

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, SEPTEMBER 12, 2002.

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2002-34 The City Council convened in an informal "B" Session at 9:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A.) **Capital Budget/Debt Management Plan (OMB/Finance)**. (Presented by Lou Lendman, Director of Management and Budget.)

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

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

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2002-34 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, Carpenter, Garza. ABSENT: Schubert.

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2002-34 Invocation by Rev. Raymond Schuster, St. Bonaventure Catholic Church.

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2002-34 Pledge of Allegiance to the flag of the United States.

2002-34 PRESENTATION OF PROCLAMATION FOR POLLUTION PREVENTION WEEK.

Mayor Garza read a Proclamation in honor of National Pollution Prevention Week, and presented it to Mr. Tom Wendorf, Director of Public Works.

Mr. Wendorf spoke of the services provided by the department, and the need to share information to improve environmental quality in the community. He outlined the educational program focused on air quality, solid waste, and recycling programs conducted at the various schools.

Members of the Council lauded this important effort and spoke of the City's effort to be the catalyst to teach the community and teamwork to enhance the environmental issues in the community.

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2002-34 PRESENTATION OF PROCLAMATION FOR MENTOR AWARENESS WEEK.

Mayor Garza invited Dr. Ricardo Romo to the podium for the presentation of a Proclamation in honor of Mentor Awareness Week. Mayor Garza read a Proclamation and presented it to Dr. Romo, President of the University of Texas at San Antonio.

Dr. Romo thanked the City Council for the presentation, and spoke of the mentoring program, stating that about 1,000 mentors are actively involved in this program. Dr. Romo introduced the UTSA staffs who were involved in the mentoring program.

Members of the City Council commended individuals who participate in this worthwhile program, and thanked Dr. Romo for his leadership in the community.

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2002-34 PRESENTATION OF PROCLAMATION FOR AMERICA'S WALK FOR DIABETES.

Mayor Garza spoke of the Diabetes Walk to take place on September 21, 2002 at SeaWorld in San Antonio noting that the City team would be participating in this endeavor. He then read a Proclamation in honor of America's Walk for Diabetes, and

presented it to Ms. Elizabeth Tobias, Area Executive Director of the American Diabetes Association.

Ms. Tobias, presented statistical data noting that 17 million Americans are afflicted with diabetes, and 300,000 are in San Antonio, citing the risks associated with diabetes. Mr. Mike De La Garza stated the numbers of citizens with diabetes was much higher than in Mexico City, and highlighted the prevalence of diabetes especially in the Hispanic community. He then recognized Mr. Donze Lopez, Martin Marietta Inc., sponsor of this event.

Members of the City Council commended the organizations for their support and participation, and urged the community to participate in the Diabetes Walk.

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2002-34 PRESENTATION OF PROCLAMATION IN SUPPORT FOR THE WOMEN'S NATIONAL BASKETBALL ASSOCIATION (WNBA).

Mayor Garza invited Mr. Peter Holt and Clarissa Davis-Wrightsil, forward and presented them a Proclamation in support of the Women's National Basketball Association (WNBA). Ms. Davis-Wrightsil thanked the City Council for the recognition, and thanked Mr. Holt, for his commitment and support of the WNBA as an inspiration for our young girls, and for advancement of women's issues.

Members of the City Council commended Mr. Holt for his continuing support in community issues.

Councilman Sanders asked the City Council to consider Item 38 at this time.

The Clerk then read the following Ordinance:

AN ORDINANCE 96312

AUTHORIZING THE TOTAL EXPENDITURE OF \$6,500.00 FROM VARIOUS CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE SPURS FOUNDATION, TO BE USED TO PURCHASE TICKETS FOR CHARITIES AND NON-PROFIT ORGANIZATIONS SO THAT SENIORS AND DISADVANTAGED YOUTH IN THE COMMUNITY CAN ATTEND WNBA GAMES; AND TO HELP SUPPORT THE EFFORT OF SECURING 6,000 SEASON TICKET DEPOSITS IN ORDER TO

GUARANTEE A WNBA TEAM FOR SAN ANTONIO; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance with additional funds added by the following districts: District 1 - \$500; District 3 - \$500; District 4 - \$500; District 5 - \$500; District 6 - \$500; District 7 - \$500; District 8 - \$1,000; District 10 - \$1,000; District 11 - \$1,000. Councilman 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, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

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2002-34 ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Mr. Duane Wilson spoke of the Trilateral Technology Conference to take place, which represented a great opportunity for San Antonio to showcase the City as prepared to enhance technology.

Mayor Garza commended North and South Chambers for the sponsorship of this event.

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2002-34 ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Ms. Nancy Englebert, Heritage NA, spoke of City Clerk Norma Rodriguez' service to the community and presented her a bouquet of flowers. She recognized her outstanding work and dedication to the community.

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2002-34 Minutes of the regular City Council meeting of August 1, 2002 were approved.

2002-34 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 10 through 29D constituting the Consent Agenda, except for Item16, which was pulled for individual consideration. Councilman Carpenter seconded the motion.

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

AN ORDINANCE 96313

ACCEPTING THE LOW BID SUBMITTED BY WARD DIESEL FILTER SYSTEMS TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH DIESEL EXHAUST FILTRATION SYSTEMS FOR A TOTAL SUM OF \$404,730.00.

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AN ORDINANCE 96314

ACCEPTING THE OFFER FROM SOFTWARE-HOUSE INTERNATIONAL/GOVERNMENT SOLUTIONS, INC. (SHI-GS), UTILIZING A TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT WITH SHI-GS, TO PROVIDE THE CITY OF SAN ANTONIO'S ENTERPRISE RESOURCE MANAGEMENT PROJECT WITH CRYSTAL DECISIONS REPORTING SOFTWARE AND SUPPORT FOR AN ESTIMATED TOTAL OF \$590,629.00 PAYABLE IN THE AMOUNT OF \$409,801.00 FOR THE FIRST YEAR AND \$180,828.00 FOR THE SECOND YEAR AND \$292,764.00 IN YEARS THREE THROUGH FIVE FOR AN ESTIMATED TOTAL OF \$883,393.00.

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AN ORDINANCE 96315

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH OVERHEAD DOOR PARTS AND SERVICE, JANITORIAL DISINFECTANTS, AUTOMOTIVE LIGHT ASSEMBLIES, LENS & MIRRORS, REINFORCING STEEL & WIRE MESH AND HEAVY EQUIPMENT TIRES, TUBES, RECAPPING AND ROAD SERVICE ON AN ANNUAL CONTRACT BASIS FOR FY

2002-2003 FOR A TOTAL OF APPROXIMATELY \$441,827.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 96316

AUTHORIZING FUNDS IN THE AMOUNT OF \$11,077.00 FROM 1995-96 FACILITIES IMPROVEMENT MAINTENANCE PROGRAM (FIMP) FUNDS TO REPLACE EXISTING COMPRESSED AIR PIPING AT FIRE SERVICES LOCATED AT 4531 S. ZARZAMORA IN COUNCIL DISTRICT 5.

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AN ORDINANCE 96317

APPROVING COOPERATIVE AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), WHICH PROVIDE THAT TXDOT WILL REIMBURSE THE CITY FOR THE COST OF FURNISHING AND INSTALLING TRAFFIC SIGNAL EQUIPMENT AT THE FOLLOWING LOCATIONS FOR THE FOLLOWING AMOUNTS: A) ON SOUTHCROSS BOULEVARD AT S. PRESA STREET, ON SOUTHCROSS BOULEVARD AT HACKBERRY; AND ON SOUTHCROSS BOULEVARD AT NEW BRAUNFELS AVENUE IN CONJUNCTION WITH MPO PROJECT STP 2000(904)MM, AN AMOUNT NOT TO EXCEED \$27,900.00; B) ON LOOP 13 (W.W. WHITE) AT DIVIDEND/SPRINGFIELD ROADS; ON LOOP 13 (W.W. WHITE) AT GEMBLER ROAD; AND ON LOOP 13 (W.W. WHITE) AT EMIL STREET IN CONJUNCTION WITH MPO PROJECT STP 2001(768)MM, AN AMOUNT NOT TO EXCEED \$28,300.00; C) ON LOOP 1604 AT SHAENFIELD ROAD; ON LOOP 1604 AT WISEMAN BOULEVARD; ON LOOP 1604 AT FM 471; ON LOOP 1604 AT MILITARY DRIVE WEST; AND ON LOOP 1604 AT FM 1957 IN CONJUNCTION WITH PROJECTS NH 2000(704), STP 2000(705)MM AND RW 2452-1-44, AN AMOUNT NOT TO EXCEED \$50,325.00; D) ON FM 471 AT FM 1560, ON FM 471 AT TAFT HIGH SCHOOL MAIN DRIVEWAY, AND ON FM 471 AT WESTWOOD LOOP IN CONJUNCTION WITH MPO PROJECT STP 2002(317)MM, AN AMOUNT NOT TO EXCEED \$28,300.00; E) ON ROOSEVELT AVENUE AT NAPIER/BONNER STREETS AND ON ROOSEVELT AVENUE AT MISSION

ROAD IN CONJUNCTION WITH MPO PROJECT STP 94(329)TE, AN AMOUNT NOT TO EXCEED \$22,680.00; AND AUTHORIZING CITY STAFF TO ACQUIRE AND INSTALL THE TRAFFIC SIGNAL EQUIPMENT.

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AN ORDINANCE 96318

AMENDING ORDINANCE NO. 95586, DATED APRIL 11, 2002, BY INCREASING THE AMOUNT ELIGIBLE FOR REIMBURSEMENT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FROM \$9,900.00 TO \$20,000.00 FOR THE COST OF FURNISHING AND INSTALLING TRAFFIC SIGNAL EQUIPMENT ON THE IH 35 FRONTAGE ROADS AT SBC CENTER PARKWAY, FORMERLY KNOWN AS COLISEUM ROAD AND ON THE I.H. 10 FRONTAGE ROADS AT EAST HOUSTON STREET IN CONJUNCTION WITH TXDOT PROJECTS IM 35-2(299) AND IM 10-4(327); AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE NECESSARY DOCUMENTS. (AMENDS ORDINANCE NO. 95586, APRIL 11, 2002.)

