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, JUNE 6, 2007 AND THURSDAY, JUNE 7, 2007

The San Antonio City Council convened in a Work Session at 3:00 pm, Wednesday, June 6, 2007, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Cortez, Radle, Herrera, Rodriguez, Hall, Wolff, Clamp, and Mayor Hardberger. Councilmember Gutierrez was absent.

1. STAFF PRESENTATION OF AND POSSIBLE COUNCIL ACTION REGARDING THE PRELIMINARY BALLOT OF CITY SERVICE ISSUES TO BE COMPLETED INDIVIDUALLY BY EACH COUNCIL MEMBER FOR THE PURPOSE OF PROVIDING CITY STAFF INITIAL POLICY DIRECTION TO BE USED IN DEVELOPING THE FY 2008 PROPOSED ANNUAL OPERATING BUDGET.

Mr. Peter Zanoni presented the preliminary Ballot of City Service Issues to be completed individually by each Councilmember for the purpose of providing City Staff initial policy direction to be used in developing the FY 2008 Proposed Annual Operating Budget. He reminded all that the ballots were due to the Office of Budget and Management no later than June 15, 2007.

2. STAFF BRIEFING ON A PROPOSED REQUEST FOR PROPOSALS (RFP) TO SELECT A CONSULTANT TO CONDUCT A RETAIL MANAGEMENT STUDY OF THE RETAIL PROGRAMS AT LA VILLITA AND MARKET SQUARE.

Ms. Colleen Swain presented the Retail Management Study for La Villita and Market Square. The RFP schedule was outlined as follows: June, 2007 – Issue RFP; July, 2007 – Responses due; August, 2007 – Evaluate responses; Late August or early September – Submit consultant recommendation to City Council for consideration; September, 2007 – Begin Study; January 2008 – Present Study and recommendations to the City Council.

There being no further discussion, Mayor Hardberger adjourned the meeting at 4:15 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, June 7, 2007 at 9:00 am in the City Council Chambers.

The Invocation was delivered by Dr. Buckner Fanning, Pastor Emeritus, Fellowship of San Antonio and guest of Mayor Hardberger.

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

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum with the following Councilmembers present: Cisneros, McNeil, Gutierrez, Cortez, Radle, Herrera, Rodriguez, Hall, Wolff, Clamp, and Mayor Hardberger.

MINUTES

Councilmember McNeil made a motion to approve the minutes of the May 17, 2007 Regular City Council Meeting. Councilmember Wolff seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Rodriguez thanked Mr. Jack Vexler for donating the land to be utilized as park space in District 7 as noted in Item 13.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-06-07-0653

Item 4. AN ORDINANCE APPROVING A VOLUNTARY PROOF-OF-CONCEPT AGREEMENT WITH SBC INTERNET SERVICES, INC., D/B/A AT&T INTERNET SERVICES TO ESTABLISH A PILOT PROJECT TO TEST THE DELIVERY OF WIRELESS FIDELITY (WI-FI) BROADBAND SERVICES TO THE PUBLIC WITHIN A TWO-MILE AREA OF DOWNTOWN SAN ANTONIO; AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND CPS ENERGY PROVIDING FOR THE PARTICIPATION OF CPS ENERGY IN THE PILOT PROJECT.

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

Mr. Richard Varn, Interim Chief Information Officer, addressed the Council with regards to this project in which AT&T would provide the City of San Antonio free and fee-based outdoor wireless internet service for 18 months. The coverage area is approximately 2 square miles centered around Main Plaza, including HemisFair Park, the Convention Center, and the Riverwalk.

Councilmember Radle asked if it was too late to include UTSA in the pilot program. Mr. Varn stated that the UTSA area was not included in the pilot coverage area. He added that interconnecting UTSA wireless services with service offered by the City may be included in future programs.

Councilmember Sheila McNeil requested that the City Manager make available similar wireless projects within other areas of the City.

It was noted by Mayor Hardberger that this Pilot Program would lead to permanency and would help the reputation of the City of San Antonio. He noted that the City was on its way to becoming a wireless City.

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

CONSENT AGENDA: Items 5-14J

Mayor Hardberger noted that no Items from the Consent Agenda had been Pulled for Individual Consideration.

Councilmember Cisneros made a motion to approve the Consent Agenda Items. Councilmember Herrera seconded the motion.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council and congratulated the new Council. He spoke on a flyer that was circulated by the community against the Haven for Hope Project. Mr. Perez stated that area residents were not advised about the Project. He requested that proper consideration be given to the elderly, the young, and the sick that reside around the proposed Project site.

Mr. Jack M. Finger, P.O. Box 12048, welcomed the new Councilmembers and stated that he would inform the new members about what was happening in the City. He stated that former councilmember Richard Perez pulled items from the Consent Agenda to not give the appearance that the City was conducting business as usual. In regards to Item 11, Mr. Finger noted that the Haven for Hope Project should not be funded by the City but rather should be funded by the private sector. He stated that the residents surrounding the proposed site were not informed about the Project.

