

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 24, 2001.**

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2001-21 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Boards & Commissions Work Session.** (Presented by Norma S. Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager)
  
- B) **Presentation of the Better Jobs Performance Review.** (Introduced by Erik J. Walsh, Assistant to the City Manager; Presented by MGT of America, Inc.)

The Council members present were: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

The "B" Session adjourned at 12:35 P.M.

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2001-21 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-21 Invocation by Reverend Jerzy Sieczynski, St. Matthew's Catholic Church.

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2001-21 Pledge of Allegiance to the flag of the United States.



2001-21      CONSENT AGENDA – CITIZENS COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke regarding Agenda Item #13, and asked those City Council members receiving contributions to abstain from voting.

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2001-21      CONSENT AGENDA

Mr. Barrera made a motion to approve Agenda Items 8 through 20B, constituting the Consent Agenda. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 93969

ACCEPTING THE LOW, QUALIFIED BID SUBMITTED BY THE MONROE COMPANY, A WBE COMPANY, TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION FACILITIES DEPARTMENT WITH ORCHESTRA RISERS FOR A TOTAL SUM OF \$45,186.00.

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AN ORDINANCE 93970

ACCEPTING THE LOW QUALIFIED BID SUBMITTED BY WENGER CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION FACILITIES DEPARTMENT WITH PORTABLE STAGE RISERS FOR A TOTAL SUM OF \$138,196.25.

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AN ORDINANCE 93971

ACCEPTING PROPOSAL FROM THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS FROM WHEELED COACH INDUSTRIES, INC, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH SEVEN TYPE I AMBULANCES FOR A TOTAL SUM OF \$517,990.94.

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AN ORDINANCE 93972

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$26,400.00 PAYABLE TO R.L. JONES COMPANY, INC. FOR ADDITIONAL CONSTRUCTION EXPENSES IN CONNECTION WITH THE CAPITAL AVENUE FROM BASSE TO LA MANDA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92366, AUGUST 24, 2000.)

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AN ORDINANCE 93973

AUTHORIZING PAYMENT OF THE AMOUNT OF \$300.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0026, CITY OF SAN ANTONIO VS. LLOYD L. FOSTER, SR., ET AL, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT OF THE AMOUNT OF \$910.00 FOR COURT COSTS IN CONNECTION WITH THE MISSION TRAILS PARKWAY, PACKAGE IV METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICTS 1 AND 3; FOR THE TOTAL SUM OF \$1,210.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93974

AUTHORIZING PAYMENT IN THE AMOUNT OF \$23,409.34 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD - DEZAVALA TO HAUSMAN ROAD PROJECT (\$11,906.91), MISSION TRAILS PARKWAY, PACKAGE IV METROPOLITAN PLANNING ORGANIZATION (\$1,227.75), FIRE STATION NO. 7 PROJECT (\$434.80), SOUTHCROSS - NEW BRAUNFELS TO S. PRESA PROJECT (\$1,940.91), PLEASANTON ROAD - MAYFIELD TO SOUTHCROSS PROJECT METROPOLITAN PLANNING ORGANIZATION (\$4,149.04), LOCKHILL SELMA - GEORGE ROAD TO WHISPERING PATH PROJECT (\$2,603.73); FIRE STATION NO. 25 PROJECT (\$1,146.20); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93975

AUTHORIZING A ONE-YEAR RENEWAL OF THE PARKING AGREEMENT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO FOR THE DOWNTOWN CAMPUS FOR PARKING SPACES LOCATED UNDER I-35 SOUTH OF DURANGO BOULEVARD IN COUNCIL DISTRICT 1.

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AN ORDINANCE 93976

ACCEPTING FUNDS IN AN AMOUNT OF \$20,000.00 FROM THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SAISD) FOR THE REIMBURSEMENT OF ADMINISTRATION COSTS IN CONNECTION WITH THE URBAN SMARTS PROGRAM, ADMINISTERED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, YOUTH SERVICES DIVISION, AT FOUR (4) 21ST CENTURY COMMUNITY LEARNING CENTERS; AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND SAISD FOR THE PERIOD BEGINNING JANUARY 8, 2001 AND ENDING MAY 24, 2001; ESTABLISHING A FUND, AND APPROVING A FY 2000-2001 BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 93977

AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO CONTRACTS WITH BEAT AIDS AND THE PATRICIAN MOVEMENT IN CONNECTION WITH THE RYAN WHITE TITLE II PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AMENDING THE PROJECT BUDGET AND AUTHORIZING PAYMENTS TO THE SUBCONTRACTORS. (AMENDS ORDINANCE NO. 91467, MARCH 23, 2000; ORDINANCE NO. 92956, NOVEMBER 30, 2000.)

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AN ORDINANCE 93978

AUTHORIZING THE EXECUTION OF A THREE YEAR ANCILLARY SERVICES PROVIDER AGREEMENT, WITH AUTOMATIC SUCCESSIVE ONE (1) YEAR PERIOD RENEWALS, WITH SUPERIOR HEALTHPLAN, INC. FOR THE

PROVISION OF SELECTED HEALTH CARE SERVICES BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO INDIVIDUALS COVERED UNDER THE SUPERIOR HEALTHPLAN, INC. MEDICAID HEALTH BENEFIT PROGRAM.