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AN ORDINANCE 96319

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO LEASE AGREEMENT WITH WASHINGTON PLACE JOINT VENTURE, AS LANDLORD, FOR APPROXIMATELY 6,490 SQUARE FEET AT THE WASHINGTON PLACE OFFICE BUILDING, LOCATED AT 215 SOUTH SAN SABA STREET, FOR A ONE-YEAR TERM COMMENCING ON OCTOBER 1, 2002 AND ENDING ON SEPTEMBER 30, 2003, TO ACCOMMODATE CERTAIN DIVISIONS OF THE ECONOMIC DEVELOPMENT DEPARTMENT UNTIL THEY RELOCATE TO THE ONE STOP DEVELOPMENT SERVICES CENTER IN APPROXIMATELY SEVEN MONTHS, WITH THE CITY'S OPTION TO TERMINATE THE LEASE AGREEMENT AFTER JANUARY 31, 2003 UPON THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO THE LANDLORD, FOR A TOTAL COST FOR RENTAL PAYMENTS, UTILITY CHARGES, AND JANITORIAL SERVICES FOR THE ONE-YEAR LEASE TERM OF \$87,124.80, BUT WITH ANTICIPATED COSTS FOR A SEVEN-MONTH TERM OF \$50,822.80. (AMENDS ORDINANCE NO. 90515, SEPTEMBER 23, 1999.)

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AN ORDINANCE 96320

AUTHORIZING THE EXECUTION OF A MUTUAL TERMINATION OF THE SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT NO. 124015 WITH ADELAC AVIATION, L.L.C.

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AN ORDINANCE 96321

APPROVING A TEN (10) YEAR GROUND LEASE AGREEMENT WITH EVA TREVINO D/B/A ST. CLOUD CENTER FOR LEASE OF 6,156 SQUARE FEET OF PARK LAND IN SEELING PARK LOCATED IN CITY COUNCIL DISTRICT 7, TO BE DEVELOPED INTO A PARKING LOT.

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AN ORDINANCE 96322

AUTHORIZING AMENDMENT 1 TO THE CURRENT FOOD AND CONCESSION CONTRACT WITH THE SAN ANTONIO SOFTBALL ASSOCIATION, INC. FOR OPERATION OF THE FOOD AND BEVERAGE CONCESSIONS AT THE CITY'S SOFTBALL COMPLEXES, WHICH APPROVES AN EXTENSION OF EIGHT (8) YEARS UNTIL OCTOBER 23, 2012. (AMENDS ORDINANCE NO. 90656, OCTOBER 14, 1999.)

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AN ORDINANCE 96323

AUTHORIZING THE SUBMISSION OF AN \$82,215.00 GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE CONTINUATION OF A SNACK PROGRAM AT THE CITY'S COMMUNITY CENTERS FOR THE OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 GRANT YEAR; AUTHORIZING THE ACCEPTANCE OF THE GRANT IF AWARDED; APPROPRIATING FUNDS; AND APPROVING A BUDGET.

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AN ORDINANCE 96324

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE CITY OF SAN ANTONIO FIRE DEPARTMENT TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) FOR A GRANT IN THE AMOUNT OF \$50,000.00 TO BE USED TO SUSTAIN PLANNING OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM (MMRS), A SYSTEM ESTABLISHED TO BE A PRIMARY RESOURCE FOR RESPONSE TO WEAPONS OF MASS DESTRUCTION (WMD) INCIDENTS.

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AN ORDINANCE 96325

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF \$275,250.00 FOR THE PERIOD BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003 TO CONTINUE OPERATING THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT (SSEP); APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FY 2002-2003; APPROPRIATING FUNDS; AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS AND ACCEPTING SUPPLEMENTAL FUNDS, IF AWARDED DURING THE CONTRACT PERIOD.

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AN ORDINANCE 96326

AUTHORIZING THE AVIATION DEPARTMENT TO RENEW CONTRACTS FOR THE PLACEMENT OF SAN ANTONIO INTERNATIONAL AIRPORT INFORMATION AND DIAGRAMS IN LOCAL AND SURROUNDING COMMUNITY TELEPHONE DIRECTORIES PUBLISHED BY SOUTHWESTERN BELL TELEPHONE COMPANY, VERIZON, SPRINT YELLOW PAGES, AND CONSOLIDATED COMMUNICATIONS DIRECTORIES AND TO PAY AN AMOUNT NOT TO EXCEED \$57,000.00 FOR THE PLACEMENT OF THESE ADVERTISEMENTS.

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AN ORDINANCE 96327

AUTHORIZING THE PAYMENT OF AN AMOUNT NOT TO EXCEED \$25,000.00 TO NORTHWEST AIRLINES FOR ADVERTISING EXPENSES AS PART OF THE SAN ANTONIO INTERNATIONAL AIRPORT AIR SERVICE DEVELOPMENT INCENTIVE PROGRAM DEVELOPED IN CONNECTION WITH THE AIR CARRIER'S INITIATION OF NEW NONSTOP AIR SERVICE TO DETROIT, MICHIGAN.

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AN ORDINANCE 96328

AUTHORIZING THE ACCEPTANCE OF AN AWARD OF \$1,358,193.00 IN CASH AND \$34,500.00 IN CONTRACT FUNDING FROM THE TEXAS DEPARTMENT OF HEALTH TO SUPPORT ON-GOING PUBLIC HEALTH PROGRAMS OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003 FOR THE FOLLOWING PROGRAMS: TITLE V FAMILY PLANNING PROGRAM 2002-2003, \$729,458.00; TITLE V MATERNAL & CHILD HEALTH PROGRAM, \$278,735.00; TITLE XX FAMILY PLANNING PROGRAM 2002-2003 \$350,000.00, AND MILK AND DAIRY LABORATORY SAMPLE TESTING PROGRAM \$34,500.00; AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; ESTABLISHING FUNDS IN SUPPORT OF THESE PROGRAMS; ADOPTING THE PROGRAM BUDGETS; APPROVING PROGRAM PERSONNEL COMPLEMENTS; APPROVING SUBCONTRACTS WITH UNIVERSITY PHYSICIANS GROUP AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 96329

AUTHORIZING THE PARTIAL ASSIGNMENT OF STATE LEGISLATIVE SERVICES PROVIDED TO THE CITY OF SAN ANTONIO UNDER THE CURRENT AGREEMENT WITH CHRISTOPHER S. SHIELDS, P.C., TO THE LAW FIRM OF BAKER & BOTTS, L.L.P., AND ITS DESIGNATED PRINCIPAL, TRIS CASTANEDA, WHEREBY THE LATTER FIRM WILL PERFORM FIFTY PERCENT (50%) OF THE SERVICES AS A SUBCONTRACTOR TO CHRISTOPHER S.

SHIELDS, P.C., FOR AN AMOUNT NOT TO EXCEED A SUBCONTRACT VALUE OF \$48,000.00.

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AN ORDINANCE 96330

APPROVING AN INVESTMENT POLICY FOR THE CITY OF SAN ANTONIO, TEXAS, IN ACCORDANCE WITH THE REQUIREMENT OF THE TEXAS PUBLIC FUNDS INVESTMENT ACT, AS AMENDED, FOR CITY COUNCIL TO ANNUALLY REVIEW AND APPROVE THE CITY'S INVESTMENT POLICY; AND DESIGNATING CERTAIN EMPLOYEES AS INVESTMENT OFFICERS FOR THE CITY OF SAN ANTONIO.

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AN ORDINANCE 96331

REAPPOINTING ARTHUR MURAJDA TO THE DISABILITY ACCESS ADVISORY COMMITTEE (CONSUMER OF H.S. - DISTRICT 7) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004.

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AN ORDINANCE 96332

APPOINTING SABRINA CAMPOS TO THE SAN ANTONIO YOUTH COMMISSION (DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2004.

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AN ORDINANCE 96333

APPOINTING MICHELLE PERALES TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2004.

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AN ORDINANCE 96334

APPOINTING RUBY PEREZ TO THE ARTS AND CULTURAL ADVISORY COMMITTEE (DISTRICT 6) FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2003.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96335

SELECTING RIALTO STUDIO, INC. TO PROVIDE PROFESSIONAL LANDSCAPE ARCHITECT SERVICES IN CONNECTION WITH THE BRACKENRIDGE PARK REHABILITATION - PACKAGE B PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$270,000.00; REVISING THE BRACKENRIDGE PARK REHABILITATION 1994 PARK BOND ISSUE PROJECT BUDGET; ALLOCATING \$27,000.00 FOR ARCHITECT CONTINGENCY, \$40,000.00 TOPOGRAPHIC SURVEY FEES AND \$20,000.00 FOR DESIGN ENHANCEMENT FEES; AND PROVIDING FOR PAYMENT.

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

Mr. Malcolm Matthews, Director of Parks and Recreation, explained the proposed improvements as part of the Brackenridge Park Rehabilitation project, a copy of which is on file with the papers of this meeting. He outlined the various costs associated with each of the services, such as the landscape architect costs, topographic survey and design enhancement.

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, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96336

APPROVING THE CITY OF SAN ANTONIO STATE LEGISLATIVE PROGRAM FOR THE UPCOMING 78TH TEXAS LEGISLATURE SESSION SCHEDULED TO CONVENE JANUARY 14, 2003.

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

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation on the state legislative program, a copy of which presentation is on file with the papers of this meeting. He outlined the process, the proposed legislative program, noting there were 22 priorities, 24 initiatives, 14 endorsements, and 24 legislative items. He delineated each of the issues, highlighting also those initiatives still under consideration.

Mayor Garza noted that while the Southside initiative is not in this package, this item could be added in the near future. He noted there was no mention of Texas A & M bill, advanced transportation district, but that all stakeholders need to understand that transportation is one of the areas the City needs to address offensively, if the City is pursuing flexibility, and include street maintenance as well.

Mr. Campbell, spoke on the initiatives still under consideration which would probably be brought forward as an addendum.

In response to Councilwoman Conner with regard to land acquisition and gated communities, Mr. Campbell stated that they were still researching this issue, and if necessary, they would include it in the near future. In relation to gated communities, and in order to make it work more effectively, the City would send a letter to sponsor the bill to see if he or she would entertain amendments to the legislation. Mr. Campbell then introduced each of the lobbyists and members of the External Relations staff. He emphasized that elected officials were the most effective voice in support of any legislation.

Councilman Castro commended staff and City lobbyists for this comprehensive package presented.

In response to Councilman Castro's question on water quality regulation, Mr. Campbell stated his office would look at what Edwards Aquifer Authority has defined, but will definitely watch any issues that come up with this subject.

In response to Councilwoman Moorhouse regarding notification to Council on Committee hearings, Mr. Campbell stated that many times they would occur at the last minute, but as soon as he heard that it would be up before the Committee, he will advise the Council immediately. He further expounded on the scheduling of meetings.

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, Garza. **NAYS:** None. **ABSENT:** Schubert, Carpenter.