Leticia Vacek read two written testimonies from Faris Hodge, Jr. for items 11A and B and 14A. As it relates to Items 11 A and B, Mr. Hodge noted that certain ordinances penalize the homeless. He noted that there was only one public restroom that was open 24 hours a day in the Downtown area. Mr. Hodge requested for the City to install self cleaning restrooms in the Downtown area. He provided information on how self cleaning restrooms operate. For Item 14A, Mr. Hodge noted that he supported the appointment of Tim Talbert to the Affirmative Action Advisory Board.

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

2007-06-07-0654

Item 5. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006-2007 FOR A COMBINED ESTIMATED ANNUAL COST OF $192,300.00, INCLUDING (A) JACOBSEN AND TORO PARTS AND SERVICE; (B) LIBRARY ITEM BARCODE LABELS; (C) SPARTAN MOTOR PARTS AND SERVICE; (D) HEIL REFUSE TRUCK BODY PARTS AND SERVICE; AND (E) LEASE AGREEMENT FOR VASCULAR SCREENING DEVICES.

2007-06-07-0655

Item 6. AN ORDINANCE APPROVING $14,310.00 FROM 2003 PARK BOND FUNDS IN CONNECTION WITH THE TOWER OF THE AMERICAS – MAST PROJECT LOCATED IN DISTRICT 1.

2007-06-07-0656

Item 7. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF $1,311,741.15, TO INCLUDE AWARDING A $1,187,022.78 CONTRACT WITH SILVERADO BROTHERS CONSTRUCTION COMPANY, $225,214.74 OF WHICH WILL BE REIMBURSED BY CPS ENERGY AND $338,872.22 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, FOR THE RECONSTRUCTION OF STREETS, INCLUDING CURBS, DRIVEWAYS AND SIDEWALKS IN CONNECTION WITH THE DURANGO II – TRINITY TO NAVIDAD – CONSTRUCTION PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM FUNDED PROJECT IN DISTRICT 5; AND APPROPRIATING FUNDS.

2007-06-07-0657

Item 8. AN ORDINANCE APPROVING A $17,050.00 AMENDMENT TO AN AGREEMENT WITH FISHER HECK, INC. ARCHITECTS FOR ADDITIONAL PROFESSIONAL ARCHITECTURAL SERVICES, APPROVING CHANGE ORDER NO. 4 IN THE AMOUNT OF $66,244.00, AND RATIFYING CHANGE ORDER NO. 3 IN THE AMOUNT OF $308,692.00 TO THE CONSTRUCTION CONTRACT, WITH F.A. NUNNELLY COMPANY FOR ADDITIONAL WORK NECESSARY FOR CONSTRUCTION PERMITTING REQUIREMENTS, ELECTRICAL AND MECHANICAL ALTERATIONS AND REVISIONS, MODIFICATIONS TO KENNELS, CURRENT STAFF OPERATIONAL REQUIREMENTS, AND TO ACCOMMODATE ADDITIONAL STAFF, IN CONNECTION WITH THE ANIMAL CARE FACILITY PROJECT, LOCATED IN DISTRICT 6.

2007-06-07-0658

Item 9. AN ORDINANCE AUTHORIZING THE EXECUTION OF A SAN ANTONIO INTERNATIONAL AIRPORT FOOD & BEVERAGE CONCESSION AGREEMENT WITH CREATIVE HOST SERVICES OF TEXAS, INC. FOR A TERM OF SEVEN YEARS.

2007-06-07-0659

Item 10. AN ORDINANCE AUTHORIZING THE EXECUTION OF LEASE AMENDMENTS BETWEEN THE CITY AND THE 34 TENANTS OF EL MERCADO AT MARKET SQUARE AND THE 23 TENANTS OF LA VILLITA HISTORIC ARTS VILLAGE FOR THE CONTINUED USE OF RETAIL SPACES FOR ADDITIONAL ONE-YEAR TERMS WITH ANNUAL RENTAL RATE INCREASES RANGING FROM 1.1% TO 2.5%, BASED ON LOCATION OF THE BUSINESS.

2007-06-07-0660

Item 11A. AN ORDINANCE RATIFYING THE SUBMISSION OF TECHNICAL SUBMISSIONS TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE 2006 CONTINUUM OF CARE HOMELESS ASSISTANCE SUPPORTIVE HOUSING PROGRAM (SHP), AND AUTHORIZING THE ACCEPTANCE UPON AWARD OF A GRANT FROM HUD IN AN AMOUNT UP TO $5,239,469.00; AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT AGREEMENTS WITH HUD; AUTHORIZING THE EXECUTION OF CONTRACTS WITH DELEGATE AGENCIES UP TO SPECIFIED AMOUNTS TO SUPPORT THE SHP; AND AUTHORIZING A GRANT AGREEMENT AMENDMENT WITH HUD TO EXTEND THE TERM OF THE HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) AGREEMENT, THROUGH OCTOBER 31, 2008.

2007-06-07-0661

Item 11B. AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE 2007 CONTINUUM OF CARE HOMELESS ASSISTANCE SUPPORTIVE HOUSING PROGRAM (SHP), AND ACCEPTANCE UPON AWARD OF A GRANT IN AN AMOUNT UP TO $7,296,247.00 FOR THE CONTINUATION OF HOMELESS SERVICES IN THE SAN ANTONIO/BEXAR COUNTY AREA FOR THE PERIOD FROM JUNE 1, 2008 TO DECEMBER 31, 2011; AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT AGREEMENTS WITH HUD; AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH DELEGATE AGENCIES UP TO SPECIFIED AMOUNTS TO SUPPORT THE SHP.

