON AUGUST 31, 2010, FOR A MONTHLY RENTAL FEE OF ONE HUNDRED DOLLARS ($100.00).

Mr. Malcolm Matthews, Parks and Recreation Director, updated the Council on items related to the Voelcker Park Project. He stated that Item 5A allowed for a consulting firm to be hired to design a Master Plan for the Park. Mr. Matthews provided background information related to how the design firm was selected, qualifications of the firm, and scope of work to be undertaken. He noted that Item 5B was a lease agreement between the City and Mr. Dale Chumbley for caretaker services. Mr. Matthews noted that said lease agreement entailed Mr. Chumbley being responsible for maintenance and security of the property as well as paying utilities.

Councilmember Cibrian moved to adopt the proposed ordinance. 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.

CONSENT AGENDA: Items 6-12

Consent Agenda Item 9 was pulled for Individual Consideration. Councilmember Cisneros made a motion to approve the remaining Consent Agenda Items. Councilmember McNeil 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.

2007-08-16-0869

ITEM 6. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006-2007 AND FY 2007-2008 FOR A COMBINED ESTIMATED COST OF $425,390.00, INCLUDING: (A) AMERICAN EUROCOPTER HELICOPTER PARTS; (B) PEDESTRIAN COUNTDOWN TIMERS; (C) FLEX BEAMS, GUARD POSTS AND ALLIED ITEMS; (D) CASE CONSTRUCTION EQUIPMENT PARTS AND SERVICE; (E) PRINTING OF PUBLICATIONS FOR AVIATION DEPARTMENT; (F) SAN ANTONIO EXPRESS-NEWS ONLINE DATABASE; AND (G) SONY LAPTOP COMPUTERS AND ACCESSORIES.

2007-08-16-0870

ITEM 7. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF $438,306.63 TO INCLUDE AWARDING A $406,000.00 CONTRACT WITH ROBINSON LANDSCAPE AND CONSTRUCTION, INC. TO CONSTRUCT PARK IMPROVEMENTS AS PART OF THE STONE OAK PARK IMPROVEMENTS PROJECT – PHASE 3, AN AUTHORIZED 2003 PARK BOND PROJECT LOCATED IN COUNCIL DISTRICT 9.

2007-08-16-0871

ITEM 8. AN ORDINANCE AUTHORIZING A FIVE-YEAR RENEWAL OF A LEASE ALLOWING THE CITY TO USE 350 GENERAL SERVICES ADMINISTRATION PARKING SPACES AT 727 EAST DURANGO ACROSS THE STREET FROM THE FEDERAL BUILDING.

2007-08-16-0873

ITEM 10. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD FROM THE TEXAS PRESERVATION TRUST FUND, TEXAS HISTORICAL COMMISSION FOR APPROXIMATELY $30,000.00 FOR SIGNAGE AT THE MAIN PLAZA PROJECT.

2007-08-16-0874

ITEM 11. AN ORDINANCE AUTHORIZING A CONTRACT WITH NOVARTIS VACCINES AND DIAGNOSTICS, INC. FOR UP TO $128,663.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONDUCT AN INFLUENZA CLINICAL VACCINE STUDY FOR THE PERIOD SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2010; AND AUTHORIZING PAYMENTS.

2007-08-16-0875

ITEM 12. AN ORDINANCE APPROVING A LETTER OF AGREEMENT WITH THE SAN ANTONIO HOUSING AUTHORITY FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE COMPREHENSIVE HEALTH ASSESSMENTS FOR RESIDENTS OF THE VILLAS DE FORTUNA, BLUE RIDGE, SUNFLOWER, PALM LAKE AND MIRASOL SUBDIVISIONS FOR THE PERIOD OF AUGUST 1, 2007 THROUGH DECEMBER 31, 2007.

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-08-16-0872

ITEM 9. AN ORDINANCE CREATING FOUR (4) FULL-TIME GRANT-FUNDED POSITIONS IN THE SAN ANTONIO FIRE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT, AND APPROVING THE USE FOR SALARIES OF GRANT FUNDS PREVIOUSLY APPROPRIATED THROUGH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY'S URBAN AREA INITIATIVES GRANT.

