

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 11, 2002.

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2002-15 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Boards and Commissions Work Session.** (Presented by Norma S. Rodriguez, City Clerk.)
- B) **Staff presentation on Overhead to Underground Utility Conversion.** (Presented by Tom Wendorf, Director of Public Works.)

The Council members present were: Sanders, Moorhouse, Martin, Garcia, Barrera, Conner, Schubert, Carpenter. ABSENT: Perez, Castro, Garza.

The "B" Session adjourned at 11:45 A.M.

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2002-15 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro Tem Antoniette Moorhouse, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter. ABSENT: Garza.

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2002-15 Invocation by Rev. Arturo De Campo, St. Alphonsus Catholic Church.

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2002-15 Pledge of Allegiance to the flag of the United States.

2002-15 PRESENTATION OF PROCLAMATION FOR DESERT CONFERENCE OF TEXAS DAYS.

Mayor Pro Tem Moorhouse invited the members of the delegation to the podium for the reading of a Proclamation for "Desert Conference of Texas Days." She presented it to Mr. Roosevelt Tennessee. Mr. Tennessee thanked the members of the City Council and introduced members of the delegation, and spoke to the various events associated with the conference.

Mr. Sanders spoke of the organization's work for the community, specifically for the children, and extended best wishes for a successful conference.

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2002-15 PRESENTATION OF CERTIFICATE TO GIRL SCOUT TROOP 18

Mayor Pro Tem Moorhouse invited the Brownie Girl Scout Troop 18 to the podium to recognize them for their efforts in providing life-saving vests for children to the Fire Department who did not carry this size. The Brownie Troop collected funds through a walk-a-thon they sponsored. The girls were successful in their mission by donating the collected funds to the Fire Department, and by also acquiring the sponsorship from Boat U.S. Foundation who donated the needed vests.

Ms. Moorhouse presented a Certificate of Appreciation to Ms. Wendy Farnsley, leader of the Brownie Girl Scout Troop along with the troop members. Ms. Farnsley spoke of the tremendous work and efforts of the Girl Scout Troop.

Members of the City Council extended their appreciation to the Girl Scout Troop and Ms. Farnsley, noting the pride of the community service achieved.

Fire Chief Robert Ojeda, also spoke of the persistence and tremendous accomplishment of the Brownie Troop, and presented a Certificate of Appreciation from the Fire Department for the generous donation to enhance public safety for all citizens.

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2002-15 PRESENTATION BY SAN ANTONIO FIESTA COMMISSION

Mayor Pro Tem Moorhouse spoke of the upcoming Fiesta activities, and introduced members of the Fiesta Commission, specifically Mr. Robert Reed, President of the Fiesta

Commission. Mr. Reed spoke of the 94 member organizations and the 75,000 volunteers who were participating in the 150 events during Fiesta Week, for the benefit of many charitable organizations. He spoke of the economic impact to the City of San Antonio, and thanked the City Council for their support. Mr. Reed and members of the Fiesta Commission presented Fiesta medals to the City Council.

Members of the City Council thanked the members of the Fiesta Commission, and all volunteers for their hard work, and invited the public to attend the fun-filled festivities during the week.

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2002-15 Minutes of the regular City Council of March 21, 2002 were approved.

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2002-15 **ON A POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Ms. Conner asked General Eugene Habiger, San Antonio Water System to make an announcement regarding the Applewhite area.

Mr. Eugene Habiger, Chief Executive Officer, San Antonio Water System (SAWS), spoke of the efforts to develop the Applewhite area into a park. He spoke of the Institute of the Americas, whose initiative and with the assistance of SAWS would bring this project to fruition. He further committed that SAWS would do everything necessary to assist with the project.

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2002-15 **BRIEFING ON LAND HERITAGE INSTITUTE**

Mr. Malcolm Matthews, Director of Parks and Recreation, gave a report on the status of the 1,500 acres, the process of the negotiation, the two grants, and the design contract meeting held in March and the work to continue on this project.

Ms. Allison Elder, Bexar Land Trust, narrated a slide presentation on the Land Heritage Institute of the Americas (LHIA), a copy of which presentation is on file with the papers of this meeting. She outlined the project history, the area involved, mission statement of the Medina River Charrette, its recommendations on uses, and the vision of the LHIA.

She further noted this area was a valuable natural resource that would serve as a link to other greenways such as the Leon Creek Greenway, the Mission Trails, and Mitchell Lake.

The following citizen(s) appeared to speak:

Ms. Cindy Taylor, President of the Southside Chamber, spoke of the support of Institute of Americas, which would play a major role in Charrette, and the concept of the land heritage institute. She noted that the history of the area was overwhelming providing additional parkland, and overnight camping facilities on the banks of the Medina River, and a world class teaching facility as the Land Heritage Institute Foundation, making the land a productive one and good for the San Antonio region.

Ms. Conner commended SAWS staff for the support and hard work, noting however there was still much to be done. She spoke of the great opportunity this represented in providing land for recreational purposes.

2002-15 CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to Item 23 and cited the number of employees being laid off. He emphasized the importance of bringing more jobs to San Antonio.

Mr. Jack M. Finger, P.O. Box 12048, spoke to various items on the agenda, noting that some of the back-up documents were not available for viewing. He spoke to Item 18, and the bid process, adding that that there were campaign contributions made to various members of the City Council.

2002-15 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 6 through 25A constituting the Consent Agenda. Mr. Perez seconded the motion.

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

AN ORDINANCE 95580

ACCEPTING THE LOW BID SUBMITTED BY KELLY-CRESWELL COMPANY, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH CONVERSION OF A TRUCK MOUNTED THERMOPLASTIC APPLICATION UNIT FOR A TOTAL SUM OF \$72,000.00.