2007-06-07-0662

Item 12. AN ORDINANCE AUTHORIZING THE ANNUAL SUBMISSION OF SIXTEEN GRANT APPLICATIONS AND RENEWALS AND THE ACCEPTANCE OF FUNDS UPON AWARD IN AN AMOUNT UP TO $11,782,000.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR CORE PUBLIC HEALTH FUNCTIONS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE 2007 THROUGH 2008 FUNDING PERIOD; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS.

2007-06-07-0663

Item 13. AN ORDINANCE APPROVING THE ACCEPTANCE OF A DONATION FROM MR. JACK VEXLER OF APPROXIMATELY 25.6 ACRES OF LAND LOCATED AT 8049 KRUEGER MOORE ROAD IN DISTRICT 7 TO BE DESIGNATED FOR PARKLAND.

Item 14. CONSIDERATION OF DISTRICT BOARD, COMMISSION AND COMMITTEE APPOINTMENTS:

A. Reappointing Tim Talbert (District 9) to the Affirmative Action Advisory Committee for the remainder of an unexpired term of office to expire May 31, 2009.

B. Reappointing John Dickson (District 9) to the City Commission on Veterans Affairs for the remainder of an unexpired term of office to expire May 31, 2009.

C. Reappointing Richard N. Berry (District 9) to the Disability Access Advisory Committee (Category: Provider of Handicapped Services) for the remainder of an unexpired term of office to expire May 31, 2009.

D. Reappointing William E. Gellhausen (District 9) to the Linear Creekway Parks Advisory Board for the remainder of an unexpired term of office to expire May 31, 2009.

E. Reappointing Lisa Cruz (District 9) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office to expire May 31, 2009.

F. Reappointing Carol Marler (District 9) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office to expire May 31, 2009.

G. Reappointing Adyn Pipoly (District 9) to the San Antonio Youth Commission for the remainder of an unexpired term of office to expire May 31, 2009.

H. Reappointing Rene I. Dominguez (District 9) to the Small Business Advocacy Committee for the remainder of an unexpired term of office to expire May 31, 2009.

I. Reappointing Cheryl Shaw (District 9) to the Transportation Advisory Board (Category: Consumer) for the remainder of an unexpired term of office to expire May 31, 2009.

J. Reappointing Casey Magnuson (District 9) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire May 31, 2009.

[CONSENT ITEMS CONCLUDED]

Item 15. **City Manager's Report**

Ms. Sculley stated that citizens and employees have the opportunity to provide input in the development of the FY 2008 Budget via the Community and Employee Budget Input Drop Box Program. She stated that since May 2007 over 400 suggestions have been submitted. The FY 2008 Budget will be prepared over the summer with presentation to Council for consideration in August.

Ms. Sculley informed Councilmembers that the Summer Youth Program begins on Monday, June 11th. She stated that Parks and Recreation and Community Initiatives provide educational and recreational opportunities to children ages 6-14. Specific programs being offered include Kid Quest and Play Zone.

Lastly, Ms. Sculley noted that the Tax Increment Finance Program (TIF Program) under the direction of the Housing and Neighborhood Services Department responded to a National Call for Applications sponsored by the Council Development of Finance Agencies to select the best TIF Program. San Antonio along with Kansas City, Washington D.C., and Gahana, Ohio were selected as the four finalists. Ms. Sculley noted that the City of San Antonio was not selected as the finalist, but that it was an honor to have been selected as one of the four finalists. She thanked staff for their hard work and dedication.

Councilmember Radle congratulated the Neighborhood Services Department and the staff overseeing the TIF Program. She encouraged the department to continue developing a Program that targeted blighted areas of the community.

Councilmember McNeil thanked City Staff, the City Manager, and the Council for supporting the Summer Youth Program. In preparation for the next budget, Councilmember McNeil requested that staff develop a program that targets teenagers 14 and 15 years of age. One suggestion offered was providing job opportunities.

EXECUTIVE SESSION

Mayor Hardberger recessed the meeting at 9:55 am to convene in Executive Session and then break for lunch. He announced that the Council would go into executive session for the purpose of:

A. Deliberate the management, purchase, exchange, lease, or value of certain real properties and discuss related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney).

Mayor Hardberger reconvened the meeting at 2:08 pm and stated that the Council gave staff direction but had taken no action.

CONSENT ZONING

Councilmember Wolff made a motion to approve the following rezoning cases noting that the Staff and Zoning Commission recommendations were to approve/continue: Z-1, Z-4, P-1, Z-5, Z-6, Z-11, Z-12, Z-13, Z-16, Z-17, Z-19, Z-20, and Z-24. Councilmember Clamp seconded the motion. It was noted that Item Z-15 had been withdrawn by the applicant.

Mr. Jack Finger, P.O. Box 10048, addressed the Council and gave the new Councilmembers pointers on what to look for prior to considering zoning cases. One suggestion provided was to review back-up documentation especially the number of notices mailed in opposition to the zoning case.