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2002-34 ZONING CASES – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to the time certain items, and spoke to each of the zoning cases.

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2002-34 ZONING CASES

4A.) CASE NUMBER #Z2002076A - The request of City of San Antonio, Applicant, for Theissen Family LTD Partnership, Rosillo Creek Inc., Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lot 6 save and except the northwest 100 feet, Block 1, NCB 17322 and P-32, NCB 17322, P-34, P-32D, P-32B save and except the northwest 100 feet, NCB 17322, P-33, NCB 17992, P-32A, save and except the northwest 100 feet, NCB 17992, P-32C, P-34, P-34B, P-34C, P-63 save and except the northwest 100 feet, NCB 17993, from "I-1" General Industrial District to "R-6" Residential Single Family District, P-38, P-38B and P-36B, NCB 12867, on I.H. 10 East Corridor. 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.

Councilman Sanders made a motion to continue this rezoning case until the City Council meeting of October 10, 2002 approves the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

After consideration, the motion to continue this case until October 10, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Conner, Garza. **NAYS:** None. **ABSENT:** Castro, Schubert, Carpenter.

Zoning Case Z2002076A was continued to the Council meeting of October 10, 2002.

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4B.) CASE NUMBER #Z2002139 - The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning to designate those properties within one mile of the SBC Center to "EP-1" Facility Parking/Traffic Control District on properties within approximately one mile of the SBC Center. 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.

Councilman Sanders made a motion to approve the proposed rezoning. Councilwoman Moorhouse seconded the motion.

The following citizen(s) appeared to speak:

Ms. Mary Rodriguez, resident of area, expressed concern on the property valuation and the area south to the proposed property.

Ms. Mary Emerson, Onslow Drive, residing adjacent to the SBC Center, inquired if the zoning would apply to the parking lot. She spoke in support of the zoning change that would protect the neighborhood.

Mr. Roosevelt Sams, expressed concerns on whether the church could maintain the present zoning, and how it would be affected. He also inquired on the kind of restrictions to be imposed.

Ms. Edna Goodman, spoke on the size of the map sent to the affected citizens, adding that the map was still not clear. He also spoke in opposition of the proposed change. He expressed concern on how the Zoning Commission could approve the change without the public input prior to approval. He also inquired if there were any controls, on noise or environmental issues.

Mr. Charles English, President of Jefferson Heights, expressed concern on the lack of notification for zoning changes, and that citizens were concerned with the traffic issue, ingress/egress to area, and the need for public input.

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Councilman Sanders stated there was no intention of hindering Jefferson Heights from being represented. He stated that there had been misrepresentation of this zoning overlay, with regard to devaluation of properties, erosion, and affect on the Church. He stated that this is not a commercial overlay district, but will enhance the area. He added that none of these things would occur, and that the Ordinance is to protect the integrity of the neighborhood, and that it will allow ingress/egress, and would also allow a single lane for the neighborhood to go in and out of communities on event days. He emphasized that this Ordinance does not allow people to have pop up parking lots, as experienced at the Alamodome, noting that the City wants to preclude this same type of situation. He stressed that this will allow smooth flow of traffic for residents, which requires people who wish to have parking facilities to meet certain criteria to obtain a permit. He stated that the individual(s) must apply a permit for a fee, and must have paved area, striped pavement, liability insurance, lighting, which would require anyone who wants to have a parking space apply for an application, and meet stringent criteria. He added that planning for all of these stages were already underway. Councilwoman Moorhouse 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, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Barrera, Castro, Schubert.

AN ORDINANCE 96337

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 FOLLOWS:

THE REZONING AND RECLASSIFICATION OF PROPERTY TO DESIGNATE THOSE PROPERTIES WITHIN ONE MILE OF THE SBC CENTER TO "EP-1" FACILITY PARKING/TRAFFIC CONTROL DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES CALHOUN STREET AND INTERSTATE 35; THENCE, FOLLOWING THE CENTERLINE OF INTERSTATE 35 EAST TO ITS INTERSECTION WITH THE CENTERLINE OF COPELAND STREET;

THENCE, FOLLOWING THE CENTERLINE OF COPELAND STREET EAST TO ITS INTERSECTION WITH THE CENTERLINE OF THE DRAINAGE RIGHT-OF-WAY BETWEEN LOTS 11 AND 19, BLOCK 1, NCB 14037;

THENCE, FOLLOWING THE CENTERLINE OF THE DRAINAGE RIGHT-OF-WAY BETWEEN LOTS 11 AND 19, BLOCK 1, NCB 14037 SOUTH TO ITS INTERSECTION WITH THE NORTH PROPERTY LINE OF THE EAST 296.22 FEET OF LOT 30, BLOCK 1, NCB 14037;

THENCE, FOLLOWING THE NORTH PROPERTY LINE OF THE EAST 296.22 FEET OF LOT, BLOCK 1, NCB 14037 TO ITS INTERSECTION WITH THE CENTERLINE OF THE MKT RAILROAD RIGHT-OF-WAY;

THENCE, FOLLOWING THE CENTERLINE OF THE MKT RAILROAD RIGHT-OF-WAY SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF THE DRAINAGE RIGHT-OF-WAY BETWEEN LOTS 23, BLOCK 1, NCB 13394 AND LOT 1, BLOCK 5, NCB 13435;

THENCE, FOLLOWING THE CENTERLINE OF THE DRAINAGE RIGHT-OF-WAY BETWEEN LOTS 23, BLOCK 1, NCB 13394 AND LOT 1, BLOCK 5, NCB 13435 SOUTHEAST TO ITS INTERSECTION WITH THE NORTHWEST CORNER OF THE NORTHEAST IRREGULAR 67 FEET OF TRACT 4 AND THE WEST IRREGULAR 746.6 FEET OF TRACT 5, NCB 10575;

THENCE, FOLLOWING THE NORTHWEST AND NORTH PROPERTY LINE OF THE NORTHEAST IRREGULAR 67 FEET OF TRACT 4 AND THE WEST IRREGULAR 746.6 FEET OF TRACT 5, NCB 10575 TO THE NORTHEAST CORNER OF THE NORTHEAST IRREGULAR 67 FEET OF TRACT 4 AND THE WEST IRREGULAR 746.6 FEET OF TRACT 5, NCB 10575;

THENCE, FOLLOWING THE EAST PROPERTY LINE OF THE NORTHEAST IRREGULAR 67 FEET OF TRACT 4 AND THE WEST IRREGULAR 746.6 FEET OF TRACT 5, NCB 10575 TO ITS INTERSECTION WITH THE EXTENDED NORTH PROPERTY LINE OF LOT 1, BLOCK 2, NCB 13860;

THENCE, FOLLOWING THE NORTH PROPERTY LINE OF LOTS 1 THROUGH 17, BLOCK 2, NCB 13860 TO ITS INTERSECTION WITH THE CENTERLINE OF PICARDIE DRIVE;

THENCE, FOLLOWING THE CENTERLINE OF PICARDIE DRIVE SOUTH TO ITS INTERSECTION WITH BELGIUM LANE;
THENCE, FOLLOWING THE CENTERLINE OF BELGIUM LANE EAST TO ITS INTERSECTION WITH THE CENTERLINE OF SALADO CREEK;
THENCE, FOLLOWING THE MEANDERING CENTERLINE OF SALADO CREEK SOUTH TO ITS INTERSECTION WITH THE NORTHWEST CORNER OF PARCEL 8, NCB 10578;
THENCE, FOLLOWING THE NORTH PROPERTY LINE OF PARCELS 8 AND 7, NCB 10578 TO THE NORTHEAST CORNER OF PARCEL 7, NCB 10578;
THENCE, FOLLOWING THE EAST PROPERTY LINE OF PARCEL 7, NCB 10578 TO ITS INTERSECTION WITH THE CENTERLINE OF INTERSTATE HIGHWAY 10;
THENCE, FOLLOWING THE CENTERLINE OF INTERSTATE HIGHWAY 10 SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF MARTIN LUTHER KING DRIVE;
THENCE, FOLLOWING THE CENTERLINE OF MARTIN LUTHER KING DRIVE WEST TO ITS INTERSECTION WITH THE CENTERLINE OF WALTERS STREET;
THENCE, FOLLOWING THE CENTERLINE WALTERS STREET NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF WYOMING STREET;
THENCE, FOLLOWING THE CENTERLINE OF WYOMING STREET WEST TO ITS INTERSECTION WITH THE CENTERLINE OF GEVERS STREET;
THENCE, FOLLOWING THE CENTERLINE OF GEVERS STREETS NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF GIBBS STREET;
THENCE, FOLLOWING THE CENTERLINE OF GIBBS STREET WEST TO ITS INTERSECTION WITH THE CENTERLINE OF POLARIS STREET;
THENCE, FOLLOWING THE CENTERLINE OF POLARIS STREET NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF DAWSON STREET;
THENCE, FOLLOWING THE CENTERLINE OF DAWSON STREET EAST TO ITS INTERSECTION WITH THE CENTERLINE OF LOCKHART STREET;
THENCE, FOLLOWING THE CENTERLINE OF LOCKHART STREET NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF SHERMAN STREET;
THENCE, FOLLOWING THE CENTERLINE OF SHERMAN STREET EAST TO ITS INTERSECTION WITH THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, NCB 8630;
THENCE, FOLLOWING THE WEST AND EXTENDED WEST PROPERTY LINE OF LOT 1, BLOCK 1, NCB 8630 TO ITS INTERSECTION WITH THE SOUTH PROPERTY LINE OF TRACT A-16, NCB 42;
THENCE, FOLLOWING THE SOUTH PROPERTY LINE OF TRACT A-16, NCB 42 TO ITS INTERSECTION WITH THE CENTERLINE OF THE MKT RAILROAD RIGHT-OF-WAY;

THENCE, FOLLOWING THE CENTERLINE OF THE MKT RAILROAD RIGHT-OF-WAY EAST TO ITS INTERSECTION WITH THE SOUTHWEST CORNER OF THE EAST 249.7 FEET OF TRACT A-3, NCB 42;
THENCE, FOLLOWING THE WEST PROPERTY LINE OF THE EAST 249.7 FEET OF TRACT A-3, NCB 42 TO ITS INTERSECTION WITH SEGUIN STREET;
THENCE, FOLLOWING THE CENTERLINE OF SEGUIN STREET SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF CALHOUN STREET;
THENCE, FOLLOWING THE CENTERLINE OF CALHOUN STREET NORTH TO THE POINT OF BEGINNING.

* * * *

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.

