

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JANUARY 10, 2002.**

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2002-01 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 Better Jobs Program/Formation of Municipal Development Corporation.** (Presented by Frances A. Gonzalez, Assistant to the City Manager)

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

The City Council concurred with staff's presentation.

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

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2002-01 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

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2002-01 Invocation by Rev. Tom Dietzel, Highland Park Lutheran Church.

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2002-01 Pledge of Allegiance to the flag of the United States.





SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 95119

APPROVING FIELD ALTERATION NO. 6-FINAL DECREASING THE CONTRACT WITH R.L. JONES COMPANY, INC. IN THE AMOUNT OF \$68,068.19 IN CONNECTION WITH THE CLAREMONT/ELEANOR/NATALEN PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 9; AND REVISING THE PROJECT BUDGET. (AMENDS ORDINANCE NO. 93477, FEBRUARY 22, 2001.)

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AN ORDINANCE 95120

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT NOT TO EXCEED OF \$2,842.00 PAYABLE TO GARCIA ENGINEERS, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE LAS MORAS FROM TRAVIS TO SALINAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 83615, FEBRUARY 22, 1996.)

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AN ORDINANCE 95121

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT NOT TO EXCEED \$2,986.55 PAYABLE TO S.M. GALINDO ENGINEERS, INC., FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE DELGADO STREET FROM NAVIDAD TO ZARZAMORA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS;

AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79072, NOVEMBER 10, 1993.)

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AN ORDINANCE 95122

SELECTING BAIN MEDINA BAIN, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE EVERGREEN COURT FROM EVERGREEN STREET TO N. ST. MARY'S AND EVERGREEN STREET FROM MCCULLOUGH AVENUE TO E. EUCLID AVENUE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATIONS OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$112,942.50; TRANSFERRING 27TH YEAR CDBG FUNDS AND ESTABLISHING THE PROJECTS' BUDGET; AUTHORIZING \$11,294.25 FOR EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95123

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH FLORES & COMPANY CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$5,824.41 OUT OF 1985 DRAINAGE AND FLOOD CONTROL BONDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE WINGATE/ORIENTAL/FLOYD DRAINAGE #1050 PROJECT IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81949, MARCH 3, 1995.)

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AN ORDINANCE 95124

AUTHORIZING GENERAL OBLIGATION BOND FUNDS IN THE AMOUNT OF \$568,511.04 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S SHARE OF TWENTY PERCENT (20%) OF CONSTRUCTION COST; AUTHORIZING \$54,233.75 FOR CONSTRUCTION CONTINGENCY; AUTHORIZING AN ADDITIONAL \$20,000.00 PAYABLE TO FORD ENGINEERING, INC. FOR ENGINEERING EXPENSES IN CONNECTION WITH THE PLEASANTON FROM SOUTHCROSS TO MAYFIELD METROPOLITAN

PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 4;  
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95125

AUTHORIZING FUNDS IN THE AMOUNT OF \$122,349.79 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S SHARE OF TWENTY PERCENT (20%) OF CONSTRUCTION COST IN CONNECTION WITH THE CITYWIDE SIDEWALK 2000 PHASE II PROJECT, LOCATED I COUNCIL DISTRICTS 1, 2 AND 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95126

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) FOR THE CITY TO PERFORM VARIOUS PLANNING TASKS FOR PAYMENT TO THE CITY OF AN AMOUNT NOT TO EXCEED \$63,000.00 AS PART OF THE MPO'S UNIFIED PLANNING WORK PROGRAM FOR FY 2001-02; APPROPRIATING FUNDS, ADOPTING A BUDGET AND AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 95127

APPROVING FIELD ALTERATION 5 IN THE AMOUNT OF \$126,274.00 PAYABLE TO SWINERTON BUILDERS FOR CAPITAL IMPROVEMENTS IN CONNECTION WITH THE BRACKENRIDGE PARK REHABILITATION PROJECT IN CITY COUNCIL DISTRICT 9; AND TRANSFERRING FUNDS FROM CONSTRUCTION CONTINGENCY INTO THE CONSTRUCTION CONTRACT EXPENDITURE CODE. (AMENDS ORDINANCE NO. 94130, JUNE 21, 2001.)

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AN ORDINANCE 95128

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,900.00 TO DUGGER, CANADAY, GRAFE, INC., FOR APPRAISAL SERVICES IN CONNECTIONS WITH THE MEDICAL AT FREDERICKSBURG METROPOLLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95129

ACCEPTING A PERMANENT EASEMENT DEDICATION FROM STANLEY SPIGEL, ET. AL., AND THE BUYBACK OF A 0.3695 ACRE TRACT FROM THE CITY OF SAN ANTONIO TO STANLEY SPIGEL FOR THE AMOUNT OF \$6,921.00 IN CONNECTION WITH THE FRENCH CREEK EXPANSION (MYSTIC PARK) PROJECT.

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AN ORDINANCE 95130

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,475.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0017, CITY OF SAN ANTONIO VS. MABEL EGGLESTON AND THE HEIRS OR DEVISEES AND BRADFORD EGGLESTON, DECEASED, ET AL, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT OF THE AMOUNT OF \$910.00 FOR COURT COSTS IN CONNECTION WITH THE PECAN VALLEY – I.H. 10 TO J STREET (MPO) PROJECT IN COUNCIL DISTRICT 2; FOR THE TOTAL SUM OF \$2,385.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95131

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,625.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0025, CITY OF SAN ANTONIO VS. VELMA DERBIGNY ANDERSON, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF RICHARD DERBIGNY, SR., DECEASED, ET AL, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT OF \$2,951.60 FOR COURT COSTS IN

CONNECTION WITH THE SALADO CREEK GREENWAY (HIKE & BIKE) PROJECT LOCATED IN COUNCIL DISTRICT 2; FOR THE TOTAL SUM OF \$4,576.60; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95132

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,787.50 TO ECKMANN, GROLL & RUNYAN, INC., FOR APPRAISAL SERVICES IN CONNECTION WITH THE BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$5,147.50), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$650.00), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,300.00), AND THE SALADO CREEK GREENWAY (HIKE AND BIKE) PROJECT (\$690.00), FOR A TOTAL SUM OF \$7,787.50; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95133