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AN ORDINANCE 95581

ACCEPTING THE BID FROM AVENTIS PASTEUR, INC. UTILIZING THE STATE OF TEXAS COOPERATIVE PURCHASING AGREEMENT TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH THE INFLUENZA VACCINE ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED COST OF \$123,500.00.

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AN ORDINANCE 95582

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY PHILPOTT MOTORS, LTD, (ITEMS 1, 4B-4D, 6B, 6E AND 8); ANCIRA-WINTON CHEVROLET, AN MBE COMPANY, (ITEMS 2A AND 2B); MAXWELL AUTO GROUP (BID #1 ITEM 3A AND BID #2 ITEM 4A); LAWRENCE MARSHALL CHEVROLET II, LP (ITEMS 3B AND 7); SOUTHWAY FORD, (ITEMS 3C, 5A, 5D, 5E, 5G AND 6F); LAWRENCE MARSHALL CHRYSLER, LP (ITEMS 3D AND 5F); GRANDE FORD TRUCK SALES, INC., (ITEMS 5B AND 5I) AND BENNY BOYD DODGE, (ITEMS 5C, 5H, 6A, 6C AND 6D) TO PROVIDE THE CITY OF SAN ANTONIO WITH LIGHT DUTY TRUCKS FOR A TOTAL OF \$3,487,465.00.

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AN ORDINANCE 95583

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$10,965.00 PAYABLE TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CLAREMONT/ELEANOR/NATALEN PHASE III

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79071, NOVEMBER 10, 1993.)

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AN ORDINANCE 95584

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN AN AMOUNT NOT TO EXCEED \$296,661.59 IN CONNECTION WITH THE AURELIA FROM MARTIN LUTHER KING TO YUCCA PHASE II (LINCOLNSHIRE) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$24,489.63 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$17,142.74 FOR ADMINISTRATIVE COSTS; AUTHORIZING AN ADDITIONAL \$7,100.00 FOR ENGINEERING SERVICES PAYABLE TO SLAY ENGINEERING CO., INC.; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95585

RATIFYING SERVICES AND APPROVING THE APPROPRIATION OF \$199,958.60 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS FOR THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE LELAND PARK TERRACE CURB RECONSTRUCTION PROJECT, LOCATED IN COUNCIL DISTRICT 9.

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AN ORDINANCE 95586

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE FURNISHING AND INSTALLATION OF TRAFFIC SIGNAL EQUIPMENT BY THE CITY OF SAN ANTONIO ON COLISEUM ROAD AND I.H. 35 AND ON E. HOUSTON STREET AND I.H. 10 IN CONNECTION WITH THE SBC ARENA AND IN CONJUNCTION WITH TXDOT PROJECTS IM 35-2 (299) AND IM 10-4 (327); AND AUTHORIZING

THE DIRECTOR OF FINANCE TO ESTABLISH FINANCIAL ACCOUNTS AS MAY BE NECESSARY, REFLECTING THE OUTLAY AND REIMBURSEMENT OF SUM NOT TO EXCEED \$9,900.00

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AN ORDINANCE 95587

AUTHORIZING THE EXECUTION OF A RAILROAD CROSSING IMPROVEMENT AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR IMPROVEMENTS TO THE EXISTING RAILROAD CROSSING SURFACE ON WURZBACH ROAD NEAR LOCKHILL-SELMA, LOCATED IN COUNCIL DISTRICT 8, AND AUTHORIZING PAYMENT OF \$34,867.00 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS TO UNION PACIFIC RAILROAD COMPANY.

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AN ORDINANCE 95588

AUTHORIZING THE ACCEPTANCE OF AN AMENDMENT TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT IN THE INCREASED AMOUNT OF \$30,000.00 IN SUPPORT OF THE HANGAR ROOF REPAIRS AT STINSON MUNICIPAL AIRPORT; AUTHORIZING PAYMENT TO TXDOT IN THE AMOUNT OF \$40,000.00 FOR MATCHING SHARE; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92166, JULY 27, 2000.)

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AN ORDINANCE 95589

AUTHORIZING THE ALLOCATION OF \$520,669.00 FOR TEN (10) PROJECTS TO BE COMPLETED BY THE PARKS AND RECREATION DEPARTMENT; ESTABLISHING PROJECT BUDGETS; APPROPRIATING \$180,000.00 FROM THE SAN JOSE BURIAL PARK TRUST FUND, \$109,669.00 FROM FY00/01 FIMP FUNDS AND \$231,000.00 FROM FY01/02 FIMP FUNDS; AUTHORIZING CITY

STAFF TO ALLOCATE FUNDS AND ESTABLISH EXPENDITURE INDEX CODES WITHIN THE PROJECT BUDGETS; AND ENCUMBERING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95590

AUTHORIZING PAYMENT IN THE AMOUNT OF \$15,098.03 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE FUNSTON STREET PROPERTIES PROJECT (\$2,606.69), PECAN VALLEY – I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$3,657.83), AND THE PRICE AVENUE RECONSTRUCTION PROJECT (\$8,833.51), APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95591

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,050.00 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE FEES IN CONNECTION WITH THE ASHLEY ROAD – BASCUM TO SOUTH FLORES PROJECT (\$150.00), BABCOCK ROAD/LEON CREEK IMPROVEMENTS – HAUSMAN TO DEZAVALA PROJECT (\$150.00), ESCALON STREET #1008 DRAINAGE PROJECT (\$150.00), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$300.00), PECAN VALLEY – I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$150.00), AND THE SOUTHCROSS BLVD. – W.W. WHITE ROAD TO I.H. 410 METROPOLITAN PLANNING ORGANIZATION PROJECT (\$150.00); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95592

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,626.66 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS – HAUSMAN TO DEZAVALA PROJECT (\$867.60), BASSE ROAD AND SAN PEDRO INTERSECTION METROPOLITAN