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

2007-06-07-0664

Item Z-1. **ZONING CASE # Z2007137 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-2" Commercial District on Lot P-5, NCB 17643, 9500 Block of Military Drive West as requested by Brown, P.C., Applicant for Legacy Trails Development Joint Venture, 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 P-5, NCB 17643 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

CONTINUED TO JUNE 21

Item Z-4. **ZONING CASE # Z2007142 (District 7):** An Ordinance changing the zoning district boundary from "R-20" "NCD-3" Residential Single-Family Neighborhood Conservation District to "C-2NA" "NCD-3" General Commercial Neighborhood Conservation District on .372 acres of NCB 11543, 4902 Callaghan Road as requested by Mark Martinez, Applicant for Mark Martinez, Owner. Staff and Zoning Commission recommend Approval.

CONTINUED TO JUNE 21

Item P-1. **PLAN AMENDMENT # 07009 (District 7):** An Ordinance amending the land use plan in the Huebner/Leon Creeks Community Plan, a component of the Master Plan of the City, by changing the use of a 9.74 acre tract of land located at 6165 and 6239 Eckhert Road from Medium Density Residential to High Density Residential land use. Staff and Planning Commission recommend Approval. **(Associated Zoning Case Z2007146)**

CONTINUED TO JUNE 21

Item Z-5. **ZONING CASE # Z2007146 (District 7):** An Ordinance changing the zoning district boundary from "RE" Residential Estate District to "C-2" Commercial District on Lot 5, Block E, NCB 14657 and to "MF-33" Multi-Family District on Lot 8 and Lot 9, Block E, NCB 14657 6065, 6165 and 6239 Eckhert Road as requested by Brown, P.C., Applicant, for Salehi Family Ltd., Florencia G. Quiroga and Frances N. Barton, Owner(s). Staff and Zoning Commission recommend Approval pending plan amendment.

2007-06-07-0667

Item Z-6. **ZONING CASE # Z2007157 CD S (District 7):** An Ordinance changing the zoning district boundary from "C-2" (CD-Ballroom) Commercial District with Conditional Use for a Ballroom, Party House and Meeting Facility to "C-2" (CD-Ballroom) S Commercial District with Conditional Use for a Ballroom, Party House and Meeting Facility and with Specific Use Authorization for a Bingo Hall at .493 acres out NCB 11513, 1327 Bandera Road as requested by Y. H. Plaza, L. P., Applicant for Y. H. Plaza, L. P., 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: .493 ACRES OUT NCB 11513 FROM "C-2" (CD-BALLROOM) COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A BALLROOM, PARTY HOUSE AND MEETING FACILITY TO "C-2" (CD-BALLROOM) S COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A BALLROOM, PARTY HOUSE AND MEETING FACILITY AND A SPECIFIC USE PERMIT FOR A BINGO HALL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

CONTINUED TO JUNE 21

Item Z-11. **ZONING CASE # Z2007123 (District 8):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-2" Commercial District on Lot 38, Block 9, NCB 14709, 6348 Prue Road as requested by Roy Horn, III, Applicant for San Man, Inc., Owner. Staff and Zoning Commission recommend Approval.

CONTINUED TO JUNE 21

Item Z-12. **ZONING CASE # Z2007124 (District 8):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-2" Commercial District on 2.41 acres out of Lot 9, Block 9, NCB 14709, 6300 Prue Road as requested by Roy Horn, III, Applicant for Howard and Marjorie Love, Owners. Staff recommends Denial and Zoning Commission recommends Approval.

CONTINUED TO JUNE 21

Item Z-13. **ZONING CASE # Z2007125 (District 8):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "O-1" Office District on 0.998 acres out of NCB 14709, 6385 Old Babcock Road as requested by Roy Horn, III, Applicant for Caleb and Judy Windham, Owners. Staff and Zoning Commission recommend Approval pending Plan Amendment.

WITHDRAWN BY APPLICANT

Item Z-15. **ZONING CASE # Z2007077 CD (District 9):** An Ordinance changing the zoning district boundary from R-5" Residential Single-Family District to "RM-4" (CD-Dwelling, Three-Family) Residential Mixed District with a Conditional Use for a Three-Family Dwelling not exceeding 15 units per acre on the South 150 Feet of the West 60 Feet of Tract A, NCB 11892, 149 Lorenz Road, as requested by John Hotchkiss, Applicant for John Hotchkiss, Owner. Staff and Zoning Commission recommend Denial.