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AN ORDINANCE 93979

AUTHORIZING THE EXECUTION AND APPROVAL OF AN AMENDED ADMINISTRATIVE SERVICES AGREEMENT WITH THE FIRE AND POLICE RETIREE HEALTH CARE FUND BOARD OF TRUSTEES ("FUND") FOR THE CITY TO PROVIDE CERTAIN ADMINISTRATIVE SERVICES TO THE FUND FOR THEIR PERIOD OF JANUARY 1, 2001 THROUGH SEPTEMBER 30, 2002; SUBJECT TO ANNUAL BUDGETARY APPROPRIATIONS; AUTHORIZING THE RENEWAL OF SUCH AGREEMENT THEREAFTER UPON MUTUAL AGREEMENT OF THE PARTIES FOR TWO ADDITIONAL ONE-YEAR TERMS; RATIFYING SERVICES PERFORMED; ACCEPTING COMPENSATION IN THE AMOUNT OF \$20,000.00 PER YEAR FROM JANUARY 1, 2001 THROUGH SEPTEMBER 30, 2002; AND AUTHORIZING THE REIMBURSEMENT OF \$23,500.00 TO THE FUND FOR ACTUARIAL ANALYSIS PERFORMED BY TOWERS PERRIN RELATED TO THE FEASIBILITY OF THE INCLUSION OF PRE-1989 FIRE AND POLICE RETIREES INCLUSION INTO THE FUND.

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AN ORDINANCE 93980

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) FOR A \$74,554.00 SUPPLEMENTAL GRANT TO AUGMENT THE SAN ANTONIO POLICE DEPARTMENT'S EFFORTS IN REDUCING AUTOMOBILE THEFT.

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AN ORDINANCE 93981

APPOINTING JANICE ELAINE HILL (DISTRICT 10) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 15, 2003.

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AN ORDINANCE 93982

APPOINTING SUSAN SCHAEFER (DISTRICT 10) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY (SALDC) FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2004.

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2001-21 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke regarding Agenda Items 23 and 26. He spoke regarding the proposed changes to the Ethics Code and his concerns with the committee and their need to have an addition to the Ethics Code including more stringent rules for potential conflicts of interest.

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2001-21 ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk then read a proposed ordinance appointing a member to the City Public Service Board for a term of office to expire on January 31, 2006 and a member for a term of office to expire on January 31, 2007.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

Mayor Peak invited the two candidates to come forward. He then introduced Ms. Cheryl Garcia to members of the City Council and asked the Council for their consideration and support as well.

Ms. Garcia introduced herself and spoke to her potential appointment to the Board, informing City Council members of her qualifications and interest on serving as a Trustee of the City Public Service (CPS) Board.

Ms. Conner asked CPS staff to come forward at this time to answer questions. Ms. Jamie Rochelle, General Manager of CPS came forward and answered questions posed by Ms. Conner regarding the application process and terms of office. Ms. Rochelle also spoke to the four quadrants, which comprise the CPS service area and explained the steps involved

in the selection process, the guidelines, credential screening, advertisement process and nomination process.

Ms. Conner thanked Ms. Rochelle and asked that in the future some background checks be conducted and that more stringent criteria be implemented for the selection of CPS trustees.

Mr. Perez thanked Ms. Garcia for attending a District 1 neighborhood meeting and speaking to these citizens regarding her representation of the City's ratepayers. Ms. Garcia reiterated that she would take all ratepayers needs into consideration.

Further discussion occurred regarding Ms. Garcia's business background and the need for her to reach out to the environment and the community, as the City's neighborhoods are the number one investment. Ms. Garcia also answered questions posed by City Council regarding ethical standards, small business and minorities and her commitment to each.

Mayor Peak then asked Mr. Steve S. Hennigan to come forward and address City Council members at this time.

Mr. Hennigan spoke regarding his employment and community service experience, stating that he feels he is qualified to represent the ratepayers as a Trustee of the City Public Service Board.

Members of the City Council questioned Mr. Hennigan regarding business practices, ethical standards, and also the environmental neighborhood issues. Mr. Hennigan responded to City Council members regarding such questions as well as to questions regarding small business, and minorities and his commitment to each.

City Council also asked that Mr. Hennigan be committed to the ratepayers to ensure quality service. In response to a question posed, Mr. Hennigan explained that he has studied utilities throughout the country and is open to alternative issues to address air quality.

Mr. Bannwolf made a motion to amend the term to fill the unexpired term of Mr. Nelson Wolff's term, not to include an additional five-year term. Ms. Guerrero seconded the motion.

Mayor Peak and members of the City Council thanked the two trustees for their time and energy.

The amendment to the motion as presented by Councilman Bannwolf was approved by the following roll call vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

The main motion as amended, carrying with it the passage of the following Ordinance prevailed by the following roll call vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93983

APPOINTING STEPHEN HENNIGAN TO THE CITY PUBLIC SERVICE BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2006 AND CHERYL GARCIA FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2002.

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2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 93984

APPOINTING PAUL TALAMANTEZ, JR. AND ROBERTO VASQUEZ AS MUNICIPAL COURT JUDGES FOR TERMS ENDING AUGUST 31, 2001; AS REQUESTED BY COUNCILMAN RAUL PRADO, AS CHAIRMAN OF THE MUNICIPAL COURT COMMITTEE.

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Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

In response to Mr. Prado, City Attorney, Frank Garza, explained the vacancies within the Municipal Court Department, the advertisement process and the application process for these two vacancies.

Mr. Prado then invited both nominees to come forward and explained that during the interview process, City Council's concerns were addressed. Mr. Prado also thanked all the other individuals who applied.

Mr. Paul Talamantez and Mr. Roberto Vazquez spoke regarding their eagerness to serve the community through this avenue, as both have been members of school boards.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-21      ZONING HEARINGS – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding Zoning Cases #4A through #4N.

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2001-21      ZONING HEARINGS

4A)                      CASE NO. #Z2001079 - The request of Andulusia Condo's L.P., Applicant, for Burlee Lumber Co., Owner(s), for a change in zoning from "I" Business District to "B-4" Central Business District on Lots 9, 10 & 11, Block 26, NCB 801, 226 Lexington Avenue. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Perez made a motion to approve the proposed rezoning. Mr. Barrera seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garcia, Garza.