PLANNING ORGANIZATION PROJECT (\$486.00), BITTERS ROAD – WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$310.28), FIRE STATION NO. 25 PROJECT (\$506.48), HIGGINS ROAD – NACOGDOCHES TO STAHL PROJECT (\$182.60), PECAN VALLEY – I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$90.00), PLEASANTON ROAD – SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,537.20), AND THE SALADO CREEK GREENWAY (HIKE & BIKE) PROJECT (\$646.50), FOR THE TOTAL SUM OF \$4,626.66; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95593

AUTHORIZING PAYMENT IN THE AMOUNT OF \$200.00 FROM 1999 GENERAL OBLIGATION IMPROVEMENT BOND FUNDS TO BARRETT CONSTRUCTION COMPANY (\$100.00) AND CLIFFORD E. MORTON AND JUDITH MORTON (\$100.00), FOR TWO RIGHT OF ENTRY AGREEMENTS IN CONNECTION WITH THE PRUE ROAD EXTENSION – PRUE TO HUEBNER METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 8; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95594

APPROVING A FIRST AMENDMENT TO THE LEASE AGREEMENT, AUTHORIZED BY ORDINANCE NO. 93827 PASSED AND APPROVED ON APRIL 26, 2001, WITH WKB VALUE PARTNERS, L.P., SO THAT THE DEPARTMENT OF COMMUNITY INITIATIVES, CHILDREN’S RESOURCES DIVISION, MAY BE TEMPORARILY RELOCATED DURING REMEDIATION ACTIVITIES AT THE CYPRESS TOWER BUILDING; AND AUTHORIZING THE EXECUTION OF SAID AMENDMENT. (AMENDS ORDINANCE NO. 93827, APRIL 26, 2001.)

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AN ORDINANCE 95595

AMENDING ORDINANCE NO. 95141, PASSED AND APPROVED ON JANUARY 10, 2002, BY ADDING SPECIFIC LANGUAGE TO THE ORDINANCE AS REQUIRED BY THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, IN CONNECTION WITH THE SUBMISSION OF A CONTINUATION GRANT APPLICATION BY THE DEPARTMENT OF COMMUNITY INITIATIVES, YOUTH SERVICES DIVISION, TO THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT. (AMENDS ORDINANCE NO. 95141, JANUARY 10, 2002.)

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AN ORDINANCE 95596

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A CONTRACT WITH THE FROST NATIONAL BANK TO PROVIDE DEPOSITORY BANKING AND RELATED FINANCIAL SERVICES TO THE CITY OF SAN ANTONIO FOR A PERIOD OF THREE (3) YEARS, COMMENCING ON JULY 1, 2002, THROUGH JUNE 30, 2005, WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS; APPROVING REVISED SIGNATURE AUTHORIZATIONS FOR COLLATERAL, WIRE TRANSFERS AND AUTOMATED CLEARINGHOUSE TRANSACTIONS; AND AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO.

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AN ORDINANCE 95597

AUTHORIZING THE EXECUTION OF A THREE (3) YEAR CONTRACT, WITH ONE OPTIONAL TWO (2) YEAR EXTENSION, IN THE AMOUNT OF \$182,000.00 WITH SHL USA, INC. (FORMERLY LANDY, JACOBS & ASSOCIATES, INC.), TESTING CONSULTANT, TO PREPARE VALIDATED WRITTEN ENTRY-LEVEL EXAMINATIONS FOR THE POSITIONS OF FIREFIGHTER TRAINEE, SAN ANTONIO FIRE DEPARTMENT, AND POLICE CADET, SAN ANTONIO POLICE DEPARTMENT, AND FOR RELATED JOB ANALYSES AND JOB ANALYSIS UPDATES.

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AN ORDINANCE 95598

AUTHORIZING PAYMENT IN THE AMOUNT OF \$84,433.47, PLUS INTEREST ACCRUED, FOR THE FINAL JUDGMENT IN THE LAWSUIT STYLED GINA MONTEMAYOR VS. CITY OF SAN ANTONIO AND LOCAL 624 OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, CAUSE NO. SA-98-CA-0615-EP/DOCKET NO. 00-5-681, FIFTH CIRCUIT COURT OF APPEALS.

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AN ORDINANCE 95599

APPOINTING BRENDA BASS AS TRUSTEE TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY (DISTRICT 9) FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2004.

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2002-15 ZONING HEARINGS – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each of the zoning cases.

Mr. Fred McGee, spoke to Items 4G and 4H, and explained the proposed zoning cases, and the uses for the subject properties.

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2002-15 ZONING HEARINGS

4A.) CASE NUMBER #Z2001211 - The request of Beatrice & Nestor Trevino, Applicant, for Beatrice & Nestor Trevino, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "MF-40" Multi-Family District on Lot 26, 27 and North 5 feet of 28, Block 10, NCB 3129, 205 Castillo Avenue. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 1)

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

The following citizen(s) appeared to speak:

Ms. Beatrice Trevino, explained the history of the apartment building she owned, and the modifications she had made in order to upgrade the building. She added that there were 6 separate CPS meter units, as has been the case for 17 years. She urged the City Council to support her zoning change.

Mr. Daniel Trevino responded to Mr. Perez, noting that he would be living there at the unit to manage it and maintain it properly.

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Mr. Perez submitted photos of the subject property for the record, noting the utility boxes. He then made a motion to grant the applicant 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. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 95600

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 26, 27 AND NORTH 5 FEET OF 28, BLOCK 10, NCB 3129, 205 CASTILLO AVENUE, FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-40" MULTI-FAMILY DISTRICT.

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4B.) CASE NUMBER #Z2002016 - The request of Mauro R. Garza, Applicant, for Mauro R. Garza, Owner(s), for a change in zoning from "C-1" Commercial District to "C-2" Commercial District on Lot 4, Block 22, NCB 385, 111 E. Laurel Street. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 1)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case, and noted that the zoning request had been withdrawn.

Mr. Perez clarified that the proposed issue had been reset on three occasions, and after conferring with the applicant, the applicant decided to withdraw the case.

The following citizen(s) appeared to speak:

Ms. Angie Ruiz, thanked Councilman Perez for looking out for the best interest of the community, noting that she had been willing to work with Mr. Garza to ensure whatever development occurred would be for the benefit of the community.

Zoning Case #Z2002016 was withdrawn.

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4C.) CASE NUMBER #Z2002051 - The request of City of San Antonio, Applicant, for San Antonio River Authority, Owner(s), for a change in zoning from "R-5" Residential Single Family District and "C-2 NA" Commercial Non Alcoholic Sales District to "RM-4" PUD Residential Mixed Planned Unit Development District on West Irregular 56.2 feet of North Irregular 60 feet of Lot 3, Blk 1, NCB 1918 and the South Triangular 143.05 feet of Lot 1, Blk 1, NCB 1918 and Lot A4 & East Irregular 108.5 feet of North Irregular 130.2 feet of Lot 1, Blk 1, NCB 1918 and the North 60 feet of East 78.44 feet of Lot 3, Blk 1, NCB 1918, 6 Loop Street, 104 Fredericksburg Road, 1701 and 1709 N. Flores Street.

Staff's recommendation was for 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. Sanders 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. **NAYS:** None. **ABSENT:** Carpenter, Garza.

AN ORDINANCE 95601

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, BLK 1, NCB 1918 AND THAT PARCEL COMPOSED OF ALL OF LOT A-4 AND A PART OF LOT 1, BLK 1, NCB 1918 MORE PARTICULARLY DESCRIBED IN VOL. 4557, PAGE 1361 OF THE REAL PROPERTY RECORDS OF BEXARE COUNTY, TEXAS, 6 LOOP STREET, 104 FREDERICKSBURG ROAD, 1701 AND 1709 N. FLORES STREET, FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT AND "C-2 NA" COMMERCIAL NON ALCOHOLIC SALES DISTRICT TO "RM-4" PUD RESIDENTIAL MIXED PLANNED UNIT DEVELOPMENT.

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4D.) CASE NUMBER #Z2002038 - The request of George Harris, Applicant, for George Harris, Owner(s), for a change in zoning from "R-5" Residential Single Family District to "I-1" General Industrial District on Lot C, Block 10616, 4430 IH 10 E. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

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

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

AN ORDINANCE 95602

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 C, BLOCK 10616, 4430 IH 10 E., FROM "R-5"

RESIDENTIAL SINGLE FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT.

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4E.) CASE NUMBER #Z2002054 - The request of City of San Antonio, Applicant, to redesignate a portion of the Government Hill area bounded by Pine Street and Willow Street to the east, Grayson Street to the north, North New Braunfels Avenue to the west, and IH-35 to the south (multiple properties), as an historic district; thereby affirming the rezoning and reclassification brought about by Zoning Case Z20147 and Ordinance number 94593. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2)

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

Mr. Emil Moncivais, Director of Planning Department, narrated a slide presentation on the reaffirmation of the Government Hill Historic District designation, a copy of which presentation is on file with the papers of this meeting. He outlined the background, consultant recommendations, noting the current boundaries. He spoke of the diversity in the architectural styles, and the owner occupied tax exemption.

The following citizen(s) appeared to speak:

Ms. Loretta Huddleston, San Antonio Conservation Society spoke in support of the zoning case, and the process utilized, and the rehabilitation of homes. She added that this change will safeguard the historic fabric of the neighborhood.

Mr. Florence Alcoser, spoke in support of the project, and commended Councilman Sanders for his leadership.

Mr. Steven Jacks, property owner, spoke in favor of the historic designation.

Mr. Richard Henderson, spoke in favor of the reaffirmation, noting this would enhance the beauty and preservation of the neighborhood.

Mr. Stephen Mazurek, spoke in favor of the historic designation.

Ms. Elizabeth Kerley, member of the South Fort Sam Houston Development Advisory Board, spoke in support of the reaffirmation.

Ms. Marie Stout, property owner, spoke in support of the reaffirmation.

Ms. Beatrice Cortez, spoke to the process and cited the number of citizens who were in opposition to the historic designation.

Mr. Andres Cortez, stated there was a lot of work needed to refurbish the area.

Mr. John Alcoser, St. Patrick's Church COPS, spoke in opposition to the historic designation, noting there were a number of area citizens also in opposition.

Mr. Dennis Hartnett, attorney-representing plaintiffs, spoke in opposition to the reaffirmation, and presented a prepared statement which is on file with the papers of this meeting.

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In response to Mr. Sanders, Mr. Ray Lozano reiterated the number of responses received from the letters sent out by the Planning Department.