2007-06-0670

Item Z-16. **ZONING CASE # Z2007183 (District 9):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District and "MF-33" Multi-Family District to "C-2" Commercial District on 0.617 acres out of Lot 26, NCB 11888 and 0.083 acres out of Lot 75, NCB 11888, 250 West Sunset Road and 419 Everest Road as requested by Brown, P.C., Applicant for Broadway National Bank, Owner. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.617ACRES OUT OF LOT 26, NCB 11888 AND 0.083 ACRES OUT OF LOT 75, NCB 11888 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-06-07-0671

Item Z-17. **ZONING CASE # Z2007120 S (District 10):** An Ordinance changing the zoning district boundary from C-2" Commercial District to "C-2" S Commercial District with Specific Use Permit for a Car Wash on Lot 71, Block 24, NCB 17726, 17203 O'Connor Road as requested by Roy Horn, III, Applicant for Corian Springs, Ltd., Owners. Staff recommends Denial. Zoning Commission recommends 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 71, BLOCK 24, NCB 17726 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" S COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT FOR A CAR WASH PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-06-07-0673

Item Z-19. **ZONING CASE # Z2007173 (District 1):** An Ordinance changing the zoning district boundary from I-1" HS General Industrial Historic Significant District and "C-3 NA" HS General Commercial Nonalcoholic Sales Historic Significant District to "MF-33" HS IDZ Multi-family Historic Significant Infill Development Zone on Lot A-1, NCB 985 and Lots A-8, A-9 and A-10, NCB 989, 831 South Flores Street as requested by Phillip Allen, Applicant for Phillip Allen, 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 A-1, NCB 985 AND LOTS A-8, A-9 AND A-10 NCB 989 FROM "I-1" HS GENERAL INDUSTRIAL HISTORIC SIGNIFICANT DISTRICT AND "C-3 NA" HS GENERAL COMMERCIAL NONALCOHOLIC SALES HISTORIC SIGNIFICANT DISTRICT TO "MF-33" HS IDZ MULTI-FAMILY HISTORIC SIGNIFICANT INFILL DEVELOPMENT ZONE.

2007-06-07-0674

Item Z-20. **ZONING CASE # 2007195 CD (District 2):** An Ordinance changing the zoning district boundary from "C-1" Light Commercial District to "C-2P" CD Commercial Pedestrian District with Conditional Use for Auto Sales at East 41.66 feet of Lot 36, NCB 494, 1526 North IH 35 Pan Am Expressway as requested by Paz Manuel Juarez, Jr., Applicant for Paz Manuel Juarez, Jr., 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: THE EAST 41.66 FEET OF LOT 36, NCB 494 FROM "C-1" LIGHT COMMERCIAL DISTRICT TO "C-2 P" (CD-AUTOMOBILE SALES) COMMERCIAL PEDESTRIAN DISTRICT WITH CONDITIONAL USE FOR AUTOMOBILE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-06-07-0676

Item Z-24. **ZONING CASE # Z2007178 (District 5):** An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone District with uses permitted in "C-1" Light Commercial District and "MF-25" Multi-Family District to "IDZ" Infill Development Zone District with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family District on 2.306 acres out of NCB 2569, 322, 400, 406 and 414 E. Cevallos Street and 347 and 351 Clay Street as requested by Regent Community Partners, LP, Applicant for LB Clay Street, LLC., 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: 2.306 ACRES OUT OF NCB 2569 FROM "IDZ" INFILL DEVELOPMENT ZONE DISTRICT WITH USES PERMITTED IN "C-1" LIGHT COMMERCIAL DISTRICT AND "MF-25" MULTI-FAMILY DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND "MF-50" MULTI-FAMILY DISTRICT.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2007-06-07-0665

Item Z-2. **ZONING CASE # Z2007138 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on 11.518 acre tract of land out of NCB 34400, 2000 Block of West Loop 1604 North, as requested by Pulman, Bresnahan, Pullen & Cappuccio, LLP, Applicant for Santikos Raw Land, Ltd., Owners. Staff and Zoning Commission recommend Approval.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Herrera moved to adopt the proposed zoning case with the recommendation that the property owner be allowed to construct an 8-foot fence. Councilmember Cisneros seconded the motion.

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

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 11.518 ACRES OUT OF NCB 34400 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2007-06-07-0666

Item Z-3. **ZONING CASE # Z2007139 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on 11.12 acre tract of land out of NCB 34400, 1600 Block of West Loop 1604 North, as requested by Pulman, Bresnahan, Pullen & Cappuccio, LLP, Applicants for Santikos Raw Land, 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: 11.12 ACRES OUT OF NCB 34400 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Herrera moved to adopt the proposed zoning case with the recommendation that the property owner be allowed to construct an 8-foot fence. Councilmember Cisneros seconded the motion. The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Radle, Herrera, Rodriguez, Hall, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

CONTINUED TO JUNE 21

Item Z-7. **ZONING CASE # Z2007090 (District 8):** An Ordinance changing the zoning district boundary from RP" Resource Protection, "R-20" Residential Single Family District, "R-6" Residential Single Family District, "O-2" Office District, "C-3" General Commercial District, "C-3 R" Commercial Restrictive Alcohol Sales District, "I-1" General Industrial District, and "QD" (CD-Blasting and Asphaltic Concrete) Quarry District with a Conditional Use for Blasting and Asphaltic Concrete to "MPCD" Master Planned Community District on 835.471 acres out of NCB 14747, NCB 14853, NCB 14881, NCB 14882, NCB 17700, NCB 18331, NCB 18332, NCB 34760, NCB 34761, NCB 34763, NCB 34777, NCB 34778 and NCB 34781,15000 through 19600 Blocks of Interstate 10 West and 5000 Block of Loop 1604 North as requested by Brown, P.C., Applicant for Fourth Quarter Properties LXII, LP c/o Thomas Enterprises and Hooten Family Trust, Owners. Portions of this property are located within the "ERZD" Edwards Recharge Zone District and the "GC-1" Gateway Corridor Overlay District-1; however, the proposal does not include removing or altering the boundaries of either of these districts. Staff and Zoning Commission recommend Approval.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Hall moved to continue the proposed zoning case until June 21, 2007. Councilmember Clamp seconded the motion.