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4C.) CASE NUMBER #Z2002151 - The request of Kaufman & Associates, Inc., Applicant, for Dial-Eisenhauer Limited partnership ("Dial")/Zachry Realty, Inc. ("Zachry")/Quantum Self Storage LLLP ("Quantum"), Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" Commercial District on 75.89 acres out of NCB 15894, 15827, 15826, from "R-6" Residential Single Family District to "C-3 S" Commercial District with specific use authorization for a mini-warehouse on 5.886 acres out of NCB 15894; and from "R-6" Residential Single Family District to "BP" Business Park District on 96.856 acres out of NCB 15894 and 15827 on Eisenhauer Road and Walzem Road. 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.

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

AN ORDINANCE 96338

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 RECLASIFICACION OF PROPERTY FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT ON 75.89 ACRES OUT OF NCB 15894, 15827, 15826; FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3 S" COMMERCIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A MINI-WAREHOUSE ON 5.886 ACRES OUT OF NCB 15894; AND FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "BP" BUSINESS PARK DISTRICT ON 96.856 ACRES OUT OF NCB 15894, 15827 ON EISENHAUER ROAD AND WALZEM ROAD.

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4D.) CASE NUMBER #Z2002135 - The request of Hillstar Investments, Ltd., Applicant, for Frances Willey, Owner(s), for a change in zoning from "NP-8" Neighborhood Preservation District and "C-2" Commercial District to "R-6" Residential Single-Family District on Lot P-37F, NCB 15269, Ray Ellison Blvd. at Old Pearsall Rd. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 4)

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

Councilman Martin made a motion to approve the proposed rezoning. Councilman Sanders 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, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Barrera, Castro, Schubert.

AN ORDINANCE 96339

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 PARCEL 37F, NCB 15269, RAY ELLISON BLVD. AT OLD PEARSALL RD., FROM "NP-8" NEIGHBORHOOD PRESERVATION DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT.

* * * *

4E.) CASE NUMBER #Z2002136 - The request of JAMRO, Ltd., Applicant, for JAMRO, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on Lot P-11A, NCB 15069, SW Loop 410 at State Hwy 16 South. 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.

Councilman Martin made a motion to approve the proposed rezoning. Councilman Sanders 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, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Barrera, Castro, Schubert.

AN ORDINANCE 96340

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-11A, NCB 15069, SW LOOP 410 AT STATE HWY 16 SOUTH, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4F.) CASE NUMBER Z2002137: The request of JAMRO, Ltd., Applicant, for JAMRO, LTD, Owner(s), for a change in zoning from "C-2" Commercial District and "NP-10" Neighborhood Preservation District to "R-5" Residential Single-Family District on Lot northwest Irregular 500 feet of P-40, NCB 14568, SW Loop 410 east of Somerset Rd. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 4)

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

Councilman Martin made a motion to approve the proposed rezoning. Councilman Sanders 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, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Barrera, Castro, Schubert.

AN ORDINANCE 96341

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 NORTHWEST IRREGULAR 500 FEET OF P-40, NCB 14568, SW LOOP 410 EAST OF SOMERSET RD., FROM "C-2" COMMERCIAL DISTRICT AND "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4G.) CASE NUMBER #Z2002152 - The request of FAMCO Construction, Inc., Applicant, for FAMCO Construction, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-4" Residential Single Family

District on P-5 & P-37, NCB 15210, south on Medina Base Road, east of Palm Valley 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.

Councilman Martin made a motion to approve the proposed rezoning. Councilman Sanders 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, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Castro, Schubert.

AN ORDINANCE 96342

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 & P-37, NCB 15210, SOUTH ON MEDINA BASE ROAD, EAST OF PALM VALLEY DRIVE, FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT.

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4H.) CASE NUMBER #Z2002131 - The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning from "MF-33" Multi-Family District, "I-1" General Industrial District, and "I2" Heavy Industrial District to "R-4" Residential Single-Family District on Frio City Road at Brazos 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.

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

The following citizen(s) appeared to speak:

Ms. Herlinda Alvarado, thanked Councilman Garcia for approval.

Ms. Theresa Hernandez, 261 Angela, thanked the City Council for approval.

Ms. Clara Charles, spoke in opposition because a certain street was not included, and yet it needs the zoning change. She stated that the area adjacent to the proposed zoning, and whoever owns the property, is concerned that development that occurs will destroy the residential area, noting that residents are trying to beautify the area.

* * * *

Councilman Garcia thanked the citizens who spoke, stating that this area is extremely old, and that a lot of detrimental development could occur. He stated that City staff was working with all involved in order to beautify the district, and provide safety for the district. He added that this area, one of many, was being looked at to have a large grouping of rezoning in order to protect the citizens and their properties.

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

AN ORDINANCE 96343

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 FROM "MF-33" MULTI-FAMILY DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, AND "I2" HEAVY INDUSTRIAL DISTRICT, TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB A-62, PARCELS 114C, 114D, AND 114E

NCB 2507, BLOCK A, ALL OF BLOCK
NCB 2508, BLOCK B, ALL OF BLOCK EXCEPT LOT 19
NCB 2509, BLOCK A, ALL OF BLOCK
NCB 2511, BLOCK 2, ALL OF BLOCK EXCEPT LOT 1

NCB 2511, BLOCK 3, ALL OF BLOCK EXCEPT LOTS 17 THOROUGH 20
NCB 2511, BLOCK D, LOTS E, F, AND SOUTH 31.1 FEET OF LOT G
NCB 2512, BLOCK C, LOTS 1, 2, 3, 13, 14, 15, 23, AND WEST 21 FEET OF LOTS 4
AND 16
NCB 2513, BLOCK D, ALL OF BLOCK
NCB 2514, BLOCK E, ALL OF BLOCK EXCEPT LOTS 13 AND WEST 28 FEET OF
LOT 14

NCB 2525, BLOCK E, ALL OF BLOCK
NCB 2526, BLOCK F, ALL OF BLOCK EXCEPT NORTH 128.2 FEET OF LOT 1,
AND NORTH 128.2 FEET OF WEST 28 FEET OF LOT 2
NCB 2527, BLOCK E, ALL OF BLOCK EXCEPT LOTS 7 THROUGH 12
NCB 2528, BLOCK F, ALL OF BLOCK
NCB 2528, BLOCK 1, LOTS 6, 8, 9, 10, AND 13
NCB 2528, BLOCK 2, ALL OF BLOCK EXCEPT LOTS 1 THROUGH 5, 16, 19, AND
20
NCB 2529, ALL OF NCB, EXCEPT LOTS 1, 2, 3, 9, 10, 11, AND SOUTH 50 FEET
OF LOT 12
NCB 2530, BLOCK G, ALL OF BLOCK EXCEPT LOTS 12, 41, AND 42
NCB 2531, BLOCK G, ALL OF BLOCK EXCEPT EAST 28 FEET OF LOT 1, AND
NORTH 84.1 FEET OF EAST 28 FEET OF LOT 12
NCB 2532, BLOCK D, ALL OF BLOCK EXCEPT LOTS 8, 11, 12, 17, AND 26
NCB 2533, LOTS 34, 37, 38, 39, 40, 41, AND EAST 27.8 FEET OF RIGHT OF WAY
NCB 2536, BLOCK H, ALL OF BLOCK

NCB 3158, BLOCK 1, ALL OF BLOCK EXCEPT LOTS 1, 16, AND 17
NCB 3159, BLOCK 2, ALL OF BLOCK EXCEPT LOTS 33, 34, NORTH 50 FEET OF
LOT 1, AND SOUTH 50 FEET OF LOTS 1 THROUGH 3
NCB 3160, BLOCK 3, ALL OF BLOCK EXCEPT LOTS 1, 2, 32, 33, AND 34
NCB 3161, BLOCK 4, ALL OF BLOCK
NCB 3162, BLOCK 5, ALL OF BLOCK LOTS 1, 2, 3, AND 18
NCB 3163, BLOCK 6, ALL OF BLOCK EXCEPT LOTS 7, 8, 11, 12, 15, 16, 17, 22, 23,
AND 24

NCB 3797, BLOCK 2, ALL OF BLOCK

NCB 6180, ALL OF NCB
NCB 6181, ALL OF NCB
NCB 6182, ALL OF NCB
NCB 6183, ALL OF NCB
NCB 6184, ALL OF NCB EXCEPT NORTH 83 FEET OF LOTS 302, 303, AND 304

NCB 6185, ALL OF NCB EXCEPT LOT 281
NCB 6186, ALL OF NCB

NCB 6194, BLOCK 1, ALL OF BLOCK

NCB 6196, ALL OF NCB
NCB 6197, BLOCK 4, ALL OF BLOCK
NCB 6198, BLOCK 5, ALL OF BLOCK
NCB 6199, BLOCK 1, ALL OF BLOCK

NCB 6232, BLOCK 2, ALL OF BLOCK EXCEPT LOTS 1 THROUGH 5, 9
THROUGH 14, 20, AND 21
NCB 6233, BLOCK 3, ALL OF BLOCK
NCB 6234, BLOCK 4, ALL OF BLOCK EXCEPT RIGHT OF WAY
NCB 6235, BLOCK 5, ALL OF BLOCK EXCEPT LOTS 29 AND 30
NCB 6236, BLOCK 6, ALL OF BLOCK

NCB 6238, BLOCK 8, ALL OF BLOCK

NCB 6246, BLOCK 3, ALL OF BLOCK
NCB 6247, BLOCK 4, ALL OF BLOCK
NCB 6248, BLOCK 5, ALL OF BLOCK

NCB 6249, BLOCK 6, ALL OF BLOCK
NCB 6250, BLOCK 7, ALL OF BLOCK

NCB 6439, BLOCK 1, ALL OF BLOCK EXCEPT LOTS 8, 11, 12, 13, AND 25
NCB 6440, BLOCK 2, ALL OF BLOCK EXCEPT LOTS 4, 10, 11, 12, 13, AND WEST
17 FEET OF LOT 9
NCB 6441, BLOCK 3, ALL OF BLOCK
NCB 6442, BLOCK 4, ALL OF BLOCK

NCB 6743, BLOCK 1, ALL OF BLOCK
NCB 6744, BLOCK 2, ALL OF BLOCK
NCB 6745, BLOCK 3, ALL OF BLOCK
NCB 6746, BLOCK 4, ALL OF BLOCK EXCEPT LOTS 12, 13, 15, AND 16
NCB 6747, BLOCK 5, ALL OF BLOCK EXCEPT LOTS 13 AND 14
NCB 6748, BLOCK 6, ALL OF BLOCK EXCEPT LOTS 8, 9, AND 13
NCB 6749, BLOCK 7, ALL OF BLOCK
NCB 6750, BLOCK 8, ALL OF BLOCK
NCB 6751, BLOCK 9, ALL OF BLOCK

NCB 6752, BLOCK 10, ALL OF BLOCK
NCB 6753, BLOCK 11, ALL OF BLOCK
NCB 6754, BLOCK 12, ALL OF BLOCK EXCEP LOT 1

NCB 6870, ALL OF NCB
NCB 6871, ALL OF NCB
NCB 6872, ALL OF NCB EXCEPT LOT 29
NCB 6873, ALL OF NCB
NCB 6874, ALL OF NCB
NCB 6875, ALL OF NCB
NCB 6876, ALL OF NCB
NCB 6877, ALL OF NCB
NCB 6878, ALL OF NCB, EXCEPT LOT 9
NCB 6879, ALL OF NCB
NCB 6880, ALL OF NCB
NCB 6881, ALL OF NCB EXCEPT LOT 20

NCB 7571, LOTS 1, 2, AND PARCELS 101 (PART OF ALLEY) AND 102 (PART OF ALLEY)
NCB 7572, LOTS 1 THROUGH 4
NCB 7573, ALL OF NCB EXCEPT LOT 16
NCB 7574, ALL OF NCB EXCEPT LOTS 31 AND 32

* * * *

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.