AN ORDINANCE 93985

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 9, 10 & 11, BLOCK 26, NCB 801, 226 LEXINGTON

AVENUE, FROM "I" BUSINESS DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT.

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4B) CASE NO. #Z2001080 - The request of Methodist Healthcare System of S. A., Ltd., Applicant, for Methodist Healthcare System of S. A., Ltd., Owner(s), for a change in zoning from "R-1" Single Family Residence District to "B-2 CC" Business District with City Council approval for a hospital on Lot 3, Block 20, NCB 393, 109 Paschal Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Perez addressed the applicant and thanked them for their diligence and sensitivity to the revitalization occurring in that area stating that they made every effort to comply with the citizens requests.

Mr. Perez made a motion to approve the proposed rezoning. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garcia, Garza.

#### AN ORDINANCE 93986

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 20, NCB 393, 109 PASCHAL STREET, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2 CC" BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL.

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4C) CASE NO. #Z2001081SUP - The request of Darwin E. Franzen, Applicant, for Franzen Contracting Company, Owner(s), for a change in zoning from "B-3 NA" Business District, Non-Alcoholic Sales to "B-3 NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for outside storage of heavy equipment and contractor materials on Lot 3, Block 1, NCB 15732, 108 Remount Drive. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Darwin E. Franzen, 5606 Brandemere, spoke regarding his request for approval of the proposed zoning change, asking for SUP and Council approval.

In response to a question posed by Mr. Salas, Mr. Ray Lozano, Planning, stated that staff did not agree with this request, though the Zoning Commission recommends approval.

Mr. Salas made a motion to reject the recommendation of the Zoning Commission and to deny the requested rezoning. Mr. Prado seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Salas, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Garcia.

Zoning Case Z2001081 SUP was denied.

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4D) CASE NO. #Z2001096 - The request of City of San Antonio, Applicant, for Sun NLF Limited Partnership, Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on 10.78 acres out of NCB 15826; from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on 4.75 acres out of NCB 17738; from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on 81.2 acres out of NCB 17738; from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on 10.94 acres out of NCB 17738; from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on 9.96 acres out of NCB 17738; from "R-3" Multi Family Residence District and "B-2"

Business District to "R-5" Single Family Residence District on 118.1 acres out of NCB 15826; from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District on 101.5 acres out of NCB 17738; and, from Temporary "R-1" Single Family Residence District to "B-2" Business District on 4.45 acres out of NCB 17738. Area is generally bordered by Woodlake Parkway and Eisenhower Road to the north, Midcrown to the south and west, and Gibbs Sprawl Road to the east. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Salas asked Mr. Richard LaFortle to meet with the developer to answer all questions that were previously left unanswered. Mr. Salas stated that the neighborhood association is very pleased with the agreement that was reached.

A representative from SUN NLF Limited Partnership came forward to thank the Mayor and members of the City Council. He spoke regarding the issues he addressed and stated that this foundation will commit to two million dollars to assist with affordable housing and looks forward to moving this project forward.

Mr. Salas also thanked Park Village for their involvement and made a motion for approval. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero.

#### AN ORDINANCE 93987

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 10.78 ACRES OUT OF NCB 15826, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT; 4.75 ACRES OUT OF NCB 17738, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT; 81.2 ACRES OUT OF NCB 17738, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT; 10.94 ACRES OUT OF NCB 17738, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT; 9.96 ACRES OUT OF NCB 17738, FROM TEMPORARY

"R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT ON; 118.1 ACRES OUT OF NCB 15826, FROM "R-3" MULTI FAMILY RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; 101.5 ACRES OUT OF NCB 17738, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; AND 4.45 ACRES OUT OF NCB 17738, AREA IS GENERALLY BORDERED BY WOODLAKE PARKWAY AND EISENHAUER ROAD TO THE NORTH, MIDCROWN TO THE SOUTH AND WEST, AND GIBBS SPRAWL ROAD TO THE EAST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4E) CASE NO. #Z2001084 - The request of Ambers H. Morris, Applicant, for Ambers H. Morris, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "R-4" Manufactured Home Residence District on Lot 29, Block 3, NCB 5634, 5339 Godek. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Prado made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero.

#### AN ORDINANCE 93988

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 29, BLOCK 3, NCB 5634, 5339 GODEK STREET, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

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4F) CASE NO. #Z2001087SUP - The request of Juan G. Silva, Applicant, for Two ACS'S, LTD, Owner(s), for a change in zoning from "B-2" Business District to "B-2NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for an Automotive Electrical Repair Shop on Lot 69 and Lot 70, Block 1, NCB 11253, 7146 New Laredo Highway. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

#### AN ORDINANCE 93989

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 69 AND LOT 70, BLOCK 1, NCB 11253, 7146 NEW LAREDO HIGHWAY, FROM "B-2" BUSINESS DISTRICT TO "B-2NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR AN AUTOMOTIVE ELECTRICAL REPAIR SHOP.

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: The City Council approves this Special Use Permit so long as the following conditions are met:

1. A 5 foot landscaping buffer should be maintained along New Laredo Highway.

2. Limit number of outside overnight parking of vehicles awaiting service to five (5).
3. A six foot privacy fence shall be erected and maintained along the east and south property lines.
4. Automotive services shall be completely enclosed.