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

DENIED

Item Z-8. **ZONING CASE # Z2007113 (District 8):** An Ordinance changing the zoning district boundary from "C-2" Commercial District and "C-3" General Commercial District to "MF-25" Multi Family District on 12.01 acres out of NCB 17498, 5581 Prue Road as requested by Wood Partners, Applicant for Prue Road Associates, Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks presented the proposed rezoning case.

Citizens to be Heard

Mr. Bill Field, 12223 Jade Spring, addressed the Council and stated that his property shares a common property line with the proposed development. He stated that he was concerned with commercial development because his scenic view would be obstructed, odors from dumpsters would permeate to his property, and the property value of his home would decrease. He stated that the Homeowners Association was informing individuals that said zoning change which allows for the development of apartment complexes negatively impacts the area. Mr. Field stated that the development of apartment complexes would be better than commercial development. He requested that the Council vote in favor of the proposed zoning change.

Mr. Eric Lamkin, 11227 Jade Spring, addressed the Council and stated that he was against the zoning change. Such reasons include the development of the apartment complex decreasing his property value, increased traffic, and over-crowding of the local schools.

Ms. Valerie Moore, 11222 Jade Spring, addressed the Council and stated that she was against the zoning change. She stated that the Homeowners Association provided adequate information regarding the zoning change. Ms. Moore stated that she was against the development due to increased traffic and noise as well as the over-crowding of local schools. She stated that she preferred commercial development over residential development

Mr. John Fine, 11231 Jade Spring, addressed the Council and stated that he opposed the rezoning change. Such reasons include property values decreasing as well as increased traffic, noise, and environmental pollution. He also stated that he preferred commercial development over residential development.

Mr. Miguel Aguilar, President of Jade Oaks Homeowners Association (HOA), addressed the Council and stated that the HOA was opposed to the proposed rezoning of the area. He stated that the HOA met with the Developer several times and after each meeting conducted a vote on the proposal offered. It was stated that each vote conducted was a vote in opposition. He requested that the Council vote against the zoning change.

Mr. Patrick Trusk, Developer of proposed apartment complex, addressed the council and noted how he was meeting the concerns of the homeowners. Such considerations include erecting an on-site detention pond to ease flooding, erecting balconies that do not face homes, erecting set backs that are approximately 150 feet from a home, relocation of the swimming pool, and erecting a 6-foot wood fence along the eastern property line. Mr. Trusk requested that the Council approve the rezoning case.

Mr. John Sell, Property Owner, addressed the council and stated that if the land was not down-zoned to Class A Apartments he would have no option but to sell the property using the current zoning classification which allows for commercial development. He stated that he has purposefully declined retail complex offers to sell when such offers presented themselves. Mr. Sell noted that the Developer has satisfied all the concerns of the homeowners but the homeowners are still opposed to the development. He requested that the Council vote in favor of the proposed down-zoning.

Councilmember Hall moved to deny the proposed zoning case. Councilmember Wolff seconded the motion.

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

2007-06-07-0668

Item Z-9. **ZONING CASE # Z2007118CD (District 8):** An Ordinance changing the zoning district boundary from "R-6" GC-1 Residential Single Family Gateway Corridor District-1 to "C-3" GC-1 General Commercial Gateway Corridor District-1 on 1.33 acres out of NCB 34732D and "C-2" (CD-Automotive Repair) Commercial Gateway Corridor District-1 with a conditional use for Automotive Repair on 0.71 acres out of NCB 34732D at Lot 1, Block 1, NCB 34732D, 23711 IH 10 West as requested by Jerry Arredondo, Applicant for E L & J Investments, Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks presented the proposed rezoning case.

Ms. Cheryl Trail, 23715 Cielo Vista, addressed the Council and spoke in favor of the proposed change due to the developer meeting the concerns of the homeowners.

Councilmember Hall moved to approve the proposed zoning case with the conditions offered by the Zoning Commission and restrictive covenants. Councilmember Wolff seconded the motion.