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS LESSEE, AND THE SECRETARY OF THE AIR FORCE ACTING ON BEHALF OF THE UNITED STATES GOVERNMENT ("GOVERNMENT"), AS LESSOR, FOR THE USE OF A DEPARTMENT OF THE AIR FORCE, AIR FORCE MATERIAL COMMAND FACILITY ON BROOKS AIR FORCE BASE, BEING 13,333 SQUARE FEET (MORE OR LESS) OF SPACE IN BUILDING 1106, AND 0.5 ACRES (MORE OR LESS) OF UNPAVED LAND, FOR A PERIOD OF TIME COMMENCING TEN (10) DAYS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE AND EXPIRING UPON THE DATE OF CONVEYANCE OF BROOKS AIR FORCE BASE TO THE BROOKS DEVELOPMENT AUTHORITY OR SEPTEMBER 30, 2002, WHICHEVER EVENT OCCURS FIRST, AT A RENTAL OF \$4.20 PER SQUARE FOOT (\$55,999.00 PER YEAR AND APPROXIMATELY \$4,667.00 PER MONTH) FOR THE BUILDING AND \$720.00 PER YEAR (\$60.00 PER MONTH) FOR THE UNPAVED LAND TO PROVIDE SPACE TO OPERATE AND MAINTAIN A VEHICLE MAINTENANCE FACILITY, WITH OPERATION AND MAINTENANCE SERVICES PROVIDED TO GOVERNMENT VEHICLES BY THE CITY WITH THE AMOUNT OF ACTUAL

RENT PAYMENTS DEPENDENT UPON THE LEVEL PROVIDED BY THE CITY TO THE GOVERNMENT FOR SUCH OPERATION AND MAINTENANCE SERVICES; AND AUTHORIZING PAYMENT TO THE GOVERNMENT OF APPROXIMATELY \$1,371.00 PER MONTH FOR UTILITIES AND SUPPORT SERVICE COSTS.

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AN ORDINANCE 95134

AUTHORIZING THE EXECUTION OF A 27 MONTH LEASE AGREEMENT WITH MACK-CALI TEXAS PROPERTY L.P., A TEXAS LIMITED PARTNERSHIP, AS LANDLORD, COMMENCING FIVE DAYS AFTER THE DATE OF SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS BY LANDLORD PURSUANT TO THE INITIAL FINISH-OUT PROVISIONS IN THE LEASE AGREEMENT, BASED ON A FINISH-OUT ALLOWANCE OF \$74,600.00 OR \$5.00 PER GROSS SQUARE FOOT, SO THAT OCCUPANCY OF THE 14,920 GROSS SQUARE FEET OF OFFICE SPACE LEASED PREMISES BY THE CITY ATTORNEY'S OFFICE MAY OCCUR IN THE RIVERVIEW OFFICE BUILDING, LOCATED AT 111 SOLEDAD STREET AT A MONTHLY RENT OF \$17,407.00 OR AN ANNUAL RENTAL RATE OF \$14.00 PER GROSS SQUARE FOOT, INCLUDING ALL OPERATING EXPENSES, WHICH EXPENSES ARE SUBJECT TO ESCALATION AFTER THE BASE YEAR OF THE PRIMARY TERM, WITH THE RENT ABATED FOR THE FIRST THREE MONTHS AND WITH A RIGHT TO RENEW THE TERM OF THE LEASE AGREEMENT FOR THREE (3) ADDITIONAL CONSECUTIVE RENEWAL PERIODS OF ONE YEAR AT A LEASE RENEWAL RATE OF \$14.50 PER GROSS SQUARE FOOT PER YEAR AND LANDLORD PROVIDING A RENEWAL FINISH-OUT ALLOWANCE OF \$1.00 PER GROSS SQUARE FOOT OF SPACE FOR EACH RENEWAL TERM, SUCH RENEWALS SUBJECT TO APPROVAL BY CITY COUNCIL; AND AUTHORIZING PAYMENT TO MACK-CALI TEXAS PROPERTY L.P., A TEXAS LIMITED PARTNERSHIP, PURSUANT TO THE LEASE AGREEMENT.

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AN ORDINANCE 95135

NAMING THE CITY OF SAN ANTONIO'S HISTORIC CIVIC CENTER RIVER LINK PROJECT, LOCATED AT THE CORNER OF COMMERCE AND NAVARRO,

"PORTAL SAN FERNANDO" IN RECOGNITION OF THE HISTORIC SIGNIFICANCE OF THIS AREA TO SAN ANTONIO HISTORY.

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AN ORDINANCE 95136

AUTHORIZING THE CITY MANAGER OR HER DESIGNATED REPRESENTATIVE TO ACCEPT A \$5,000.00 DONATION FROM LIBERTY MUTUAL INSURANCE ON BEHALF OF THE SAN ANTONIO FIRE DEPARTMENT AS PART OF THE SMOKE DETECTOR INSTALLATION PROGRAM, WHICH PROVIDES SMOKE DETECTORS TO NEEDY FAMILIES AND INDIVIDUALS.

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AN ORDINANCE 95137

APPROVING A PARADE PERMIT TO THE CITY OF SAN ANTONIO'S MARTIN LUTHER KING JR. COMMISSION TO HOLD THE "2002 MARTIN LUTHER KING JR. MARCH AND CELEBRATION PROGRAM" AND AUTHORIZING THE TEMPORARY CLOSURE OF NEW BRAUNFELS FROM CROCKETT TO GULF AND OF HOUSTON FROM ST. JAMES TO POLARIS STREETS ON SUNDAY, JANUARY 20, 2002 AT 1:00 P.M. TO PREPARE A STAGE FOR THE EVENT AND THE CLOSURE OF MARTIN LUTHER KING FROM THE 3500 BLOCK OF MARTIN LUTHER KING TO NEW BRAUNFELS AND NEW BRAUNFELS FROM MARTIN LUTHER KING TO MARTIN LUTHER KING PLAZA BEGINNING AT 9:00 A.M. UNTIL 7:00 P.M. ON MONDAY, JANUARY 21, 2002 FOR SAID EVENT.