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4I.) CASE NUMBER #Z2002099 - The request of Rockwald Joint Venture I, Applicant, for Rockwald Joint Venture I, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "C-3" Commercial District (9.21 acres) and "RP" Resource Protection District (6.62 acres) on 15.83 acres out of NCB 17975, Bandera Rd. 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.

Councilman Castro made a motion to approve the proposed rezoning with buffering to coincidence with deed restrictions. Councilman Barrera seconded the motion.

The following citizen(s) appeared to speak:

Mr. John Ward, expressed concern, and noted that one of the items needed was a buffer fence to decrease the noise problem.

* * * *

In concurrence with the Zoning Commission findings, the City Council stated that adequate buffering as noted between the existing residential development in the area and the proposed retail/service development to the south had been achieved.

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

AN ORDINANCE 96344

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 15.83 ACRES OUT OF NCB 17975, BANDERA RD., FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT (9.21 ACRES) AND "RP" RESOURCE PROTECTION DISTRICT (6.62 ACRES).

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4J.) CASE NUMBER #Z2002132 - The request of Phillip & Nancy Calderon, Applicant, for Larry B Casas, Owner(s), for a change in zoning from "R-4"

Residential Single-Family District to "R-4 C" Residential Single-Family District with conditional use for an insurance office on Lot 1 and the south 1 foot of Lot 2, NCB 8572, 211 Babcock Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval of "R-6" C. (Council District 7)

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

Councilman Castro made a motion to approve the proposed rezoning with conditions. Councilman Barrera seconded the motion.

Councilman Castro added that he wants to assure that everything has been worked out, as a transition zone. He stated that the property was facing Babcock Rd., and that everything was residential, and also stressed that he wanted a commitment that it is the only property to be rezoned.

The following citizen(s) appeared to speak:

Mrs. Nancy Calderon, applicant stated they have met with neighborhood association to assure all concerns were addressed.

* * * *

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

AN ORDINANCE 96345

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 1 AND THE SOUTH 1 FOOT OF LOT 2, NCB 8572, 211 BABCOCK ROAD, FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE FOR AN INSURANCE OFFICE.

* * * *

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.

* * * *

4K.) CASE NUMBER #Z2002144 - The request of John T. Saunders, Applicant, for Dallas K. Daughtry & Assoc., Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on 1.100 acres out NCB 15005; and from "C-2" Commercial District and "O-2" Office District to "C-3 S" Commercial District on 6.049 acres with a specific use authorization for mini-storage facility over 2.5 acres on NCB 15005, Lot 3, NCB 18670, Heath Road and Grissom 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.

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

AN ORDINANCE 96346

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 NCB 15005, LOT 3, NCB 18670, HEATH ROAD AND GRISSOM ROAD, FROM "O-2" OFFICE DISTRICT TO "C-2" COMMERCIAL DISTRICT ON 1.100 ACRES OUT NCB 15005; AND FROM "C-2" COMMERCIAL DISTRICT AND "O-2" OFFICE DISTRICT TO "C-3 S" COMMERCIAL DISTRICT ON 6.049 ACRES WITH A SPECIFIC USE AUTHORIZATION FOR MINI-STORAGE FACILITY OVER 2.5 ACRES.

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4L.) CASE NUMBER #Z2002145 - The request of John T. Saunders, Applicant, for Sandra S. Garcia, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-1" Commercial District on Lot 8, NCB 17946, Bandera Road at Perservation Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval of C-1. (Council District 7)

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

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

AN ORDINANCE 96347

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 8, NCB 17946, BANDERA ROAD AT PERSERVATION DRIVE, FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-1" COMMERCIAL DISTRICT.

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4M.) CASE NUMBER #Z2002129C - The request of Brent Wall, Applicant, for Frank Chervinskis, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-6 C" Residential Single Family District with a conditional use for a dentist office on P-4D, NCB 18163, 9696 Braun Rd. Staff's recommendation was for denial as requested and approval of "R-6 C" Residential Single Family with a conditional use for a dentist office.

Zoning Commission has recommended approval. (Council District 8)

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

Councilwoman Conner made a motion to approve the proposed rezoning with conditions. Councilman 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, Barrera, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia, Castro, Schubert.

AN ORDINANCE 96348

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-4D, NCB 18163, 9696 BRAUN RD., FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR A DENTIST OFFICE.

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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. Lighting shall be directional so as not to offend the nearby residences.
2. Parking shall be in the rear of the property.
3. A screened fence shall be built along the south, west and east property line.

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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4N.) CASE NUMBER #Z2002146 - The request of David Olle, Applicant, for David Olle, Owner(s), for a change in zoning from "C-2" Commercial District to "PUD C-2" Planned Unit Development Commercial District with development limited to the medical and professional services permitted by right in the "C-2" Commercial District on Lot 4, Block 6, NCB 14445, Bluffcreek Dr. at Bluffdale. 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.

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

AN ORDINANCE 96349

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 6, NCB 14445, BLUFFCREEK DRIVE AT BLUFFDALE DRIVE, FROM "C-2" COMMERCIAL DISTRICT TO "PUD C-2" PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT WITH DEVELOPMENT LIMITED TO THE MEDICAL AND PROFESSIONAL SERVICES PERMITTED BY RIGHT IN THE "C-2" COMMERCIAL DISTRICT.

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40.) CASE NUMBER #Z2002133 S - The request of Rita Brown, Applicant, for Rita Brown, Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 NA S ERZD" Commercial Non Alcoholic Sales Edwards Recharge Zone District with specific use authorization for a gymnasium on Lots 2 & 3, Block 8, NCB 19217, 21756/21750 Hardy Oak Blvd. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "C-2 NA S ERZD." (Council District 9)

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

Councilwoman Carpenter made a motion to approve the proposed rezoning. Councilman Barrera seconded the motion.

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

AN ORDINANCE 96350

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 2 & 3, BLOCK 8, NCB 19217, 21756/21750 HARDY OAK BLVD., FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-2 NA S ERZD" COMMERCIAL NON ALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A GYMNASIUM.

* * * *

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 Water Pollution Abatement Plan (WPAP) 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 Resource Protection Division of the San Antonio Water System prior to the release of nay building permits.

5. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Resource Protection Division (210) 704-7392 to schedule a site inspection.
6. If the water pollution abatement structure fails to drain properly, the owner shall notify the Resource Protection Division (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 Edward Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other Best Management Practices (BMP) 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 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 San Antonio Water System 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 Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after the construction project.

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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4P.) CASE NUMBER #Z2002154 - The request of Jack in the Box, Inc., Applicant, for HPRI San Pedro Drive Inn, LP, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 S" Commercial District with a specific use authorization for an automatic car wash on 0.0300 acre tract of land out of Lot 18, NCB 12025, 7100 San Pedro Avenue. taff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

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

AN ORDINANCE 96351

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 0.0300 ACRE TRACT OF LAND OUT OF LOT 18, NCB 12025, 7100 SAN PEDRO AVENUE, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR AN AUTOMATIC CAR WASH.

* * * *

4Q.) CASE NUMBER #Z2002055 - The request of Jerry Arredondo, Applicant, for Phil Jagge, Myrtle Steinbring, Ethel Loitz, Owner(s), for a change in zoning from "R-4" Residential Single Family District and "O-2" Office District to "C-2" Commercial District on Lot 20, Block 1, NCB 13146 and Lots 6-E, 6-D, Block 1, NCB 12098, 2969, 3011 & 3023 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.

The following citizen(s) appeared to speak:

Mr. Lester Oaten, spoke in opposition to the zoning change, adding that 23 were against it and only 5 for. He urged Council to leave the zoning as it is.

* * * *

Councilman Carpenter stated that due to the recommendations of the Zoning Commission and staff, that he would recommend approval of the proposed zoning case. Councilman 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, Barrera, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia, Castro, Schubert.

AN ORDINANCE 96352

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 20, BLOCK 1, NCB 13146 AND LOTS 6-E, 6-D BLOCK 1, NCB 12098, 2969, 3011 & 3023 NACOGDOCHES ROAD, FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT AND "O-2" OFFICE DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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4R.) CASE NUMBER #Z2002090 C - The request of Trend Land Development, Inc., Cathie E. Buxie, Applicant, for Trend Land Development, Inc., Owner(s), for a change in zoning from "C-2" Commercial District and "C-3" Commercial District to "C-2 C" Commercial District with a conditional use for long term parking of recreational vehicles on North 537.8 feet of Lot 5, NCB 13868, 2379 N.E. Loop 410. 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.

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

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

AN ORDINANCE 96353

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 NORTH 537.8 FEET OF LOT 5, NCB 13868, 2379 N.E. LOOP 410, FROM "C-2" COMMERCIAL DISTRICT AND "C-3" COMMERCIAL DISTRICT TO "C-2 C" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR LONG TERM PARKING OF RECREATIONAL VEHICLES.

* * * *

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. Lighting shall be directional so as not offend the nearby residences to the north, 2. a 6' solid screen fence to be built along the north and west property lines and landscaping to surround the subject property.

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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4S.) CASE NUMBER #Z2002123 - The request of Robert A. Shearer, Applicant, for Grover C. Cain & Sally Wood Cain Trusts, Mildred Cain Bethea, Trustee, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-3" Commercial District on Lot C, NCB 12180, 2400 Austin Highway. 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.