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

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, BLOCK 1, NCB 34732D FROM "R-6" GC-1 RESIDENTIAL SINGLE FAMILY GATEWAY CORRIDOR DISTRICT-1 TO "C-3" GC-1 GENERAL COMMERCIAL GATEWAY CORRIDOR DISTRICT-1 ON 1.33 ACRES OUT OF NCB 34732D AND "C-2" (CD-AUTO AND LIGHT TRUCK REPAIR) COMMERCIAL GATEWAY CORRIDOR DISTRICT-1 WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR ON 0.71 ACRES OUT OF NCB 34732D, SAVE AND EXCEPT A 20 FOOT STRIP ALONG CIELO VISTA DRIVE WHICH SHALL REMAIN "R-6" GC-1 RESIDENTIAL SINGLE FAMILY GATEWAY CORRIDOR OVERLAY DISTRICT-1 AND PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2007-06-07-0669

Item Z-10. **ZONING CASE# Z2007119 (District 8):** An Ordinance changing the zoning district boundary from "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on Lot 1, NCB 17616 and 6.269 acres out of NCB 14867 and NCB 17616, 13900 Block of FM 1560 North as requested by Roy Horn, III, Applicant for Dirk Simmang and Evelyn S. Simmang, Owners. Staff recommends Denial. Zoning Commission recommends Approval.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Hall moved to approve the proposed zoning case as C-2 "ERZD" with the condition that the property owner does not exceed 45% impervious cover or allow for an auto repair shop to be developed on said property. Councilmember Wolff seconded the motion.

The motion prevailed by the following vote: **AYES:** McNeil, Cortez, Rodriguez, Hall, Wolff, Clamp, and Mayor Hardberger. **NAYES:** Cisneros and Radle. **ABSENT:** Gutierrez and Herrera.

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, NCB 17616 AND 6.269 ACRES OUT OF NCB 14867 AND NCB 17616 FROM "R-6" ERZD RESIDENTIAL SINGLE FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-2" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

FAILED

Item Z-14. **ZONING CASE # Z2007169 (District 8):** An Ordinance changing the zoning district boundary from "R-6" ERZD Residetial Single Family Edwards Recharge Zone District to PUD "MF-25" ERZD Planned Unit Development Multi-Family Edwards Recharge Zone District on 6.833 acres out of NCB 14615 and "C-2" ERZD Commercial Edwards Recharge Zone District on 1.524 acres out of NCB 14615, 8130 Hausman Road, as requested by Andrew C. Guerrero, Applicant for James and Sue Ann May Revocable Living Trust, Owner. Staff recommends approval. Zoning Commission recommendation pending June 5, 2007, public hearing.

Mr. John Jacks presented the proposed rezoning case.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council and stated that the City has an obligation to protect the Aquifer.

Councilmember Hall moved to approve the proposed zoning case with the condition that the property owner does not exceed 50% impervious cover, that the property be limited to no more than 68 units and that said units be four-plexes. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** McNeil, Cortez, Hall, Wolff, and Clamp. **NAYES:** Cisneros, Radle, Herrera, Rodriguez, and Mayor Hardberger. **ABSENT:** Gutierrez.

2007-06-07-0671

Item Z-18. **ZONING CASE # Z2007189 (District 10):** An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "C-2 NA" Commercial Nonalcoholic Sales District on Lots 1 and 2, Block 3, NCB 13567, 8800 Village Drive, as requested by Jerry Arredondo, Applicant for Northeast Medical Plaza c/o Mark Holland, Owners. Staff and Zoning Commission recommend Approval.

Mr. John Knodlesdorf, 8807 Carriage, addressed the Council and stated that an agreement had been made with the developer and requested the Council approve the proposed rezoning change.

Mr. John Jacks presented the proposed rezoning case.

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

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

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 AND 2, BLOCK 3, NCB 13567 FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

2007-06-07-0675

Item Z-21. **ZONING CASE # Z2007105 (District 3):** An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "R-4" Residential Single-Family District on Lot 9, Block C, NCB 110271, Northeast of the Intersection of Hilje Street and Betty Jean Street, as requested by City of San Antonio, Applicant for San Antonio Development Agency, Owner. Staff and Zoning Commission recommend Approval.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Gutierrez moved to approve the proposed zoning case. Councilmember Cortez seconded the motion.

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

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 9, BLOCK C, NCB 11027 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT AND "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

DENIED

Item Z-22. **ZONING CASE # Z2007126 CD (District 3):** An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "R-4" (CD-Beauty Shop) Residential Single Family District with a Conditional Use for a Beauty Shop on Lot 41, Block 3, NCB 11159, 806 E. Ashley Road as requested by Cristina Arredondo and Norma Ruano, Applicant, for Juan M. Perez and Mary E. Perez, Owners. Staff and Zoning Commission recommend Approval with Conditions.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Gutierrez moved to deny the proposed zoning case. Councilmember Cortez seconded the motion.

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

CONTINUED TO AUGUST 2

Item Z-23. **ZONING CASE # Z2007181 (District 4):** An Ordinance changing the zoning district boundary from "C-2" Commercial District and "I-1" General Industrial District to "C-3" General Commercial District on 45.11 acre tract of land out of NCB 12675, NCB 12676, NCB 12677, NCB 12678, NCB 12679, NCB 12680, NCB 12681, NCB 12682, NCB 12683 and NCB 12684, 8400 Block of Interstate Highway 35 South as requested by Kim Wise, Provident Realty , Applicant for Kim Wise, Provident Realty, Owner. Staff and Zoning Commission recommend approval.

Mr. John Jacks presented the proposed rezoning case.

Councilmember Cortez moved to continue the proposed zoning case to August 2, 2007. Councilmember Radle seconded the motion.