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4G) CASE NO. #Z2001088SUP - The request of Reynaldo Peralez, Applicant, for San Antonio For Christ Inc., Owner(s), for a change in zoning from "R-1 MAOZ-2" Single Family Residence District, Military Airport Overlay Zone -2 to "B-2 NA MAOZ-2 SUP" Business District, Non-Alcoholic Sales, Military Airport Overlay Zone -2 with a Special Use Permit for outside storage of maintenance equipment/parking for church buses and one construction truck on Lot 54, 55 and 56, Block 3, NCB 11215, 300 Block of Spaatz Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

#### AN ORDINANCE 93990

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 54, 55 AND 56, BLOCK 3, NCB 11215, 300 BLOCK OF SPAATZ STREET, FROM "R-1 MAOZ-2" SINGLE FAMILY RESIDENCE DISTRICT, MILITARY AIRPORT OVERLAY ZONE -2 TO "B-2 NA MAOZ-2 SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, MILITARY AIRPORT

OVERLAY ZONE -2 WITH A SPECIAL USE PERMIT FOR OUTSIDE STORAGE OF MAINTENANCE EQUIPMENT/PARKING FOR CHURCH BUSES AND ONE CONSTRUCTION TRUCK.

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-3258, "Special Use Permit" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: The City Council approves this Special Use Permit so long as the following conditions are met:

1. A six foot privacy fence shall be erected and maintained along all four sides. 2. Have only one entrance along Spaatz Street onto property.

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4H) CASE NO. #Z2001114 - The request of City of San Antonio, Applicant, for Trieschland & Cattle LLC, Owner(s), for a change in zoning to remove the condition imposed by Ordinance #82924 that required planting of 43 oak trees spaced fifty feet apart, three to four inches in caliper, and a height of eight to twelve feet. The owner will comply with the Tree Preservation and Landscape Ordinance requirements currently in effect. Zoning shall remain as "I-2 CC" Heavy Industry District with Special City Council Approval for an automobile salvage yard on Lot P-19A, NCB 14566, 10520 Somerset Road. Staff's recommendation was for Approval with the condition that the applicant be required to plant 10 oak trees spaced 75 feet apart along the eastern 800 feet fronting Loop 410 Expressway.

Zoning Commission has recommended approval. (Council District 4)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Garza.

AN ORDINANCE 93991

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, NCB 14566, 10520 SOMERSET ROAD, FROM "I-2 CC" HEAVY INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR AN AUTOMOBILE SALVAGE YARD TO "I-2 CC" HEAVY INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR AN AUTOMOBILE SALVAGE YARD WITH THE FOLLOWING CONDITIONS: 1. REQUIREMENT TO COMPLY WITH THE CURRENT TREE PRESERVATION AND LANDSCAPE ORDINANCE. 2. NO STORAGE OF INOPERABLE/JUNK VEHICLES WITHIN AN AREA PARALLEL TO THE RIGHT-OF-WAYS OF LOOP 410 EXPRESSWAY AND SOMERSET ROAD FOR DEPTH OF FIFTY (50) FEET. 3. AN EIGHT (8) FOOT SOLID SCREEN (OPAQUE) FENCE REQUIRED TO BE ERECTED AND MAINTAINED ALONG A LINE FIFTY (50) FEET PARALLEL TO THE RIGHT-OF-WAYS OF LOOP 410 EXPRESSWAY AND SOMERSET ROAD.

\* \* \* \*

4I) CASE NO. #Z2001071 - The request of City of San Antonio Housing Authority, Applicant, for City of San Antonio Housing Authority, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District and "B-3R" Restrictive Business District to "R-3" Multiple-Family Residence District on 9.677 acres out of NCB 18282; and, from Temporary "R-1" Single-Family Residence District to "R-3" Multiple-Family Residence District on 4.670 acres out of NCB 18284; and, from Temporary "R-1" Single-Family Residence District, "B-3R" Restrictive Business District, and "B-2NA" Business District, Non-Alcoholic Sales to "R-1" Single-Family Residence District on 9.391 acres out of NCB 18282, 7600 block of Ingram Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 6).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Mr. Lawrence Babiez, 265 Jade Hill, Crown Meadows Home Owners Association, spoke against the proposed zoning. He gave a power point presentation, a copy of which is attached to the minutes of this meeting.

Mr. Melvin Braziel, Director, San Antonio Housing Authority (SAHA), spoke in favor of this Ordinance. Ms. Dianna Kinlaw, Special Project Coordinator with SAHA spoke in support of this Ordinance.

Mr. Barrera made a motion for a 30-day continuance to have SAHA and the residents come together to reach a more suitable agreement for both parties. Mr. Garcia seconded the motion.

After consideration, the motion to continue this case, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

Zoning Case Z2001071 was continued.

— — —

4J) CASE NO. #Z20303SUP - The request of Edward Karam, Applicant, for William C. Miller, Jr., Owner(s), for a change in zoning from "B-2" Business District to "B-2SUP" Business District with a Special Use Permit for an automobile sales lot on the north 225 feet of Lot 84, Block B, NCB 11507 on Lot 84, Block B, NCB 11507, 1235 Bandera Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval with attached conditions (Council District 7).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Garza made a motion to continue this rezoning case until the City Council meeting of June 14, 2001 approves the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until June 14, 2001, prevailed by the following vote: **AYES:** Perez, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garcia.

Zoning Case Z20303 SUP was continued to the Council meeting of June 14, 2001.

— — —

4K) CASE NO. #Z2001013 - The request of FC Properties One, Ltd., Applicant, for FC Properties One, Ltd., Owner(s), for a change in zoning from "R-3" Multiple-Family Residence District to "B-2" Business District on 7.61 acres out of P-5, NCB 16007, 9100 Block Loop W. 1604 N. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garcia, Barrera.

AN ORDINANCE 93992

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 7.61 ACRES OUT OF P-5, NCB 16007, 9100 BLOCK LOOP W. 1604 N., FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

— — —

4L) CASE NO. #Z2001014 - The request of Sheldon Real Estate, Applicant, for Sheldon Real Estate, Owner(s), for a change in zoning from "R-1" Single Family Residence District and "R-3" Multiple-Family Residence District to "B-2" Business District on 11.68 acres out of NCB 16028, Loop W. 1604 N approximately 1726 feet south of Bowens Crossing. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garcia, Barrera.