Mr. Sanders spoke to the process followed by staff, and clarified that these responses needed to be from the people in the designated area. He stated that the integrity of the process utilized, and then made a motion for approval. 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, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 95603

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 THE REZONING AND RECLASSIFICATION OF PROPERTY TO REAFFIRM THE REZONING AND RECLASSIFICATION OF THE GOVERNMENT HILL HISTORIC DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 992, BLOCK 1, ALL OF BLOCK EXCEPT LOTS 1 THROUGH 10
NCB 992, BLOCK 3, LOTS 4 AND 5

NCB 993, BLOCK 3, ALL OF BLOCK
NCB 1254 BLOCK 13, ALL OF BLOCK
NCB 1255, BLOCK 3, ALL OF BLOCK
NCB 1256
NCB 1257
NCB 1258
NCB 1259
NCB 1260
NCB 1261, BLOCK 29, ALL OF BLOCK
NCB 1263, BLOCK 2, ALL OF BLOCK
NCB 1254, BLOCK 3, ALL OF BLOCK
NCB 1265, BLOCK 1, ALL OF BLOCK
NCB 1266, BLOCK 2, ALL OF BLOCK
NCB 1267, BLOCK 3, ALL OF BLOCK
NCB 1268, BLOCK 4, ALL OF BLOCK
NCB 1273, BLOCK 5, ALL OF BLOCK
NCB 1274, BLOCK 6, ALL OF BLOCK
NCB 1275, BLOCK 7, ALL OF BLOCK
NCB 1276, BLOCK 8, ALL OF BLOCK
NCB 1277, BLOCK 6, ALL OF BLOCK
NCB 1278, BLOCK 5, ALL OF BLOCK

BOUNDED BY PINE STREET AND WILLOW STREET TO THE EAST, GRAYSON STREET TO THE NORTH, NORTH NEW BRAUNFELS AVENUE TO THE WEST, AND IH-35 TO THE SOUTH.

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 Direction of Planning shall change the zoning records and map in accordance herewith the same shall be available and open to the public for inspection.

SECTION 4: This ordinance is not severable.

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4F.) CASE NUMBER #Z2002031 - The request of H.L.H. Development, L.P., Applicant, for H.L.H. Development, L.P., Owner(s), for a change in zoning from "C-3" Commercial District and "I-1" General Industrial District to "MXD" Mixed Use District on P-5, NCB 10920, 9102 South Presa. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

Mr. Carpenter 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. **NAYS:** None. **ABSENT:** Perez, Garza.

AN ORDINANCE 95604

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 P-5, NCB 10920, 9102 SOUTH PRESA, FROM "C-3" COMMERCIAL DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "MXD" MIXED USE DISTRICT.

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4G.) CASE NUMBER #Z2002029 - The request of Earl & Brown, P.C., Applicant, for Westpond Unit II, Ltd., Attn: Steve Miller, Owner(s), for a change in zoning from "C-3R" Commercial District, Restrictive Alcoholic Sales to "MF-25" Multi-Family District on 0.5130 acres out of P-42, Block 38, NCB 17878, Northeast corner of Flint Valley at Horal Drive. 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:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Carpenter, Garza.

AN ORDINANCE 95605

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 0.5130 ACRES OUT OF P-42, BLOCK 38, NCB 17878, NORTHEAST CORNER OF FLINT VALLEY AT HORAL DRIVE, FROM "C-3R" COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "MF-25" MULTI-FAMILY DISTRICT.

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4H.) CASE NUMBER #Z2002030 - The request of Earl & Brown, P.C., Applicant, for Westpond Unit II, Ltd., Attn: Steve Miller, Owner(s), for a change in zoning from "C-2" Commercial District and "C-3 R" Commercial Restrictive Alcoholic Sales District to "R-5" Residential Single Family District on 20.07 acre tract of land out of Block 38, NC 17388, SE corner of Flint Valley @ Horal Dr. 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:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Perez, Carpenter, Garza.

AN ORDINANCE 95606

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 20.07 ACRE TRACT OF LAND OUT OF BLOCK 38, NC 17388, SE CORNER OF FLINT VALLEY @ HORAL DR., FROM "C-2" COMMERCIAL DISTRICT AND "C-3 R" COMMERCIAL RESTRICTIVE

ALCOHOLIC SALES DISTRICT TO "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT.

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4I.) CASE NUMBER #Z2002017 - The request of Luis. E. Plascencia, Applicant, for Luis. E. Plascencia, Owner(s), for a change in zoning from "R-4" Small Lot Residential to "R-4C" Small Lot Residential with a conditional use for a parking lot on Lots 13 and 14, Block 6, NCB 8129, 830 South San Augustine. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions. (Council District 6)

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

Mr. Barrera moved for approval with the conditions as recommended by the Zoning Commission. 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. **NAYS:** None. **ABSENT:** Perez, Carpenter, Garza.

AN ORDINANCE 95607

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 13 AND 14, BLOCK 6, NCB 8129, 830 SOUTH SAN AUGUSTINE, FROM "R-4" SMALL LOT RESIDENTIAL TO "R-4C" SMALL LOT RESIDENTIAL WITH A CONDITIONAL USE FOR A 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:

- 1) There shall be no access from South San Augustine Street.
- 2) A type "C" buffer yard with a six (6') privacy fence (Sec. 35-510 (c) of the Unified Development Code) shall be erected and maintained along the frontage of South San Augustine Street.
- 3) Dumpsters shall be located behind the restaurant.
- 4) Lighting shall be directed so as not to offend nearby residences.

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.

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4J.) CASE NUMBER #Z2002036 - The request of Habitat for Humanity of San Antonio, Applicant, for Habitant for Humanity of San Antonio, Owner(s), for a change in zoning from "C-2 NA" Commercial, Nonalcoholic Sales District and "C-3 NA Commercial, Nonalcoholic Sales District to "R-5" Residential Single-Family District on Lots TR-14 and TR-H, Block 64, NCB 13942. 5900 Block of Old Highway 90 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. Ruben Pena, Representing Habit for Humanity, presented the proposed development to take place, and delineated the negotiations of the land acquisition, the support of volunteers and corporations in San Antonio, highlighting the millions of dollars to be generated by the taxable real estate.

* * * *

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 95608

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 LOTS TR-14 AND TR-H, BLOCK 64, NCB 13942, 5900 BLOCK OF OLD HIGHWAY 90 WEST, FROM "C-2 NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT AND "C-3 NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4K.) CASE NUMBER #Z2002034C - The request of Raul C. Mireles & Richard Mecke, Applicant, for Edith Otelia H Bowman, Estate, Owner(s), for a change in zoning from "I-1" General Industrial District and "MF-33" Multi-Family District to "C-2 C" Commercial District, with a conditional use for mini-storage units on Lots 15 through 24, Block 17, NCB 8284, 422 North General McMullen. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "C-2C". (Council District 7)

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

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

AN ORDINANCE 95609

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 15 THROUGH 24, BLOCK 17, NCB 8284, 422 NORTH GENERAL MCMULLEN, FROM "I-1" GENERAL INDUSTRIAL DISTRICT, "MF-33" MULTI-FAMILY DISTRICT TO "C-2 C" COMMERCIAL DISTRICT, WITH A CONDITIONAL USE FOR MINI-STORAGE UNITS.

* * * *

4L.) CASE NUMBER #Z2002039 - The request of Edward L. Rishbarger, Trustee for Boyce H. Gaskin Trust, Applicant, for Boyce H. Gaskin Trust, Owner(s), for a change in zoning from C-1 Commercial District, C-2 Commercial District & R-5 Residential Single-Family District to C-2 Commercial District on 2.155 acres out of NCB 11610, 7215 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. 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, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Garcia, Garza.

AN ORDINANCE 95610

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 2.155 ACRES OUT OF NCB 11610, 7215 WURZBACH ROAD, FROM "C-1" COMMERCIAL DISTRICT, "C-2" COMMERCIAL DISTRICT & "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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4M.) CASE NUMBER #Z2001264S - The request of Ford Engineering, Inc., Applicant, for Tim Fisher, Owner(s), for a change in zoning from "O-2 ERZD" Office Edwards Recharge Zone District to "O-1 S ERZD" Office Edwards Recharge Zone District with a Specific Use Authorization for Commercial Athletic Fields on Lot P-6, NCB 15674, 15838 San Pedro. Staff's recommendation was for denial.

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 for approval with conditions submitted by the Zoning Commission. 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, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Barrera, Garza.

AN ORDINANCE 95611

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 P-6, NCB 15674, 15838 SAN PEDRO, FROM "O-2 ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT TO "O-1 S ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR COMMERCIAL ATHLETIC FIELDS.

Zoning Commission Recommendation:

Approval with conditions. 1. Hours of Operation shall be limited to:
Monday through Friday 4:00 pm to 9:00 pm (September through April)
Monday through Friday 9:00 am to 9:00 pm (May through August)
Saturday 9:00 am to 9:00 pm (year round)
Sunday 1:00 pm to 5:00 pm (year round)

1. A 6 ft (8ft if a variance is approved) wooden fence shall be constructed along the north, east and south perimeters of the property. The placement may vary slightly due to easements and/or alleyways.
2. Only low intensity, security lighting will be installed on the property and shall be directional as not to offend the nearby residences. There will be no lighting on the ball fields.

3. There shall be no more trees removed from the property.

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4N.) CASE NUMBER #Z2002032 - The request of A.R. Perez, Jr., Applicant, for A.R Perez, Jr, Owner(s), for a change in zoning from "R-4" Single-Family Residence District to "O-1" Office District on Lots 12, 13, 20, 21 & 22, Block 2, NCB 6228, 100 Perry Ct. and 100 Davis Ct. 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 continue this rezoning case until the City Council meeting of May 23, 2002. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until May 23, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garza.

Zoning Case Z2002032 was continued to the Council meeting of May 23, 2002.

— — —
4O.) CASE NUMBER #Z2002033C - The request of Fire & Police Pension Fund, Applicant, for Shearer Hills Baptist Church, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "R-5" Residential Single-Family District to "C-2" Commercial District (1.734 acres), "R-4 C" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot (1.747 acres) and "R-5 C" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot (0.5275 acres) on Lots 1,2,3,4, and 5, Blk 2, NCB 10063 and Lots 1,2,3,4,5 and 12, Blk 2, NCB 11016, 802-803 Oblate Drive. Staff's recommendation was for approval.

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

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

Mr. Schubert made a motion to continue this rezoning case until the City Council meeting of May 23, 2002. Mr. Martin seconded the motion.

After consideration, the motion to continue this case until May 23, 2002, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Barrera, Garza.

Zoning Case Z2002033C was continued to the Council meeting of May 23, 2002.

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4P.) CASE NUMBER #Z2002041 - The request of EH & S Group, Applicant, for EH & S Group, Owner(s), for a change in zoning from "I-1" General Industrial District to "L" Light Industrial District on Lot 15, Block 1, NCB 16888, 2620 Harry Wurzbach. 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. 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, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Barrera, Garza.

AN ORDINANCE 95612

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 15, BLOCK 1, NCB 16888, 2620 HARRY WURZBACH, FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "L" LIGHT INDUSTRIAL DISTRICT.

* * * *

2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95614

APPROVING A 25 YEAR GROUND LEASE AGREEMENT WITH AN OPTION TO RENEW FOR AN ADDITIONAL 15 YEARS WITH NORTHEAST INDEPENDENT SCHOOL DISTRICT FOR THE CONSTRUCTION AND OPERATION OF THE COL. VICTOR J. FERRARI LEARNING AND LEADERSHIP DEVELOPMENT CENTER (LLDC) ON NEISD PROPERTY LOCATED AT 103 E. RAMPART AT A BASE MONTHLY RENTAL OF \$1.00 A YEAR; AUTHORIZING THE EXECUTION OF SAID LEASE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING THE PAYMENT OF THE MONTHLY LEASE RENTAL.

* * * *

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

Mr. Dennis Campa, Director of Community Initiatives, narrated slide presentation on the Learning and Leadership Development Center, a copy of which is on file with the papers of this meeting. He outlined the purpose, background, process in site location and the naming of the facility, uses of the facility, noting this project was in support for the Better Jobs effort.

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. **NAYS:** None. **ABSENT:** Garza.

— — —
2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95615

AUTHORIZING THE RENEWAL OF AIRCRAFT HULL AND LIABILITY INSURANCE FOR THE CITY OF SAN ANTONIO WITH ACE USA GROUP (WESTCHESTER FIRE INSURANCE COMPANY) THROUGH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE (1) YEAR PERIOD BEGINNING MARCH 31, 2002 AND ENDING MARCH 31, 2003,

AT A COST OF \$163,000.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Mr. Michael Rich, Risk Manager, narrated a slide presentation on the Aircraft Hull and Liability Insurance, a copy of which presentation is on file with the papers of this meeting. He outlined the background, history of insurance premiums, marketing approach, and the protection offered, noting the insurance as being 15% higher.

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. **NAYS:** None. **ABSENT:** Martin, Garcia, Garza.

— — —
2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95616

AUTHORIZING PAYMENT IN THE AMOUNT OF \$59,627.00 TO OLD REPUBLIC INSURANCE COMPANY PER THE BID SUBMITTED BY ALAMO INSURANCE GROUP, INC., ACTING THROUGH MCGRIFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR AIRPORT OWNERS AND OPERATORS GENERAL LIABILITY INSURANCE COVERAGE FOR THE CITY OF SAN ANTONIO FOR A ONE (1) YEAR PERIOD BEGINNING MARCH 31, 2002 AND ENDING MARCH 31, 2003; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Michael Rich, Risk Manager, narrated a slide presentation on the insurance policy for the San Antonio International Airport and Stinson Airport, a copy of which presentation is on file with the papers of this meeting. He delineated the coverage period and

associated cost, history of insurance premiums, marketing approach, and the protection offered.

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

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2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95617

APPROVING THE SUBMISSION OF THE LOCAL WORKFORCE DEVELOPMENT BOARD INTEGRATED PLAN MODIFICATION FOR FISCAL YEAR 2002-2003, BY THE ALAMO WORKFORCE DEVELOPMENT BOARD.

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

Ms. Frances Gonzalez, Assistant to the City Manager, introduced Mr. Allen Miller, Executive Director of the Alamo Workforce Development Board, to make the presentation on the proposed Ordinance.

Mr. Miller narrated a slide presentation, of which is on file with the papers of this meeting. He outlined the general workforce program fund uses, workforce programs, eligibility criteria for the development program, general workforce services and activities, and the proposed goals. He further expounded on the strategies, Alamo Workforce Development proposed target demand, occupational list by industry, performance measures for FY 2002, current budget, and estimated budget for FY 2003.

In response to Mr. Barrera regarding the contract performance measures and participation rate, Mr. Miller stated there was an adjustment of new measures, and that staff was working with the contractors to assure proper amount of referrals. He also noted that the next quarterly report should reflect some better working numbers, and that present efforts are being made to exceed those numbers. He stated that their goal was to place individuals at jobs, then provide additional services and training to elevate their jobs and wages. Mr. Miller further elaborated on the process to re-bid all work, procurement rules, the process for contracts, and scoring system.

A discussion continued on the analysis of labor/market of the various industry sectors.

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. **NAYS:** None. **ABSENT:** Conner, Garza.

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2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95618

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EQUIPMENT/LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LASALLE BANK NATIONAL ASSOCIATION AT AN INTEREST RATE OF 3.25% FOR A TERM OF 36 MONTHS FOR \$2,974,152.73 AND AN INTEREST RATE OF 3.71% FOR A TERM OF 60 MONTHS FOR \$2,818,124.97 FOR THE PURCHASE OF EQUIPMENT ITEMS TO INCLUDE FIRE PUMPER TRUCKS, HAZARDOUS MATERIALS VEHICLE, CELLULAR DIGITAL PACKET DATA LAPTOP COMPUTERS WITH ASSOCIATED COMPONENTS, AERIAL PLATFORM TRUCK, AERIAL LADDER TRUCK, STREET RECLAMATION MACHINE, TRAILER AND HEAVY DUTY TRUCK, DOUBLE DRUM ROLLER, HIGH CAPACITY TRAILERS, REIMBURSEMENT FOR MAINTENANCE GOLF COURSE EQUIPMENT, AND TO PAY THE COSTS OF FINANCING; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

Mr. Milo Nitschke, Director of Finance, narrated a slide presentation on the tax exempt lease purchase financing, a copy of which presentation is on file with the papers of this meeting. He outlined the equipment financed, request for bid process, bid results, and financial impact.

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. **NAYS:** None. **ABSENT:** Conner, Garza.

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2002-15 Item 33 being a proposed Ordinance amending Chapter Six of the City Code to require specific Universal Design features for the construction of City-assisted housing; as requested by Mayor Edward D. Garza, was pulled from consideration by the City Manager.

— — —
2002-15 The Clerk read a proposed Ordinance authorizing the expenditure of \$1,000.00 from the Mayor's Contingency Account Fund, payable to the Barshop Jewish Community Center of San Antonio, to help defray costs associated with its coordination of the Senior Games of San Antonio 2002, an event hosting over 1,200 athletes, scheduled for April 7, 2002, through April 14, 2002; as requested by Mayor Edward D. Garza.

Mr. Carpenter made a motion to approve the proposed Ordinance with additional funds added from the following districts: District 2 - \$500; District 3 - \$500; District 4 - \$250; District 7 - \$250; District 8 - \$500; District 9 - \$500; District 10 - \$250. Mr. Perez seconded the motion.

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

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The Clerk then read the following Ordinance:

AN ORDINANCE 95619

AUTHORIZING THE TOTAL EXPENDITURE OF \$3,750.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE BARSHOP JEWISH COMMUNITY CENTER OF SAN ANTONIO, TO HELP DEFRAY COSTS ASSOCIATED WITH ITS COORDINATION OF THE SENIOR GAMES OF SAN ANTONIO, AN EVENT HOSTING OVER 1,200 ATHLETES, SCHEDULED FOR APRIL 7, 2002, THROUGH APRIL 14, 2002; AS REQUESTED BY MAYOR EDWARD D. GARZA.

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2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95620

AUTHORIZING THE EXPENDITURE OF \$25.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO THE LOVE JEFFERSON FOUNDATION, TO BE USED TO PURCHASE AND INSTALL A BRONZE PLAQUE IN THE MAIN HALLWAY OF THOMAS JEFFERSON HIGH SCHOOL, COMMEMORATING THE SCHOOL'S RECENT HISTORICAL DESIGNATION; AS REQUESTED BY MAYOR EDWARD D. GARZA.

* * * *

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. **NAYS:** None. **ABSENT:** Garza.

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2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95621

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO THE MIGHTY DUCKS, A LITTLE LEAGUE TEE BALL TEAM LOCATED IN THE HARLANDALE AREA, TO HELP DEFRAY THE COST OF THE TEAM'S UNIFORMS AND EQUIPMENT; AS REQUESTED BY MAYOR EDWARD D. GARZA.

* * * *

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Schubert 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. **NAYS:** None. **ABSENT:** Garza.

— — —
2002-15 The Clerk read the following Ordinance:

AN ORDINANCE 95622

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND, PAYABLE TO ST. LEONARD'S SPORTS ASSOCIATION, TO BE USED TO HELP DEFRAY THE COST OF UNIFORMS FOR ITS BASEBALL PROGRAM; AS REQUESTED BY COUNCILMAN ENRIQUE "KIKE" MARTIN.

* * * *

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

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2002-15 TRAVEL AUTHORIZATION - Granted:

Confirmation and Travel Authorization for Councilwoman Antoniette Moorhouse, District 3, who traveled to Austin, Texas, on April 5, 2002, to attend the Texas Department of Housing and Community Affairs Public Hearing on the Low Housing Tax Credit Program.

Mr. Carpenter made a motion to approve the proposed Travel Authorization. Mr. Schubert 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. **NAYS:** None. **ABSENT:** Garza.

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2002-15 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilwoman Antoniette Moorhouse, District 3, who will travel to New Braunfels, Texas, on Friday, April 12, 2002, to attend the San Antonio-Austin Regional BioDefense Summit, which will address regional homeland security and defense technology capabilities related to bioterrorism.

Mr. Martin made a motion to approve the proposed Travel Authorization. Ms. Conner 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. **NAYS:** None. **ABSENT:** Garza.

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2002-15 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilwoman Bonnie Conner, District 8, who will travel to Austin, Texas, on Wednesday, April 17, 2002 through Friday, April 19, 2002, and from Wednesday, April 24, 2002 through Friday, April 26, 2002, to participate in the Center for Public Policy Dispute Resolution Year 2002 Fellows Class at the University of Texas at Austin Law School.

Mr. Martin 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. **NAYS:** None. **ABSENT:** Garza.

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2002-15 CITY MANAGER'S REPORT

City Manager Terry M. Brechtel, recognized Mr. Lou Lendman, Director of Budget and Performance Assessment to report on the Budget schedule.

Mr. Lendman presented the Budget Schedule for the FY 2002-03, noting there was a new addition for this year, the Budget Open House. He also stated that the Council meetings for the month of July would be rescheduled to allow staff to work on the budget.

In response to Mr. Garcia regarding community outreach, Mr. Lendman stated that advertisement had been made through public service announcements on Chic 21, neighborhood association, media advisory, and newspapers.

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2002-15 EXECUTIVE SESSION

The City Council recessed its regular session at 4:20 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-Client consultation regarding: 1) the status of negotiations and interconnection associated with the Time Warner Cable franchise renewal process and Grande Communications reopener process; and 2) the City's options in dealing with the FCC's Declaratory Ruling and Notice of Proposed Rulemaking issued on March 14, 2002.

The City Council adjourned the Executive Session at 3:45 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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2002-15

CITIZENS TO BE HEARD

MRS. MARTHA VON ELLENRIEDER

Mrs. Martha Von Ellenrieder, spoke to a legend in Mexican history about the value of water.

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MR. MARLIN D. LYTLE

Mr. Marlin D. Lytle, again spoke to the issue of the homeless in San Antonio.

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MR. JOSE PEREZ

Mr. Jose Perez, again spoke to the City Council about a bid he had submitted and the rejection of his bid. He stated that the guidelines be revised. He stated that the City Council are the only ones who can change these guidelines.

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MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez, spoke to the City Council about her concern with conflicts of interest issues. She also spoke about the City employees who are also military reservists and her views that they should be compensated.

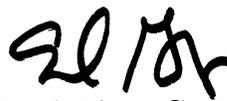
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MR. NAZARITE RUBEN FLORES PEREZ

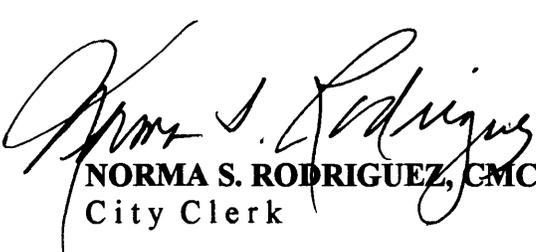
Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the City Council about his views on married clergy and made references to bible passages.

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2002-15 There being no further business to come before the City Council, the meeting was adjourned at 5:36 P.M.

A P P R O V E D


EDWARD D. GARZA
M A Y O R

Attest:


NORMA S. RODRIGUEZ, CMC/AAE
City Clerk