Mr. Nim Kidd, Emergency Management Coordinator with the Fire Department, explained to the Council the history of said grant and the job duties of the employees that would be funded via the grant. He continued by stating that the four proposed positions would be funded until 2010 and that the employees would be working at the new Emergency Operations Center located at Brooks City Base.

Councilmember Wolff moved to adopt the proposed ordinance. Councilmember Clamp seconded the motion.

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

ITEM 13. CITY MANAGER'S REPORT

City Manager Sheryl Sculley stated that she did not having anything to report at this time.

CONSENT ZONING

Councilmember Gutierrez made a motion to approve the following rezoning cases noting that the Staff and Zoning Commission recommendation were to approve and that no Citizens had signed up to speak: Z-5, Z-6, P-1, Z-7, P-2, Z-8, Z-14, Z-15, and Z-16. Councilmember Cortez seconded the motion.

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

2007-08-16-0879

Z-5. **ZONING CASE # Z2007229 (District 3):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-1" Light Commercial District on Lot 4, Block B, NCB 11026 and "C-2" Commercial District on Lot 3, Block B, NCB 11026, 2522 and 2526 East Southcross Boulevard as requested by Ricardo Saenz Trevino, Applicant for Ricardo Saenz Trevino, 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 3 AND LOT 4, BLOCK B, NCB 11026 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" COMMERCIAL DISTRICT ON LOT 4, BLOCK B, NCB 11026 AND "C-2" COMMERCIAL DISTRICT ON LOT 3, BLOCK B, NCB 11026.

2007-08-16-0880

Z-6. **ZONING CASE # Z2007230 CD (District 3):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "R-6" (CD-Two Family Dwelling) Residential Single-Family District with a Conditional Use for a Two-Family Dwelling on Lot 176F, Block 14, NCB 11110, 9022 Garnett Avenue, as requested by Ivste, Inc., Applicant for Ivste, Inc., 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 176F, BLOCK 14, NCB 11110 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" (CD-TWO FAMILY DWELLING) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A TWO-FAMILY DWELLING PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-08-16-0881

P-1. **PLAN AMENDMENT # 07019 (District 3):** An Ordinance amending the land use plan in the City South Community Plan, a component of the Master Plan of the City, by changing the use of a 650 acre tract of land located at the south east corner of U.S. Hwy 281 South and S. Loop 410 from Agriculture land use to Rural Living and Urban Living land uses and Rural Living land use to Urban Living land use. Staff, Planning Commission and the City South Management Authority recommend Approval. **Associated Zoning Case # Z2007242**

2007-08-16-0882

Z-7. **ZONING CASE # Z2007242 (District 3):** An Ordinance changing the zoning district boundary from "UD" Urban District, "RD" Rural District and "FR" Farm and Ranch District to "UD" Urban District (on 234.52 acres out of CB 4283 and NCB 15647) and "RD" Rural District (on 1573.42 acres out of CB 4283 and NCB 15647) on 1807.94 acres out of NCB 15647 and CB 4283, 2000 – 2100 Block of East Chavaneaux Street, 1900 – 2100 Block of Goeth Road and 11000 – 13000 Block of FM 1937, as requested by ESA Residential Development, Inc., Applicant for ESA Residential Development, Inc., E-TM Land Investments, Ltd., Terramark Communities, Ltd., Owners. Staff, Zoning Commission and City South Management Authority 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: 1807.94 ACRES OUT OF NCB 15647 AND CB 4283 FROM "UD" URBAN DISTRICT, "RD" RURAL DISTRICT AND "FR" FARM AND RANCH DISTRICT TO "UD" URBAN DISTRICT ON 234.52 ACRES OUT OF CB 4283 AND NCB 15647 AND "RD" RURAL DISTRICT ON 1573.42 ACRES OUT OF CB 4283 AND NCB 15647.