AN ORDINANCE 93993

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 11.68 ACRES OUT OF NCB 16028, LOOP W. 1604 N APPROXIMATELY 1726 FEET SOUTH OF BOWENS CROSSING, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

4M) CASE NO. #Z2001083 - The request of Estate of Thelma D. Johnson, Applicant, for Estate of Thelma D. Johnson, E.J. Evers (executor), Owner(s), for a change in zoning from "A" Single-Family Residence District to "O-1" Office District on the southwest 50 feet of an 0.885 acre tract of land being all of Lot 24 and a portion of Lot 25, Block 2, NCB 11612; and from "A" Single-Family Residence District to "B-1" Business District on an 0.885 acre tract of land being all of Lot 24 and a portion of Lot 25, Block 2, NCB 11612, save and except the southwest 50 feet of a 0.885 acre tract of land being all of Lot 24 and a portion of Lot 25, Block 2, NCB 11612, 2002 Babcock Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garcia, Bannwolf.

AN ORDINANCE 93994

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.885 ACRE TRACT OF LAND BEING ALL OF LOT 24 AND A PORTION OF LOT 25, BLOCK 2, NCB 11612, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT ON THE SOUTHWEST 50 FEET OF AN; AND AN 0.885 ACRE TRACT OF LAND BEING ALL OF LOT 24 AND A PORTION OF LOT 25, BLOCK 2, NCB 11612, SAVE AND EXCEPT THE SOUTHWEST 50 FEET OF A 0.885 ACRE TRACT OF LAND BEING ALL OF LOT 24 AND A PORTION OF LOT 25, BLOCK 2, NCB 11612, 2002 BABCOCK ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

\* \* \* \*

4N) CASE NO. #Z2001102 - The request of City of San Antonio, Applicant, for Profile Electric Inc., Owner(s), for a change in zoning from "B-3 NA ERZD" Business Edwards Recharge Zone District, Non-Alcoholic Sales to "B-3 NA ERZD CC" Business Edwards Recharge Zone District, Non-Alcoholic Sales with Special City Council Approval for an electrical contracting facility on Lot 17, Block 3, NCB 17616, 13000 block of Western Oak Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garcia, Bannwolf.

AN ORDINANCE 93995

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 17, BLOCK 3, NCB 17616, 13000 BLOCK OF WESTERN OAK DRIVE, FROM "B-3 NA ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT, NON-ALCOHOLIC SALES TO "B-3 NA ERZD CC" BUSINESS EDWARDS RECHARGE ZONE DISTRICT, NON-ALCOHOLIC SALES WITH SPECIAL CITY COUNCIL APPROVAL FOR AN ELECTRICAL CONTRACTING FACILITY.

\* \* \* \*

2001-21 PUBLIC HEARING AND ORDINANCE: TERMINATING TAX INCREMENT REINVESTMENT ZONE.

Mayor Peak declared the Public Hearing to be open.

Ms. Celena Gutierrez, Special Projects Coordinator, Neighborhood Action, described the Ordinance, a copy of the power point presentation on the Tax Increment Financing Termination of A Reinvestment Zone – LaPaz Project, is on file with the papers of this meeting. Ms. Gutierrez gave a summary of the item, background, termination, rational, policy analysis, financial analysis and stated that staff recommends approval of this Ordinance.

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

\* \* \* \*

Mr. Garcia made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garcia, Bannwolf.

AN ORDINANCE 93996

TERMINATING TAX INCREMENT REINVESTMENT ZONE NUMBER EIGHT, CITY OF SAN ANTONIO, TEXAS ("LA PAZ"); DISSOLVING THE BOARD OF DIRECTORS FOR THE ZONE; DISSOLVING THE TAX INCREMENT FUND FOR THE ZONE; PROVIDING FOR AN EFFECTIVE TERMINATION DATE FOR THE ZONE AND OTHER ACTIONS RELATED THERETO.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 93997

AUTHORIZING THE SETTLEMENT OF AN INSURANCE CLAIM FILED AGAINST DESIGN PROFESSIONALS INSURANCE COMPANY ("DPIC") FOR THE AMOUNT OF \$2,100,000.00 IN CONNECTION WITH DESIGN ERRORS AND OMISSIONS EXPERIENCED ON THE CONVENTION CENTER EXPANSION PROJECT; AND AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT WITH DPIC AND THE PROJECT'S ARCHITECTURAL FIRM OF KELL MUNOZ.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Prado seconded the motion.

Mr. Frank Garza, City Attorney, presented this item, a copy of the power point presentation on the Henry B. Gonzales Convention Center Expansion Project, is filed with the papers of this meeting. He spoke regarding the settlement of errors, omissions insurance claims, background proposal and settlement agreement.

Mr. Joe Aceves, Consultant, spoke regarding the acceptance of settlement offer and recommendation, which will focus on the completion and on the success of the expansion project. He stated that staff and project consultants recommend acceptance of DPIC's \$2.1 million settlement offer and approval of this Ordinance.

The next steps were discussed which included working with the ad hoc committee to establish priorities and timelines for future convention center enhancements. He stated that a meeting is scheduled for May 29, 2001 for staff and ad hoc committee.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Carpenter.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 93998

ADOPTING VARIOUS AMENDMENTS TO THE ETHICS CODE AS REQUESTED BY THE MAYOR APPOINTED JOINT COMMITTEE ON ETHICS. (AMENDS ORDINANCE 88874, NOVEMBER 19, 1998.)

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

Mr. Frank Garza, City Attorney, gave a power point presentation on amendments to the Code of Ethics, a copy of which is on file with the papers of this meeting. Mr. Garza gave background information of this item, and detailed the proposed amendments which included Declaration of Policy, Presents of City Officials and Employees, Former City Officials and Employees, Persons doing business with the City, Lobbyists, Financial Disclosure and the Ethics Review Board. He discussed the objectives, which are to make the code more effective in its implementation and requirements, as well as continue in the same spirit of disclosure and integrity as the original drafters.

Mayor Peak thanked them for their hard work and diligence stating that he looks forward to Council support.

In response to a question posed by Mr. Salas, Mr. Garza explained that hearsay can not be accepted as evidence. Discussion occurred regarding hearsay evidence and Mr. Salas' request to include the words "reliable and useful".

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding financial disclosures, stating that all City Officials should be disclosing any possible gifts being given to them by Lobbyists.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 93999

AUTHORIZING THE EXECUTION OF AMENDMENT NO. 3 TO THE SPORTS COMPLEX LEASE, DEVELOPMENT, MANAGEMENT AND USE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND SPORTS AMERICA, S.A., LTD. OPERATING AS (GUNN SPORTS PARK) FOR USE OF PUBLIC PROPERTY IN MCCALLISTER PARK IN CITY COUNCIL DISTRICT 9; ESTABLISHING FUNDING FOR RENTAL OF GUNN SPORTS PARK FOR USE BY THE CITY YOUTH RECREATION AND ATHLETIC PROGRAMS AS A PRIORITY FOR FUTURE APPROPRIATIONS; AND AUTHORIZING THE PAYMENT OF \$114,000.00 FOR THE FIRST YEARS RENTAL PAYMENT FROM THE CITY'S PARKS RECREATION ATHLETIC FUND. (AMENDS ORDINANCE NO. 71942, JULY 19, 1990.)

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Malcolm Mathews, Director of Parks and Recreation, gave a power point presentation on Amendment to No. 3 Gunn Sports Park Lease Agreement, a copy of which is on file with the papers of this meeting. He gave a summary, background, detailed amendment number three, spoke regarding the Youth Recreation Program sites, facilities, changes to adult softball use, use totals, City rental payment, GSP concession, payments to City termination provision, cost comparisons, new City costs, costs comparisons, coordination, recommendation.

The following citizen(s) appeared to speak:

Mr. Ken Browne, 111 Soledad #111, thanked the Mayor and members of City Council and City Staff for working with them on collaborated efforts and spoke in support of the Ordinance.

Mr. Tony Garza, 101 Schreiner, spoke in opposition of the proposed Ordinance.

Mr. Joe Sepulvedo, 750 Merida, President of Baseball S.A., spoke in support of the proposed Ordinance and asked for Council concurrence. He explained the primary goal of his agency is to find available sports parks that can be utilized by interested kids who would like to play baseball, or softball and these kids are thrilled to be able to utilize Gunn Sports Park.

Mr. Bill Sullivan, 1811 Kenilworth, Parks and Recreation Advisory Board, spoke in opposition of the proposed Ordinance. He stated he opposed the six signatures brought forward by City Council, bypassing the Parks and Recreation Board.

Mr. David Earle, 111 Soledad #111, Attorney, clarified that the City would own all the amenities, and discussed the cost comparisons, which were agreed to.

Mr. Malcolm Mathews, Director, Parks and Recreation, was asked to come forward by City Council. He explained that this is a very reasonable agreement and detailed the important parts of this agreement for the citizens.

Mayor Peak stated that he appreciates the perseverance and good effort given to have a balance between the youths and adults to utilize.

Members of the City Council thanked the Parks and Recreation Department for bringing this forward and addressing all concerns. They also commended the City for their hard work as this endeavor is beneficial for the City and it's taxpayers.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner.

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**2001-21 PUBLIC HEARING AND ORDINANCES: STRATEGIC PLAN FOR ENHANCED ECONOMIC DEVELOPMENT CHECKS & ESTABLISHING A NEW ECONOMIC DEVELOPMENT COORDINATION ORGANIZATION.**

Mayor Peak declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development, and Mr. Manuel Longoria, Assistant Director of Economic Development, presented this item, a copy of the power

point presentation on the Strategic Plan for Enhanced Economic Development titled "Our Community Economic Collaborative," is on file with the papers of this meeting.

Mr. Cavazos detailed background, community participation, job growth rates, unemployment rates, employment by sector, San Antonio Cumulative Per Capita Income Growth, San Antonio's Internet Access, San Antonio Economic Ranking, Strategic Plan, Vision and Principles.

Mr. Longoria detailed Goals and Objectives and then discussed the Strategic Plan Implementation - Phase I & II. He also explained San Antonio Inc. and discussed its organizational structure, leadership tier, implementation, tier executives, resource tier, directors, program and staffing. He further explained that staff recommends approval of City Council's acceptance of the Strategic Plan for enhanced economic development and the establishment of an umbrella economic development coordinating organization named San Antonio, Inc.

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

\* \* \* \*

Mayor Peak explained that he had appreciated the input from the members of the City Council. He also thanked the individuals in the business community.

Members of the City Council thanked all the participants for the magnitude of economic development, as the City will enjoy the successes that come about due to this project.

The Clerk read the following Ordinance:

AN ORDINANCE 94000

ACCEPTING THE STRATEGIC PLAN FOR ENHANCED ECONOMIC DEVELOPMENT DESIGNED TO GUIDE LOCAL ECONOMIC DEVELOPMENT ACTIVITIES OVER THE NEXT FIVE YEARS.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

\* \* \* \*

The Clerk read the following Ordinance:

AN ORDINANCE 94001

ESTABLISHING A NEW ECONOMIC DEVELOPMENT COORDINATION ORGANIZATION NAMED SAN ANTONIO, INC.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 94002

COMPLYING WITH THE CITY OF SAN ANTONIO'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO REDUCE POLLUTANTS IN THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4), AS REQUIRED BY FEDERAL PERMIT NO. TXS001901, DIRECTING USE OF BEST MANAGEMENT PRACTICES (BMP) ON CONSTRUCTION SITES IN THE CITY'S JURISDICTION; REQUIRING APPLICABLE STATE AND FEDERAL STORM WATER POLLUTION PREVENTION PLANS TO BE AVAILABLE FOR CITY INSPECTION; DECLARING THE PROVISIONS CREATED HEREIN TO BE

IN FURTHERANCE OF REGULATING THE DRAINAGE UTILITY; DECLARING PUBLIC NUISANCE, PROVIDING PENALTIES AND DIRECTING PUBLICATION.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Tom Wendorff, Director of Public Works, presented this item, a copy of the power point presentation on Storm Water Compliance for Construction Activity Ordinance, is on file with the papers of this meeting. He gave a brief introduction, background and purpose. He then discussed permit area jurisdiction and gave definitions, examples of BMPS, and discussed permit requirements, permit process and enforcement. He detailed the coordination of various staff departments, and stated that staff recommends approval.

Mayor Peak thanked them for their efforts in conjunction with the other agencies and to these that were a part of this.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Barrera.

— — —  
2001-21 The City Clerk read a proposed ordinance selecting HDR Engineering, Inc., To provide professional environmental engineering services related to the independent review and recommendations associated with the Air Force's groundwater treatment options at Kelly Air Force Base (Kelly AFB) and Zone 4 in the surrounding area within the City's jurisdiction; authorizing the negotiation and execution of a contract in the amount of \$29,966.00; and providing for payment.

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

Mr. Dan Cardenas, Environmental Services Department, presented this item, a copy of the power point presentation on Individual Review of Kelly Air Force Base Ground Water Clean Up options, is on file with the papers of this meeting. The presentation detailed Council action requested, recent Council action, consultant selection timeline, proposed scope of work, consultant selection criteria, selection process coordination, consultant selection and stated that staff recommends approval of this Ordinance.

City Council discussed their concerns with the rating setup, and the selection process.

Mr. Garcia made a substitute motion, to not act on the recommendation presented today but to open the RFP process again to broaden and span to the state of Texas in order to obtain independent review. Direction was also given to staff to change the matrix to focus more on independence. Mr. Prado seconded the motion.

Members of City Council explained that they should do everything in their power to ensure the hiring of an organization that is in no way affiliated with Kelly.

The substitute motion to postpone this item, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

The main motion as substituted, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-21      **EXECUTIVE SESSION**

The City Council recessed its regular session at 5:58 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney-Client consultation regarding the lawsuit styled Esperanza Peace and Justice Center vs. City of San Antonio and Mayor Howard Peak; Case No. SA-98-CA-0696 OG in the United States District Court for the Western District.
- B) Attorney-Client consultation regarding the terms and conditions of a Development Agreement with Embrey Partners/H.B. Zachry for the design and construction of an office building to house the One Stop Development Services Center.

The City Council adjourned the Executive Session at 6:45 P.M. and reconvened in regular session, at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.



THAT LEVIES A TAX IN THE PROPOSED ZONE; AUTHORIZING A REQUEST TO EACH TAXING ENTITY FOR THE APPOINTMENT OF A REPRESENTATIVE TO MEET WITH THE CITY TO DISCUSS THE PROJECT; DELEGATING AUTHORITY TO CALL AND HOLD MEETINGS WITH REPRESENTATIVES OF EACH TAXING UNIT.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Resolution. Mr. Prado seconded the motion.

Mr. George Pedraza, Assistant to the City Manager, explained two separate Resolutions of Intent to use Tax Increment Financing (TIF) and gave a brief summary, review of the TIF applications, and spoke regarding compliance with the City guidelines and other information. He then introduced Ms. Celena Gutierrez, Special Projects Coordinator, Neighborhood Action, who would be concluding the power point presentation.

Ms. Gutierrez presented this item, a copy of the power point presentation on the Resolution of Intent – Plaza Fortuna – Developer (HLH Development/Harry Hausman, Principal), is on file with the papers of this meeting. She discussed the proposed development and public improvements.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2001-21-26

EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO CREATE A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE TO FINANCE PUBLIC IMPROVEMENTS IN SUPPORT OF THE LACKLAND HILLS RESIDENTIAL DEVELOPMENT IN COUNCIL DISTRICT 4; AUTHORIZING AND DIRECTING DISTRIBUTION OF A WRITTEN NOTICE OF THE CITY'S INTENTION TO CREATE THE PROPOSED REINVESTMENT ZONE TO EACH TAXING UNIT THAT LEVIES A TAX IN THE PROPOSED ZONE; AUTHORIZING A REQUEST TO EACH TAXING ENTITY FOR THE APPOINTMENT OF A REPRESENTATIVE

TO MEET WITH THE CITY TO DISCUSS THE PROJECT; DELEGATING AUTHORITY TO CALL AND HOLD MEETINGS WITH REPRESENTATIVES OF EACH TAXING UNIT.

\* \* \* \*

Ms. Guerrero made a motion to approve the proposed Resolution. Mr. Salas seconded the motion.

Ms. Celena Gutierrez, Special Projects Coordinator, Neighborhood Action, presented this item, gave a power point presentation on the Resolution of Intent – Lackland Hills – Developer, Lackland Hills Joint Venture, between Francisco Moreno, and Gordon Woods, proposed development, proposed public improvements, community benefits and recommendation, is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 94003

AUTHORIZING THE ESTABLISHMENT OF A CONTRACTS MANAGEMENT DIVISION IN THE ASSET MANAGEMENT DEPARTMENT; THE CREATION OF A SPECIAL PROJECTS MANAGER POSITION IN THE NEW CONTRACTS MANAGEMENT DIVISION OF THE ASSET MANAGEMENT DEPARTMENT; THE CREATION OF A LEGAL ADMINISTRATOR POSITION IN THE CITY ATTORNEY'S OFFICE NECESSARY TO SUPPORT THE CREATION AND SUPPORT OF THE TWO NEW POSITIONS USING THE APPROPRIATE PORTION OF THE FUNDS ORIGINALLY BUDGETED IN THE CITY ATTORNEY'S OFFICE FOR IMPLEMENTATION OF THE PERFORMANCE REVIEW.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Barrera seconded the motion.

Mr. Erik Walsh, Assistant to the City Manager, presented this item, a copy of the power point presentation on the development of a Contracts Management Division, is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 94004

APPROVING THE SUBMISSION OF THE LOCAL WORKFORCE DEVELOPMENT BOARD INTEGRATED PLAN MODIFICATION FOR PROGRAM YEARS 2001-2004 AND FISCAL YEAR 2001-2002, BY THE ALAMO WORKFORCE DEVELOPMENT BOARD.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Dennis Campa, Department of Community Initiatives, introduced this item for the City Council. He then introduced Elaine Mendoza, Chairperson of Alamo Workforce Development Board, staff of Alamo Workforce Development Board, who presented this item, a copy of the power point presentation on the Alamo Workforce Development, Inc., Integrated Strategic & Operational Plan Modification for Program Year 2001-2004, is on file with the papers of this meeting. The budget plan for the year of 2001. Workforce Programs and services provided by the AWD Board and encompassed within the plan modifications were listed. The planning process was discussed and the various sections of the plan were detailed. Goals were explained and a timeline of public hearings were listed. It was explained that the modified plan was due to the Texas Workforce Commission by April 27, 2001. The signatures of the AWD Executive Director, AWD Board Chair, and Chief Elected Official are required for submission acceptance, and staff recommends approval.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2001-21-27

EXPRESSING THE CITY COUNCIL'S SUPPORT OF THE COUNTYWIDE CITIZENS WATERSHED COMMITTEE WORK; ACCEPTING THE FINAL REPORT AS A GUIDING DOCUMENT FOR THE IMPLEMENTATION OF FLOOD CONTROL PROJECTS; AND SUPPORTING CONTINUING EFFORTS BETWEEN THE CITY OF SAN ANTONIO, BEXAR COUNTY, THE SAN ANTONIO RIVER AUTHORITY (SARA) AND MEMBERS OF THE COUNTYWIDE CITIZENS WATERSHED COMMITTEE TO DEVELOP IMPLEMENTATION STRATEGIES FOR THE REPORT RECOMMENDATIONS.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Resolution. Mr. Barrera seconded the motion.

Mr. Tom Wendorff, Director, Public Works, presented this item, a copy of the power point presentation on the Countywide Citizens Watershed Committee final report, is on file with the papers of this meeting. He gave an introduction, background, policy analysis and discussed coordination. Mr. Wendorff stated that staff recommends approval of this Resolution.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Salas, Guerrero, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 94005

AUTHORIZING THE AMOUNT OF \$1,800.00 FROM THE DISTRICT 5 BUDGET ADMINISTRATIVE ASSISTANT FUND TO COUNCILMAN DAVID A. GARCIA FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH ROGER ENRIQUEZ

FOR THE PERIOD MAY 17-31, 2001; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado, Garcia, Garza, Bannwolf.

— — —  
2001-21 The Clerk read the following Ordinance:

AN ORDINANCE 94006

APPROVING THE PROJECT PLAN AND THE FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER ELEVEN (A/K/A "INNER CITY TIRZ"); AUTHORIZING THE APPLICATION OF THE TERMS AND CONDITIONS OF ORDINANCE NO 62206, PASSED AND APPROVED ON JANUARY 23, 1986, TO THE MEMBERS OF THE BOARD OF DIRECTORS OF TIRZ NUMBER ELEVEN FOR THE PURPOSES PROVIDED THEREIN, INCLUDING BUT NOT LIMITED TO, INDEMNIFICATION FOR PERFORMANCE OF THEIR OFFICIAL DUTIES.

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Mr. Salas made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

Mr. Ramiro Cavazos, Director, Economic Development, presented this item, a power point presentation summarizing the approval of Project and Finance Plans: Tax Increment Reinvestment Zone No. 11 (InnerCity TIRZ), is on file with the papers of this meeting.

Mr. Cavazos gave a summary, background, and explained the TIRZ projects including project funding. He then detailed the project plan, which included the Ellis Alley Restoration, Southtown Infrastructure, Victoria Courts Infrastructure, Eastside Cemeteries Improvements, New Light Village Housing, Telecom Business Incubator,

Transportation Access Improvements, to the SBC Center. He then spoke to the TIRZ No. 11 projects, plan of finance, policy analysis, fiscal impact, and stated that staff recommends approval of this Ordinance.

Mr. Salas stated that all individual entities are willing to assist with their own investment into some of these projects. He further stated that bringing these entities to the table together in meetings such as these have proven to be very productive.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado, Garcia, Garza, Bannwolf.

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2001-21      CITIZENS TO BE HEARD

**MS. JANIE ALVARADO**

Ms. Janie Alvarado, 120 Cargo, spoke regarding the Esperanza Suit, and stated that she was against the appeal.

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2001-21      There being no further business to come before the City Council, the meeting was adjourned at 8:15 P.M.

**A P P R O V E D**

  
**HOWARD W. PEAK**  
M A Y O R

Attest

  
**NORMA S. RODRIGUEZ, CMC/AAE**  
City Clerk