Councilman Carpenter made a motion to approve the proposed rezoning. Councilman Perez seconded the motion.

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

AN ORDINANCE 96354

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, NCB 12180, 2400 AUSTIN HIGHWAY, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96355

AUTHORIZING THE EXECUTION OF A SALES CONTRACT WITH MEDLINE INDUSTRIES, INC. FOR SALE OF APPROXIMATELY 18.4 ACRES (CONSISTING OF 17.26 DEVELOPABLE ACRES AND 1.14 ACRES ENCUMBERED BY A DRAINAGE EASEMENT) OF CITY OWNED PROPERTY AT THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK (FORMERLY VAN DE WALLE PROPERTY) AT A PRICE OF 65 CENTS PER SQUARE FOOT FOR THE 17.26 ACRES FOR A TOTAL PURCHASE PRICE OF \$488,699.64; AUTHORIZING PAYMENT OF AN AMOUNT NOT TO EXCEED \$125,000.00 FROM THE SALES PROCEEDS FOR COSTS ASSOCIATED WITH OVERSIZING VARIOUS UTILITY IMPROVEMENTS TO SERVE FUTURE DEVELOPMENT ON ADJACENT CITY OWNED PROPERTY; AND AUTHORIZING PAYMENT OF \$29,321.98 FROM THE SALES PROCEEDS FOR THE PAYMENT OF REAL ESTATE BROKER'S FEES AND \$3,433.00 FOR THE PURCHASE OF A TITLE INSURANCE POLICY.

* * * *

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

Mr. Mark Webb, Assistant Director of Asset Management, narrated a slide presentation on the execution of the sales contract with Medline Industries, Inc., a copy of which presentation is on file with the papers of this meeting. He outlined the background,

location of the property, financial impact, the parcelization plan, and the summary of the property sale.

Mayor Garza stated that this was a positive action by the Council.

Councilman Barrera stated that this was property that had been lying dormant for some time and that this presented an golden opportunity for a company to relocate to San Antonio bringing high-quality jobs, and investment in the future. He stated also that it also represented a promising new beginning for growth and development, by using these proceeds to further develop this area.

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

2003-34 PUBLIC HEARING AND ORDINANCE: DESIGNATING THE CAREMARK REINVESTMENT ZONE.

Mayor Garza declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation on the designation of reinvestment zone for Caremark RX, Inc., a copy of which presentation is on file with the papers of this meeting. He presented views of the proposed area, legal property description, and background on the Caremark, which is the fourth largest pharmaceutical management company in the United States. He gave additional details on Medline Industries Inc. noting that it had well over 3,500 employees. He further expounded on project information, criteria for tax-phase in guidelines, potential 20-year impact, benefit package, and its community involvement.

The following citizen(s) appeared to speak:

Mr. Mario Hernandez, President of San Antonio Economic Development Foundation, stated that the Foundation has been working with all three companies, and commended City staff for their diligence and hard work for this project. He noted that Medline was a very large distribution industry. He also spoke of CareMark, and outlined the attributes of the companies and their commitment to San Antonio, which would employ close to 2,000 employees.

Mr. Joe McKinney, Chair of San Antonio Economic Development Foundation, representing all major manufacturers and employers, thanked the Council for their support.

Mr. Duane Wilson, North San Antonio Chamber of Commerce, spoke of the employee benefits offered by Medline Industries, and urged City Council's approval.

Mr. Mike Harris, President of San Antonio Manufacturers Association, spoke of the strategic plan for San Antonio in order to attract companies, and increase per capital. He also spoke of the need for quality jobs, noting that this employer would provide minimum wage standard to increase economic growth in San Antonio, and recommended approval of this Ordinance

Mr. Doug McMurry urged Council to consider the establishment of the Royal Oak investment zone.

Ms. Maria Dominguez, spoke to the proposed Ordinance.

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Mayor Garza noted that all three items were tied to economic development and improving quality of life for the City and benefits for the citizens. He recognized all individuals involved with this project.

Councilman Barrera spoke of all the jobs, which would pay a minimum of \$8.50. He added that this wage would increase after a year of training and highlighted on the benefits for City workers.

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

The Clerk then read the following Ordinance:

AN ORDINANCE 96356

DESIGNATING THE CAREMARK REINVESTMENT ZONE DESCRIBED AS 6.283 ACRES OF LAND LOCATED IN CITY COUNCIL DISTRICT 6 IN NORTHWEST SAN ANTONIO IN THE ALAMO DOWNS OFFICE/WAREHOUSE DEVELOPMENT, BOUNDED BY ALAMO DOWNS PARKWAY TO THE NORTH AND EAST, CULEBRA ROAD TO THE SOUTH AND N.W. LOOP 410 TO THE

WEST; AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH CAREMARK RX, INC. TO EXEMPT AD VALOREM TAXATION ON SPECIFIED REAL PROPERTY IMPROVEMENTS FOR TEN YEARS.

* * * *

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

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96357

DESIGNATING THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK REINVESTMENT ZONE DESCRIBED AS 130 ACRES OF LAND LOCATED IN CITY COUNCIL DISTRICT 6 IN SOUTHWEST SAN ANTONIO, BOUNDED BY SOUTH CALLAGHAN ROAD TO THE WEST, OLD U.S. HIGHWAY 90 TO THE SOUTH, AND STATE HIGHWAY 151 TO THE NORTH AND EAST; AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH MEDLINE INDUSTRIES, INC. TO EXEMPT AD VALOREM TAXATION ON SPECIFIED REAL PROPERTY IMPROVEMENTS FOR TEN YEARS.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96358

DESIGNATING THE ROYAL OAK INDUSTRIES REINVESTMENT ZONE TO BE ESTABLISHED AT ONE OF TWO POSSIBLE LOCATIONS WITH THAT LOCATION BEING EITHER: (1) 21.93 ACRES OF LAND LOCATED IN CITY COUNCIL DISTRICT 2 IN NORTHEAST SAN ANTONIO IN THE INTERSTATE BUSINESS PARK, IN AN AREA BOUNDED BY INTERSTATE WAY NORTH AND WEST, N.E. LOOP 410 ACCESS ROAD TO THE SOUTH AND EAST, AND INTERSTATE DRIVE TO THE NORTH; OR (2) 18.19 ACRES OF LAND LOCATED IN CITY COUNCIL DISTRICT 10 AT 4633 PERRIN CREEK IN NORTHEAST SAN ANTONIO IN THE PERRIN CREEK BUSINESS PARK, IN AN AREA BOUNDED BY PERRIN CREEK TO THE WEST, NORTH AND SOUTH, AND BY BALL STREET TO THE EAST; AND APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH ROYAL OAK INDUSTRIES TO EXEMPT AD VALOREM TAXATION ON SPECIFIED REAL AND PERSONAL PROPERTY IMPROVEMENTS FOR TEN YEARS.

* * * *

Councilman Carpenter made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation on the Royal Oak Industries designation of reinvestment zone, a copy of which presentation is on file with the papers of this meeting. He delineated the attributes of Royal Oak Industries, noting that they were the leading manufacturers of highly-engineered automotive components. He presented the project information including the construction proposal which could be located at one of two sites, and would create approximately 100 new jobs by year 2003, tax phase-in criteria, and the fiscal and economic impact to the community.

Representative of Royal Oak Industries, spoke of the opportunity that this would present to the community, and highlighted on the company's past record of performance and future goals in San Antonio.

Mayor Garza noted that this was a wise investment for the City of San Antonio, specifically for workforce issues, which is an important topic concerning the community.

He added that as the City continues to diversify, manufacturing would be an important component for the workforce.

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

2002-34 LIBRARY BOARD BUDGET PRESENTATION

Mr. Don Counts, Chair of the San Antonio Public Library Board of Trustees, expressed concern on the proposed cuts for the library and added that they were looking for a 5% increase for the budget. He stated that as budget cuts are being considered, customer service is a key component of library services, as well as materials, and books, adding that the resources are stretched. He commented on the task at hand which was to meet the City Manager requirements without cutting too much into the resources, such as staffing, and/or materials. He also stated that the new branches are being funded through bonds, however resources are still needed in order to operate the branches, to keep the doors open and to also supply the materials needed. He stated that the proposed reductions have cut into the heart of providing the most necessary services, in order to fulfill the mission of community service, noting that the library should not have to be only at existence levels, but at full service at all times.

Councilman Sanders concurred with the concerns of the Library Board, and stated that City Council is committed to meeting the needs of the community especially in the north east area of the City. He stated that efforts were still targeted to locate a library in that area.

Councilman Carpenter concurred with Councilman Sanders regarding the need in the north east area, due to the City's growth.

2002-34 PUBLIC HEARING AND ORDINANCE: FY 2003 SERVICE AND ASSESSMENT PLAN.

Mayor Garza declared the Public Hearing to be open.

Mr. Chris Young, Special Projects Coordinator, City Manager's Office, narrated a slide presentation on the public improvement district (PID) and the service and assessment plan, a copy of which presentation is on file with the papers of this meeting. He outlined the public improvement district boundaries, service and assessment plans, scope of the PID services, the proposed budget, management program, and maintenance program. He further delineated the landscaping program, marketing program, the AMIGOS, the public service representatives, Downtown Improvement Districts (DID) funds special projects, summary of City responsibilities, the total property base within PID, assessments on private property and fiscal impact.

In response to Councilman Sanders with regard to the boundaries, Mr. Young stated they have begun the first year of a four-year plan to evaluate what services were required especially in the Convention Center area.

Mr. Ben Brewer, AMIGOS, stated that they had approached property owners in the St. Paul Square area at that time, and they were not interested in being included in the district. He also stated that there were common fees that property owners pay for the services, and that discussion is certainly open for input from those property owners.

Councilman Perez expressed his support and work and recognized the AMIGOS and Mr. Ben Brewer for his work on this effort.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke of the drainage in certain areas of the downtown, the need to improve streets, the VIA shelters not being adequate to protect citizens from certain elements.

Ms. Maria Dominguez, spoke to the need of bus shelters, and in opposition to the tax abatements.

* * * *

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

The Clerk then read the following Ordinance:

AN ORDINANCE 96359

APPROVING THE FY 2003 SERVICE AND ASSESSMENT PLAN FOR THE PUBLIC IMPROVEMENT DISTRICT IN THE DOWNTOWN AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Sanders 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, Conner, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Schubert, Garza.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96360

EXERCISING THE OPTION TO RENEW THE PROFESSIONAL SERVICES CONTRACT WITH BROMLEY COMMUNICATIONS TO CONTINUE TO SERVE AS THE OFFICIAL ADVERTISING, MARKETING AND PUBLIC RELATIONS AGENCY FOR THE CITY OF SAN ANTONIO CONVENTION AND VISITORS BUREAU FOR A TWO YEAR TERM BEGINNING OCTOBER 1, 2002, THROUGH SEPTEMBER 30, 2004.