2007-08-16-0883

P-2. **PLAN AMENDMENT # 07018 (District 4):** An Ordinance amending the land use plan in the City South Community Plan, a component of the Master Plan of the City, by changing the use of a 4.47 acre tract of land located at 18394 S State Highway 16 from Agriculture to Agriculture and Light Industrial land use. Staff, Planning Commission and the City South Management Authority recommend Approval. **Associated Zoning Case # Z2007213.**

2007-08-16-0884

Z-8. **ZONING CASE # Z2007213 (District 4):** An Ordinance changing the zoning district boundary from "FR" Farm and Ranch District to "MI-1" Mixed Light Industry District on 4.45 acres out of CB 4201, 18394 State Highway 16 South as requested by HTG Real Property Mgmt. Inc., Applicant for HTG Real Property Mgmt. Inc., Owner. 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: 4.45 ACRES OUT OF CB 4201 FROM "FR" FARM AND RANCH DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT.

2007-08-16-0890

Z-14. **ZONING CASE # Z2007244 (District 7):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3" General Commercial District on a .076 acre tract out of Lot 27, Block 1, NCB 18571, 7795 Mainland Drive as requested by Raji Kumar Satsangi, Applicant for Raji Kumar Satsangi, 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: .076 ACRES OUT OF LOT 27, BLOCK 1, NCB 18571 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

2007-08-16-0891

Z-15. **ZONING CASE # Z2007192 CD S (District 8):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-3" (CD-Freight Depot) S General Commercial District with a Conditional Use and a Specific Use Permit for a Freight Depot on 9.004 acres out of NCB 14848, 15080 Tradesman Drive as requested by Brown, P.C. Applicant for LinRy, LP, Owner. Portions of this property are located within the Edwards Recharge Zone District; however, the applicant is not proposing to remove or alter this 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: LOT P-12 AND 8.779 ACRES OUT OF NCB 14848 FROM "R-6" ERZD RESIDENTIAL SINGLE FAMILY EDWARDS RECHARGE ZONE DISTRICT AND "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3" (CD-FREIGHT DEPOT) S ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A CONDITIONAL USE AND A SPECIFIC USE PERMIT FOR A FREIGHT DEPOT AND "C-3" (CD-FREIGHT DEPOT) S GENERAL COMMERCIAL DISTRICT WITH A CONDITIONAL USE AND A SPECIFIC USE PERMIT FOR A FREIGHT DEPOT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-08-16-0892

Z-16. **ZONING CASE # Z2007239 (District 9):** An Ordinance changing the zoning district boundary from PUD "MF-25" Planned Unit Development Multi-Family District to "MF-25" Multi-Family District on 28.72 acres out of NCB 17721, 15150 Blanco Road, as requested by Blanco Bitters Ltd., Applicant for Blanco Bitters 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: 28.72 ACRES OUT OF NCB 17721 FROM PUD "MF-25" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2007-08-16-0893

P-3. **PLAN AMENDMENT #06008 (District 5):** An Ordinance amending the Nogalitos / S. Zarzamora Community Plan, a component of the Master Plan of the City, for an area covering approximately 0.543 acres of land on 718 Stonewall by changing the Land Use Plan designation from Low Density Residential to Neighborhood Commercial. Staff and Planning Commission recommend Approval. **Associated Zoning Case # Z2007148.**

Mr. Jesus Garza, Development Services presented the plan amendment.

The following citizens appeared to speak:

Ms. Laura Garza, 3906 Crestridge, addressed the Council and stated that progress was vital to the success of any business. She voiced support for the passage of the plan amendment and associated zoning change.

Mr. Guy Paredez, 5659 S. Pan Am Expressway, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Ms. Diane Lang, 143 Walton, addressed the Council and noted that she was against the zoning change as long as auto sales would be allowed.

Mr. Rafael Rojas, 1326 Sunbend Falls, addressed the Council and spoke in favor of the plan amendment and stated that the changes would benefit the surrounding area.

Mr. Jeffrey Paredez, Mr. Juan Velazquez, Ms. Jackie Diaz, and Mr. Trey Bernhardt, 5659 IH 35 South, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. Rahim Bazan, 903 S. San Bernardo, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. John Garcia, 1106 7th Tee Vista, also spoke in favor of the plan amendment and associated zoning change.

Mr. Arturo Gutierrez, 2914 Roosevelt, addressed the Council and voiced support for the plan amendment and associated zoning change. He added that the changes would be beneficial to the community and City.

The following individuals addressed the Council and spoke in favor of the plan amendment and associated zoning change: Mr. Matthew Garcia, 2109 Lee Hall; Ms. Estella Escamilla, 1002 Stonewall; Mr. Eric Garcia, 1938 W. Hutchins; and Mr. Mike Valdez, 330 Escalon.

Ms. Abigail Zinzun, Mr. David Miranda, and Ms. Crystal Salas, 1016 Stonewall, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. Raymond Flores, 1031 Stonewall, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. Allan Townsend, 143 Walton, addressed the Council and spoke in favor of the plan amendment as long as car sales were not included in the proposal.

Ms. Angel Munoz and Mr. Anthony Alvarez, 111 Humboldt, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. Pete Vaquera, 1250 Keats, addressed the Council and noted that the demolition of vacant homes was beneficial to the community since it deterred drug use.

Mr. Marcus Garza, applicant, addressed the Council and requested for the Council to approve the plan amendment and associated zoning change.

Ms. Irene Flores addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Ms. Pat Ozuna, COPS/Metro, spoke against the plan amendment and associated zoning change since the proposed zoning changes were against the Columbia Heights Master Plan. She stated that said plan amendment would allow for the invasion of their community by beer joints and used car lots. Ms. Ozuna requested the Council deny the plan amendment and zoning change.

Mr. Victor Ramirez, 909 Tony Lee, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Mr. Francisco Santos, 1050 Flanders, addressed the Council in favor of the plan amendment and associated zoning change.

Mr. Jack Finger, P.O. Box 12048, addressed the Council and spoke against Items P-3 and Z-9. He noted that more individuals signed petitions against the change than signed in favor of.

Mr. Andy Guerrero, 3134 Renker, addressed the Council and spoke in favor of the plan amendment and associated zoning change. He noted various groups that were in support of the changes.

Mr. Jerry Arredondo, 6226 Soverign, addressed the Council and spoke in favor of the plan amendment and associated zoning change.

Ms. Gloria Galvan, 7402 Cartwheel, addressed the Council against the plan amendment and associated zoning change. She noted that the area was surrounded by numerous used car lots and that the area could not support increased traffic in the area. Ms. Galvan requested the area remain residential. Lastly, she noted that numerous individuals signed the petitions that do not reside in the area.

Mr. David Medina, President of the Palm Heights Neighborhood Association, addressed the Council and spoke in favor of the plan amendment and associated zoning change. He noted that the area did not need another car lot.

In the interest of time, Mayor Hardberger polled the following individuals noting that they were in favor of the plan amendment: Mr. JC Mancillas, Ms. Belia Pacheco, Ms. Alexandra Mancillas, Ms. Jennifer Mancillas, Mr. Brian Zigler and Ms. Sara Contreras.

Councilmember Galvan moved to approve the plan amendment. Councilmember McNeil 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.

2007-08-16-0885

Z-9. **ZONING CASE #Z2007148 CD (District 5):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-1" (CD - Auto Sales) Light Commercial District with a Conditional Use for Auto Sales on 0.543 acres out of NCB 7895, 718 Stonewall Avenue as requested by Marcus Garza, Applicant for Marcus Garza, Owner. Staff recommends Denial. Zoning Commission recommends Approval of "C-1" pending a plan amendment.

In the interest of time, Mayor Hardberger asked individuals who did not speak on Item P-3 to speak at this time. Additionally, he requested those individuals who did speak on Item P-3 to state if they were for or against Item Z-9.

The following citizens appeared to speak:

Mr. David Skaggs, 2628 Navajo, addressed the council in favor of the zoning case. He noted that there would be less traffic generated by a sandwich shop than from a used car dealership. Mr. Skaggs continued by detailing amenities that make auto dealerships "no impact."

Ms. Laura Garza, 3906 Crestridge, noted that she was for the zoning change.

Mr. Guy Paredez, 5659 South Pan Am Expressway, noted that he was for the zoning change.

Ms. Diane Lang, 143 Walton, addressed the Council and stated that said zoning change was in direct opposition to the areas Community Plan.

Mr. Allen Townsend, 143 Walton, clarified that the Nogalitos-Zaramora Coalition agreed to the development of tax and insurance offices. Since car sales would be allowed the Coalition was against said rezoning case. Mr. Townsend continued by noting a car dealership would increase traffic in the area.

Mr. Rafael Rosas, 1326 Sunbend Falls, noted that he was for the zoning case.

Mr. Jeffrey Paredez, Mr. Juan Velazquez, Ms. Jackie Diaz, and Mr. Trey Bernhardt, 5659 IH 35 South, noted that they were for the zoning case.

The following individuals noted they were in support of the zoning case: Mr. Rahim Bazan, 903 S. San Bernardo; Mr. Arturo Gutierrez, 2914 Roosevelt; Mr. Matthew Garcia, 2109 Lee Hall; and Ms. Nellie Garza, 3906 Crestridge.

Mr. David Medina, President of the Palm Heights Neighborhood Association, addressed the Council against the rezoning case. He provided information related to a similar rezoning case in which the Zoning Commission denied the application fearing commercial encroachment of the neighborhood. Mr. Medina requested for the Council to deny said rezoning case.

The following individuals noted they were in support of the zoning case: Ms. Estella Escamilla, 1002 Stonewall; Mr. Mike Valdez, 330 Escalon; Mr. Eric Garcia, 1938 W. Hutchins; Mr. David Miranda, 1016 Stonewall; Ms. Abigail Zinzun, 1016 Stonewall; and Mr. Raymond Flores, 1031 Stonewall.

Ms. Angel Munoz and Mr. Anthony Alvarez, 111 Humboldt, addressed the Council and stated that they were for the rezoning case since business traffic would not be going through the neighborhood. She also stated that the businesses would be providing security.

Mr. Pete Vaquera, 1250 Keats, noted that he was in support of the zoning case.

Ms. Crystal Salas, 1016 Stonewall, addressed the Council in favor of the rezoning case. She noted that the business would not result in increased traffic.

Mr. Marcus Garza, applicant, addressed the Council and spoke in favor of the rezoning case. He noted that the immediate neighbors as well as representatives of the area school were in favor of the rezoning case. Mr. Garza stated that the Texas Department of Transportation conducted impact studies of the area and did not oppose development of a car sales business. He provided statistics noting that car sales would not increase area traffic. Lastly, Mr. Garza, provided details of his business which took into account safety concerns.

Mr. Eduardo Castillo, 1022 Honey Tree, noted that he was for the zoning case.

Ms. Patricia Ozuna, COPS/Metro, addressed the Council against the zoning case. She stated that the neighbors were not properly informed when the petitions were being circulated. As such, residents signed in favor of the zoning change. Lastly, Ms. Ozuna noted that the lot was too small for the proposed development.

Mr. Victor Ramirez, 909 Tony Lee, addressed the Council on his experience circulating petitions related to the rezoning case. He noted that most of the respondents were in favor of the change.

The following individuals noted they were in support of the zoning case: Mr. John Garcia, 1106 7th Tee Vista; Mr. Jack M. Finger, P.O. Box 12048; and Mr. Andy Guerrero, 3134 Renker.

Mr. Jerry Arredondo, 6226 Soverign, addressed the Council and reported that the area school was in favor of the zoning change due to increased security. He outlined other amenities the business would undertake in order to satisfy the community.

Ms. Gloria Galvan, 7402 Cartwheel, addressed the Council and noted that the business would increase traffic. She noted that the applicant changed his request numerous times based on the audience and was not likely to keep his promises once the zoning change was approved.

Mr. Annabelle Lucas, 22006 Advantage Run, noted that he was against the zoning case.

Mr. JC Mancillas addressed the Council and mentioned that he would be operating the insurance component of the car sales business. He stated that the Southside was a great place to live and to work.

Ms. Belia Pacheco addressed the Council and noted the opportunities afforded to her and her family as a result of working for Mr. Marcus Garza. She stated that she was in favor of the zoning change.

The following individuals noted they were in support of the zoning case: Ms. Alexandra Mancillas; Ms. Jennifer Mancillas; Mr. Brian Zigler; and Ms. Sara Contreras.

Mr. Ruben Pena, 1026 Commercial, addressed the Council and spoke in favor of the rezoning change. He noted that he and his father maintained the lot. Mr. Pena stated that an occupied business was better than having a vacant lot.

Councilmember Galvan moved to approve the zoning case with the zoning designation of 'C-1" and with the stipulation that auto sales not be allowed. Councilmember McNeil 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.

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: .538 ACRES OUT OF NCB 7895 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

2007-08-16-0876

Z-1. **ZONING CASE # Z2007232 S (District 10):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-3" S General Commercial District with a Specific Use Permit for a Contractor's Facility on Lot P-12 and Lot P-17, NCB 17153, 14940 Judson Road as requested by KMAC Construction, Applicant for Lola Koltermann and Charles and Janice Williams, Owners. Staff and Zoning Commission recommend Approval of "C-2" (CD-Contractor's Facility) with conditions.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Clamp moved to approve the plan amendment with a zoning designation of "C-2 NA" and with the conditions recommended by Staff and the Zoning Commission. Councilmember Clamp also stated that an 8-foot fence be erected on the property. Councilmember Cibrian seconded the motion.

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

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-12 AND LOT P-17, NCB 17153 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 NA" (CD-CONTRACTOR'S FACILITY) COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR A CONTRACTOR'S FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

CONTINUED TO SEPTEMBER 20, 2007

Z-2. **ZONING CASE # Z2007215 CD (District 2):** An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District and "R-5" Residential Single Family District to "C-2" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on Lots 1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, 10B, 11B, 12B and 13B, NCB 10614, 4603, 4607 and 4426 East Houston Street, as requested by Carol Gagliardi, Applicant for The Standage Company, Owner. Staff and Zoning Commission recommend Approval.

Councilmember McNeil made a motion to continue the zoning case to September 20, 2007. Councilmember Wolff seconded the motion.

Ms. Carol Gagliardi, representing the applicant, addressed the Council and noted that she was opposed to the continuance.

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

2007-08-16-0877

Z-3. **ZONING CASE # Z2007233 (District 2):** An Ordinance changing the zoning district boundary from "I-2 EP-1" Heavy Industrial Event Parking District to "R-5 EP-1" Residential Single-Family Event Parking District on Lot 23, Block 4, NCB 13974, 3747 Belgium, as requested by Cascade Reiland Investments, LLC, Applicant for Cascade Reiland Investments, LLC, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember McNeil moved to approve the zoning case. Councilmember Cisneros seconded the motion.

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

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 23, BLOCK 4, NCB 13974 FROM "I-2" EP-1 HEAVY INDUSTRIAL EVENT PARKING DISTRICT TO "R-5" EP-1 RESIDENTIAL SINGLE FAMILY EVENT PARKING DISTRICT.

2007-08-16-0878

Z-4. **ZONING CASE # Z2007216 CD (District 3):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-2" (CD-Auto and Vehicle Sales) Commercial District with a Conditional Use for Auto and Vehicle Sales on Lot 58 and Lot 59, NCB 7895, 712 Stonewall Avenue as requested by Brown, P. C., Applicant for Alberto Macias, Owner. Staff recommends Denial. Zoning Commission recommends Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Clamp moved to approve the zoning case. Councilmember Wolff seconded the motion.

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

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 58 AND LOT 59, NCB 7895 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" (CD-AUTO AND VEHICLE SALES) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTO AND VEHICLE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-08-16-0886

Z-10. **ZONING CASE # Z2007240 (District 5):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District and "O-2" Office District to "IDZ" Infill Development Zone with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial District on Lot 13, NCB 9644, 1901 South San Marcos as requested by Brown, P.C., Applicant for San Antonio Housing Authority. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Cortez moved to approve the zoning case. Councilmember Wolff seconded the motion.

Mr. Allan Townsend, 143 Walton, addressed the Council and stated that he was proud to see the Project moving forward.

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

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, NCB 9644 FROM "I-2" HEAVY INDUSTRIAL DISTRICT AND "O-2" OFFICE DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT.

2007-08-16-0887

Z-11. **ZONING CASE # Z2007241 (District 5):** An Ordinance changing the zoning district boundary from "C-3 R" General Commercial District, Restrictive Alcohol Sales to "C-2" Commercial District on Lot 1, Lot 2 and Lot 3, Block 19, NCB 8700, 3701 Nogalitos Street as requested by Hugo A. Mora, Applicant for Leopoldo C. Vera and Beatrice Vera, Owners. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember Cortez moved to approve the zoning case. Councilmember Cisneros seconded the motion.

Mr. Hugo Mora, applicant, addressed the Council and stated that he was in favor of the proposed zoning change.

Mr. Allan Townsend, 143 Walton, addressed the Council and spoke in favor of the proposed zoning change due to the compromises made with Mr. Mora.

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

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 1, LOT 2 AND LOT 3, BLOCK 19, NCB 8700 FROM "C-3 R" GENERAL COMMERCIAL

DISTRICT, RESTRICTIVE ALCOHOL SALES TO "C-2" COMMERCIAL DISTRICT.

2007-08-16-0888

Z-12. **ZONING CASE # Z2007223 CD (District 7):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "R-6" (CD-Adult Day Care Facility) Residential Single-Family District with a Conditional Use for an Adult Day Care Facility on Lot 32, Lot 33, Lot 34, Lot 35 and Lot 36, NCB 7360, 111 Haverhill Drive as requested by Al Salazar, Applicant for The Episcopal Church Corporation in West Texas, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed rezoning case.

Mr. Raul Puentes, Jr., 226 W. Cypress, addressed the Council and spoke in support of the proposed zoning case. As the Executive Director of the facility, he noted that the new site location would allow the company to provide better services to its patients.

Ms. Bianca Maldonado, representative of the Monticello Park Neighborhood Association, addressed the Council and spoke in favor of the proposed zoning change. She noted that the Association's concerns had been addressed.

Councilmember Clamp moved to approve the zoning case. Councilmember McNeil seconded the motion.

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

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 32, LOT 33, LOT 34, LOT 35 AND LOT 36, NCB 7360 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" (CD-ADULT DAY CARE FACILITY) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR AN ADULT DAY CARE FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-08-16-0889

Z-13. **ZONING CASE # Z2007235 CD (District 7):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-3 NA" (CD-Food Processing) General Commercial Nonalcoholic Sales District with a Conditional Use for Food Processing on .0418 acres out of Lot 33-U, NCB 11514, 1409 Bandera Road (Contained Within 1411 Bandera Road) as requested by Lee Martinez, Applicant for Rafael Sanchez and Patricia Valdez, Owners. Staff and Zoning Commission recommend Approval.

Mayor Hardberger noted that Councilmember Cibrian was abstaining from voting on Item Z-13 and had left the dais at this time.

Mr. Chris Looney presented the proposed rezoning case.

Councilmember McNeil moved to approve the zoning case. Councilmember Cisneros seconded the motion.

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

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: .0418 ACRES OUT OF LOT 33-U, NCB 11514 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "C-3 NA" (CD-FOOD PROCESSING) GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR FOOD PROCESSING PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[INDIVIDUAL ZONING ITEMS CONCLUDED]

Mayor Hardberger recessed the meeting at 5:09 pm until 5:45 pm at which time Ceremonial Items would be presented.

CEREMONIAL ITEMS

Mayor Hardberger reconvened the meeting at 5:45 pm and recognized the San Antonio Spurs for winning a 4th NBA World Championship Title.

CITIZENS TO BE HEARD

At this time, Mayor Pro Tem Kevin Wolff presided over the meeting and addressed the Citizens to be Heard portion of the agenda.

Mr. Robert Carabin, Lavaca Neighborhood Association, addressed the Council and spoke in support of the Association's petition regarding the redevelopment of the Durango Phase of Victoria Commons. He reiterated the Association's request for SAHA to provide 80% market rate housing and 20% public housing for said redevelopment. Mr. Carabin stated that the development would be viewed as public housing if the area was not developed as requested.

Mr. Buddy Viejo, representative of SEIU, addressed the Council and spoke in support of City Management making compensation of City employees a priority in the FY 2008 Budget. He noted that the pay plan proposed would increase employee morale and was a good faith effort by management to recognize the hard work and dedication of City employees.

Mr. Manuel Ovalle Jr., representative of SEIU, addressed the Council in support of the employee compensation package proposed in the FY 2008 Budget. He looked forward to collaborating with City Management on future endeavors and thanked City Management for increasing employee morale.

Ms. Dora Jean Flores, representative of SEIU, spoke in favor of the employee compensation package proposed in the FY 2008 Budget. She stated that the goal of the Employee Management Consultation Committee to increase employee compensation while being fiscally responsible was achieved. Ms. Flores thanked City Management for their leadership and support.

Rev. Brown, representative of SEIU, also spoke in support of the employee compensation package proposed in the FY 2008 Budget. He stated that City workers should not be living in poverty and requested City Management to continue increasing wages.

Ms. Rosana Mendez, representative of SEIU, spoke in favor of the employee compensation package proposed in the FY 2008 Budget. She thanked City Management for their support and leadership on said issue.

Ms. Rosa Rosales, Executive Director of NAPE, addressed the Council and spoke in support of the employee compensation package proposed in the FY 2008 Budget. She thanked City Management and staff for their efforts. Ms. Rosales requested the rank and file be given a higher cost of living increase and be considered for performance pay. She also requested the pay plan include Park and Airport Police as well as Professionals. Lastly, she spoke on the safety of Solid Waste employees.

Mr. James Myart, 1104 Denver, addressed the Council and spoke on various issues relating to the Police Department. He presented a letter sent from the Police Department to a victim of sexual assault. Mr. Myart stated that the assault was committed by a Police Officer and that said letter did not specify corrective action to be taken or the name of the officer. He noted other concerns with the letter and the manner in which the incident was handled.

Mr. Nazarite Ruben Flores Pena, 627 Hearne, spoke on the compensation package being proposed in the FY 2008 Budget. He made note of the zoning change being proposed for the Hope for Haven Campus.

Mr. Farris Hodge, Jr., 140 Dora, addressed the Council and stated that the redevelopment of Main Plaza was creating traffic congestion. He referenced Open Records Requests that he submitted to the City. Such requests included the replacement value of the Birth and Death Records Book that was lost from the Health Department as well as the cost in closing San Pedro Library. Mr. Hodge also requested that 311/Customer Service not be moved to Brooks City Base and that the Main Library be painted Blue and White. Lastly, he sang a song to the Council.

Mr. Harry Wallace, 1109 W. Mulberry, addressed the Council and spoke on alleys. He stated that alleys in the inner city have not been maintained by the City which has created numerous problems. Such concerns include access by emergency and utility vehicles and lack of maintenance. Mr. Wallace requested for the City to budget for the maintenance and resurfacing of alleys.

Ms. Tenna Florian, 911 W. Woodlawn, addressed the Council and also spoke on alleys. Ms. Florian spoke on a proposed plan which would allow for the collection of garbage in front of her home rather than from the alley. She requested the City maintain and resurface alleys as well as to purchase smaller automated collection trucks so that garbage could continue to be collected from the alley.

ADJOURNMENT

Mayor Pro Tem Wolff adjourned the meeting at 7:05 pm.

A P P R O V E D

PHIL HARDBERGER
M A Y O R

Attest:

LETICIA M. VACEK
C i t y C l e r k

LMV/mlu
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