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AN ORDINANCE 95138

APPOINTING THOMAS N. LUCEK (DISTRICT 5) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2003.

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AN ORDINANCE 95139

APPOINTING STEVEN A. SANDERS (DISTRICT 1) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2003.

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2002-01 Item 14, being a proposed ordinance authorizing 1999 Bond Authorization and Certificates of Obligation funds in the amount of \$1,112,128.74 payable to the Texas Department of transportation for the City's share of twenty percent (20%) of construction cost; authorizing \$165,848.03 for construction contingency; authorizing an additional \$20,000.00 payable to Lockwood, Andrews & Newnam, Inc. for engineering expenses in connection with the Hunt Lane from Marbach to U.S. 90 Metropolitan Planning Organization Project, located in Council District 4; appropriating funds; and providing for payment, was pulled from consideration by the City Manager.

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2002-01 Item 18, being a proposed ordinance authorizing the allocation of \$1,747,250.00 for fifty-five (55) projects to be completed by the Parks and Recreation Department; establishing project budgets; appropriating \$1,486,700.00 in 1994 Park General Obligation Bond Funds; appropriating \$122,550.00 in 1999 Park General Obligation Bond Funds; appropriating \$120,000.00 in 2002 Facility Improvement and Maintenance Program Funds; appropriating \$3,000.00 from the Recreation Athletic Fund; appropriating \$15,000.00 from the Market Square Improvements Fund; authorizing City staff to allocate funds within the project budgets; and encumbering funds and providing for payment, was pulled from consideration by the City Manager.

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2002-01 **INDIVIDUAL ITEMS – CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to several items on the agenda specifically noting the campaign contributions made to members of the Council.

2002-01 The Clerk read the following Ordinance

AN ORDINANCE 95140

APPROPRIATING \$4,074,250.00 FROM 1999 GENERAL OBLIGATION PUBLIC SAFETY IMPROVEMENT BONDS TO FUND THE NEXT PHASE OF THE PUBLIC SAFETY INTEGRATED TECHNOLOGY SYSTEM, WHICH INCLUDES THE DEVELOPMENT AND PURCHASE OF COMPUTER SOFTWARE AND THE PURCHASE OF COMPUTER HARDWARE TO SUPPORT THE COMPUTERIZED MANAGEMENT SYSTEM; AND ENCUMBERING \$566,610.00 OF SAID APPROPRIATION FOR PROFESSIONAL SERVICES FEES FOR OPEN SYSTEMS GROUP, INC. (AMENDS ORDINANCE NO. 93182, JANUARY 4, 2001.)

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

Deputy Chief Albert Ortiz, narrated a slide presentation on the Public Safety Technology System adding that it was part of the technological advances proposed in the Police Department's five year strategic plan Vision 2001, a copy of which is on file with the papers of this meeting. He further spoke to the 1999 Bond Allocation for the Public Safety System, and the field entries report system.

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

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2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95141

AUTHORIZING THE SUBMISSION OF A CONTINUATION GRANT APPLICATION TO THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT BY THE DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$450,134.00 TO CONTINUE THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS (START) AND NEIGHBORHOOD

CONFERENCING COMMITTEES (NCC) PROGRAMS, AND TO IMPLEMENT A TEEN COURT PROGRAM, BEGINNING AUGUST 1, 2002.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the grant application for the Juvenile Accountability Incentive Block Grant, a copy of which presentation is made a part of the papers of this meeting. He outlined the background on the two programs currently being supported, Striving Together to Achieve Rewarding Tomorrows (START), and the Neighborhood Conferencing Committees (NCC), the proposed action for the future funding, accountability measures for the START program, and NCC.

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

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2002-01 The Clerk read a proposed ordinance authorizing the City Manager or her designated representative to negotiate a two (2) year professional services contract, with two (2) one-year renewal options, for the collection of San Antonio Delinquent Class C Misdemeanor Fines; and authorizing Municipal Court to assess a thirty (30) percent delinquent fee on all cases referred to by the private agency for collection.

Mr. Quentin Porter, Director of Municipal Court, narrated a slide presentation on proposed negotiation of contract for the collection of City of San Antonio Delinquent Class C misdemeanor fines, a copy of which presentation is on file with the papers of this meeting. He explained the RFP process, the proposals sent to possible vendors, background on the current in-house collection efforts, evaluation process, criteria, evaluation committee recommendations, evaluation ratings and the basis for the recommendation. He further delineated on the fee structure, comparison of other cities, and projected financial impact for one year.

City Manager Terry M. Brechtel, spoke of the recent memo submitted by a representative of Heard & Linebarger, et. al., Mr. Cliff Douglass, and explained the basis of the staff's

recommendation. She added that Municipal Services Bureau (MSB) had a proven track record, and based on those analyses, she was recommending MSB.

In response to Mr. Perez regarding the fines deemed uncollectable, Mr. Porter stated that approximately \$35 million dating back to 1985 was uncollected. Mr. Porter further elaborated on the ticket and fee collection.

Mr. Perez added that more research be conducted by the Legal Department to assure the City is following the law with regard to the collection. He added that efforts need to be made to also include minority participation in the contract process, noting that MSB did not have any local employees, which were much needed in the local community. He requested that a status report be made in one year on the monies collected.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke on the collection process and recommended that the collection efforts be combined with the County.

Mr. Cliff Douglass, Heard, Linebarger, et. al., urged the City Council to hire a San Antonio based firm. He added that the local firm had a long history and proven record of property tax collection with over 150 employees from San Antonio.

Ms. Carrie Wells, spoke of the abilities of the law firm of Heard, Linebarger, Graham, Goggen. She added that the company had a full service call center, minority participation citing their partnership with Escamilla and Poneck, and noted that the firm was based in San Antonio, which was a tremendous investment to the local community.

Mr. Pablo Escamilla, Escamilla and Poneck, spoke of the opportunity their firm has had in working with the Heard Law Firm in the collection of property taxes, and the outstanding working relationship developed with the City and the community.

Mr. Thomas Giamboi, Municipal Services Bureau (MSB), spoke of the company's qualifications and abilities to undertake the contract. He stated he was sensitive to the local jobs staying in the community, however highlighted that his firm would utilize a local minority contractor to perform those functions necessary to help increase the collection. He noted the increase to the City's revenue by 25%, which was a higher guarantee for the lower contractual fee.

Mr. Perez made a motion to negotiate the contract with the Heard Law Firm, and Escamilla and Poneck. Mr. Carpenter seconded the motion.

Ms. Moorhouse spoke to the importance of assuring that minority contracting is included and keeping the dollars in the local community.

Mr. Sanders also noted the importance of minority contracting, however he also cited the workforce issue within the City organization. He added he would support staff's recommendation based on the criteria presented by MSB. He then made a substitute motion to accept the recommendation made by the staff for the purpose of MSB. Ms. Conner seconded the motion.

Mr. Barrera stated he was in total support of minority participation, however, noted that based on the criteria and recommendation submitted by staff, he would support the proposal of MSB.

Discussion continued on the process utilized to calculate the percentages of revenue to be collected.

Mayor Garza noted the outstanding qualifications of both firms, recognizing the work and contributions of the local firm. He highlighted the importance of the selection process, and his support for the proposal presented by MSB.

On a roll call vote, the substitute motion failed by the following vote: **AYES:** Sanders, Barrera, Conner, Garza. **ABSTAIN:** Martin, Castro. **NAYS:** Perez, Moorhouse, Garcia, Schubert, Carpenter. **ABSENT:** None.

The main motion on roll call vote, failed by the following vote: **AYES:** Perez, Moorhouse, Garcia, Schubert, Carpenter. **ABSTAIN:** Martin, Castro. **NAYS:** Sanders, Barrera, Conner, Garza. **ABSENT:** None.

Mr. Perez then made a motion to direct staff to send back the contract to the Council's Municipal Court Committee for further review. Ms. Moorhouse seconded the motion.

Mr. Garcia made a motion to amend by adding to have the City Attorney's office respond on administrative issues and review of the two companies in terms of time lines for the collection. Mr. Perez seconded the motion.

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



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(At this point, Mayor Garza was obliged to leave the Council meeting, Mayor Pro Tem Enrique Martin, presided in his absence.)  
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4B.) CASE NUMBER #Z2001263 - The request of Indalecio & Elva Ramirez, Applicant, for Indalecio & Elva Ramirez, Owner(s), for a change in zoning from "B" Residence District to "C-2 NA" Commercial District Non-Alcoholic Sales on Lot 4, Block 34, NCB 8471, 3114 Fredericksburg Road. 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. Carpenter seconded the motion.

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

#### AN ORDINANCE 95143

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 4, BLOCK 34, NCB 8471, 3114 FREDERICKSBURG ROAD, FROM "B" RESIDENCE DISTRICT TO "C-2 NA" COMMERCIAL DISTRICT NON-ALCOHOLIC SALES.

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4C.) CASE NUMBER #Z2001151 - The request of Priscilla D. Jeffreys, Applicant, for Willis R. Jeffreys, Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "MH" Manufactured Housing District on Lot 31, Block 2, NCB 15633, 5343 Gwenda Lea. 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. 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:** Perez, Martin, Garcia, Barrera, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Castro, Garza.

#### AN ORDINANCE 95144

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 31, BLOCK 2, NCB 15633, 5343 GWENDA LEA, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "MH" MANUFACTURED HOUSING DISTRICT.

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4D.) CASE NUMBER #Z2001258 - The request of Maria T. Guerrero, Applicant, for Maria T. Guerrero, Owner(s), for a change in zoning from "B-2" Business District to "R-4" Residence District on Lots 31 & 32, Block 1, NCB 3991, 403 Montezuma Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 5)

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

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

AN ORDINANCE 95145

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 31 & 32, BLOCK 1, NCB 3991, 403 MONTEZUMA STREET, FROM "B-2" BUSINESS DISTRICT TO "R-4" RESIDENCE DISTRICT.

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4E.) CASE NUMBER #Z2001160 - The request of Margaret Persyn Cadena, Applicant, for Margaret Persyn Cadena, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "C-3" Commercial District on 3.38 acres out of Lot 8, C.B. 4449 (N.C.B 17635), 10861 FM 471 West. 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.

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

The following citizen(s) appeared to speak:

Mr. Bill Kaufman, 100 W. Houston, spoke to the continuing work with the neighbors to assure no one is adversely affected by the proposed zoning.

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

AN ORDINANCE 95146

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 3.38 ACRES OUT OF LOT 8, C.B. 4449 (N.C.B 17635), 10861 FM 471 WEST, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "C-3" COMMERCIAL DISTRICT.

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4F.) CASE NUMBER #Z2001262 - The request of City of San Antonio, Applicant, for Grant Memorial African Methodist Episcopal Church, Owner(s), for a change in zoning from "Temporary R-1" Single-Family Residence District to "C-3 NA" Commercial District, Non-Alcoholic Sales on Lot TR-3A, NCB 18288, 7667 Potranco 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.

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

AN ORDINANCE 95147

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



CORRIDOR EDWARDS RECHARGE ZONE DISTRICT TO "C-3" ERZD  
COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT AND "C-3" UC-1 ERZD  
COMMERCIAL URBAN CORRIDOR EDWARDS RECHARGE ZONE DISTRICT.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. If applicable, prior to the release of any building permits the owner/operator of any Category 2 property shall submit for approval an Aquifer Protection Plan to the Resource Protection & Compliance Department of the San Antonio Water System.
2. If applicable, the following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
  - A. A WPWP shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have signed Engineers Seal from the State of Texas,
  - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
  - D. A copy of the approved WPAP.
3. The land uses within the commercial zoned areas shall be in conformance with the table of permitted uses at the time the rezoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for rezoning for that particular use at that site. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. All stormwater run-off from the commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.
5. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & watershed Protection Department at (210) 704-7392 to schedule a site inspection.
6. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.
7. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
8. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new

property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.

9. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide To Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc, shall be used.

10. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.

11. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

12. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at (210) 704-7392.

13. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by the recommendations contained in this document.

SECTION 2: 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 3: 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 4: This ordinance is not severable.

\* \* \* \*

2002-01      At this time Zoning Case #4G was brought up for discussion.

4G.)                                      CASE NUMBER #Z2001248 - The request of S. A. Alliance & Association, LTD., Applicant, for Jaime Arechiga, et al, Owner(s), for a change in zoning from "R-2 A" Three and Four Family Residence District to "PUD (MF-25)" Planned Unit Development, Multi Family Residence District on Lot 24, Block E, NCB 14657, 6188 Whitby Road. Staff's 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. Conner 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. **NAYS:** None. **ABSENT:** Perez, Garza.

AN ORDINANCE 95149

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 24, BLOCK E, NCB 14657, 6188 WHITBY ROAD, FROM "R-2 A" THREE AND FOUR FAMILY RESIDENCE DISTRICT TO "PUD (MF-25)" PLANNED UNIT DEVELOPMENT, MULTI FAMILY RESIDENCE DISTRICT.

\* \* \* \*

2002-01      At this time Zoning Case #4I was brought up for discussion.

4I.)                                      CASE NUMBER #Z2001243 - The request of Kaufman & Associates, Applicant, for Jimi Ellis (Trustee), Owner(s), for a change in zoning from Temporary "R-1 UC-1" Single-Family Residence Urban Corridor District to "O-2 UC-1"

Office Urban Corridor District (2.460 acres) and "C-3 UC-1" Commercial Urban Corridor District (1.540 acres) on 4.0 acres out of NCB 34730, Interstate Highway 10 West. 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. Schubert 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, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Garza.

#### AN ORDINANCE 95150

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 4.0 ACRES OUT OF NCB 34730, INTERSTATE HIGHWAY 10 WEST, FROM TEMPORARY "R-1 UC-1" SINGLE-FAMILY RESIDENCE URBAN CORRIDOR DISTRICT TO "O-2 UC-1" OFFICE URBAN CORRIDOR DISTRICT (2.460 ACRES) AND "C-3 UC-1" COMMERCIAL URBAN CORRIDOR DISTRICT (1.540 ACRES).

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4J.) CASE NUMBER Z2001269: The request of City of San Antonio, Applicant, for Archdiocese of San Antonio, Owner(s), for a change in zoning from "O-1" Office District and "B-2" Business District to "O-1 S" Office District with Specific Use Authorization for Athletic Fields - Noncommercial (10.548 acres) and "C-2" (5.218 acres) on 15.766 acres out of NCB 14735, 11123 Wurzbach 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. Schubert 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, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Garza.

AN ORDINANCE 95151

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 15.766 ACRES OUT OF NCB 14735, 11123 WURZBACH ROAD, FROM "O-1" OFFICE DISTRICT AND "B-2" BUSINESS DISTRICT TO "O-1 S" OFFICE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR ATHLETIC FIELDS - NONCOMMERCIAL (10.548 ACRES) AND "C-2" (5.218 ACRES).

\* \* \* \*

— — —

4K.) CASE NUMBER Z2001078 SUP: The request of Jerbo/San Ann Land, Ltd Partnership, Applicant, for Jerbo/San Ann Land, Ltd Partnership, Owner(s), for a change in zoning from "B-2 ERZD" Business Edwards Recharge Zone District to "B-2 SUP ERZD" Business Edwards Recharge Zone District with a Special Use Permit for a mini storage on 2.487 acres out of Parcel 2D, NCB 19212, Southeast corner of Wilderness Oaks - Hardy Oaks - see map. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 9)

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

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

AN ORDINANCE 95152

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 2.487 ACRES OUT OF PARCEL 2D, NCB 19212, SOUTHEAST CORNER OF WILDERNESS OAKS - HARDY OAKS, FROM "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2 SUP ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIAL USE PERMIT FOR A MINI STORAGE.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. If applicable, prior to the release of any building permits the owner/operator of any Category 2 property shall submit for approval an Aquifer Protection Plan to the Resource Protection & Compliance Department of the San Antonio Water System.
2. If applicable, the following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
  - A. A WPWP shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have signed Engineers Seal from the State of Texas,
  - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
  - D. A copy of the approved WPAP.
3. The land uses within the commercial zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. All stormwater run off from the commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection &

Evaluation Division of the San Antonio Water System prior to the release of any building permits.

5. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392 to schedule a site inspection.

6. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.

7. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.

8. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.

9. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. "Preventing Groundwater Pollution, A Practical Guide to Pest Control", available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.

10. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.

11. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

12. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at (210) 704-7392.

13. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.

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 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: 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 – 491.

SECTION 4: 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 5: This ordinance is not severable.

\* \* \* \*

— — —  
4L.) CASE NUMBER Z2001231: The request of Wetmore Thousand Oaks, Ltd., Applicant, for Wetmore Thousand Oaks, Ltd., Owner(s), for a change in zoning from "B-2" Business District to "R-5" Residential Single Family District on 4.3819 out of P-45, NCB 13732, 3400 Block of Thousand Oaks. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 9)

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

Mr. Schubert made a motion to approve the proposed rezoning. Mr. Castro 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, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Carpenter Garza.

AN ORDINANCE 95153

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 4.3819 OUT OF P-45, NCB 13732, 3400 BLOCK OF THOUSAND OAKS, FROM "B-2" BUSINESS DISTRICT TO "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT.

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4M.) CASE NUMBER Z2001252: The request of Gordon Hartman Homes, Applicant, for Gordon Hartman Homes, Owner(s), for a change in zoning from "R-1 ERZD" Single Family Residence, Edwards Recharge Zone District to "R-6 C ERZD" Residential Single-Family Edwards Recharge Zone District with a conditional use for a non-commercial parking lot on Lot 40, Block 11, NCB 14815, 16815 Silverwood Drive. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions. (Council District 9)

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

Mr. Schubert made a motion to approve the proposed rezoning with restricted covenants. Mr. Castro 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, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Carpenter Garza.

AN ORDINANCE 95154

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 ON LOT 40, BLOCK 11, NCB 14815, 16815

SILVERWOOD DRIVE, FROM "R-1 ERZD" SINGLE FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "R-6 C ERZD" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT WITH A CONDITIONAL USE FOR A NON-COMMERCIAL PARKING LOT.

\* \* \* \*

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 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" 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:

A twenty-five foot (25') type "D" landscape buffer shall be required between the subject property and Silverwood Drive (as described in Article 5, Section 35-510 of the Unified Development Code.) A one foot (1') non-access easement shall be required between the subject property and Silverwood Drive. A fifteen-foot (15') type "C" landscape buffer shall be required between the subject property and Lot 16, Block 11, NCB 14815.

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 - 491.

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.

\* \* \* \*

4N.) CASE NUMBER Z2001257C: The request of Frank X Wallace, Applicant, for Tandy Schubert, Owner(s), for a change in zoning from Temporary "R1" Single Family Residence District to "C3 C" Commercial District with a conditional use for outdoor boat and recreational vehicle storage on Lots 11 & P-53,

Block 1, NCB 15678, 12543 Wetmore Road. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval. (Council District 9)

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

Mr. Schubert made a motion to approve the proposed rezoning. Ms. Conner 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, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Carpenter Garza.

#### AN ORDINANCE 95155

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 ON LOT 11 & P-53, BLOCK 1, NCB 15678, 12543 WETMORE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "C3 NA C" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR OUTDOOR BOAT AND RECREATIONAL VEHICLE STORAGE.

\* \* \* \*

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 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: 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 35-491.

SECTION 4: 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 5: This ordinance is not severable.

\* \* \* \*

40.) CASE NUMBER Z2001260S: The request of ASM Ferdous, Applicant, for ASM Ferdous, Owner(s), for a change in zoning from "A" Single Family Residence District to "O-2 S" Office District with a specific use permit for a childcare facility on 1.092 acres out of Lots 4, 5, & 7, Block 26, NCB 11742, 1714 Baltic Drive. Staff's recommendation was for denial as requested and approval of "R-6 C" with a conditional use for a childcare facility.

Zoning Commission has recommended approval. (Council District 9)

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

Mr. Schubert 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, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Perez, Garcia, Barrera, Carpenter.

AN ORDINANCE 95156

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 4, BLOCK 26, NCB 11742, 1714 BALTIC DRIVE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "O-2 S" OFFICE DISTRICT WITH A SPECIFIC USE PERMIT FOR A CHILDCARE FACILITY.

\* \* \* \*

(At this point, Mayor Garza returned to the meeting to preside.)

4P.) CASE NUMBER Z2001267: The request of Robert F. Shultz, Applicant, for H.R. Gibson - Equity Development Corp., Owner(s), for a change in zoning from "P-1 B-1 ERZD" Business Planned Unit Development Edwards Recharge Zone District and "P-1 B-3 ERZD" Business Planned Unit Development Edwards Recharge Zone District to "C-3 (PUD) ERZD" Commercial Planned Unit Development Edwards Recharge Zone District on Lot 7, Block 1, NCB 17190, 1505 Bexar Crossing. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "C-3 NA PUD ERZD". (Council District 9)

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

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

#### AN ORDINANCE 95157

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 7, BLOCK 1, NCB 17190, 1505 BEXAR CROSSING, FROM "P-1 B-1 ERZD" BUSINESS PLANNED UNIT DEVELOPMENT EDWARDS RECHARGE ZONE DISTRICT AND "P-1 B-3 ERZD" BUSINESS PLANNED UNIT DEVELOPMENT EDWARDS RECHARGE ZONE DISTRICT TO "C-3 (PUD) ERZD" COMMERCIAL PLANNED UNIT DEVELOPMENT EDWARDS RECHARGE ZONE DISTRICT.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. If applicable, prior to the release of any building permits the owner/operator of any Category 2 property shall submit for approval an Aquifer Protection Plan to the Resource Protection & Compliance Department of the San Antonio Water System.
2. If applicable, the following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
  - A. A WPWP shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have signed Engineers Seal from the State of Texas,
  - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
  - D. A copy of the approved WPAP.
3. The land uses within the commercial zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as prohibited, that land use will not be permitted on that site.
4. All stormwater run off from the commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.
5. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392 to schedule a site inspection.
6. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.
7. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
8. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.
9. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. "Preventing Groundwater Pollution, A Practical Guide to Pest Control", available from the Edwards

Aquifer Authority (210) 222-2204, or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.

10. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.

11. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

12. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at (210) 704-7392.

13. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the evaluation of the property, the information submitted by the applicant, and the proposed land use, staff recommends approval provided the applicant agrees to abide by all recommendations contained in this document.

SECTION 2: 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 – 491.

SECTION 3: 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 4: This ordinance is not severable.

\* \* \* \*

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4Q.) CASE NUMBER Z2001132A: The request of City of San Antonio, Applicant, for Six Star Partnership, Owner(s), for a change in zoning from "QD CC" Quarry Edwards Recharge Zone District with City Council approval for Blasting and Asphaltic Concrete to "B-2 ERZD" Business Edwards Recharge Zone District on a 109.3 acre tract of land out of NCB 17728, East side of Bulverde Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "B-2 NA ERZD" Business Non Alcoholic Sales Edwards Recharge Zone District. (Council District 10)

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

Mr. Carpenter made a motion to continue this rezoning case until the City Council meeting of February 14, 2002. Mr. Martin seconded the motion.

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

Zoning Case Z2001132 A was continued to the Council meeting of February 14, 2002.

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4R.) CASE NUMBER Z2001181: The request of Benjamin & Nancy Pena, Applicant, for Benjamin & Nancy Pena, Owner(s), for a change in zoning from "R-1" Single Family Residence District to "C-2" Commercial District on Lot 14, Block 1, NCB 14947, 118 Weidner. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 10)

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

Mr. Carpenter made a motion to continue this rezoning case until the City Council meeting of January 24, 2002. Mr. Sanders seconded the motion.

The following citizen(s) appeared to speak:

Mr. Juan Barrios, spoke in opposition to the zoning case due to the traffic impact.

Ms. Rosie Gallegos, spoke in opposition, and presented photos of the subject area.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to the process of the zoning cases.

Mr. Ben Pena, Jr., stated he had met with the property owners in order to resolve any issue.

After consideration, the motion to continue this case until January 24, 2002, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Martin, Garcia, Schubert.

Zoning Case Z2001181 was continued to the Council meeting of January 24, 2002.

\* \* \* \*

4S.) CASE NUMBER Z2001255: The request of Vincent T. Garza Contracting Services, Inc., Applicant, for Vincent T. Garza, Owner(s), for a change in zoning from "Temporary A" Single-Family Residence District to "C-1" Commercial District on Southeast IRRG 123 feet of Tract C, .297 acres out of NCB 13753, 10711 Nacogdoches Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 10)

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

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

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

#### AN ORDINANCE 95158

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 SOUTHEAST IRRG 123 FEET OF TRACT C, .297 ACRES OUT OF NCB 13753, 10711 NACOGDOCHES ROAD, FROM "TEMPORARY A" SINGLE-FAMILY RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT.

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**2002-01 PUBLIC HEARING AND ORDINANCE: REPORT ON GEOLOGIC ASSESSMENT OF CIBOLO CANYON CONSERVATION DISTRICT**

Mayor Garza declared the Public Hearing to be open.

Mr. Christopher Brady, Assistant City Manager, presented the qualifications of the consultant who conducted the geologic survey, a copy of which is on file with the papers of this meeting. He noted that representatives from San Antonio Water System (SAWS), and the Edwards Aquifer Authority (EAA), who have worked with Dr. Matthewson were in the audience to answer any questions.

Dr. Christopher Matthewson, consultant, narrated a slide presentation on the review, a copy of which is on file with the papers of this meeting. He spoke of the outstanding qualifications of the geologic team, noting the site location being reviewed, and sequence of analyses. He then delineated the geologic assessment, geologic assessment procedures, highlighting on the U.S. Geological Survey. He outlined the cave clusters on the Edwards Recharge Zone, aerial photographic analysis, geology of the Edwards, geologic interpretation, fault map, and Karst features map. He detailed the ground water investigation, regional hydrogeology, and the site area showing vulnerability of contamination. Dr. Matthewson further highlighted the geologic assessment identifying the sensitive, high potential area for contamination, the moderate sensitive, and non-sensitive area. He then reported on the ecological investigation, land use plan, proposed land-use, designs for the golf course, the wildlife habitat enhancement, concluding there was a sound geologic investigation, with the work exceeding TNRCC rules, including environmental protection and wild life enhancement.

The following citizens appeared to speak against the development over the Aquifer and in particular against the proposed PGA village:

Mr. Jack M. Finger, P.O. Box 12048

Father Michael Gerolamani, COPS/METRO

Sister Gabrielle, COPS./METRO

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue

Ms. Jill Souter, San Antonio Conservation Society

Mr. Faris Hodge, Jr., 140 Dora

Ms. Julie Iris Oldham, P.O. Box 40263

Mr. David Lake, Lake/Flato Architects

Mr. Fred Magee, Far West Coalition

Mr. Larry Hoffman, Regional Clean Air & Water Assoc.

Ms. Carol Patterson, 410 Larkwood

Ms. Lene Muller, 606 Schweppe

Mr. Jerry Morrissey, 19631 Encino Way

Mr. Allen Townsend, 143 Walton Avenue

Mr. John Green, 19115 Birdsong E.

Ms. Ann E. Morris, 124 Trillium

Mr. David Klar, 3925 Chimney Springs

\* \* \* \*

Mayor Garza requested that staff provide any information requested by the City Council as soon as possible, particularly noting the Executive Session material to be discussed.

In response to Mayor Garza, Dr. Matthewson elaborated on the various studies reviewed and made by the developers, which he utilized in preparing the report. He added that he had also made site visits, and expounded on those areas, which he studied intensively, however noting he did not walk through the entire tract. Dr. Matthewson stated he would not recommend any development over the most sensitive area.

With regard to the vulnerability of contamination, Mayor Garza stated he would like to see the science and background, which would, determined which land was sensitive, in

addition to any other material, which assisted Dr. Matthewson in preparing the report. He further emphasized the importance of having the information as quickly as possible in order to provide it to the public. He further noted that he would personally call for a forum to be held on Wednesday, January 16, 2002 in order to provide an opportunity for the community to voice their concerns.

Councilman Garcia ascertained that TNRCC would continue vigilance in order to assure that any development would not contaminate the Edwards Aquifer. He further noted that the golf course development would not be a threat to the Aquifer if it is properly designed.

Councilwoman Conner stated she would like to have more in-depth information, and spoke of the water issue being a sensitive and important subject to the City of San Antonio.

In response to Councilwoman Conner, Mr. Greg Ellis, General Manager of Edwards Aquifer Authority (EAA), stated that the EAA had full authority to impose any regulations in order to safeguard the Aquifer. He added there were ways to assure adequate protection, and that he would work with the City to assure these measures are implemented. He emphasized the importance of a plan design, which would indicate how and when the development would occur in efforts to monitor the water quality.

Discussion continued on the watershed issue, and how it would be affected with downstream flow, and runoff.

Mr. Ellis, spoke on the issue with dry streambeds, degradation of water quality which can occur with or without development. He noted that prevention was much more inexpensive to preserve water quality than the clean-up, and treatment of water. He further spoke on the plan development, which would occur in phases and added that the monitoring would be done by the owners, and turned in to the EAA. He reiterated on the authority of EAA to enforce regulations by TNRCC in addition to their own.

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

2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95159

RATIFYING THE APPOINTMENT OF TWO (2) NEW MEMBERS: DIANA CORTEZ AND DONALD SIKES; AND THE REAPPOINTMENT OF FOUR (4) MEMBERS: SHERRY CUNNINGHAM, M.P. GARZA, ALVIN LOEWENBERG AND TONY VILLANUEVA TO THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR A THREE YEAR TERM BEGINNING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2004.

\* \* \* \*

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.

— — —  
2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95160

AMENDING ORDINANCE NO. 94091, PASSED AND APPROVED ON JUNE 14, 2001, WHICH APPOINTED VARIOUS SUBCOMMITTEES, AD HOC COMMITTEES, BOARDS AND COMMISSIONS, TO INCLUDE THE FOLLOWING CHANGES: CONSOLIDATION OF THE PUBLIC SAFETY AND COMMERCIAL TRANSPORTATION COMMITTEES INTO THE PUBLIC SAFETY AND COMMERCIAL TRANSPORTATION COMMITTEE, TO BE CHAIRED BY COUNCILMAN DAVID GARCIA AND WHOSE MEMBERSHIP WILL INCLUDE COUNCIL MEMBERS JOHN SANDERS, CARROLL SCHUBERT, DAVID CARPENTER AND ANTONIETTE MOORHOUSE; CONSOLIDATION OF THE ENVIRONMENTAL QUALITY AND PUBLIC UTILITIES AND CONSERVATION COMMITTEES INTO THE ENVIRONMENTAL QUALITY AND PUBLIC UTILITIES AND CONSERVATION COMMITTEE, TO BE CHAIRED BY COUNCILWOMAN BONNIE CONNER AND WHOSE MEMBERSHIP WILL

INCLUDE COUNCIL MEMBERS ANTONIETTE MOORHOUSE, ENRIQUE BARRERA, JULIAN CASTRO AND CARROLL SCHUBERT; REPLACING COUNCILMAN DAVID CARPENTER WITH COUNCILMAN JOHN SANDERS ON THE HOUSING AND NEIGHBORHOODS COMMITTEE; AND ESTABLISHING GUIDELINES FOR THE POSTING OF, AND MINUTE-TAKING IN CONNECTION WITH, SUCH COMMITTEE MEETINGS; AS REQUESTED BY MAYOR EDWARD D. GARZA.

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

— — —  
**2002-01 TRAVEL AUTHORIZATION - Granted:**

Travel authorization for Mayor Edward D. Garza who will travel to Washington, D.C. and New York City, New York, to attend the U.S. Conference of Mayors 70th winter meeting from Tuesday, January 20, 2002 through Saturday, January 26, 2002.

Mr. Perez made a motion to approve the proposed Travel Authorization. Mr. Carpenter 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, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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

2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95161

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS TENANT, AND C.A.N. INDUSTRIES, INC., A TEXAS CORPORATION, AS LANDLORD FOR THE RENTAL OF APPROXIMATELY 1,310 GROSS SQUARE FEET AT 1344 SOUTH FLORES STREET FOR USE AS A CONSTITUENT OFFICE BY THE MAYOR FOR A TERM BEGINNING ON THE LATER OF (1) JANUARY 1, 2002 OR (2) THE DATE OF OCCUPANCY OF THE LEASED PREMISES BY THE MAYOR'S OFFICE ("COMMENCEMENT DATE") AND ENDING SEPTEMBER 30, 2002, AT A RENTAL OF \$1,000.00 PER MONTH FROM THE COMMENCEMENT DATE THROUGH SEPTEMBER 30, 2002, WITH A RIGHT OF RENEWAL FOR OCTOBER 1, 2002 THROUGH JUNE 30, 2003, AT A RENTAL OF \$1,500.00 PER MONTH, AND ONE (1) ADDITIONAL CONSECUTIVE RENEWAL PERIOD OF TWO (2) YEARS FROM JULY 1, 2003 THROUGH JUNE 30, 2005, AT A RENTAL OF \$1,716.00 PER MONTH, BOTH RENEWALS SUBJECT TO CITY COUNCIL APPROVAL, AS REQUESTED BY MAYOR EDWARD D. GARZA.

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

— — —  
2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95162

AUTHORIZING THE EXPENDITURE OF \$1,216.50 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE GREATER WESTSIDE ON PATROL (C.O.P.) TO BE USED TO PROVIDE SEVENTY (70) JACKETS FOR THE C.O.P. MEMBERS OF HERITAGE, ADAMS HILL AND RAINBOW HILLS, FOR

EASIER RECOGNITION OF THE C.O.P. MEMBERS BY THE COMMUNITY; AS REQUESTED BY COUNCILMAN ENRIQUE "KIKE" MARTIN.

\* \* \* \*

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

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

— — — — —  
2002-01 The Clerk read the following Ordinance:

AN ORDINANCE 95163

AUTHORIZING THE TOTAL EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND, PAYABLE TO TELETHON NAVIDEÑO ARCHDIOCESE OF SAN ANTONIO, TO BE USED TO ASSIST NEEDY SENIORS, DISABLED INDIVIDUALS AND FAMILIES; AS REQUESTED BY COUNCILMAN JULIAN CASTRO.

\* \* \* \*

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

2002-01

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke on several current events.

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MR. MARLIN LYTLE, HELOTES, TX

Mr. Marlin Lytle, Helotes, TX, spoke to the City Council about his concerns with the homeless situation in San Antonio and the manner in which the SAMM shelter is administered.

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MR. JOSE PEREZ

Mr. Jose Perez, 1502 Holbrook, #6, read a letter to the City Council about his incarceration and blamed it on the fact that he has been critical of City Council policies.

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PREACHER JOE

Preacher Joe, National Assoc. for Prayer, presented to each member of the City Council a publication, entitled, "Official Guide to Governing". He urged the City Council to pass an ordinance or issue a Proclamation, reinstating prayer in public schools.

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2002-01      EXECUTIVE SESSION

The City Council recessed its regular session at 6:45 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-client consultation regarding the status of negotiations in the lawsuit styled Farmco Trust, Richard Schaeffer and John Schaeffer v. City of San Antonio, 2000-CI-04602, in the 288th District Court of Bexar County, Texas.

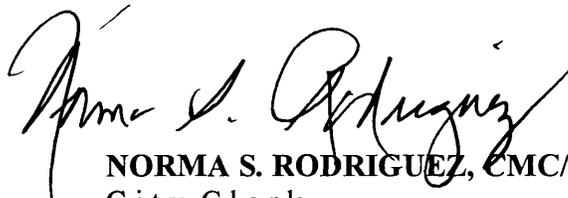
The City Council adjourned the Executive Session at 7:46 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2002-01      There being no further business to come before the City Council, the meeting was adjourned at 7:47 P.M.

A P P R O V E D

  
EDWARD D. GARZA  
M A Y O R

Attest:

  
NORMA S. RODRIGUEZ, CMC/AEE  
City Clerk