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

Mr. Dale Lockett, Acting Director of Convention and Visitors Bureau, narrated a slide presentation on the advertising agency contract renewal, a copy of which presentation is on file with the papers of this meeting. He outlined the background, scope of services, renewal assessment, the contract performance criteria, small business economic development advocacy, advertising and marketing performance, market indicators, adding that the Convention and Visitors Commission unanimously supported the staff recommendation to renew the contract for an additional two year period.

Councilman Garcia stated that he wholeheartedly supported the recommendation of maintaining Bromley Communications, citing the pro bono contributions with the Sports Foundation and assistance to the City in competing to have the City for various events.

Councilman Sanders added his support and approval of this Ordinance, and commended Bromley Communications for their outstanding work.

Councilwoman Conner expressed concern on the little advertisement on businesses in the community, and asked if their input had been acquired. She stated she would provide some names of businesses that expressed these concerns.

In response to Councilwoman Moorhouse, Mr. Lockett, stated that it was hard to shift from one agency to another, and that no one could have foreseen the 9/11 tragedy and the challenges that the event brought forward. He spoke of the technology to assist in the advertising, and how Bromley has had a tremendous role in this campaign, the ability to advertise in a higher level, allowing the City to move in an economic crisis. With regard to preparedness, the major elements in case of a war scenario, are in place, and is confident that there is flexibility built in the plan to address such issues, along with marketing partners to assess what the consumer trends and shifts may be.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, recommended that the City hire local people to advertise for the City, and requested that the City Council hire him to do advertising for the City.

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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, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96361

AUTHORIZING THE ACCEPTANCE OF A SUPPLEMENTAL GRANT AWARD TOTALING \$223,122.00 IN CASH SUPPORT FROM THE U.S. PUBLIC HEALTH

SERVICE TO ESTABLISH AND FUND THE RACIAL AND ETHNIC ADULT DISPARITIES IN IMMUNIZATION INITIATIVE AS A PART OF THE ONGOING IMMUNIZATION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH DECEMBER 31, 2002; REVISING THE PROJECT BUDGET; AND AMENDING THE PERSONNEL COMPLEMENT.

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

Dr. Fernando Guerra, Director of Metropolitan Health District, narrated a slide presentation on the racial and ethnic adult disparities of the immunization initiative, a copy of which presentation is on file with the papers of this meeting. He outlined the initiative which includes the goal of achieving 90% vaccination coverage, statistical data on the Hispanic population, the disparities in adult immunizations, action plan, and activities planned to enhance community-wide education and outreach efforts.

In response to Councilman Garcia, Dr. Guerra Clinics stated that the efforts would be throughout the community health clinics, nutrition centers, and as a citywide 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, Garza. **NAYS:** None. **ABSENT:** Schubert, Carpenter.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96362

AMENDING THE SOUTH CENTRAL SAN ANTONIO COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING APPROXIMATELY 1.4 ACRES OF THE LAND USE PLAN FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL.

* * * *

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the master plan amendment for the South Central San Antonio Community Plan, a copy of which presentation is on file with the papers of this meeting. He delineated the planning area which included the boundaries, population, area involved, the proposed amendment which encompassed 1.4 acres of land use plan from low-density residential use to neighborhood commercial use, and evaluation criteria.

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, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96363

AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$31,217,642.00 FOR THE SECOND YEAR OF A TWO YEAR GRANT FOR THE CONTINUED OPERATION OF THE CHILD CARE DELIVERY SYSTEM (CCDS) AND \$1,257,795.00 FOR THE SECOND YEAR OF A TWO YEAR GRANT FOR THE CONTINUED OPERATION OF THE CHILD CARE DELIVERY SYSTEM QUALITY IMPROVEMENT ACTIVITIES (QIA) FROM ALAMO WORKFORCE DEVELOPMENT, INC. (AWD) FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003; ESTABLISHING BUDGETS AND APPROVING PERSONNEL COMPLEMENTS.

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the ChildCare Delivery System (CCDS) and quality improvement activities, a copy of which presentation is on file with the papers of this meeting. He outlined the purpose of the proposed Ordinance, background on the Alamo Workforce Development contracts, the CCDS background, quality improvement activities (QIA) program, the Texas Rising Star (TRS) provider program. He further expounded on the QIA early childhood

developmental resources, the childcare training, accountability measures, and CCDS funding allocation history.

Mayor Garza spoke of the importance of these monies to provide adequate childcare, and stressed the importance of accountability measures to be in place.

In response to Councilman Barrera, Mr. Campa stated that in the last ten years, investment of the City and corporate community, noting these two components operating together has built infrastructure, many more programs are available, and cited the leverage of private sector investment allowing teaching of more teachers.

Councilwoman Conner commented in regard to the teacher-training element, adding that this was really good news, monies that are well spent creates a great program and good accountability measures.

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

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96364

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG)/BEXAR AREA AGENCY ON AGING IN THE AMOUNT OF \$1,665,772.00 FOR THE CONTINUATION OF THE COMPREHENSIVE NUTRITION PROJECT FROM OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FY 2002-2003; APPROPRIATING FUNDS, AUTHORIZING THE EXECUTION OF LEASE AGREEMENTS WITH NON-PROFIT AGENCIES FOR USE OF SITES; AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS; AND AUTHORIZING A CONTRACT AMENDMENT WITH ST. AGNES CATHOLIC CHURCH IN CONNECTION WITH THE COMPREHENSIVE NUTRITION PROJECT.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Garcia seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the elderly and disabled service division comprehensive nutrition project, a copy of which presentation is on file with the papers of this meeting. He outlined the grant from the Alamo Area Council of Governments, program goals, the background on the number of nutrition centers which total 48 and serving approximately 3,700 meals daily, program enhancements over the past four years, and accountability measures.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to related bible passages.

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Councilwoman Moorhouse stated her goal of providing food to seniors, was not read in numbers, but rather cared more for the quality of the food delivered to the seniors. She stated that she had lunch with one of the seniors, and was very disappointed with the quality of food, adding that the food was cold, stale, milk carton was not easy for seniors to open. She further amplified on the quality of the food and initiated a six-signature memo asking Council to support to have True Flavors meet the standards. She further added that in response to concerns raised, she recommended that a meeting with Community Initiatives staff and nutrition center management and True Flavors be held to hear complaints and to obtain quality meals for the senior citizens.

Councilman Sanders, stated that he had also had lunch with seniors at the Navajo Center, and was also disappointed with the quality of the food. He stated it was of very poor quality with stale bread, inadequate juice, stressing that this was not acceptable. He stated that even if the provider has to be changed, that the quality of meals should not be lost, emphasizing that the senior citizens deserved better.

Councilman Garcia spoke with regard to the program noting that it was a great program. However, he stated that he was more concerned with the quality of meals provided, and looked forward to meeting with the staff to discuss this issue.

Councilman Carpenter also commented on the senior centers having a problem with the quality of meals, and the dire need to address the problem.

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

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96365

AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT FOR THE INSTALLATION AND MAINTENANCE OF ADVERTISING BUS STOP SHELTERS BETWEEN VIA METROPOLITAN TRANSIT, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, AND THE CITY OF SAN ANTONIO, A TEXAS MUNICIPAL CORPORATION.

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Sanders seconded the motion.

Mr. Florencio Pena, Director of Development Services, narrated a slide presentation on the agreement between the City of San Antonio and VIA Metropolitan Transit for bus shelter advertisement, a copy of which presentation is on file with the papers of this meeting. He outlined the background, highlights of the RFP, overview of the agreement and coordination efforts.

The following citizen(s) appeared to speak:

Mr. Charles Shannon, Chair of the Metropolitan Transit Authority, spoke of the requests of the Mayor with regard to the shelters, highlighted on the Public hearing, and noting that there was good attendance. He further stated that the program presented is a good plan, something that is achievable, and recognized other members of the Board who were present.

Ms. Barbara Johnson, 2nd Vice President of San Antonio Conservation Society, spoke in support of the bus shelters for the citizens who use the bus, however her main concern is using bus shelters for advertising. She urged to be cautious of public right of ways, and stated they preferred not to have any advertising. She stated she was pleased to have the limited use of advertisement, and asked that an annual report be made to City Council to

report on funding. She also suggested that all shelters meet City Code requirements and requested that language to HDRC approval be included in agreement with VIA.

Ms. Nancy Englebert, member of VIA Advisory Committee, expressed concern on the issue with regard to purchase of the bus shelters at the end of five years by VIA. She further expressed concern on the use of emergency funds to purchase the shelters back.

Ms. Betty Eckert, spoke of the contract held by Allied previously, she stated that bus shelters were needed, however not with the advertisement. She expressed concern on the defacing of properties, noting that there were already too many advertisements. She added that crime was an important issue, and asked how many police officers would be necessary to watch people at the bus shelters. She urged Council to obtain more public input, and to have VIA address the questions posed by citizens.

Ms. Kathleen Trenchard, noted that none of the questions aim at VIA during the public hearing were answered. She stated that VIA should come back with answers to these questions, and expressed concerned with the quality of the shelters after five years, also with the design of the shelter, and with only one option on the table. She added that they were not sturdy, and reiterated her questions posed to VIA

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke of the lack of VIA cards available to City employees.

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Mayor Garza spoke with regard to overview of agreement, adding that the only way to extend the agreement is through Council action to renew or extend. He stated that with regard to the cost of bus shelters, the only way to look at it efficiently was to consider advertising, and further inquired why was the end of four years used rather than 5.

Mr. Pena stated that the term of the agreement is for five years from date of first advertisement, noting that there were two parts to that, that the City has an option to terminate the contract at the end of fourth year, to replace or acquire, in essence it puts VIA on notice, and would require a definite action from Council to terminate the contract. He further stated that the monies collected by VIA would be on an annual basis.

Mr. John Milam, General Manager of Metropolitan Transit Authority, explained the contract requirements, noting that VIA will only receive maintenance fees, and that the City is getting some permitting fees, approximately \$100,000 in electrical and other fees. He delineated the contract would be effect in March five years from the date of the first

ad placement, and that once the contract is executed, it would be 90 days to have first shelter up, some will be up for only 4 years.