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

[INDIVIDUAL ZONING ITEMS CONCLUDED]

CEREMONIAL ITEMS

Mayor Hardberger announced that the ceremonial item scheduled for 5:30 had been pulled and would not be presented.

Mayor Hardberger recessed the meeting at 3:55 pm until 6:00 pm at which time the Citizens to be Heard portion of the meeting would commence.

CITIZENS TO BE HEARD

Mayor Pro Tem Delicia Herrera presided over the meeting and addressed the Citizens to be Heard portion of the agenda.

Ms. Christina Prieto, Snow cone Owner and Operator, addressed the Council and spoke on the unfairness of the lottery system currently utilized for snow cone vendors operating in Alamo Plaza. Ms. Prieto submitted a letter dated March 8, 2007 from the Downtown Operations Office stating that the details of the lottery were being finalized. She reported that to date, vendors had not been informed of the details of the lottery. Ms. Prieto noted that snow cone vendors rely on the summer months to earn money and the delay is negatively impacting them.

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

Ms. Betty Lancaster, property owner of 1215 S. Press, addressed the Council and spoke on the drainage problems that have resulted from the City of San Antonio building Fire Station #7. She stated that she has owned her property over 30 years and never had a problem with flooding until the Fire Station was built. Ms. Lancaster stated that City workers went onto her property with heavy equipment without her permission resulting in soil erosion and damage to the lawn. Since she has not received a response from the City, she drove over 350 miles one-way to get the situation addressed.

Mr. Faris Hodge, Jr., 140 Dora, addressed the City and requested that the Alamodome to be named after him. He noted concerns in which the City does not have enough Food Inspectors and CPS not open after hours to assist customers. Mr. Hodge noted that Police and Fire employee receive better benefits than City employees. Additionally, he noted that sidewalks needed repair, that taser guns should not be allowed to be used by the Police Department, and that trees needed to be trimmed. Mr. Hodge requested information on the benefits received by the City Manager, Fire Chief, and Police Chief. He presented open records requests to the City Clerk.

Mr. Jose Perez, addressed the Council and stated that he has requested that the City build a Police Sub-Station between Broadway and Walzem or Perrin Beitel along Austin Highway. He noted that Austin Highway area had been revitalized several years ago; however, that area cannot be maintained without Police patrolling the area.

Mr. Jaime Lazaro, 126 Villa Arboles, addressed the Council and spoke on his SAHA home. He stated that he and his family moved from California. Mr. Lazaro added that in June he found mold in the air vents despite a final home inspection being conducted in March. He stated that SAHA should stop selling homes and lying to its customer. Lastly, Mr. Lazaro requested the City assist him in getting his money back so that he could purchase a better home – a home that would not make his family sick.

Ms. Estafana Adame-Battle, 448 Precious, addressed the Council and stated that the Task Force asked KB Homes to stop selling and/or renting homes. The intent was to identify and fix problems so that others did not have to go through what they have gone through. However, KB Homes was still selling homes. She requested the Council help homeowners in ensuring that additional people do not become victims.

Ms. Henrietta De Hoyos, 4622 Villa, addressed the Council and stated that she had been paying monthly water bills in excess of $400. It was determined that there was a water leak under her foundation. She stated that after reporting the foundation problem, she was retaliated against which resulted in her eviction. Ms. De Hoyos, noted that SAHA fixed her home and then resold it to someone who was not made aware of the history. She requested SAHA refund the money she paid into the escrow account. SAHA stated that she did not have an escrow account.

Mr. Randy Zaragosa, 1607 NW 26th, addressed the Council and stated that SAHA had given his neighbor a DVD containing home disclosure information. He stated that since homeowners could not view the DVD he viewed it. Mr. Zaragosa stated that the DVD noted that the neighbor's foundation was erected with a slope. He asked why SAHA was still selling homes.

Ms. Janet Ahmad, 18 Silverhorn, addressed the Council and briefed the new Councilmembers on the history of the Mirasol Project. She also spoke on the concerns that homeowners have had with KB and SAHA. Some of the concerns stated were that KB was re-selling homes to individuals who are not aware of the history of the home and that SAHA was retaliating against homeowners. Lastly, Ms. Ahmad stated that SAHA Commissioners did not intend to take into consideration the recommendations of the Task Force. For this reason, homeowners would continue to attend the City Council meetings.

Mr. Nick Calzoncit, 66 Brees #14, updated the Council on his petition drive to change the name of Stonewall Elementary School to Ceasar Chavez Elementary School of Non-Violence and Peace. He provided examples of violence within the area and names of individuals supporting the name change. Mr. Calzoncit requested that the City take an active roll in education and take over the Harlandale Independent School District.

Ms. Julie Iris Oldham, 4523 Allegheny, addressed the Council and spoke on the life and death of her mother. She stated that her mother took an active roll in politics which lead her to politics. Ms. Oldham also spoke on the police report that was filed against her. Lastly, she spoke about her role in assessing air pollution on the East Side and how some councilmembers were illegally elected into office.

ADJOURNMENT

Mayor Pro Tem Herrera adjourned the meeting at 6:47 pm.

A P P R O V E D

PHIL HARDBERGER
MAYOR

Attest:

LETICIA M. VACEK
CityClerk

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LV/mlu