

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, NOVEMBER 8, 2001.**

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2001-42 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) **Staff presentation on the Independent Review of the Capital Projects Planning and Management RFP.** Presented by Erik Walsh, Assistant to the City Manager.
- B) **Staff presentation on the Independent Span of Control Review for the City of San Antonio Organization RFP.** Presented by Louis A. Lendman, Director of Management and Budget.

The Council members present were: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

The "B" Session adjourned at 11:10 A.M.

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2001-42 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

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2001-42 Invocation by Rev. Mark Barz, Crown Life Lutheran Church.

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2001-42 Pledge of Allegiance to the flag of the United States.

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IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

Mr. Milo Nitschke, Director of Finance narrated a slide presentation on Items 4A through 4C regarding the Certificates of Obligation, the General Improvement and Refunding Bonds, and the Forward Refunding Bonds, a copy of which presentation is on file with the papers of this meeting. He outlined the schedule of events, the bond ratings from the respective bond rating companies, the Advance refunding and new money underwriter syndicate, the transactions summary, and the 30-year U.S. Treasury bond yield.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke on the amount of money involved with the bonds, and cited the financial firms involved with this project.

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Ms. Conner recognized members of the staff and financial advisors involved with the bond activity and commended their outstanding work.

Mr. Schubert commended the City staff and financial advisors noting the bond ratings were excellent reflecting substantial savings to the City in the next five to ten years.

City Manager Terry M. Brechtel, spoke of the excellent team, the planning of staff, timing of the market, adding there would be a substantial savings to the San Antonio residents.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94863

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$84,945,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2001"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, ESCROW AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS IMPOSED BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94864

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$251,280,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT FORWARD REFUNDING BONDS, SERIES 2002"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, ESCROW AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS IMPOSED

BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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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, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-42      **ON A POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mr. Garcia recognized the representatives from San Antonio Water System (SAWS) and Grand Communications, specifically citing the assistance being provided to the citizens of San Antonio through Project Agua by the generous contribution of Grande Communications.

General Eugene Habiger, CEO of SAWS, explained how the information would be disseminated to the citizens of San Antonio and also acknowledged the corporate support of Grande Communications in efforts to enhance Project Agua.

Mayor Garza and members of the City Council commended Grande Communications for their generous contribution of \$10,000 for Project Agua.

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2001-42      **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke on Item 14 regarding the contract with Raba Kistner Consultants, Inc., citing the campaign contributions received by certain members of the City Council.

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2001-42      CONSENT AGENDA

Mr. Sanders made a motion to approve Agenda Items 8 through 25F constituting the Consent Agenda, except for items 12, which was pulled for individual consideration, and Item 25E which was pulled from the agenda. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

AN ORDINANCE 94865

ACCEPTING THE BID FROM GATOR, INC. D/B/A DODSON HOUSE MOVING TO PROVIDE THE CITY OF SAN ANTONIO NEIGHBORHOOD ACTION DEPARTMENT WITH THE REMOVAL AND RELOCATION OF FOUR STRUCTURES FOR A TOTAL OF \$74,466.00.

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AN ORDINANCE 94866

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 2001-2002 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$189,077.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 94867

SELECTING BAIN MEDINA BAIN, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE GROFF AVENUE, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$4,800.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94868

SELECTING JAMES AND JUAREZ, ARCHITECTS, AN MBE FIRM, TO PROVIDE PROFESSIONAL DESIGN SERVICES IN CONNECTION WITH THE CLAUDE BLACK CENTER ROOFING AND BARBARA JORDAN SKYLIGHT REPAIR PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$12,443.00; AUTHORIZING \$2,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94869

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH ALAMO ARCHITECTS, INC. IN AN AMOUNT NOT TO EXCEED \$27,500.00 FOR ADDITIONAL DESIGN SERVICES IN CONNECTION WITH THE ST. MARY'S STREET PARKING GARAGE PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$3,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 90062, JULY 1, 1999; ORDINANCE NO. 90649, OCTOBER 14, 1999).

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AN ORDINANCE 94870

AN ORDINANCE RATIFYING SERVICES PERFORMED AND AUTHORIZING THE SECOND AMENDMENT TO THE AIR MONITORING SERVICES CONTRACT WITH RABA KISTNER CONSULTANTS, INC., IN AN AMOUNT NOT TO EXCEED \$9,032.00; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92364, AUGUST 24, 2000.)

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AN ORDINANCE 94871

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARTIST GASPAR ENRIQUEZ, TO DESIGN, FABRICATE AND INSTALL AESTHETIC ENHANCEMENTS FOR THE HENRY B.

GONZALEZ CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$6,412.00, AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87992, JUNE 25, 1998.)

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AN ORDINANCE 94872

AUTHORIZING THE TRANSFER OF \$21,125.00 FROM THE FACILITY IMPROVEMENT AND MAINTENANCE PROGRAM (FIMP) FUND TO REPLACE THE EMERGENCY GENERATOR AT FIRE STATION NO. 40, LOCATED AT 14331 O'CONNER IN COUNCIL DISTRICT 10.

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AN ORDINANCE 94873

AUTHORIZING THE PURCHASE OF A 2.756 ACRE TRACT FROM THE BABCOCK NORTH NEIGHBORHOOD ASSOCIATION FOR THE AMOUNT OF \$11,072.56 LOCATED NEAR THE CORNER OF SPRING SHADOW DRIVE AND SPRING TIME DRIVE IN CITY COUNCIL DISTRICT 8; ALLOCATING \$100,000.00 IN FY 99/00 ONE-TIME IMPROVEMENT FUNDS; ESTABLISHING A PROJECT BUDGET OF \$100,000.00; APPROVING \$15,201.31 FOR LAND ACQUISITION AND ASSOCIATED COSTS; APPROVING \$3,000.00 FOR ARCHITECT/ENGINEER FEES; APPROVING \$2,000.00 FOR MANDATORY PROJECT FEES AND APPROVING \$79,798.69 FOR PARK MATERIALS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94874

APPROVING THE ASSIGNMENT OF AN EIGHT (8) YEAR STANDARD FORM EL MERCADO LEASE AGREEMENT FROM RIVERA'S TRADING POST TO EL TAXQUENITO IN THE CITY OF SAN ANTONIO'S EL MERCADO AT MARKET SQUARE IN CITY COUNCIL DISTRICT 1. (AMENDS ORDINANCE NO. 91799, MAY 18, 2000.)

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AN ORDINANCE 94875

AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,268.68 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD - DEZAVALA ROAD TO HAUSMAN ROAD PROJECT (\$9,394.64), BITTERS ROAD - WEST AVENUE TO HEIMER (MPO) PROJECT (\$770.40), FIRE STATION NO. 7 PROJECT (\$187.23), FIRE STATION NO. 25 PROJECT (\$4,651.33), LOCKHILL SELMA - GEORGE ROAD TO WHISPERING PATH (MPO) PROJECT (\$569.09), MISSION TRAILS PARKWAY, PHASE III (MPO) PROJECT (\$967.64), MISSION TRAILS PARKWAY, PACKAGE IV (MPO) PROJECT (\$2,062.67), PECAN VALLEY - I.H. 10 TO J STREET (MPO) PROJECT (\$2,387.30), SALADO CREEK HIKE & BIKE TRAIL PROJECT (\$2,105.05), AND THE SOUTHCROSS - NEW BRAUNFELS TO S. PRESA (MPO) PROJECT (\$2,173.33); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94876

AUTHORIZING PAYMENT IN THE AMOUNT OF \$6,750.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR ALBERT B. PRADO FOR A TEMPORARY CONSTRUCTION EASEMENT IN CONNECTION WITH THE HILIONS DRAINAGE PROJECT #80, PHASES III AND V; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94877

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO THREE PROPERTIES DESCRIBED AS: LOTS 24, 26, AND 27, ALL OUT OF NEW CITY BLOCK 7186, HILL TOP TERRACES SUBDIVISION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY THE ACQUISITION, IMPROVEMENT AND MAINTENANCE OF THE FUNSTON STREET PROPERTIES PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS AND EMPLOYEES OF THE CITY TO ACQUIRE SUCH PROPERTY; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS; AND

DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 94878

RATIFYING THE SUBMISSION OF A GRANT APPLICATION BY THE CITY ATTORNEY'S OFFICE TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR FUNDS IN THE AMOUNT OF \$228,327.00 AVAILABLE UNDER THE VIOLENCE AGAINST WOMEN ACT FOR THE EARLY INTERVENTION FOR WOMEN LIVING IN DOMESTIC VIOLENCE PROGRAM FOR THE PERIOD JUNE 1, 2002, THROUGH AUGUST 31, 2003 AND ACCEPTING THE SAME REQUESTED GRANT UPON BEING AWARDED BY THE OFFICE OF THE GOVERNOR.

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AN ORDINANCE 94879

AUTHORIZING AN EXCEPTION TO THE CITY'S REQUIREMENT THAT COMMERCIAL EVENTS HELD AT ALAMO PLAZA BE LIMITED TO TWO PER MONTH BY PERMITTING THE AMERICAN PAYROLL ASSOCIATION IN MAY 2002 TO HAVE A DINNER EVENT AT ALAMO PLAZA LOCATED IN CITY COUNCIL DISTRICT 1, AS REQUESTED BY THE CONVENTION AND VISITOR'S BUREAU.

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AN ORDINANCE 94880

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO PUBLIC TECHNOLOGY, INC. IN THE AMOUNT OF \$27,500.00 FOR THE PERIOD OF DECEMBER 2001 THROUGH NOVEMBER 2002.

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AN ORDINANCE 94881

REAPPOINTING LUPITA GUTIERREZ (MAYOR) TO THE SAN ANTONIO HOUSING AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2003.

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AN ORDINANCE 94882

REAPPOINTING JESSE ZUNIGA, JR. (DISTRICT 6) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2003.

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AN ORDINANCE 94883

REAPPOINTING GABRIEL A. ZAPATA (DISTRICT 8) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2003.

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AN ORDINANCE 94884

REAPPOINTING ELDA FLORES (DISTRICT 4) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2003.

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AN ORDINANCE 94885

APPOINTING JOSE R. LIMON (DISTRICT 3) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 2002.

2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94886

SELECTING MARK E. KELLMAN, ARCHITECT, TO PROVIDE PROFESSIONAL DESIGN SERVICES IN CONNECTION WITH THE GROWDEN ROAD VEHICLE STORAGE FACILITY PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$21,285.00; AUTHORIZING \$16,800.00 FOR GEO-TECHNICAL, SURVEY AND PLATTING SERVICES; AUTHORIZING \$2,000.00 FOR REIMBURSABLE AND PRINTING EXPENSES; AUTHORIZING \$2,125.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Tom Wendorf, Director of Public Works, explained the proposed contract which would provide the design services to replace a deteriorated temporary building used by the Police Department staff who process the necessary work for stolen or confiscated vehicles, a copy of which is on file with the papers of this meeting. He further explained the scope of work and funding to be used for this project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

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2001-42 **ZONING HEARINGS**

5A.) CASE NUMBER #Z2001137C - The request of City of San Antonio, Applicant, for Richard Moore, Owner(s), for a change in zoning from "R-3 UC-5" Multiple-Family Residence Urban Corridor District to "C-2NA-C" Commercial, Non-Alcohol Sales District with conditional zoning for an Automobile Accessories with installation facility on Lot 3, Block 4, NCB 1731, 310 E. Dewey Street. Staff recommendation was for approval.

Zoning Commission has recommended denial. (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. Garcia seconded the motion.

The following citizen(s) appeared to speak:

Mr. Richard Moore, applicant, spoke of the present zoning on the subject property and surrounding area. He cited the purchase of the building and the permits necessary for the business and noted that the present zoning was an administrative error.

Ms. Maria Angie Ruiz, expressed concern on the requested zoning, stating there was no error with the present zoning. She stated the change would be detrimental to the area residents due to the noise problems, and urged City Council to deny.

(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Schubert presided.)

Ms. Kathleen Trenchard, 215 E Park Ave., stated she was involved in the original hearings in 1995, and the main objective had been to stabilize housing in the area. She stated that the proposed change would not be in compliance with City regulations, and urged the City Council to concur with the Zoning Commission.

Mr. Dan Saraffa, spoke in opposition to the zoning case, and urged the City Council to deny the request in order to protect the neighborhood.

Ms. Leticia Vela, spoke in opposition to the zoning case, noting that this commercial property was an infringement upon the residents. She also added there was a concern regarding the noise problem.

(Mayor Garza returned to the meeting and presided.)

Ms. Loretta Huddleston, read a prepared statement on behalf of the San Antonio Conservation Society, (a copy of which is on file with the papers of this meeting) and also expressed concern with the noise problem in the residential area.

Ms. Melissa Miller, spoke to the number of years in the residential area, and expressed concern on the quality of life in the neighborhood and property values with the proposed change in zoning.

Ms. Penny Boyer, President of LaVaca Association, expressed concern with the commercial corridor in the residential area, and urged the City Council not to approve the requested zoning.

Mr. Luis Elizondo, spoke in opposition to the zoning case, and cited the neighborhood plan, which was developed to protect the neighborhood.

Mr. Mike Hernandez, spoke in support of the proposed change, noting that it was an error in the original zoning.

Mr. Richard Moore, applicant, reiterated on the original certificate of occupancy which had been given to him, citing the error on the original zoning. He added that he was a responsible neighbor, working to enhance the neighborhood, and urged the City Council to allow his business in the area.

In response to Mr. Perez, Mr. Lozano further explained the zoning case.

Mr. Steve Arronge, City Attorney, clarified that the Board of Adjustment had found this parcel had non-conforming rights.

Mr. Perez noted that this was a difficult case, citing the letter from staff where it was noted there had been an internal error. He commented there had been a mediation process. He then made a motion to approve the zoning request with the condition of placing certain hours of operation, Monday through Friday, 8:00 A.M. – 6:30 P.M. He added that the noise Ordinance be in place and to include a 6 foot fence on the east side and landscaping on the east side as well. Mr. Garcia seconded the motion

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

#### AN ORDINANCE 94887

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 4, NCB 1731, 310 E. DEWEY STREET, FROM "R-3 UC-5" MULTIPLE-FAMILY RESIDENCE URBAN CORRIDOR

DISTRICT TO "C-2NA-C" COMMERCIAL, NON-ALCOHOL SALES DISTRICT WITH CONDITIONAL ZONING FOR AN AUTOMOBILE ACCESSORIES WITH INSTALLATION FACILITY.

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5B.) CASE NUMBER #22001199 - The request of City of San Antonio Historic Preservation Office, Applicant, for Gene Dockins, Owner(s), for a change in zoning to designate Historic Significance on Northeast 70 feet of Lots 1 and 2, Block 50, NCB 2744, 135 Beal Street. Staff 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. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

AN ORDINANCE 94888

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 NORTHEAST 70 FEET OF LOT 1 AND 2, BLOCK 50, NCB 2744, 135 BEAL STREET, TO DESIGNATE HISTORIC SIGNIFICANCE.

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5C.) CASE NUMBER #22001201 - The request of City of San Antonio Historic Preservation Office, Applicant, for Tillerman Family Trust / Walter and Theodora Tillerman, Trustees, Owner(s), for a change in zoning to designate Historic

Significance on Lots 1A and 2A, Block 28, NCB 397, 502 E Park Avenue. Staff 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. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

AN ORDINANCE 94889

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 1A AND 2A, BLOCK 28, NCB 397, 502 E PARK AVENUE, TO DESIGNATE HISTORIC SIGNIFICANCE.

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5D.) CASE NUMBER #22001220 - The request of City of San Antonio (Historic Preservation Office), Applicant, for Multiple property owners, Owner(s), for a change in zoning to Historic District (H) on attached legal descriptions, East Durango Street, South St. Mary's Street, South Presa Street, Matagorda Street, Martinez Street, Indianola Street, Barrera Street, Camargo Street, Callaghan Avenue, San Arturo Street, Canal Street, Leigh Street, Water Street, Lavaca Street, Garfield Street, South Alamo Street. Staff recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

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

The following citizen(s) appeared to speak:

Mr. John Howard, stated that the subject area was already under federal historic boundaries, and recommended that the City Council hold off on this case until next year.

Mr. Evelyn Sievers, spoke in opposition to the zoning request.

Ms. Mary Jane Alvarado, 120 Camargo, spoke in opposition to the requested zoning change.

Ms. Loretta Huddleston, spoke on behalf of the San Antonio Conservation Society and in support of the proposed zoning change.

Mr. Bob Caraben, spoke in support of the historic designation, noting that his home was built in 1872.

Ms. Penny Boyer, LaVaca Neighborhood Association, spoke of the historic significance of the subject property and expressed concern on the demise of the property. She urged the City Council to support the zoning request.

In response to Mr. Perez, Ms. Ann McGlone, Historic Preservation Officer, explained the notice process and the petition process initiated, adding that there had been sufficient notice to the affected residents. She further delineated on the guidelines on the setback and design requirements for the historic designation.

Mr. Perez spoke of the need to maintain the quality of life in the residential area, noting that the historic designation would accomplish this by improving the area substantially. He then made a motion to approve the zoning request. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

#### AN ORDINANCE 94890

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 ALL OF NCB 707, BLOCK 7, ALL OF NCB 708, BLOCK 8, ALL OF NCB 712, BLOCK 9, NCB 713, BLOCK 10, ALL OF NCB 714, BLOCK 11, ALL OF NCB 716, BLOCK 1 & 13, ALL OF NCB 717, BLOCK 2 & 14, ALL OF NCB 718, BLOCK 3, ALL OF NCB 719, BLOCK 1, ALL OF NCB 901, ALL OF NCB 902, ALL OF NCB 903, ALL OF NCB 923, BLOCK 1 & 4, ALL OF NCB 924, BLOCK

2 & 5, AND ALL OF NCB 13815, BLOCK 4, THE AREA IS BOUNDED BY EAST DURANGO STREET ON THE NORTH, TO SOUTH ST. MARY'S STREET ON THE WEST, EAST ON SOURHT ALAMO STREET TO SOUTH PRESA STREET, TO DESIGNATE A PORTION OF THE LAVACA AREA AS AN HISTORIC DISTRICT (H).

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5E.) CASE NUMBER #22001226 S - The request of Pedro G. Perez & Amelia G. Perez, Applicant, for Pedro G. Perez, Owner(s), for a change in zoning from "B" Residence District, to "C-3 S" Commercial District, with a Specific Use Permit for a Carpentry Shop on Lots 12 and 13, Block 2, NCB 3929, 1007, 1011, & 1013 W. Hildebrand. Staff recommendation was for approval.

Zoning Commission has recommended approval with conditions. (see SUP CONDITIONS) (Council District 1)

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

Mr. Perez made a motion to approve the zoning change with Lot 13 as "C-2", and Lot 12 as "C-3S". Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

#### AN ORDINANCE 94891

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 12 AND 13, BLOCK 2, NCB 3929, 1007, 1011, & 1013 W. HILDEBRAND, FROM "B" RESIDENCE DISTRICT, TO "C-2" COMMERCIAL DISTRICT, AND "C-3 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR A CARPENTRY SHOP ON LOT 12.

\* \* \* \*

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. All carpentry work transpire only inside the actual building (s);
2. No hammering, sawing, or cutting take place between the hours of 9:00 p.m. and 6:00 a.m.

SECTION 4: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 1024.

SECTION 5: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6: This ordinance is not severable.

\* \* \* \*

5F.) CASE NUMBER #22001227 - The request of San Antonio River Authority, Applicant, for San Antonio River Authority, Owner(s), for a change in zoning from "B-2" Business District and "B-2NA" Business Non-Alcoholic District to "R-5" Residential Single Family District on 0.4069 acres out of Lots 1 and 3, Block 1, NCB 1918, 6 Loop St, 1709 N. Flores St. & 1701 N. Flores St. Staff 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. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 94892

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 0.4069 ACRES OUT OF LOTS 1 AND 3, BLOCK 1, NCB 1918, 6 LOOP ST, 1709 N. FLORES ST. & 1701 N. FLORES ST., FROM "B-2" BUSINESS DISTRICT AND "B-2NA" BUSINESS NON-ALCOHOLIC DISTRICT TO "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT.

\* \* \* \*

5G.) CASE NUMBER #Z2001195C - The request of Barbara Ford Young, Applicant, for Jesse M. Grant and Rowena Jackson, Owner(s), for a change in zoning from "B" Residence District to "R-4 C" Residential Single Family District with conditional zoning for assisted living or elderly home with a maximum of six persons per lot on Lots 3 & 4, Block 7, NCB 11680, 111 - 115 Nellina Lane. Staff recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

AN ORDINANCE 94893

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 3 & 4, BLOCK 7, NCB 11680, 111 - 115 NELLINA LN., FROM "B" RESIDENCE DISTRICT TO "R-4 C" RESIDENTIAL SINGLE FAMILY DISTRICT WITH CONDITIONAL ZONING FOR ASSISTED LIVING OR ELDERLY HOME WITH A MAXIMUM OF SIX PERSONS PER LOT.

\* \* \* \*

5H.) CASE NUMBER #Z2001225C - The request of Texland Co., Inc., Applicant, for Texland Co., Inc., Owner(s), for a change in zoning from "B" Residence District to "C-2NA C" Commercial District, Non-Alcoholic Sales with conditional zoning for a vehicle repair facility on Lots 12 and 24, Block 3, NCB 10257, 2974 Martin Luther King. Staff recommendation was for denial.

Zoning Commission has recommended approval. (Council District 2)

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

Mr. Sanders made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

In response to Mr. Sanders, Mr. Larry O'Neill, the applicant, assured the Council that the subject area would be fenced in order to preclude any environmental damage to the community, and further addressed the storage issue.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

#### AN ORDINANCE 94894

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 12 AND LOT 24, BLOCK 3, NCB 10257, 2974

MARTIN LUTHER KING, FROM "B" RESIDENCE DISTRICT TO "C-2NA C" COMMERCIAL DISTRICT, NON-ALCOHOLIC SALES WITH CONDITIONAL ZONING FOR A VEHICLE REPAIR FACILITY.

\* \* \* \*

5I.) CASE NUMBER #22001228 - The request of Clarence E. Waiters, Applicant, for Clarence E. & Linda Waiters, Owner(s), for a change in zoning from "R-2" Two Family Residence District to "C-1" Commercial District on Lots 1 and 2, Block 25, NCB 1634, 846 Denver. Staff recommendation was for denial.

Zoning Commission has recommended approval. (Council District 2)

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

Mr. Sanders made a motion to approve the proposed rezoning. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

#### AN ORDINANCE 94895

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, BLOCK 25, NCB 1634, 846 DENVER, FROM "R-2" TWO FAMILY RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT.

\* \* \* \*

5J.) CASE NUMBER #22001230 - The request of the Francis Law Firm, P.C., Applicant, for B&M Real Estate, Ltd., Owner(s), for a change in zoning from "B-2" Business District, to "C-2" Commercial District on a .878 acre tract out of Lot 7, NCB 8205, Harald Court @ Dickson Avenue. Staff recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

AN ORDINANCE 94896

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 A .878 ACRE TRACT OUT OF LOT 7, NCB 8205, HARALD COURT @ DICKSON AVENUE, FROM "B-2" BUSINESS DISTRICT, TO "C-2" COMMERCIAL DISTRICT.

\* \* \* \*

5K.) CASE NUMBER #22001197 - The request of City of San Antonio Historic Preservation Office, Applicant, for Roses Estates, Ltd., Owner(s), for a change in zoning to designate Historic Significance on Lots 1 & 2, NCB 2810, 1400 South Brazos. Staff recommendation was for approval.

Zoning Commission has recommended denial. (Council District 5)

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

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

Ms. Ann McGlone, Historic Preservation Office, stated there was a film clip to show the Council, adding that the Historic and Design Review Commission had recommended that this area be designated as historic.

The following citizen(s) appeared to speak:

Mr. Tony Limon, applicant, urged the City Council not to approve the historic designation. He spoke of his business and the plans for expansion.

Ms. Cecilia Elizondo, stated she was representing her father who was 86 years old. She spoke of the historic significance of La Gloria, which stood as a monument and legacy for the Hispanics who came to this country during the Revolution.

Mr. Manuel Castillo, spoke in support of the historic designation, reiterating on the history of La Gloria. He further urged the City Council to support the designation.

Ms. Patti Elizondo, displayed some early-year photos of the La Gloria, and recommended to the City Council that the building not be demolished.

Ms. Phyllis McKenzie, Institute of Texan Cultures, spoke of the rich history of La Gloria building which opened at the beginning of the Depression. She urged the City Council to designate it as historic.

Ms. Loretta Huddleston, read a prepared statement on behalf of the San Antonio Conservation Society (a copy of which is on file with the papers of this meeting), and urged the City Council to designate the site as historic.

\* \* \* \*

Mr. Garcia thanked all the individuals who spoke of the history of the building, and recognized those residents who have been proactive in preserving the culture and history of the West Side. He noted the new business development in the area, and urged the City Council not to designate the site as historic. He then made a motion to deny the request.

Mayor Garza recognized this case was a tough decision, noting there were many other buildings such as La Gloria in the City. He asked staff for a status report of the survey regarding the landmark buildings.

Ms. McGlone, stated that the preliminary work had begun in the fall and that a report should be made to the City Council in January 2002, she noted however that the whole survey would take about three years to be completed.

Mayor Gaza expressed concern on the timeline of the survey completion and those buildings being proposed for demolition in the future. He stated he was sensitive to Mr. Limon not being aware of the process, and also recommended that resources be sought in order to fast-track the survey process on historic structures.

Mr. Genie Cooper, Planning Department, explained the process further on the survey of buildings, noting the number of buildings involved.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Schubert, Carpenter. **NAYS:** Castro, Conner, Garza. **ABSENT:** Perez.

Zoning Case Z2001197 was denied.

\* \* \* \*

5L.) CASE NUMBER #Z2001222 - The request of German Ballesteros, Applicant, for German Ballesteros, Owner(s), for a change in zoning from "B-2" Business District and "B-2 NA" Non Alcoholic Sales Business District to "R-5" Residential Single-Family District on Lots 17-22, Block 1, NCB 11998, 103 Tellez St. Staffs recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

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

Mr. Garcia made a motion to continue this rezoning case until the City Council meeting of December 13, 2002. Ms. Moorhouse seconded the motion.

After consideration, the motion to continue this case until December 13, 2002, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Perez, Carpenter.

Zoning Case Z2001222 was continued to the Council meeting of December 13, 2002.

\* \* \* \*

5M.) CASE NUMBER #22001235 - The request of City of San Antonio, Applicant, for Archdiocese of San Antonio, Owner(s), for a change in zoning from "R-1" Single Family Residence District, "B-1" Business District, "B-2" Business District and "B-3R Restrictive Business District to "R-6 S" Residential Single Family District with Specific Use Authorization for a non-commercial sports complex on 56.655 acres out of NCB 18623, Timber Hill/Crystal Hill. Staff recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

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

Mr. Castro made a motion to approve the proposed rezoning. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Perez, Carpenter.

#### AN ORDINANCE 94897

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 56.655 ACRES OUT OF NCB 18623, TIMBER HILL/CRYSTAL HILL, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT, "B-1" BUSINESS DISTRICT, "B-2" BUSINESS DISTRICT AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "R-6 S" RESIDENTIAL SINGLE FAMILY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A NON-COMMERCIAL SPORTS COMPLEX.

\* \* \* \*

5N.) CASE NUMBER #Z2001086 - The request of Earl & Brown, P.C., Applicant, for Ploch Properties, Ltd. and Ploch Sisters, LLC, Owner(s), for a change in zoning from "R-4" Manufactured Home Residence District and "R-4 UC-1" Manufactured Home Residence Urban Corridor District, "B-3 UC-1" Business Urban Corridor District, and "I-1 UC-1" Light Industrial Urban Corridor District to "BP"

Business Park District and "BP UC-1" Business Park Urban Corridor District on Lots 3, 4, and P-12, NCB 14862, 11600 IH 10 West Expressway. Staff 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 continue this rezoning case until the City Council meeting of February 14, 2002. Ms. Moorhouse seconded the motion.

After consideration, the motion to continue this case until February 14, 2002, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Carpenter, Garza.

Zoning Case Z2001086 was continued to the Council meeting of February 14, 2002.

\* \* \* \*

(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Schubert presided.)

**2001-42 PUBLIC HEARING – CLOSING, VACATING AND ABANDONING  
A 20-FOOT WIDE UNIMPROVED ALLEY LOCATED BETWEEN  
SPRINGGSDALE AND GAY BOULEVARDS BEHIND THE NEW LIGHT  
VILLAGE APPARTMENTS.**

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, presented the proposed closure, outlining the purpose of the closures, the total area involved, fiscal impact and coordination efforts, a copy of which is on file with the papers of this meeting.

\* \* \* \*

There being no further citizens signed to speak to this matter, Mayor Pro Tem Schubert declared the Public Hearing to be closed.

Mr. Sanders made a motion to approve the proposed Ordinance. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

The Clerk read the following Ordinance:

AN ORDINANCE 94899

CLOSING, VACATING AND ABANDONING A 20-FOOT WIDE UNIMPROVED ALLEY LOCATED BETWEEN SPRIGGS DALE AND GAY BOULEVARDS BEHIND THE NEW LIGHT VILLAGE APARTMENTS, AS REQUESTED BY SAN ANTONIO ALTERNATIVE HOUSING CORPORATION NO. 11, A TEXAS NON-PROFIT CORPORATION, THE PETITIONER, FOR THE CONSIDERATION OF \$10,170.00, TO BE APPLIED TOWARD THE CITY'S HUD-HOME CONTRIBUTION.

\* \* \* \*

(Mayor Garza returned to the meeting and presided.)

— — —

2001-42      INDIVIDUAL ITEMS – CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to several items on the agenda, specifically noting the nomination to the Bexar Appraisal District, and the Council's travel authorizations.

— — —

2001-42      The Clerk read the following Resolution:

A RESOLUTION  
NO. 2001-42-46

ALLOCATING THE VOTES FOR THE CITY'S CANDIDATE FOR THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Resolution. Ms. Moorhouse seconded the motion.

Mr. Castro made a motion to amend the Resolution by allocating the remaining votes to Mr. Joe Alderete. Mr. Garcia seconded the motion.

The amendment to the motion as presented by Councilman Castro was approved by the following roll call vote: **AYES:** Perez, Sanders, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Moorhouse. **ABSENT:** None.

After consideration, the main motion, as amended, carrying with it the passage of the following Resolution, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94900

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE TIENDAS DEL RIO URBAN DEVELOPMENT ACTION GRANT AGREEMENT (RECEIVED IN 1984) TO USE THE REMAINING FUND BALANCE OF \$974,500.00 FOR THE HOUSTON STREET BRIDGE-PASEO DEL RIO LINKAGE PROJECT ("PROJECT"); AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROJECT MANAGEMENT AGREEMENT WITH STREET RETAIL SAN ANTONIO (SRSA), L.P. FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IN THE PROJECT; AND AUTHORIZING THE EXECUTION AND NEGOTIATION OF A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND SRSA TO ENCROACH ONTO THE CITY'S RIGHT-OF-WAY AT CERTAIN POINTS ALONG

HOUSTON STREET AND ST. MARY'S STREET. (AMENDS ORDINANCE NO. 91539, MARCH 30, 2000.)

\* \* \* \*

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation on the execution of amendment to the Tiendas Del Rio Urban Development Action Grant (UDAG), a copy of which is on file with the papers of this meeting. He presented the background, project overview, policy analysis on UDAG, the project management contract, license agreement, fiscal analysis, and the UDAG program income.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Sanders, Martin, Garcia, Conner.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94901

APPROPRIATING FY02 CAPITAL IMPROVEMENT RESERVE FUNDS IN THE AMOUNT OF \$510,000.00 FOR THE INSTALLATION OF NEW TRAFFIC SIGNALS AT: HUNT LANE AND MILITARY DRIVE, EARL WARREN HIGH SCHOOL AND MILITARY DRIVE, BANDERA ROAD AND SKYVIEW EAST, VANCE JACKSON AND WOODSTONE, BROADWAY AND NOTTINGHAM, HENDERSON PASS AND TURKEY POINT, NACOGDOCHES AND STAHL ROAD, AND STARCREST AND HIDDEN DRIVE; AND ESTABLISHING A PROJECT BUDGET.

\* \* \* \*

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

Ms. Patricia Stout, Assistant Director of Public Works, presented the 2001-02 Annual Traffic Signal Program, a copy of which is on file with the papers of this meeting. She outlined the program objectives, maintenance and operation, summary of general fund

authorizations for new traffic signals, the selection process, and the proposed implementation schedule.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance

AN ORDINANCE 94902

AUTHORIZING THE TOTAL EXPENDITURE OF \$250.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO THE SOCIETY OF ST. VINCENT DE PAUL, FOR EXPENSES INCURRED DURING THE CITY-WIDE CELEBRATION THAT WAS HELD ON OCTOBER 28, 2001; AS REQUESTED BY MAYOR EDWARD D. GARZA.

\* \* \* \*

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

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the monies for the St. Vincent De Paul.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

— — —  
2001-42 **TRAVEL AUTHORIZATION - Granted:**

Confirmation and approval of Travel Authorization for Councilmembers Enrique Martin, District 4, and David A. Garcia, District 5, who will travel to Guadalajara, Mexico to participate in the opening ceremony of the Small Business Development Center that will

benefit small/medium U.S./Mexico companies interested in the Mexican market from Thursday, November 8, 2001 through Sunday, November 11, 2001.

Ms. Moorhouse made a motion to approve the proposed Travel Authorization. Mr. Sanders seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94903

AMENDING ORDINANCE NO. 90831, PASSED AND APPROVED ON NOVEMBER 4, 1999, AND ORDINANCE NO. 92806, PASSED AND APPROVED ON OCTOBER 26, 2000, AND SUCH OTHER ORDINANCES AS MAY BE NECESSARY TO AFFECT THE FOLLOWING ADJUSTMENTS TO DISTRICT 4'S ONE-TIME PROJECT BUDGETS: REDUCING THE AMOUNT SET ASIDE IN THE FY 2000 ONE-TIME PROJECTS BUDGET FOR DISTRICT 4 PARK ACQUISITION AND IMPROVEMENTS BY \$25,000.00; REDUCING THE AMOUNT SET ASIDE THE FY 2001 ONE-TIME PROJECTS BUDGET FOR ADAMS HILL PARK BY \$5,000.00; SETTING ASIDE \$30,000.00 IN THE FY 2001 ONE-TIME PROJECTS BUDGET FOR PUBLIC IMPROVEMENTS ASSOCIATED WITH THE ADAMS HILL NEIGHBORHOOD TO BE ADMINISTERED BY THE ADAMS HILL NEIGHBORHOOD, TO BE ASSOCIATED WITH THE ADAMS HILL NEIGHBORHOOD, TO BE ADMINISTERED BY THE ADAMS HILL NEIGHBORHOOD ASSOCIATION, SUCH IMPROVEMENTS TO INCLUDE, BUT NOT BE LIMITED TO, PUBLIC IMPROVEMENTS TO THE ISLAND LOCATED IN PUBLIC RIGHT-OF-WAY AT THE ENTRANCE OF THE ADAMS HILL SUBDIVISION AT MARBACH ROAD AND ELLISON; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT WITH THE ADAMS HILL NEIGHBORHOOD ASSOCIATION, SPECIFYING THE TERMS AND CONDITIONS FOR USE OF THE FUNDS; AS REQUESTED BY COUNCILMAN ENRIQUE ("KIKE") MARTIN. (AMENDS ORDINANCE NOS. 90831, NOVEMBER 4, 1999; ORDINANCE NO. 92806, OCTOBER 26, 2000.)

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94904

AUTHORIZING A TOTAL EXPENDITURE OF \$1,500.00 FROM THE DISTRICT 7 AND MAYOR CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE JEFFERSON AREA COMMUNITY OUTREACH FOR OLDER PEOPLE, TO BE USED TO HELP DEFRAY COSTS ASSOCIATED WITH ITS ANNUAL FUNDRAISER AT OAK HILLS COUNTRY CLUB, TO BE HELD ON NOVEMBER 9, 2001; AS REQUESTED BY COUNCILMAN JULIÁN CASTRO.

\* \* \* \*

Mayor Garza stated that he wished to add \$750 from his contingency account fund to the \$750 donated by District 7, thus bringing the overall balance of the expenditure to \$1,500 from both accounts.

Ms. Moorhouse made a motion to approve the proposed Ordinance. Mr. Castro seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94905

AUTHORIZING THE TOTAL EXPENDITURE OF \$4,450.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO TRANSPLANTS

FOR CHILDREN, TO BE USED TO PROVIDE CRISIS FUNDING FOR FAMILIES WHO HAVE A CHILD NEEDING, OR HAVING HAD, AN ORGAN TRANSPLANT; AS REQUESTED BY COUNCILWOMAN BONNIE J. CONNER.

\* \* \* \*

Ms. Moorhouse made a motion to approve the proposed Ordinance with the following contributions added: [District 3 - \$200; District 6 - \$1,000; District 7 - \$250; District 9 - \$500; District 10 - \$1,000; Mayor - \$500]. Ms. Conner seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94906

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE VALLEY FORGE RESIDENTS' ASSOCIATION, TO BE USED FOR IMPROVEMENTS TO THE VALLEY FORGE CLUBHOUSE, WHICH IS USED FOR VARIOUS NEIGHBORHOOD EVENTS, INCLUDING A VOTING SITE FOR THE NOVEMBER 6, 2001 ELECTION; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Sanders, Martin, Garcia.

— — —  
2001-42 The Clerk read the following Ordinance:

AN ORDINANCE 94907

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE HEADQUARTERS 1-141 INFANTRY TEXAS ARMY NATIONAL GUARD, FOR THE RENTAL COST OF AN EISENHAUER PARK PAVILION, WHICH WAS USED FOR A FAREWELL CEREMONY, ON OCTOBER 9, 2001, FOR RECENTLY ACTIVATED SOLDIERS FROM THE FIRST BATTALION (MECH) 141<sup>ST</sup> INFANTRY, TEXAS ARMY NATIONAL GUARD; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Sanders, Martin, Garcia.

— — —  
2001-42      **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilwoman Antoniette Moorhouse, District 3, who will travel to Austin, Texas to attend the Texas Conference for Women on Tuesday, November 13, 2001.

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

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Martin, Garcia.

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2001-42      **EXECUTIVE SESSION**

The City Council recessed its regular session at 5:30 P.M. in order to convene in Executive Session for the purpose of:

A.) Attorney-Client consultation regarding terms of the negotiated final Field Alteration and related Settlement Agreement with Clark/JT Construction in connection with the Henry B. Gonzalez Convention Center Expansion Project.

The City Council adjourned the Executive Session at 6:01 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2001-42 There being no further business to come before the City Council, the meeting was adjourned at 6:02 P.M.

A P P R O V E D



EDWARD D. GARZA  
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE  
City Clerk