The Mayor stated that there is a need for bus shelters, understanding VIA's financial situation, that this was the best financial decision to balance overall goal to eliminate advertising, and the best means to allow the contract to acquire much needed bus shelters. He urged bus bench coalition to remain active and vigilant on this action.

In response to Councilwoman Moorhouse on the annual reporting, Mr. Milam stated he was not sure on contractual obligation, however would be happy to provide one to Council. He stated that relocation requests will be kept to a minimum, and if there was a need to move a shelter, requests could be made to VIA, however, noted he preferred to minimize movement of the shelters.

Mr. Pena added that the site plans will be presented to the Historic Preservation Officer, and that shelters would be out of residential corridors, and that approval was needed before going with the contract.

Councilwoman Moorhouse expressed her concern with the size of the shelters, and requested that City Council approve the design. She stated she did not believe the roof was serving the purpose, and neither was the seating. She reiterated her request that Council has final approval for the design of shelter, and what kind of advertising will be included and accepted.

In response to Councilwoman Moorhouse, Mr. Milam outlined the specific restrictions on the advertisement at the bus shelters.

Mr. Milam spoke to the request of Councilwoman Conner of having the wire mesh, the height of the shelter to almost 10 feet high, suggesting that perhaps the roof could be lowered, the other issue was the depth issue, however recognized it may be difficult to make that change.

Councilwoman Moorhouse made an amendment to bring back the bus shelter design to City Council for final approval. Councilman Sanders seconded the motion.

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

Councilwoman Conner spoke to the need of bus shelters for the community, without advertising, and urged that an open process take place between VIA, the City and the citizens. She urged that public input be obtained, and stated she was pleased with the

language that Legal Department has provided in order to have compliance with the contract. She presented a 2nd amendment to have an annual report to the Council in public session regarding how VIA is proceeding with the funding to purchase shelters at the end of the five years; to report on the purchase of non-advertising shelters for neighborhoods and schools, compliance with maintenance provisions of this contract, and any relocation requests made since the designated sites were approved. Councilwoman Moorhouse seconded the motion.

Councilman Perez stated he would support Councilwoman Conner's amendment, and stated he was sure VIA members would support the amendment. He commented this was the body that eliminated bus shelter advertisement, noting that some may ride the bus, some may not, however there are a lot of community individuals who have to ride the bus. He added that when you weigh the issues at hand with regard to the shelters and advertising, a choice needs to be made, there's utility and service and certain decisions have to be made. He emphasized that Council has worked on this issue for many years, and that this needs to be approved.

In response to Councilman Garcia with regard to commercial corridors, Mr. Pena noted that at residential areas shelters would be placed; however no advertisement will be at these shelters.

Councilman Garcia stated that District 5 had the majority of bus riders, and while he understands the aesthetics issue, there are utility issues to consider, and residents are out there without benches or shelters and urged Council to move forward with this issue. He stated that there was enough protection on the contract, and that he would support the amendments, however did not believe they were needed.

Councilman Castro stated he would concur with both amendments, because it was something that will be very useful for all bus riders, and noted that while advertisement is necessary to acquire the shelters, the only question is with regard to restrictions on advertising, religious and political advertising. He inquired on the authority of VIA to place restrictions on such advertising, and even if it could be done, what was the rationale for restricting religious advertising.

Mr. Bill Wood, Assistant City Attorney stated there were different classifications of public forums, and that general concept is that once you open a class of public speech to a forum, then one cannot discriminate based on content within classification, and would be difficult to regulate once you open the door.

Discussion continued on the commercial advertisement, case law citings, and restrictions on alcohol and tobacco advertisements at locations within 500 feet from schools and churches.

(Mayor Garza returned to the meeting and presided.)

The 2nd amendment to the motion as presented by Councilwoman Conner was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

The 1st amendment to the motion as presented by Councilwoman Moorhouse was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

The main motion, as amended, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

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2002-34 The Clerk read the following Ordinance:

AN ORDINANCE 96366

AUTHORIZING THE TRANSFER OF \$1,329.06 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND TO THE DEVELOPMENT SERVICES AND THE PUBLIC WORKS DEPARTMENT FOR THE COST OF APPLICATION FEES AND FOR CHANGING THE NAME ON EIGHT (8) STREET SIGNS FROM WHITE STREET TO V.F.W. BOULEVARD; AS REQUESTED BY COUNCILWOMAN ANTONIETTE "TONI" MOORHOUSE.

* * * *

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

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2002-34

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, recommended that a 4% cost of living be awarded to City employees and also addressed the garbage pickup noting that he preferred to have it picked up twice a week.

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MS. MARY LEE BUETTNER

Ms. Mary Lee Buettner, spoke of the importance of the library system, and urged City Council to find monies to support library services.

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MS. NANCY ENGLEBERT

Ms. Nancy Englebert, 10486 Pine Glade, expressed concern on the library services and recommended that more books be provided in large print.

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MR. CAM MESSINA

Mr. Cam Messina spoke in support of school readiness programs, and to make this issue the most valuable issue. She added those children issues should be a priority and spoke of the educational programs provided by KLRN.

2002-34 **SECOND PUBLIC HEARING: PROPOSED FULL PURPOSE AND LIMITED PURPOSE ANNEXATION AS ADOPTED IN THE 2002 ANNEXATION PLAN.**

Mayor Garza declared the Public Hearing to be open.

The following citizen(s) appeared to speak:

Mr. Philip Ross, attorney representing area residents in the area, spoke against the proposed annexation. Those citizens yielding their time to Mr. Ross were Mr. and Mrs. Curtis Gembler; and Ms. Charlotte Kiker. Mr. Ross took issue with Mr. Nazarite Ruben Flores Pena not being allowed to speak on this issue. He stated that any citizen signed up to speak should be allowed to speak on annexation and he stated that the Mayor could be sued for punitive damages because of this action. Mr. Ross also stated that County Commissioners are not supportive of this plan and neither were the citizens, therefore, the Council should abandon the plan to annex these properties. He stated that these annexations should be delayed until next year and cited his reasons for requesting this delay.

Mr. Faris Hodge, Jr., 140 Dora, spoke of his concerns with the proposal by the City Manager to cut back on garbage pick up from twice a week to once a week. He also expressed his concern on this proposed annexation in terms of the certain individuals not being allowed to vote due to certain provisions.

Ms. Mary Lee Buettner, 10334 Old Farm Road, Heritage Neighborhood Association, spoke in favor of the Southside Initiative and the direction that the City Council is going with this proposed annexation.

Ms. Nancy Englebert, Heritage Neighborhood Association, also spoke in favor of the Southside Initiative.

At this time, Councilwoman Moorhouse asked that the staff present at a later time a clarification of the terms, full annexation and limited purpose annexation.

Mr. David Guadarrama, Helotes Park Terrace, expressed concern about the response time of emergency vehicles to the proposed areas. He cited the reasons for living out of the city.

Mr. Mark S. Herrera, 8206 Donop spoke in opposition to the proposed annexation of Galm Road/Loop 410 area and questioned the provision of adequate city services.

Ms. Jennifer Borandy, 7826 Fossil Bank, spoke in opposition to the proposed annexation, and expressed concern on the services to be provided, and the taxes being imposed upon residents. She added that she would like to see more of a limited purpose annexation.

Mr. Richard Cosner, expressed concern on the adequate provision of public safety services, as well as other City services.

Mr. Mark Langford, stated he liked the City of San Antonio, and noted he had lived in the area for 40 years. He also stated that he liked the small town environment, spoke to the land swap of ETJ between Helotes and San Antonio without any means of public forum and urged the City Council to give the subdivision back to Helotes, and place them on proper annexation plan, under Senate Bill 89.

Mr. Brian Noland, resident of Fossil Springs area, spoke of the proposed plan, spoke of the number of homes in the proposed area. He noted the services to be provided for the affected citizens, and expressed concern on the response time of public safety personnel.

Ms. Linda Guerrero, resident of Fossil Springs Ranch, stated that they cherished San Antonio, but voiced concerns with the quality service offered to the City residents and the lack of services for the newly annexed residents.

Mr. Fred Van Schoubrouek, expressed concern on the availability of services for newly annexed residents. He also spoke of the comparison of the response time from the City to the present services they have now.

Mr. William Behnsch, spoke of the lack of services being provided by the City, and urged the City Council to hold off on the annexation.

Ms. Susan Perez, resident of Galm/1604 area, expressed concern on the response from Councilwoman Conner with regard to annexation. She spoke of the high taxes being imposed to the area farmers, and the public safety response time.

Mr. Paul Barner, resident of Fossil Springs Ranch, spoke of the number of homes and residents in the subject area, and noted that the City would not be able to provide the services for the area residents especially in regards to public safety.

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

Ms. Glenda Lackey, Area 6 resident, stated that her area was all-rural, and that there were not enough residents for taxing.

Mr. Neal Merchant, 14728 Flatten Road, also spoke in opposition to the proposed annexation and questioned proper City services being provided for that area.

Mr. Joe Perez, 13122 Galm Road, spoke in opposition to the proposed annexation. He stated that he is concerned about City services being provided adequately in that terrain.

Mr. Brian Stolte, 13121 Galm Road, stated that he lives on a farm in the area and wants to continue living in the same manner. They are concerned about the fact that they have wells on their property and do not wish to pay for water from SAWS. He also took exception to the proposed services to be provided.

Mr. Clarence Elley, 16385 Donop Road, in the Galm Road/Loop 410 area, reiterated statements made by previous speakers and stated that the proposed plans for fire and police services as well as other City services are not adequate.

Ms. Linda Palowski Nelson, Galm Road, stated that she had attended the public hearing at the location, and reiterated concerns made by previous speakers on proposed City services to be provided.

Ms. Sam Sigoloff, 22509 Cielo Vista, expressed concern about the proposed police protection and EMS in the area and spoke against the annexation. He stated that the wide-open spaces also pose fire threats. In addition, they will not be allowed to hunt on their own property.

Dr. Daniel Garcia, 22725 Cielo Vista Drive, spoke against the proposed annexation of his property.

Mr. and Mrs. Greg Stovall, 11403 Shaenfield, stated that they are of the opinion that the City is not ready to annex their type of property. They also expressed concern about the proper provision of City services.

Mr. Donald Pena stated that the City is offering inadequate City services and spoke against annexation of their area. They stated they preferred to live in a rural setting and did not want to live in San Antonio.

Mr. Dan Berry, made some hostile remarks to the City Council members.

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

2002-34 There being no further business to come before the City Council, the meeting was adjourned at 8:13 P.M.

A P P R O V E D



EDWARD D. GARZA
MAYOR

PRO TEM

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk