

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, DECEMBER 4, 2003**

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2003-42 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) Enterprise Resource Management (ERM) Demonstration and ERM Project Update. (Presented by Troy Elliott, ERM Project Manager; J. Rolando Bono, Deputy City Manager.)

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

The "B" Session adjourned at 12:30 P.M.

2003-42 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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2003-42 Invocation by Father Carlos Velasquez, St. John Berchman Catholic Church.

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2003-42 Pledge of Allegiance to the flag of the United States.

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2003-42 **PROCLAMATION: SMALL, MINORITY AND WOMEN BUSINESS OWNERS DAY**

Mayor Garza presented a proclamation to Mr. Ramiro Cavazos, Director of Economic Development Department, in observance of "Small, Minority and Women Business Owners Day."

Mr. Cavazos spoke to the upcoming Small, Minority and Women Business Owners Conference taking place on December 10, 2003. He further spoke to the fast changing pace of the City.

Ms. Oralia Salame, representing the small business community, spoke to the benefits of the conference, and extended an invitation to the Mayor, Council and members of the community to attend.

Ms. Sheila McNeil, representing State Representative Ruth Jones McClendon, read a letter on behalf of State Representative McClendon that offered support for the conference. The letter further addressed the steady increase of small businesses, and the benefits of this conference.

Members of the Council thanked the group for their work and efforts, and offered their congratulations and best wishes for the upcoming conference.

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**2003-42 RESOLUTION OF SUPPORT FOR THE OLD SPANISH TRAILS  
CENTENNIAL CELEBRATION ASSOCIATION**

Mayor Garza read and presented a Resolution of Support to the Old Spanish Trails (OST) Centennial Celebration Association.

Ms. Charlotte Kiehl, representing the Old Spanish Trails Centennial Celebration Association, thanked the Council for their support of the OST, and for the efforts of others who have contributed to this project.

Ms. Mariana Jones invited the Mayor and Council to attend an OST celebration on December 9, 2003 at the offices of State Representative Trey Martinez Fischer.

Members of the Council thanked the Association for their research, fundraising and networking efforts that have supported their mission. They further offered their best wishes for a successful project.

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**2003-42 SPECIAL RECOGNITION OF THE PARTICIPANTS OF THE  
BOTTOM LINE STRENGTHENING PROGRAM**

Mayor Garza presented a Certificate of Appreciation to Mr. Jesse Quesada, employee with the Asset Management Department, who accepted on behalf of all the City employees who participated in the Bottom Line Strengthening (BLS) program.

Mr. Jesse Quesada thanked the City Manager for allowing the City employees to participate in the BLS program.

City Manager Terry Brechtel spoke to the work of the employees who participated in the BLS program, and expounded on the impact their ideas had on the budget. She applauded their efforts, and thanked them for their participation.

Members of the Council thanked the participants for their input and ideas, and for their participation in the budget process. They further thanked the City Manager for her creativity.

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2003-42      **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Councilman Perez spoke to the upcoming event known as “La Serenata De La Virgen De Guadalupe.”

Mayor Garza presented a proclamation to Father David Garcia, San Fernando Cathedral, in recognition of this observance.

Father Garcia expounded on the specific details of this event, and invited the Mayor, Council and community to attend.

Ms. Belle San Miguel, of the mariachi group Campanas de America, spoke to the upcoming event at the San Fernando Cathedral.

Ms. Jacque Cacho, of Univision, stated they had been doing this program for three and a half years, and expounded on the history and tradition of La Seranata De La Virgen de Guadalupe.

Members of the Council thanked the group for continuing the tradition and maintaining the history of such an event, noting that regardless of religious belief, it was still a very historical event.

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2003-42      **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Councilwoman Radle acknowledged the students of Inner City Development.



LAREDO ROAD AND PLEASANTON ROAD ON THE EAST, A LINE 1350 FEET SOUTH OF THE MEDINA RIVER ON THE SOUTH, AND THE WESTERN BOUNDARY OF 189 NEAL ROAD ON THE WEST, FROM RURAL LIVING USE TO RESOURCE PROTECTION/OPEN SPACE USE.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding Master Plan Amendment 03013 of the Southside Initiative Community Plan, a copy of which was made part of the official papers of this meeting. He discussed the plan as adopted, and as amended, expounded on the analysis criteria, and discussed the land use.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-42      **CITIZEN COMMENTS – INDIVIDUAL ITEMS**

Mr. Jack Finger spoke to item 51A, and questioned whether the citizens' property rights were being violated. He further spoke to item 50, noting the Planning Commission had recommended denial, and therefore urged Council to ask questions. He spoke to item 53, and the contract with Waste Management, and urged Councilman Barrera to abstain from voting. He urged Councilman Flores to abstain from item 55.

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2003-42      **ZONING CASES**

4A.)      CASE NUMBER #Z2003193 C - The request of Davila Plumbing Company, Inc., Applicant, for Antonio Davila, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "O-1" Office District on Lot 5 and Lot 6, Block 5, NCB 6404, 830 West Lynwood Avenue. Staff's recommendation was for approval of "R-6C".

Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Jon Thompson, spoke against this zoning case, and expressed concern on the word “mixed use”. He spoke to the meaning of “mixed use”, and noted there was not a statement that described what “good” mixed use was. He urged Council not to support this rezoning case.

Ms. Kathleen Trenchard spoke to the importance of revitalization, and urged the Council to protect the environment.

Ms. Diane Abdo urged Council to support this zoning case. She explained how they bought this home with no plans to destroy the property. She expounded on the exterior of the property and spoke to the estimates for restoration. She discussed the support of their neighbors, and stated they wanted to continue to make it a good neighborhood.

Mr. Gary Carter, 205 E. Locust, spoke of the condition of his home before he moved in. He stated many businesses have moved in, and residents have moved out. He applauded those who were instrumental in changing the face of Locust Street. He stated this group was willing to invest money to make the house last another 100 years.

Mr. Eddie Garza expounded on the problems of the neighborhood. He spoke to the renovation done to the buildings in the area, and expressed support for this zoning case.

Ms. Angie Ruiz stated they earnestly worked on their neighborhood, but alleged that outside investors had ruined their neighborhood. She confirmed her neighborhood association had been working with Tobin Hill, and noted they tried working with Code Compliance and the Councilman representing the district because there was a need for action.

Councilman Flores spoke to his very strong stance on historic preservation, and cited an e-mail sent by Jon Thompson, in which residential issues were discussed. He stated Tobin Hill was not your typical neighborhood. He further addressed the comments regarding “good” mixed use and “bad” mixed use, and spoke to his personal preference. He stated the property had the ability to become a wonderful residence, and acknowledged that he was comfortable with the applicant’s vision for the house. He further stated they were diligent in protecting their neighborhoods, and he wanted to incorporate everyone’s vision of what this neighborhood should become.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Hall, Haass.

AN ORDINANCE 98480

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 5 AND 6, BLOCK 5, NCB 6404 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE FOR AN OFFICE PROVIDED THAT THE CONDITIONS APPROVED BY CITY COUNCIL ARE ADHERED TO.

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4B.) CASE NUMBER #Z2003211 - The request of Locust Street Properties, Ltd., Applicant, for Locust Street Properties, Ltd., Owner(s), for a change in zoning from "MF-33" Multi-Family District to "O-1" Office District on Lots 12, 13, and 14, Block 9, NCB 1748, 202 E. Locust, San Antonio, TX 78212. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Haass.

AN ORDINANCE 98481

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 12, 13, & 14, BLOCK 9, NCB 1748 FROM "MF-33" MULTI-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

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4C.) CASE NUMBER #Z2003206 - The request of Costa Cadiz Ltd. c/o American Agape, Applicant, for Lucille E. Center and Myrtle Gold, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "MF-33" Multi-Family District on Lot E, NCB 10779, 2815 South W. W. White Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Ms. Jeanne Koehler urged Council to continue the item, so that they could obtain more information.

Councilman Williams confirmed that he and Councilman Segovia had talked about this issue.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Haass.

#### AN ORDINANCE 98482

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 E, NCB 10779 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

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4D.) CASE NUMBER #Z2003141 - The request of Earl & Brown, P. C., Applicant, for S. A. Republic Properties, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District to "PUD RM-4" Planned Unit Development Residential Mixed District (Tract 1 - 42.507 ac.); "C-3" Commercial District (Tract 2 - 8.425 ac. and Tract 3 - 1.333 ac.); "MF-33" Multi-Family District (Tract 4 - 6.747 ac.); and "C-2" Commercial District (Tract 5 - 1.278 ac.) on 60.29 acres out of NCB 10847, 4100 Block of South W.W. White Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue this rezoning case. Councilman Williams seconded the motion.

After consideration, the motion to continue this rezoning case, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Haass.

Zoning Case #Z2003141 was continued.

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4E.) CASE NUMBER #Z2003155 - The request of Southton Ranch, Ltd., Applicant, for Southton Ranch, Ltd., Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District to "MF-25" Multi-Family District (20.647 acres) and "R-5" Residential Single-Family District (96.224 acres) on a 116.871 acre tract of land out of NCB 16624, 13334 Southton Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue this rezoning case until the City Council meeting of January 8, 2004. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Nettie Sandoval spoke against this zoning case, noting the land in question had been annexed. She stated the City had obliged itself to the neighbors of the Southton area, and cited statistics received from the Fire Department. She stated there was not adequate water in the neighborhood, and addressed flood issues for the area.

Mr. Tony Leiva stated they formed a neighborhood association, and spoke against the zoning case. He urged Council to deny the zoning case, noting the developers left without any consideration of their concerns. He expressed his belief in the Southside Initiative, indicating there were good suggestions.

Ms. Jean Pool stated they were not against houses being built, but questioned the affordability of the homes.

After consideration, the motion to continue this rezoning case until January 8, 2004, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Haass.

Zoning Case #Z2003155 was continued to the City Council meeting of January 8, 2004.

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4F.) CASE NUMBER #Z2003173-2A - The request of City of San Antonio, Applicant, for Ernest D. Chacon (Tract I) and Nellie E. Bell (Tract II), Owner(s), for a change in zoning from "DR" Development Reserve District to "RP" Resource Protection District on a portion of P-2 CB 4189 and CB 4187 P-1 and CB 4188 P-1, 2660 West Jett, and 18729 Applewhite Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Williams, Castro, Haass.

AN ORDINANCE 98483

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 CB 4187 P-1 ABS 169 (64.461 ACRES); AND CB 4188 P-1 ABS 168 (54.75 ACRES) CB 4189 PT OF P-2 ABS 171 FROM "DR" (DEVELOPMENT RESERVE DISTRICT) TO "RP" (RESOURCE PROTECTION DISTRICT) ON THE PROPERTY.

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4G.) CASE NUMBER #Z2003173-2B - The request of City of San Antonio, Applicant, for Ila Faye Miller (Tract III), Owner(s), for a change in zoning from "DR" Development Reserve District to "RP" Resource Protection District on CB 4180 P-2B and P-12, 261 Neal Road and 7983 Neal Road. Staff's recommendation was for approval.

Zoning Commission has forwarded to City Council without recommendation. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue this rezoning case until January 8, 2004. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Eldon Boalson thanked the Council for continuing this zoning case.

After consideration, the motion, to continue this zoning case until January 8, 2004 prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Castro, Haass.

Zoning Case #Z2003173-2B was continued to January 8, 2004.

4H.) CASE NUMBER #Z2003173-3A - The request of City of San Antonio, Applicant, for Kenneth Guest and B. C. Gilleland (Tract I) and Fight for the Family (Tract II), Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on property CB 4006 P-10A, P-62, P-63, P-64, P-65, & P-65a CB 4006 LOT 001 located at 16850 and 16700 U.S. Hwy. 281 South. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Castro, Haass.

AN ORDINANCE 98484

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 CB 4006 P-10A, P-62, P-63, P-64, P-65, & P-65a CB 4006 LOT 001 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT ON THE PROPERTY.

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4I.) CASE NUMBER #Z2003173-3B – Being a request of City of San Antonio, Applicant, for S. Flores-Rabel RD Joint Venture (Tract III), Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4006 P-80C, P-81 and P-81A, 16260 FM 1937 was postponed earlier from consideration.

Zoning Case #Z2003173-3B was postponed.

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4J.) CASE NUMBER #Z2003173-5A - The request of City of San Antonio, Applicant, for Peter Marshall, Owner(s), for a change in zoning from "DR" Development Reserve District, "R-6" Residential Single-Family District, and "C-3 NA" General Commercial Nonalcoholic Sales District to "FR" Farm and Ranch District on NCB 11039 Tract-B and CB 4283 P-50, 1818 E. Chavaneaux. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

AN ORDINANCE 98485

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 11039 BLK LOT TR-B (5.66 ACRES) AND CB 4283 P-50 ABS 769 (36.493 ACRES) FROM "DR" DEVELOPMENT RESERVE DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, AND "C-3 NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT TO "FR" (FARM AND RANCH DISTRICT.

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4K.) CASE NUMBER #Z2003173-5B - The request of City of San Antonio, Applicant, for Donald Vestal, et al, c/o Royal Adams, Owner(s), for a change in zoning from "DR" Development Reserve District and "NP-10" Neighborhood Preservation District to "RD" Rural Development District on Lot P-59 NCB 15647, and CB 4283 P-59, 11550 FM 1937. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

AN ORDINANCE 98486

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 15647 LOT P-59 AND CB 4283 P-59 ABS 769 (401.341 ACRES) FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT ON THE PROPERTY.

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4L.) CASE NUMBER #Z2003173-5C - Being a request of City of San Antonio, Applicant, for Hausman Holdings Ltd., Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development on property generally located at the southeast corner of Blue Wing Road and Mickey Road and between Mickey Road and Southton Roads, was postponed (see page 4.)

Zoning Case #Z2003173-5C was postponed.  
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4M.) CASE NUMBER #Z2003173-6A - The request of City of San Antonio, Applicant, for South Loop Land & Cattle, LC, Owner(s), for a change in zoning from "DR" Development Reserve District and "R-4" Residential Single-Family District to "UD" Urban Development District on NCB 18088 P-1 and P-1C, CB 4283 P-1, CB 4284 P-1, CB 4005 P-18A, and CB 4283 P-1A and P-1B, 1510 IH-410 (SW Loop). Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Williams.

AN ORDINANCE 98487

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 18088 PLAN P-1C (6.7 ACRES); AND CB 4283 P-1 (30.75 ACRES); AND CB 4284 P-1 (20.845 ACRES) CB 4005 P-18A ABS 15 (13.020 ACRES) AND CB 4283 P-1A AND P-1B ABS 769 (11.758 ACRES) FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "DR" DEVELOPMENT RESERVE DISTRICT TO "UD" URBAN DEVELOPMENT DISTRICT ON THE PROPERTY.

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4N.) CASE NUMBER #Z2003173-6B - The request of City of San Antonio, Applicant, for Jose Valencia, Owner(s), for a change in zoning from "DR" Development Reserve District to "UD" Urban Development District on P-7 NCB 11150, P-9 CB 4283, and Lot 25 CB 5829, 10011 Moursund Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue this rezoning case until January 8, 2004. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Carlos Ramirez spoke of the property in question, and urged Council to approve an amendment that included NA. He stated he was part of the community that was in favor

of the Southside Initiative, but noted they wanted to see this location with the "NA" restriction.

Mr. Rod Sanchez, Assistant Director of Planning, noted they did not put an NA provision, and by state law, they would not be allowed to place this NA on the new district.

Mr. Ramirez confirmed that they would protest this.

Mr. Jose Valencia, owner, expounded on the area, and stated they had been a big complement on the Southside. He addressed the importance of flea markets in the area, and further stated they would continue to respect the neighbors around the area. He acknowledged their cleanliness, and the importance of agreeing on the vision for this area.

After consideration, the motion to continue to January 08, 2004, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

Zoning Case #Z2003173-6B was continued to January 8, 2004.

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40.) CASE NUMBER #Z2003173-6D S - The request of City of San Antonio, Applicant, for Wayne Hensley, Owner(s), for a change in zoning from "DR" Development Reserve District to "UD-S" Urban Development District with specific use authorization for a bar/tavern on CB 4283, P-14, 10703 Pleasanton Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Wayne Hensley urged Council to approve this zoning case.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

AN ORDINANCE 98488

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 CB 4283 P-14 ABS 769 FROM "DR" (DEVELOPMENT RESERVE DISTRICT) TO "UD-S" (URBAN DEVELOPMENT DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A BAR/TAVERN) ON THE PROPERTY.

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4P.) CASE NUMBER #Z2003173-9 - The request of City of San Antonio, Applicant, for I-37 Park LTD., Edsel Jones, General Partner, Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District, "MH" Manufactured Housing District, "DR" Development Reserve, "C-3" General Commercial District, and "I-1" General Industrial District to "RD" Rural Development on NCB 16623 P-311 and CB 4007-6 P-311, located at the southwest corner of IH-37 and Blue Wing Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Radle.

AN ORDINANCE 98489

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 16623 P-311 (1.449 ACRES) CB 4007-6 P-311

ABS11(67.823 ACRES) FROM "DR" DEVELOPMENT RESERVE DISTRICT, "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, "MH" MANUFACTURED HOUSING DISTRICT, TO "RD" RURAL DEVELOPMENT ON THE PROPERTY.

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4Q.) CASE NUMBER #Z2003173-10A - The request of City of San Antonio, Applicant, for Edgar Dodson, Owner(s), for a change in zoning from "I-1" General Industrial District, "R-6" Residential Single-Family District, and "DR" Development Reserve District to "UD" Urban Development District on the north 470 feet of the south 1800 feet of Tract-14, the north 470 feet of the south 1800 feet of Tract-15, and the north 140 feet of the south 1450 feet of Tract-16 NCB 18087 and the south 1330 feet of Tract 14, the south 1320 feet of Tract 15, and the south 1310 feet of the south 1450 feet of Tract 16 CB 4286A, 2432 IH-410 (SW Loop). Staff's recommendation was for approval.

Zoning Commission has recommended approval of "DR" to "UD" on the south portion of the property located in the Limited Purpose Annexation area and denial of "R-6" and "I-1" to "UD" on the north portion of the property located in the Full Purpose City Limits. (Council Districts 3 and 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue this rezoning case until January 8, 2004. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Edgar Donson stated he was against staff's recommendations, noting he preferred the recommendation of the Zoning Commission. He stated that under this change, he could not come back and rebuild if a catastrophic event were to occur.

In response to Mayor Garza, Mr. Donson confirmed that he wanted it re-zoned to I-1.

Mayor Garza replied that they would not have this particular zoning anymore.

Mr. Donson requested a postponement.

Mayor Garza noted that if any type of catastrophic event were to occur, he would be allowed to go back through the zoning process. He stated the biggest concern was what would happen if he sold the property.

Mr. Emil Moncivais, Director of Planning, explained the action to be taken in the event of a catastrophic event.

After consideration, the motion to continue to January 8, 2004, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Barrera, Haass.

Zoning Case #Z2003173-10A was continued to January 8, 2004.

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4R.) CASE NUMBER #Z2003173-12 – Being a request of City of San Antonio, Applicant, for Presto Tierra, LLC, Owner(s), for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch District on CB 4296 P-10, CB 4297 P-4, CB 4298 P-15B and P-17, save and except that portion of the property within 1,000 feet of the west right-of-way line of State Highway 16 which is changed from "DR" Development Reserve District to "MI-1" Mixed Light Industry District, 15895 State Hwy. 16 and 14885 Watson Road was postponed (see page 4 .)

Zoning Case #Z2003173-12 was postponed.

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4S.) CASE NUMBER #Z2003173-13 - The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on properties generally bounded by Pleasanton Road on the east; Leon Creek on the south; Commanche Creek on the west; and a line south of, but not adjacent to, IH-410 on the north. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Ms. Anne Parish, President of the Mitchell Lake Wetlands Society, spoke to the area consisting of lakes that fed into Mitchell Lake. She then expressed concern on zoning

case items S and V, noting her organization was opposed to item S. She stated birds flocked to Mitchell Lake, and by putting Light Industry on its shores, the threat of pollution would be too great. She spoke to the need for buffers around the lake, and urged Council to oppose this item.

Mayor Garza requested for a clear map where indicating exactly zoning case S is located.

Ms. Parish stated this was a very delicate area, and therefore urged Council to be more cautious with the area, she further indicated she was not concerned about the southern part of zoning case S.

Mr. Ken Brown respectfully requested for Council to move forward with his 45 acre piece of tract, which is west of Pleasanton Road.

Utilizing a map that was projected on the screen, Mr. Emil Moncivais, Director of Planning, showed the location of the flood plain area, as well as the buffer surrounding it.

Mayor Garza indicated he understood, but the issue was the water shedding in other bodies of water in the area, which he stated heightens the need to look at everything east of Pleasanton Road carefully.

Ms. Parish clarified that the concern was actually west of Pleasanton Road.

Mayor Garza spoke to the need to look at everything west of the railroad tracks. He questioned whether they could approve everything west of the tracks, and pull the rest out.

Mr. Moncivais noted Mr. Brown's property was part of what he wanted to carve out.

Mayor Garza suggested they continue consideration of zoning case #Z2003173-13 until later in the meeting. See page 34 for continuation.

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4T.) CASE NUMBER #Z2003173-15 - The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch District in an area generally bounded by Blue Wing Road to the south, Southton Road to the east. South Blue Wing Road to the north and FM 1937 to the west. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Barrera, Haass.

AN ORDINANCE 98490

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 CB 4006 P-45 AND P-47 ABS 3; CB 4006 P-46D OR TR 5 ABS 3; CB 4006 P-46E OR TR 6 ABS 3; CB 4006 P-46F OR TR 7 ABS 3; CB 4006 P-46A OR TR 2 ABS 3; CB 4006 P-46 ABS 3; CB 4006 P-46B OR TR 3 ABS 3; CB 4006 P-46C OR TR 4 ABS 3; CB 4006 P-47B ABS 3, NCB 16625 BLK 001 LOT 001 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "FR" FARM AND RANCH DISTRICT.

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4U.) CASE NUMBER #Z2003173-16 - The request of City of San Antonio, Applicant, for Harry D. Urey and Thomas Francis Phillips, Owner(s), for a change in zoning from "DR" Development Reserve to "RD" Rural Development District on 63.133 acres out of P-142D CB 4007-6, located at the northwest corner of the intersection of IH-37 and Blue Wing Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3).

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

AN ORDINANCE 98491

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ALL OF CB 4007-6 P-142D ABS 11 AND 16.069 ACRES MORE PARTICULARLY DESCRIBED IN FIELD NOTES IN EXHIBIT A ATTACHED HEREIN FOR ALL PURPOSES FROM "DR" (DEVELOPMENT RESERVE DISTRICT) TO "RD" RURAL DEVELOPMENT DISTRICT ON THE PROPERTY.

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4V.) CASE NUMBER #Z2003173-17, being a request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from "DR" Development Reserve and "NP-10" Neighborhood Preservation to "MI-1" Mixed Light Industry on property generally bounded by Pleasanton Road to the west and Mitchell Lake to the east was postponed earlier from consideration. (See page 4. )

Zoning Case #Z2003173-17 was postponed.

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4W.) CASE NUMBER #Z2003173-18 - The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "NP-10" Neighborhood Preservation and "DR" Development Reserve District to "FR" Farm and Ranch on property generally bounded by U.S. Hwy 281 on the east; by the Medina River on the south; by Pleasanton Road on the west; and a line south of, but not adjacent to, IH-410 on the north. Staff's recommendation was for approval.

Zoning Commission has recommended (Pending Zoning Commission meeting of Dec. 2) (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Haass.

AN ORDINANCE 98492

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 11166 P-29B; NCB 11166 P-29E; NCB 11166 P-29F; NCB 11166 P-29G; NCB 11166 P-29D; NCB 11166 P-29A; NCB 11166 P-29C; NCB 11166 P-29; CB 4012 P-401B ABS 9 ARB TR3; CB 4012 P-401C ABS 9 ARB TR4; CB 4012 P-401E ABS 9 ARB TR-6; CB 4012 P-401K ABS 9 ARB TR-11; CB 4012 P-47B ABS 9 ARB TR10; CB 4012 P-401D ABS 9 ARB TR5; CB 4006 P-10 ABS 3 (200.00 ACRES) & P-10C (91.02 ACRES); P-215 ABS 9, CB 4012 P-401F ABS 9 ARB TR-7; CB 4012 P-401G ABS 9 ARB TR-8; CB 4012 P-401H ABS 9 ARB TR9; CB 4012 P-47A ABS 9 ARB TR13; CB 4012 P-216 ABS 9; CB 4012 P-22 ABS 9; CB 4012 P-170E ABS 9; CB 4012 P-199A ABS 9; CB 4012 P-227 ABS 9; CB 4012 P-22B ABS 9; CB 4005 P-33C ABS 15; CB 4006 P-7A ABS 3; CB 4006 P-7 ABS 3; CB 4006 P-9 ABS 3; CB 4180 P-4 ABS 611; CB 4012 P-22C ABS 9; CB 4012 P-22D ABS 9 FROM "DR" DEVELOPMENT RESERVE TO "FR" FARM AND RANCH DISTRICT ON THE PROPERTY.

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4X.) CASE NUMBER #Z2003173-20 - The request of City of San Antonio, Applicant, for Crestwood Estates, L.L.C., Owner(s), for a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on CB 4005, P-14D and CB 4005I, Block 1, Lot 1, 12800 Applewhite Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Tim Schaller voiced his opposition to the proposed rezoning. He stated there were already residents in that area.

Mr. Rob Killeen informed the Council that Crestwood Estates was a residential community. He spoke to the history of the area, and stated the change did not benefit anyone. He urged Council to deny this zoning case.

Discussion continued between Councilwoman Radle and Mr. Moncivais regarding this portion of the property being labeled "industrial."

In response to Councilman Segovia, Mr. Moncivais confirmed that the property would be adjacent to Toyota.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Haass.

AN ORDINANCE 98493

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 CB40051 BLK 1 LOT 1; CB4005 PART OF P-14D ABS 15 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT ON THE PROPERTY.

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4Y.) CASE NUMBER #Z2003173-21 - The request of City of San Antonio, Applicant, for Multiple Owners for a change in zoning from "DR" Development Reserve District to "RP" Resource Protection on property generally bounded by the Medina River on the north; Laredo Road, Martinez Lasoya Road, and Pleasanton Road on the east; the City Limit line on the south, and CB 4180 P2-B on the west. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Haass.

AN ORDINANCE 98494

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 CB 4012 P-1F ABS 9 (.402AC); CB 4180 P-3C ABS 611 (9.598 ACRES); CB 4012 P161C ABS 9 (.73); CB 4180 P3F ABS 611 (9.27 ACRES);CB 4012 P-161D ABS 9 (.128 ACRES); CB 4180 P-3B ABS 11 (9.872 ACRES); CB 4012 P161B ABS 9 (.96); CB 4180 P3E ABS 611 (9.04); CB 4180 PT OF P-10 A-611;CB 4180 P-3A ABS 611 (18.110 ACRES); CB 4180 P-4C ABS 611; CB 4012 P-161E ABS 9 (7.935 ACRES); AND CB 4180 P-3G ABS 611 (2.065 ACRES); CB 4012 P-161 ABS 9 (6.2 ACRES); AND CB 4180 P-3 ABS 611 (4.18 ACRES); CB 4012 P161A ABS 9 (818 ACRES); AND CB 4180 P-3D ABS 611 (5.32 ACRES)FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "RP" RESOURCE PROTECTION DISTRICT ON THE PROPERTY.

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4Z.) CASE NUMBER #Z2003173-22 - The request of City of San Antonio, Applicant, for Reed S. Lehman Grain Co., Owner(s), for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch on CB 5161 P-5 and all of CB 5162 generally located north and south of Southton Road and northwest of Blue Wing Road. Staff's recommendation was for approval.

Zoning Commission has recommended (Pending Dec. 2 Zoning Commission meeting) (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion to continue to January 8, 2004 Councilman Perez seconded the motion.

After consideration, the motion to continue to January 8, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Haass.

Zoning Case #Z2003173-22 was continued to January 8, 2004.

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4AA.) CASE NUMBER #Z2003173-23 – Being a request of City of San Antonio, Applicant, for Richard Tate, Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4007, P-143B, 11462 Blue Wing Road was postponed (see page 4 for motion).

Zoning Case #Z2003173-23 was postponed.

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4BB.) CASE NUMBER #Z2003173-24 - The request of City of San Antonio, Applicant, for Hunters Pond, L.L.P., Owner(s), for a change in zoning from "DR" Development Reserve District to "R4" Single-Family Residential on CB 5534 Block 1 Lots 5, 6, and 7, generally bounded by a line south of, but not adjacent to, IH-410 on the north, S. Zarzamora Street on the east, and State Hwy. 16 on the west. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Haass.

AN ORDINANCE 98495

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 CB 4286 P-2 (81.087 ACRES) TR-2 (1.808 ACRES) AND SE IRR 50.39 FT OF TR-9 (.321 ACRES) FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "R4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY.

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4CC.) CASE NUMBER #Z2003173-1 - The request of City of San Antonio, Applicant, for Bret Mitchell and Burrell Day, Owner(s), for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch District on [TRACT A] CB 4298 P-14, CB 4202 P-1, and CB 4203 P-2; [TRACT B] CB 4300 P-21, CB 4298 P-10 and P-11, P-24A and a portion of P-26 CB 4300, CB 4203 P-1, CB 4204 P-13, and CB 4204 P-13E, located east of Somerset Road and north of the City Limit line north to Queensberry and Watson Roads and west of Sommerset Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Castro, Haass.

#### AN ORDINANCE 98496

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 CB 4202 P-1 ABS 613; CB 4203 P-2 ABS 188 (268.838 ACRES); CB 4204 P-13 AND P-13E ABS 579; CB 4203 P-1 ABS 188; CB 4300 P-24A ABS 421; CB 4298 P-10 ABS 421; CB 4298 P-11 ABS 421 (14.410 ACRES); AND CB

4300 P24 & 25 ABS 614 (38.640 ACRES); CB 4300 P-21 ABS 614; CB 4300 PT OF P-26 ABS 614; CB 4298 P-14 ABS 421 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "FR" FARM AND RANCH DISTRICT ON THE PROPERTY.

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4DD.) CASE NUMBER #Z2003173-7A - The request of City of San Antonio, Applicant, for Jesus Vasquez, Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4301, P-45 and P-46, 11893 Fischer Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Andy Guerrero spoke of the area surrounding the property, and explained to the Council that there was a salvage yard located to the South of the property. He voiced his objections to the RD district. He questioned how many votes it would take to pass this item.

In response to Mr. Guerrero, Mr. Andy Martin, City Attorney, explained that it would take a simple majority to have this item passed.

Mr. Guerrero reiterated his opposition to the RD District, and requested that Urban Development be granted to this property instead.

Mr. Gabriel Zapata stated it was difficult to do a master plan on the property. He encouraged the Council to look closely at this case.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Williams, Castro, Haass.

AN ORDINANCE 98497

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 CB 4301 P-45 AND P-46 ABS 6 SAVE AND EXCEPT PORTION OF SUBJECT PROPERTY WITHIN 795 FEET OF FISCHER ROAD FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT ON THE PROPERTY.

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4EE.) CASE NUMBER #Z2003173-7B - The request of City of San Antonio, Applicant, for James Langford, Owner(s), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4204 P-7 and P-7D, located at the southeast corner of IH-35 and Fischer Road, on the east side of Old Somerset Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Williams, Segovia, Castro, Haass.

#### AN ORDINANCE 98498

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 CB 4204 P-7D ABS 579; CB 4204 P-7 ABS 579 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT ON THE PROPERTY.

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4FF.) CASE NUMBER #Z2003173-8 - The request of City of San Antonio, Applicant, for Presto Tierra L.L.C. (Tract I) and Alfredo Garcia (Tract II), Owner(s), for

a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on the south irregular 242.72 feet of Lot 3 and the north irregular 95.38 feet of Lot 3, Block 12 CB 4005E, CB 4005 P-57, P-75, P-75A and CB 4005A Block 1 Lot 15, 9500, 12251, and 12255 S. Zarzamora Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Williams, Segovia, Castro, Haass.

#### AN ORDINANCE 98499

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 CB 4005 P-57 ABS 15; CB 4005E BLK 012 LOT 001; CB 4005E BLK 012 LOT 002; CB 4005A BLK 001 LOT 015; CB 4005E BLK 12 N IRR 95.38 FT OF LOT 3; CB 4005E 12 S IRR 242.72 FT OF LOT 3; CB 4005 P-75A ABS 15; CB 4005 P-75 ABS 15 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT ON THE PROPERTY.

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4GG.) CASE NUMBER #Z2003173-10B - The request of City of San Antonio, Applicant, for Ballard Exploration Co. Inc, Owner(s), for a change in zoning from "C-2" Commercial District, "R-5" Residential Single-Family District, "NP-10" Neighborhood Preservation District, and "DR" Development Reserve District to "UD" Urban Development District on NCB 14568 Lots P-4D and P-19, NCB 14569 Lots P-22, P-23, P-23A, P-23C, and P-23D, CB 4295 P-4D, P-19, P-23, P-23A, and P-23B, CB 4301 P-22, P-22A, P-22B, and P-22D, and ANCEL 69 Lot P-22A, located at the southeast and southwest corners of the intersection of IH-410 and Somerset Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Ken Brown stated they worked out a flex district plan, and introduced this plan into the record to reflect what the possibilities were for this property.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams, Radle.

AN ORDINANCE 98500

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 14568 LOTS P-4D (31.254 ACRES); CB 4295 P-4D ABS 12 (14.936 ACRES); NCB 14568 P-19 (58.457 ACRES); AND CB 4295 P-19 ABS 12 (179.726 ACRES); NCB 14569 P-22 (14.778 ACRES); AND CB 4301 P-22 ABS 6 (17.166 ACRES) ANCEL 69 P-22A (18.853 ACRES); CB 4301 P-22A ABS 6 (13.176 ACRES); NCB 14569 P-23 (6.883 ACRES); AND CB 4295 P23 & 23B ABS 12 (50.130 ACRES); AND CB 4301 P-22D ABS 6 (4.6 ACRES); NCB 14569 P-23A & 23C (7.458 ACRES); AND CB 4295 P-23A ABS 12 (1.650 ACRES); NCB 14569 P-23D (1.750 ACRES); AND CB 4301 P-22B ABS 6 (6.647 ACRES) FROM "R5" RESIDENTIAL SINGLE-FAMILY DISTRICT, "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT, "C2" COMMERCIAL DISTRICT, AND "DR" DEVELOPMENT RESERVE DISTRICT TO "UD" URBAN DEVELOPMENT DISTRICT ON THE PROPERTY.

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4HH.) CASE NUMBER #Z2003173-11 - The request of City of San Antonio, Applicant, for Ballard Exploration Co. Inc, Owner(s), for a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on CB 4297 P-7,

located at the southeast corner of State Highway 16 and Watson Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

#### AN ORDINANCE 98501

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 CB 4297 P-7 ABS 13 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT ON THE PROPERTY.

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4II.) CASE NUMBER #Z2003173-14 - The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on CB 4295 P-36D and P-36F and CB 4296 P-4, P-5, P-6, P-7, and P-7A, the 12000 and 13000 blocks of State Hwy. 16 South. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

AN ORDINANCE 98502

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 CB 4295 P-36F ABS 12; CB 4296 P-4 ABS 374; CB 4295 P-36D ABS 12; CB4296 P-5 ABS 374; CB 4296 P-7A ABS 374; CB 4296 P-6 &P-7 ABS 374 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT ON THE PROPERTY.

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— — —  
4JJ.) CASE NUMBER #Z2003173-19 - The request of City of San Antonio, Applicant, for Southside 83 Joint Venture, Armando Garcia, Owner(s), for a change in zoning from "DR" Development Reserve to "MI-1" Mixed Light Industrial on CB 4005E, Block 12, Lot 5 and Lot 6, 12180 State Hwy. 16 South. Staff's recommendation was for approval.

Zoning Commission has recommended approval as part of Z2003173. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

AN ORDINANCE 98503

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 CB 4005E BLOCK 012 LOT 005; CB 4005E BLK 012 LOT

006 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT ON THE PROPERTY.

\* \* \* \*

2003-42      At this time, discussion resumed for item 4S.

4S.)            CASE NUMBER #Z2003173-13 - The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "DR" Development Reserve District to "MI-1" Mixed Light Industry District on properties generally bounded by Pleasanton Road on the east; Leon Creek on the south; Commanche Creek on the west; and a line south of, but not adjacent to, IH-410 on the north. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Segovia made a motion for approval save and except the property west of the railroad tracks, but to include property located at 100 Mauermann Road, and 14415 Pleasanton Road with the legal description provided by the property owner, with the property to be taken out postponed.

In response to Councilwoman Radle, Mayor Garza explained that they were approving portions of item S, and they would have to come back for the rest of the property. He further explained they were approving for Light Industry west of the railroad track, and everything else would be continued because of the sensitivity of Mitchell Lake and the concerns they heard from the Wetlands Society. He stated this would allow them to address buffer concerns that Toyota may have, as well as the environmental sensitivities at Mitchell Lake.

Mr. John Jacks explained that Flex Districts had a built in buffer, and the flood plain around Canvass Back Lake was extensive.

Mayor Garza spoke to the importance of setting the buffers very clear and mapped out.

Mr. John Jacks clarified that Councilman Segovia's original motion was to save and except property west of the railroad tracks, but explained that it should be east of the tracks.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

AN ORDINANCE 98504

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 CB 4005 PT OF P-32 ARB AND P-41 ABS 15; CB 4005 PT OF P-32 ARB P-40 ABS 15; CB 4005 P-32G ABS 15; CB 4005 P-32H ABS-15; CB 4005 PT OF P-32 ARB P-39 ABS 15; CB 4005 P-38 ABS 15; CB 4005 P-32 ABS 15; CB 4005 P-32C ABS 15; NCB 15458 P-24 (2.6 ACRES); AND CB 4005 P-24C (152.72 ACRES) A-15; CB 4006 P-8 ABS 3; CB 4005 PT OF P-32 ARB P-36 ABS 15; CB 4006 P-7C ABS 3; CB 4005 P-33 ABS 15; CB 4005 P-18 ABS 15; CB 4005 P-16C & 16D ABS 15; NCB 16456 P-24B (74.15 ACRES); AND CB 4005 P-24B A-15 (404.288 ACRES); CB 4005 P-19 ABS 15; CB 4005 P-17A & P-65 ABS 15; AND CB 4285 P-1A & P-13 ABS 1111; CB 4005 P-69A ABS 15; CB 4005 P-16E ABS 15; CB 4005 P-16A ABS 15; CB 4005 P-64 ARB TR B ABS 15; CB 4005 P-17B, P-17B, P-17C, P-17D & P-65A ABS 15; CB 4005 P-17 ABS 15; CB 4005 P-59 P-60 P-61 & P-71; CB 4005 P-73 ABS 15; CB 4005 P-73A ABS 15; CB 4005 P-58 ABS 15; CB 4005 P-50A ABS 15; CB 4005 P-50 ABS 15; CB 4005 P-44 ABS 15; CB 4005 P-44A ABS 15; CB 4005 P-64A PT OF TRB ABS 15; CB 4005 P-2 ABS 15; CB 4005 P-3A ABS 15; CB 4005C BLK 001 LOT 001; CB 4005D LOT 001; CB 4005 P-51 ABS 15; CB 4005D LOT 004; CB 4005D LOT 005; CB 4005 P-10 ABS 15; CB 4005D LOT 002; CB 4005D LOT 003; CB 4005 P-3 ABS 15; CB 4005 P-1 ABS 15; CB 4005 P-3B ABS 15; CB 4005 P-5 ABS 15; CB 4005 P-6A & P-7A ABS 15; CB 4005 P-8A ABS 15; CB 4005 P-14A ABS 15; CB 4005C LOT 150; CB 4005 P-46A ABS 15; CB 4005C BLK 001 LOT 009; CB 4005 P-46C ABS 15; CB 4005 P-35 ABS 15; CB 4005 P-4 ARB TR A ABS 15; CB 4005 P-46 ABS 15; CB 4005 P-46D ABS 15; CB 4005 P-72 ABS 15 FROM "DR" DEVELOPMENT RESERVE DISTRICT AND "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT ON THE PROPERTY.

\* \* \* \*

4KK.) CASE NUMBER #Z2002258 - The request of City of San Antonio, Applicant, for WOH Holdings Inc. c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "PUD R-6" Planned Unit Development Residential Single-Family District on a 92.34 acre tract of land out NCB

17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

Councilman Barrera stated that contrary to the comments that had been made by Mr. Jack Finger regarding this zoning case, the owner and the new builder worked very close together and met many times, which is the reason the case had been continued. He stated the residents of Stonegate Hill had given their approval of this development. He further spoke to the hard work of the homeowners in the area.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez.

AN ORDINANCE 98505

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 92.34 ACRE TRACT OF LAND OUT NCB 17642 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "PUD R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT.

\* \* \* \*

— — —  
4LL.) CASE NUMBER #Z2003068 - The request of Martin Gutierrez, Applicant, for Martin Gutierrez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on Lot P-22 NCB 17929, 8537 Bandera Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 7)

Councilman Castro made a motion to continue this rezoning case to January 8, 2004. Councilman Hall seconded the motion.

Councilman Castro addressed the Zoning Commission's recommendation of denial, but stated things had been altered.

The following citizen(s) appeared to speak:

Mr. Jack Finger addressed the recommendations of the Zoning Commission, and urged the Council to look into this matter carefully.

Mr. John Jacks stated that as a result of the motion for approval of a C2C NA for a carwash, this would automatically make it a continuance.

After consideration, the motion to continue this rezoning case to January 8, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert, Flores, Perez.

Zoning Case #Z2003068 was continued to January 8, 2004.

— — —

4MM.) CASE NUMBER #Z2003180 C - The request of Earl and Brown, P. C., Applicant, for Fred Road, LLC; Contact: Don W. Saunders, Attorney for Seller, Owner(s), for a change in zoning from "R-6" Residential Single-Family District, "RM-4" Residential Mixed District, "C-2NA" Commercial Nonalcoholic Sales District, "C-3" General Commercial District and "C-3R" General Commercial District, Restrictive Alcoholic Sales to "R-6" C Residential Single-Family District with conditional use to allow for multi-family dwelling of 25 units per acre on 11.467 acres out of NCB 8416, Fredericksburg Road at Quentin Drive. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions regarding setbacks, lighting, and screening. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak:

Mr. Ken Brown explained his amendments, and stated he was supportive of the Zoning Commission's recommendations. He urged the Council to support this zoning case.

Mr. David R. Logan expressed appreciation to Councilman Castro for his work on this issue, and urged Council to support this project.

Mr. John Davis stated they were fortunate to have this organization come into their neighborhood.

Mr. Joe E. Stehle voiced his approval of this zoning case, and urged them to approve this project, noting it was essential for the neighborhood.

Mr. Paul Stahl stated he was impressed with how the developers saw this development. He stated the project had moved along swiftly and garnered support, and continued to evolve. He further noted this would serve the community well.

Mr. Alejandro Soto, President of the Woodlawn Lake Community Association, urged Council to support this project.

Mr. Noel Suniga expressed his support for this zoning case. He stated it would be a major asset to the community. He spoke to the unanimous support from the community, and urged Council to approve this item.

Mr. Justin Rodriguez informed the Council that the developers in this proposal had been exemplary throughout the process. He urged Council to support this project.

Councilman Castro thanked all those who spoke on this zoning case. He stated the land was an eye sore at one time. He stated this project was consistent with the vision of the Deco District. He then spoke to the work and efforts of the developers.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia.

#### AN ORDINANCE 98506

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 11.467 ACRES OUT OF NCB 8416 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "RM-4" RESIDENTIAL, MIXED DISTRICT, "C-2NA" COMMERCIAL NON ALCOHOLIC SALES DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT AND "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "R-6" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE TO ALLOW FOR MULTI-FAMILY DWELLING OF 25 UNITS PER ACRE.

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— — —  
4NN.) CASE NUMBER #Z2003198 - The request of Sadruddin Sarfani, Applicant, for Sadruddin Sarfani, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on Lot 12, Block 1, NCB 9645, 3535 Culebra Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Castro made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez, Castro.

AN ORDINANCE 98507

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 12 BLOCK 1 NCB 9645 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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400.) CASE NUMBER #Z2003089 - The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 12.07 acres being a portion of Lots 12, 13, 14, and 15, Block 5, NCB 14705 and Parcel 63 and a portion of Parcel 64, Block 2, NCB 14864, located on the northwest side of Huebner Road at USAA Blvd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Hall made a motion to continue this rezoning case until January 22, 2004. Councilman Perez seconded the motion.

After consideration, the motion to continue this rezoning case until January 22, 2004, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez, Castro, Radle.

Zoning Case #Z2003089 was continued until January 22, 2004.

— — —  
4PP.) CASE NUMBER #Z2003090 - The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District (22.44 acres) and "C-3R" General Commercial District, Restrictive Alcoholic Sales (3.47 acres) on 25.91 acres of land out of Block 2, NCB 14864, North of Huebner Road, south of Prue Road and west of the proposed New Prue Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Hall made a motion to continue this rezoning case to January 22, 2004. Councilman Barrera seconded the motion.

After consideration, the motion to continue this rezoning case January 22, 2004, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez, Radle, Castro.

Zoning Case #2003090 was continued January 22, 2004.

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2003-42 Ordinance 98508 was voided.

4QQ.) CASE NUMBER #Z2003197 - The request of Vincent X. Smith Jr., Applicant, for John Portillo and Enrique Hernandez, Owner(s), for a change in zoning from "C-3 R" General Commercial District, Restrictive Alcoholic Sales to "MF-25" Multi-Family District on 2.102 acres being a portion of Lot 51 Block 1 NCB 14701, located on the southwest side of Oakland Road between Huebner Road and Encino Park. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilman Hall made a motion to approve the proposed rezoning. Councilman Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle, Castro.

AN ORDINANCE 98509

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 2.102 ACRES OUT OF LOT 51 BLOCK 1 NCB 14701 FROM "C-3 R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "MF-25" MULTI-FAMILY DISTRICT.

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**2003-42 PUBLIC HEARING AND CONSIDERATION OF THREE ORDINANCES; CLOSING, VACATING AND ABANDONING; A) AN IRREGULAR 0.0417-ACRE PORTION OF NACOGDOCUES ROAD PUBLIC RIGHT OF WAY AND A 30-FOOT BY 72-FOOT PORTION OF PUBLIC RIGHT OF WAY LOCATED BETWEEN BROADWAY AVENUE AND NACOGDOCHES ROAD ADJACENT TO NCB 8702; B) AN IMPROVED PORTION OF WEST HOLLYWOOD AVENUE PUBLIC RIGHT OF WAY LOCATED WEST OF WOOD CROSSING AND ADJACENT TO LOTS 5, 6, AND 7 BLOCK 73, NCB 2768; C) 1.881-ACRE IMPROVED PORTION OF PUBLIC RIGHT OF WAY**

**KNOWN AS DEZAVALA ROAD, LOCATED BETWEEN SKY HAWK'S DRIVE AND SOUTH HAUSMAN ROAD ADJACENT TO NCB'S 14614 AND 14615.**

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, spoke to the specific details of this ordinance, and explained this action would be consistent with City Ordinances regarding the closure, vacation and abandonment of Public Right of Way within the Corporate Limits of San Antonio. She explained the planned closures in specific detail.

Councilman Schubert acknowledged that discussion occurred between the property owner and the developer, and stated they had come into an agreement.

The following citizen(s) appeared to speak:

Mr. John Davis addressed item 5B, the ordinance closing, vacating and abandoning an improved portion of West Hollywood Avenue Public Right of Way. He indicated this was the last piece of the project, and urged Council to approve the street closure.

Mr. Jack M. Finger spoke to the closures on the agenda, and the monetary contributions received by some of the Council members from Pape Dawson Engineering Firm. He encouraged those members who received funds to abstain from voting to avoid the appearance of a conflict of interest.

Mayor Garza closed the Public Hearing.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98510

CLOSING, VACATING AND ABANDONING AN IRREGULAR 0.0417-ACRE PORTION OF NACOGDOCHES ROAD PUBLIC RIGHT OF WAY AND A 30-FOOT BY 72-FOOT PORTION OF PUBLIC RIGHT OF WAY LOCATED BETWEEN BROADWAY AVENUE AND NACOGDOCHES ROAD ADJACENT TO NCB 8702, AS REQUESTED BY THE HEIGHTS BUILDING, LTD., A TEXAS LIMITED PARTNERSHIP, AS SUCCESSOR TO THE ORIGINAL PETITIONER, CLARET, L.C., A TEXAS LIMITED LIABILITY COMPANY, FOR THE TOTAL CONSIDERATION OF \$22,169.00.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98511

CLOSING, VACATING AND ABANDONING AN IMPROVED PORTION OF WEST HOLLYWOOD AVENUE PUBLIC RIGHT OF WAY LOCATED WEST OF WOOD CROSSING AND ADJACENT TO LOTS 5, 6, AND 7, BLOCK 73, NCB 2768, AS REQUESTED BY H.E.B. GROCERY COMPANY, L.P., A TEXAS LIMITED PARTNERSHIP, FOR THE TOTAL CONSIDERATION OF \$10,981.00.

\* \* \* \*

Councilman Haass 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Haass, Garza. **ABSTAIN:** Schubert. **NAYS:** None. **ABSENT:** Castro.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98512

CLOSING, VACATING AND ABANDONING AN APPROXIMATELY 1.881-ACRE IMPROVED PORTION OF PUBLIC RIGHT OF WAY KNOWN AS DEZAVALA ROAD, LOCATED BETWEEN SKY HAWK DRIVE AND SOUTH HAUSMAN ROAD, ADJACENT TO NCBS 14614 AND 14615, AS REQUESTED BY THE ABUTTING PROPERTY OWNER, THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT, FOR THE TOTAL CONSIDERATION OF \$20,569.00.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro.

— — —  
2003-42

**CITIZENS TO BE HEARD**

The following citizens spoke to the concerns of the community regarding the Patriot Act, and urged Council to adopt a resolution condemning the Patriot Act:

**Mr. Steve Johnson**  
**Mr. Patrick Filyk**  
**Mr. Henry Goltz**  
**Mr. David Plyar**  
**Mr. Placido Salazar**  
**Mr. Robert Kaddanka**  
**Ms. Joan Braune**  
**Mr. Harley Helton**  
**Ms. Olivia Diawn Cornyn**  
**Mr. George Rice**  
**Mr. John W. Stanford**  
**Ms. Christina Valero**  
**Mr. Gabriel Morales**  
**Mr. Nicholas Van Deust**  
**Ms. Irma Mayorga**  
**Ms. Mary Virginia Watson**

Councilwoman Radle noted that on June 1, they took an oath to uphold the Constitution of the United States.

Councilman Hall and Mr. Patrick Filyk discussed which states had implemented the act.

Councilman Castro thanked all those who went forward to express their concerns on the Patriot Act. He stated they would look into the matter.

\* \* \* \*

**MS. ANGIE GARCIA**

Ms. Angie Garcia stated she wanted to clarify issues that had been presented to the Governance Committee regarding LULAC. She referenced the event that has taken place at the Market Square for over 20 years, and expressed concern that there was something wrong all of a sudden. She spoke to the uniqueness of the cultural display of the Mercado.

\* \* \* \*

**MR. JAIME HERHON**

Mr. Jaime Herhon, President of Fiesta Market Square, expressed disappointment in the meetings held by the Quality of Life Committee and the Governance Committee. He expressed concern on what he alleges are rumors that came as a result of the audit. He then referenced the various meetings that took place.

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**MS. PATRICIA HORSFORD**

Ms. Patricia Horsford acknowledged that the Fiesta Market Square, Inc. did make errors, but alleged that the City Staff never corrected those errors. She stated this organization was very committed to what they do, and urged Council to take a look at the history of the Market Square.

\* \* \* \*

**MR. GUILLERMO VASQUEZ**

Mr. Guillermo Vasquez expressed concern on how the City dealt with grievances by City employees. He addressed a letter with various comments regarding this issue, a copy of which was made part of the official papers of this meeting. He urged the Council to intervene on how they handled the grievances.

\* \* \* \*

**MR. FARIS HODGE**

Mr. Faris Hodge spoke of an incident in which he alleged he was profiled at a bus stop. He stated he complained to the Chief of Police. He then spoke to the issue of fathers going to jail for non-payment of child support, and urged the Council to support Judge Nelson Wolff's stance on the issue.

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**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez referenced various biblical verses.

\* \* \* \*

**REV. ALLAN F. COPE**

Rev. Allan F. Cope thanked the Council for their support of Jovens CDBG funding. He spoke to the impact this funding would have.

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2003-42      **CONSENT AGENDA – CITIZENS’ COMMENTS**

Mr. Jack Finger spoke to item 41, and urged Councilman Perez to ask questions on this item. He then spoke to item 24, and urged those Councilmembers who received funds from Davidson & Troilo, P.C. to abstain from voting on this item to avoid the appearance of a conflict of interest.

— — —

2003-42      **CONSENT AGENDA**

Councilman Perez made a motion to approve Agenda Items 7 through 46H, constituting the Consent Agenda except for item numbers 12, 13, 14, 19, 20, 25, 31, 32, 37, 38, and 39. Councilman Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

**AN ORDINANCE 98513**

**AMENDING A CONTRACT WITH SAGEM MORPHO, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH UPGRADED SOFTWARE AND HARDWARE FOR THE EXISTING AUTOMATIC FINGERPRINT IDENTIFICATION SYSTEM (AFIS) FOR A TOTAL SUM OF \$562,882.50. (AMENDS ORDINANCE 96957, DECEMBER 19, 2002)**

\* \* \* \*

AN ORDINANCE 98514

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,800.00 PAYABLE TO DEBRA J. DOCKERY, ARCHITECT, P.C. FOR ON-CALL ARCHITECTURAL SERVICES, PASSED AND APPROVED ON AUGUST 7, 2003, BY ORDINANCE NO. 97944, IN CONNECTION WITH THE BENAVIDES PARK RESTROOM IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING \$500.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$500.00 FOR ENVIRONMENTAL TESTING EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING/PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$6,800.00; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 98515

ACCEPTING THE LOW BID OF \$106,839.00 BY CATO ELECTRIC TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE WALKER RANCH HISTORIC LANDMARK PARK IMPROVEMENTS - PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$10,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$300.00 FOR BID ADVERTISING/PRINTING EXPENSES; AUTHORIZING \$700.00 FOR PERMIT FEES, FOR A TOTAL AMOUNT OF \$117,839 FROM 1999 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 98516

ACCEPTING THE LOW BID, WITH BID ALTERNATES 1 AND 2, IN THE AMOUNT OF \$129,000.00 BY C. A. LANDRY TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE PRESA COMMUNITY CENTER COVERED BASKETBALL COURT PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; TRANSFERRING SAVINGS WITHIN THE PROJECT BUDGET; AUTHORIZING \$6,501.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$650.00 FOR PERMIT FEES, FOR A

TOTAL AMOUNT OF \$135,615.00 FROM 1999 PARK BOND FUNDS;  
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98517

AUTHORIZING PAYMENT IN THE AMOUNT OF \$14,000.00 TO NORED SHEARER ARCHITECTS (WBE/SBE) FOR ON-CALL ARCHITECTURAL SERVICES IN CONNECTION WITH THE OLMOS BASIN PARK REHABILITATION PROJECT - OLMOS PARTY HOUSE IN CITY COUNCIL DISTRICTS 1 AND 9; AMENDING THE CURRENT PROJECT BUDGET BY TRANSFERRING PROJECT SAVINGS; AUTHORIZING \$2,500.11 FOR DESIGN CONTINGENCY EXPENSES; AUTHORIZING \$2,500.00 FOR PROJECT MANAGEMENT EQUIPMENT; AUTHORIZING 1,500.00 FOR ENVIRONMENTAL TESTING FEES, FOR A TOTAL AMOUNT OF \$20,500.11 FROM 1999 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98518

AUTHORIZING ADDITIONAL FUNDS FOR CHANGE ORDER NO. 3 IN THE AMOUNT OF \$185.78 AND CHANGE ORDER NO. 6 IN THE AMOUNT OF \$760.35, FOR A TOTAL AMOUNT OF \$946.13 FROM CERTIFICATES OF OBLIGATION, PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE ISOM ROAD - RAMSEY TO U.S. 281 MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98519

APPROVING CHANGE ORDER NO. 10 AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$631.05 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY EXPENSES IN CONNECTION WITH THE PLEASANTON ROAD FROM MAYFIELD TO SOUTHCROSS MPO PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98520

APPROVING CITY OF SAN ANTONIO FIELD ALTERATION NO. 19 IN THE REDUCED AMOUNT OF \$736,319.49 AND THE SAN ANTONIO WATER SYSTEM (SAWS) FIELD ALTERATION NO. 3 IN THE REDUCED AMOUNT OF \$53,666.75 TO THE CONTRACT WITH LAUGHLIN ENVIRONMENTAL, INC., IN CONNECTION WITH THE QUINTANA ROAD DRAINAGE NO. 64 EXTENSION PROJECT, LOCATED IN COUNCIL DISTRICT 4.

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AN ORDINANCE 98521

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID, WITH ALTERNATE NOS. 1 AND 4, IN THE AMOUNT OF \$56,334.00 PAYABLE TO DONSAN CONSTRUCTION, L.L.C. (MBE/SBE) IN CONNECTION WITH THE THOUSAND OAKS BRANCH LIBRARY PARKING LOT PROJECT, LOCATED AT 4618 THOUSAND OAKS IN COUNCIL DISTRICT 10; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$1,066.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$57,400.00 FROM THE LIBRARY IMPROVEMENT CERTIFICATES OF OBLIGATION FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98522

ACCEPTING THE PROPOSAL AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$48,735.00 PAYABLE TO UNINTECH CONSULTING ENGINEERS, INC. TO INCLUDE \$8,735.00 FOR ENGINEERING SERVICES IN CONNECTION WITH THE RELOCATION OF TWO HOMES LOCATED AT 1419 MISTLETOE AND 539 UNIVERSITY, AND ON-CALL PROFESSIONAL STRUCTURAL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR FUTURE STRUCTURAL ASSESSMENTS AND RELOCATIONS AS REQUIRED IN CONNECTION WITH THE CITY'S HOUSING ASSET AND RECOVERY PROGRAM; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98523

AUTHORIZING \$6,350.00 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS PAYABLE TO ECKMANN GROLL, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE CALLAGHAN ROAD – W. HORSESHOE BEND TO INGRAM PROJECT, LOCATED IN COUNCIL DISTRICT 7; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98524

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,146.61 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD – BASCUM BLVD. TO S. FLORES PROJECT (\$2,106.00), CHERRY STREET DRAINAGE PROJECT #15B PHASE II (\$39.75), ESCALON STREET #1008 DRAINAGE PROJECT (\$1782.00), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$161.67), HILDEBRAND AVENUE – I.H. 10 TO BREEDEN MPO PROJECT (\$4,502.04), OCTAVIA DRAINAGE #63, PHASE II, PART I PROJECT (\$490.05), W. W. WHITE PHASE I – RIGSBY TO LORD ROAD PROJECT(\$36.00), WESTERN AVENUE DRAINAGE #74, IIIA PROJECT (\$131.10), WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS PROJECT (\$396.00), WURZBACH PARKWAY PROJECT (2,070.00); AND THE FAY PHASE I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT (\$432.00); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98525

AUTHORIZING FUNDS IN THE AMOUNT OF \$1,739.25 PAYABLE TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO DEZAVALA PROJECT, BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, AND THE HOUSTON – BOWIE TO PINE MPO PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98526

AUTHORIZING \$1,640.00 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS FOR FEE SIMPLE TITLE TO ONE PARCEL OF PRIVATELY OWNED REAL PROPERTY AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED

WITH THE JO MARIE – W. W. WHITE TO DEADEND, PHASE I PROJECT LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98527

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO WATER SYSTEM (SAWS) FOR CONSTRUCTION OF SAWS JOB NO. 00-5580 ON CITY OWNED PROPERTY WITHIN THE LANARK DRAINAGE 92A PHASE I PROJECT LOCATED IN COUNCIL DISTRICT 2.

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AN ORDINANCE 98528

AUTHORIZING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY AND AUTHORIZING \$2,500 PAYABLE TO THE UNION PACIFIC RAILROAD COMPANY IN CONNECTION WITH THE BELGIUM – PICARDIE TO COLISEUM PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98529

AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH FREE TRADE ALLIANCE SAN ANTONIO, A TEXAS NON-PROFIT CORPORATION, FOR THE USE OF 2,521 SQUARE FEET OF OFFICE SPACE AT THE INTERNATIONAL CENTER, 203 SOUTH ST. MARY’S STREET, AT AN ANNUAL RENTAL OF \$33,277.20, PLUS COMMON AREAS COSTS (“C.A.M. CHARGES”) OF \$6,957.96 ANNUALLY, FOR A THREE YEAR TERM COMMENCING JANUARY 16, 2004, WITH ONE (1) THREE-YEAR RENEWAL OPTION, SUBJECT TO CITY COUNCIL APPROVAL.

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AN ORDINANCE 98530

RENEWING A LICENSE AGREEMENT WITH HMC RETIREMENT PROPERTIES, L.P., FOR THE CONTINUED USE OF EAST DURANGO BOULEVARD PUBLIC RIGHT OF WAY FOR AN EXISTING DECORATIVE WALL AND LANDSCAPING AT THE ABUTTING PLAZA SAN ANTONIO, A MARRIOTT HOTEL, LOCATED AT 555 SOUTH ALAMO STREET, IN NCB 901, FOR A TEN (10) YEAR TERM AND A LICENSE FEE OF \$5,000.00; AND PROVIDING FOR A POSSIBLE ASSIGNMENT TO BARCELO CRESTLINE CORPORATION, OR HIGHLAND HOSPITALITY CORPORATION.

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AN ORDINANCE 98531

APPROVING THE ASSIGNMENT OF AN EIGHT (8) YEAR AMENDED EL MERCADO LEASE AGREEMENT FROM MONICA RUIZ AND LIZA RIDDLE D/B/A JORGE'S MEXICAN IMPORTS TO MAGALI VELAZQUEZ D/B/A SILVER TWINS FOR STORE N-2 WITH 498 SQUARE FEET IN THE CITY OF SAN ANTONIO'S MARKET SQUARE IN COUNCIL DISTRICT 1.

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AN ORDINANCE 98532

APPROVING A SECOND AMENDMENT TO THE LEASE AGREEMENT AUTHORIZED BY ORDINANCE NO. 93827, PASSED AND APPROVED ON APRIL 26, 2001, WITH WKB VALUE PARTNERS, L.P., TO RELOCATE THE CHILDREN'S RESOURCES DIVISION OFFICE STAFF FROM SUITE 803 TO SUITE 250 WITHIN THE CYPRESS TOWER BUILDING, AND TO MAKE OTHER MODIFICATIONS TO SAID LEASE; AND AUTHORIZING THE EXECUTION OF SAID AMENDMENT. (AMENDS ORDINANCE 95594, APRIL 11, 2002)

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AN ORDINANCE 98533

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ELLA AUSTIN COMMUNITY CENTER FOR THE USE OF 183,184 SQUARE FEET OF SPACE AT 1023 N. PINE STREET FOR THE PERIOD OF JANUARY 1, 2004 TO DECEMBER 31, 2008 AT AN ANNUAL RATE OF \$1.00 FOR THE PURPOSE OF PROVIDING SOCIAL SERVICES TO CHILDREN, YOUTH, FAMILIES, SENIORS, INDIVIDUALS AND GROUPS.

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AN ORDINANCE 98534

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH PARENT-CHILD, INC. FOR THE USE OF 17,630 SQUARE FEET OF SPACE AT 1000 W. HARRIMAN PLACE AND 5,900 SQUARE FEET OF SPACE AT 3510 N. MAIN FOR THE PERIOD OF JANUARY 1, 2004 TO DECEMBER 31, 2004 AT AN ANNUAL RATE OF \$1.00 FOR THE PURPOSE OF PROVIDING CHILD CARE AND RELATED SERVICES TO CHILDREN AND FAMILIES.

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AN ORDINANCE 98535

RATIFYING THE SUBMISSION OF A CALENDAR YEAR 2004 COMMUNITY SERVICES BLOCK GRANT PERFORMANCE STATEMENT, PLANNING BUDGET IN THE AMOUNT OF \$1,986,996.00, AND PERSONNEL COMPLEMENT, TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE PERIOD OF JANUARY 1, 2004 TO DECEMBER 31, 2004; ACCEPTING RECOMMENDATIONS BY THE COMMUNITY ACTION ADVISORY BOARD TO ALLOCATE FUNDS AS FOLLOWS: GUADALUPE COMMUNITY CENTER IN THE AMOUNT OF \$15,000.00; AVANCE IN THE AMOUNT OF \$63,750.00; BOYS & GIRLS CLUB OF SAN ANTONIO IN THE AMOUNT OF \$30,000.00; JOVEN IN THE AMOUNT OF \$41,250.00; AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION IN THE AMOUNT OF \$41,250.00; AND AUTHORIZING THE EXECUTION OF A ONE-YEAR LEASE WITH THE MEXICAN AMERICAN UNITY COUNCIL FOR 2,918 SQUARE FEET OF OFFICE SPACE FOR THE AMOUNT OF \$2,918.00 A MONTH FOR THE OPERATION OF THE COMMUNITY ACTION PROGRAM (CAP) WEST.

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AN ORDINANCE 98536

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$356,700.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO SUPPORT THE ONGOING TUBERCULOSIS PREVENTION AND CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2004; AUTHORIZING THE EXECUTION OF GRANT CONTRACT 7460020708 2005 WITH TDH; ESTABLISHING A FUND FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2004/2005 - FEDERAL ACCOUNT; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 98537

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$12,708.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR THE ONGOING SEXUALLY TRANSMITTED DISEASE STAFF SUPPORT PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; AUTHORIZING THE EXECUTION OF A CONTRACT; REVISING THE PROGRAM BUDGET; AND AMENDING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 98538

AUTHORIZING THE EXECUTION OF A CLINICAL TRIAL AGREEMENT WITH NOVARTIS PHARMACEUTICALS CORPORATION PROVIDING UP TO \$139,600.00 FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2005 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN A CLINICAL TRIAL TO EVALUATE THE EFFECTIVENESS OF FAMVIR®, A MEDICATION FOR THE TREATMENT OF RECURRENT GENITAL HERPES IN ADULTS; ESTABLISHING A FUND; ADOPTING THE PROJECT BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 98539

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$115,000.00 FROM THE CANCER THERAPY AND RESEARCH CENTER TO SUPPORT THE ONGOING BREAST CANCER SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004; ESTABLISHING A FUND;

ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

\* \* \* \*

AN ORDINANCE 98540

AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$149,950.00 FROM THE DEPARTMENT OF DEFENSE FOR THE PROCUREMENT TECHNICAL ASSISTANCE CENTER; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2004.

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AN ORDINANCE 98541

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS IN CONNECTION WITH THE 2004 MARTIN LUTHER KING, JR. MARCH AND CELEBRATION PROGRAM TO BE HELD FROM 1:00 P.M. SUNDAY, JANUARY 18, 2004 UNTIL 7:00 P.M. MONDAY, JANUARY 19, 2004.

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AN ORDINANCE 98542

APPOINTING ANA MARIA MARTINEZ (ARTS EDUCATION CATEGORY – MAYOR) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2005.

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AN ORDINANCE 98543

APPOINTING DR. WILLIAM SCOUTEN (EDUCATION CATEGORY – DISTRICT 9) AND REAPPOINTING R.R. GRANT (COMMUNITY CATEGORY – DISTRICT 3), MANUEL BERRIOZABAL (ACADEMIC CATEGORY – DISTRICT 7) AND DR. JANET BLACK (TECHNICAL/RESEARCH CATEGORY – DISTRICT 8) TO THE BROOKS DEVELOPMENT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 4, 2005.

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AN ORDINANCE 98544

APPOINTING DEBRA GUERRERO (HISTORIC PRESERVATION CATEGORY – DISTRICT 3) TO THE HISTORIC DESIGN AND REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2005.

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AN ORDINANCE 98545

REAPPOINTING CATHERINE TORRES-STAHN (MAYOR) TO THE MAYOR’S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2005.

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AN ORDINANCE 98546

APPOINTING JEAN BRADY (DISTRICT 1) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2005.

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AN ORDINANCE 98547

APPOINTING ALEX TRENCH (DISTRICT 10) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2005.

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AN ORDINANCE 98548

APPOINTING EDNA DORIS GRIFFIN (CONSUMER CATEGORY – DISTRICT 7) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2005.

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AN ORDINANCE 98549

REAPPOINTING CRESTON “CY” HUTCHINSON (DISTRICT 8) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2005.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98550

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID IN THE AMOUNT OF \$1,627,000.00 FROM ACCORD GENERAL CONTRACTING, INC. IN CONNECTION WITH THE FIRE STATION NO. 25 PROJECT, LOCATED AT 1038 NEW LAREDO HIGHWAY IN COUNCIL DISTRICT 4.; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$80,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$1,707,000.00 FROM CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

(Mayor Garza obliged to leave meeting.)

In response to Councilman Perez, Mr. Thomas Wendorf expounded on the specific details of the contract, and what it entailed. He acknowledged they had been discussing how they could get projects delivered quicker.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro. **NAYS:** None. **ABSENT:** Hall, Schubert, Haass, Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98551

APPROVING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$32,550.00 AND AMENDING THE CONTRACT OF SIA ENGINEERING, INC. D/B/A ALL CONSTRUCTION COMPANY TO PROVIDE FOR THE MILL AND OVERLAY RESTORATION OF THREE HUNDRED LINEAR FEET OF MILITARY DRIVE WEST IN CONNECTION WITH THE HENRY A. GUERRA BRANCH LIBRARY

PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING \$25,000.00 FOR ADDITIONAL CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$57,550.00 FROM 1999 G.O. LIBRARY IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 97119, JANUARY 30, 2003)

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

In response to Councilman Perez, Mr. Tom Wendorf, Director of Public Works, explained what the unit cost was to build an overlay. He then spoke to the mill and overlay for this particular project, noting the costs were comparable. He spoke to the waterline that had to be extended, and discussed the construction budget, and what the money was used for.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall. **NAYS:** None. **ABSENT:** Schubert, Haass, Garza.

— — —

2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98552

RATIFYING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$32,484.55 PAYABLE TO AJ COMMERCIAL SERVICES, INC. D/B/A A.S.C. PAVING INC. IN CONNECTION WITH THE HILLSIDE ACRES DRAINAGE OUTFALL PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; REVISING THE PROJECT BUDGET; APPROPRIATING

FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 97466, APRIL 17, 2003)

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

In response to Councilman Perez, Mr. Tom Wendorf, Director of Public Works, explained what the total amount of CDBG funds was used for, which he indicated was \$273,074.74.

Councilman Perez stated the documents did not indicate how much of CDBG funds and how much in general funds were used.

Mr. Wendorf indicated they would show that breakdown in future items.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98553

AMENDING A PROFESSIONAL SERVICE CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$42,389.64 PAYABLE TO FORD ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE W.W. WHITE RD. PHASE I FROM RIGSBY TO LORD RD. PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING ADDITIONAL DESIGN CONTINGENCY FUNDS IN THE AMOUNT OF \$4,238.96 FOR A TOTAL AMOUNT OF \$46,628.60 FROM CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 81871, MARCH 16, 1995)

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

Councilman Perez spoke to the actions taken by the past Council, and questioned the progression of the dollar amount.

In response to Councilman Perez, Mr. Tom Wendorf, Director of Public Works, explained the bond project, noting that through public involvement in the neighborhood, they found out they could not use specified bond funds to fulfill alternate designs. He stated there were other issues in the area that need to be worked on over time, but acknowledged they did not have the funds.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Castro, Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98554

SELECTING POZNECKI-CAMARILLO AND ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE AFFORDABLE SHOWCASE OF HOMES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$181,830.00; AUTHORIZING \$18,183.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$200,013.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Councilman Barrera indicated he requested for a presentation on the Showcase of Homes, noting this was something they had been anticipating the last 4 years.

Mr. David Garza, Director of Neighborhood Action, spoke to the Showcases of Homes in District 6, and confirmed they have had 3 public hearings. He spoke to the specific details of this project, noting many were excited about the project.

Councilman Barrera stated that based on the success of the project in the past, he looked forward to a great investment in District 6.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Castro, Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98555

AUTHORIZING THE NEGOTIATION AND ACQUISITION OF FEE SIMPLE TITLE TO THREE (3) PARCELS OF PRIVATELY OWNED REAL PROPERTY; ESTABLISHING JUST COMPENSATION FOR SUCH ACQUISITIONS AND AUTHORIZING THE EXPENDITURE OF \$9,613.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN CONNECTION WITH THE HURON – FITCH TO SOUTHCROSS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR FEE SIMPLE TITLE TO THREE (3) PARCELS AND RELATED EXPENSES, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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

In response to Councilman Perez, Mr. Tom Wendorf, Director of Public Works, explained the reasoning behind 2 of the parcels. He discussed the timeframe, and acknowledged they would be advertising this month, with the plan to have it completed in September.

In response to Councilman Williams, Mr. Tom Wendorf stated that if they cannot complete a property transaction, they enter into an agreement with the property owner, proceed with construction work, and complete the transaction. He confirmed that the fee is paid to the property owner.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Barrera, Castro, Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98556

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT GRANTING THE RIGHT TO CENTERVIEW PROFESSIONAL BUILDING, L.P., A TEXAS LIMITED PARTNERSHIP, TO USE, MAINTAIN AND CONSTRUCT A PLAYGROUND AND

TO PLACE A FENCE OVER A 10-FOOT BY 95-FOOT PORTION OF CALLAGHAN ROAD PUBLIC RIGHT OF WAY AT A NEW CHILDREN'S DAY CARE FACILITY AT 6110 CALLAGHAN ROAD, IN NCB 14277, FOR A TEN (10) YEAR TERM AND A LICENSE FEE OF \$5,004.00.

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

Councilman Perez requested for a description of where exactly the playground was going to be built.

Ms. Rebecca Waldman, Director of Asset Management, explained the subject area and how they were going to combine this property and the property below it to build the playground. She confirmed that the area would be fenced.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Barrera, Castro, Garza.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98557

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE SAN ANTONIO DEVELOPMENT AGENCY ALSO KNOWN AS THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF ONE (1) PARCEL OF REAL PROPERTY LOCATED WITHIN THE EASTSIDE NEIGHBORHOOD DEVELOPMENT PROGRAM A/K/A FORT SAM HOUSTON AREA SELECT HOUSING TARGET AREA (SHTA), FOR A TOTAL AMOUNT OF \$3,200.00; AND PROVIDING FOR PAYMENT.

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

In response to Councilman Perez, Mr. Andrew Cameron, Director of Housing and Community Development, acknowledged that they very seldom sell the properties for

less than what was paid for it. He then referenced the San Antonio Development Agency's funding to form an administrative task force, and stated the property would be back on the tax rolls very soon.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Barrera, Castro, Garza.

— — —

2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98558

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR AGREEMENT WITH THE SAN ANTONIO AMATEUR SOFTBALL ASSOCIATION FOR UMPIRE SERVICES AT CITY SPONSORED SOFTBALL GAMES; AND AMENDING THE PAYMENT SCHEDULE FOR UMPIRE SERVICES; AND AUTHORIZING PAYMENT. (AMENDS ORDINANCE 78289, JULY 15, 1993; ORDINANCE 84302, JUNE 20, 1996; ORDINANCE 90102, JULY 22, 1999)

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

In response to Councilman Perez, Mr. Malcolm Matthews, Director of Parks and Recreation, explained the team registration fees increase, which was sufficient to pay for the costs of the umpires. He acknowledged that the overall net benefit of the cost savings was about \$4,000.

In response to Councilman Williams, Mr. Matthews stated the total athletic budget was \$1 million, and the softball portion was about \$700,000.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Barrera, Castro, Garza.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98559

AUTHORIZING THE NEGOTIATION AND EXECUTION OF COOPERATIVE AGREEMENTS WITH LOCAL SCHOOL DISTRICTS FOR THE OPERATION OF PROGRAM SITES UNDER WITH THE PARKS AND RECREATION DEPARTMENT AFTER SCHOOL CHALLENGE PROGRAM DURING THE SCHOOL YEARS 2003-2004 AND 2004-2005.

\* \* \* \*

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

In response to Councilman Perez, Mr. Malcolm Matthews, Director of Parks and Recreation, explained there was a lump sum budgeted in the after school program budget, and discussed the breakdown of the costs.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Castro, Garza.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98560

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO PUBLIC TECHNOLOGY, INC. IN THE AMOUNT OF \$27,500.00 FOR THE PERIOD OF DECEMBER 2003 THROUGH NOVEMBER 2004.

\* \* \* \*

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

Councilman Perez commented that the services they were receiving from this membership seemed to be the same as the services received from other organizations such as TML or NLC, so he requested for a rundown of the benefits of this membership.

In response to Councilman Perez, Mr. Gary Moeller, Director of Information Technology Services Department, expounded on the benefits of this membership, and explained that the focus was technology based, as opposed to private organizations. He cited the

example of the success of 3-1-1, and informed the Council this came out of this particular resource. He further spoke to the upcoming conference, as well as the benefits entailed to it.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-42      **THE COUNCIL RECESSED THE CITY COUNCIL MEETING, AND RETURNED AT 7:27 P.M.**

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2003-42      The Clerk read the following Ordinance:

AN ORDINANCE 98561

APPROVING THE APPOINTMENTS OF THOMAS MURRAY, YOLANDA URESTI AND GARY PATTERSON TO THE ALAMO WORKFORCE DEVELOPMENT BOARD (AWDB) FOR THE PURPOSE OF FILLING TWO VACANCIES IN THE BUSINESS CATEGORY AND ONE VACANCY IN THE SECONDARY EDUCATION CATEGORY RESPECTIVELY; AND APPROVING THE

REAPPOINTMENT OF CAROLYN LIMON TO THE AWDB IN THE LABOR REPRESENTATIVE CATEGORY FOR A THREE-YEAR TERM.

\* \* \* \*

Councilman Hall made a motion to approve the proposed Ordinance. Councilman Barrera seconded the motion.

Ms. Diane Quaglia, Senior Special Projects Manager, narrated a slide presentation regarding the appointments to the Alamo Workforce Development Board, a copy of which was made part of the official papers of this meeting. She discussed the Board of Directors, and expounded on the vacancies of the board and the recommending candidates.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Williams, Schubert.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98562

ADOPTING THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN AS A COMPONENT OF THE MASTER PLAN OF THE CITY IN AN AREA BOUNDED BY IH-35 AND THE GOVERNMENT HILL MASTER PLAN ON THE NORTH, IH-410 ON THE EAST, IH-10 ON THE SOUTH, AND IH-37/U.S. 281 ON THE WEST.

\* \* \* \*

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

Mr. Emil Moncivais, Director of Planning, discussed the Arena District/Eastside Community Plan for adoption as a component of the City's comprehensive master plan, a copy of which was made part of the official papers of this meeting. He expounded on the purpose of the plan and the planning process, discussed the steering committee and the key stakeholders. He discussed the land use and community facilities, as well as the District 2 goals.

Councilman Perez stated he looked forward to involving himself in this process.

Councilman Williams noted that as they built the plan, they had stakeholders in 7 specific areas, but they didn't get a complete picture of the area. One of the questions was whether it was a guide for the eastside and the SBC Arena area.

In response to Councilman Williams, Mr. Moncivais stated that if a change needed to be made, they would evaluate the area as they bring things forward. He noted that if there were no major issues, they could go before the Planning Commission and get back to the Council within 60 – 90 days. He stated that, if it were a larger area, it would take longer. He further confirmed that the plan was flexible.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

2003-42 Agenda item 49 being a proposed ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City, by changing the use of approximately 422 acres of land, located at 14885 Watson Road and 15895 State Highway 16, northwest of the intersection of State Highway 16 and the Medina River from Agriculture Use to Rural Living Use, was postponed (see page 4 for motion).

Item #49 was postponed.

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2003-42 Agenda item 50 being a proposed ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City, by changing the use of approximately 157.5 acres of land located at 12620, 13250, 13680, 14200, 14220, 14250, 14290, 14310, 14320, 14520, 14590, 14620, and 15770 Pleasanton Road from Agriculture Use to Agriculture and Light Industry Use, was postponed earlier in the meeting (see page 4 for motion).

Item #50 was postponed.

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2003-42 Agenda item 51B being a proposed Ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City, by changing the land use of approximately 120 acres of land located northeast of the intersection of South Blue Wing Road and Southton Road, extending to Mickey Road on the northeast, and to the northwest boundary of 4270 Mickey Road on the southeast, from Agriculture Use to Rural Living Use, was postponed earlier in the meeting (see page 4 for motion).

Item #51B was postponed.

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2003-42 Agenda item 51C being a proposed Ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City, by changing the land use of approximately 151 acres of land, CB 4007 P-143B, located approximately 2000 feet southeast of the intersection of South Blue Wing Road and Interstate Highway 37 from Agriculture Use to Rural Living Use, was postponed earlier in the meeting (see page 4 for motion).

Item #51C was postponed.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98563

ACCEPTING A PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A ONE-YEAR CONTRACT WITH WASTE MANAGEMENT OF TEXAS, INC., IN THE APPROXIMATE AMOUNT OF \$495,763.20, BASED ON UNIT PRICING, TO PROVIDE MUNICIPAL SOLID WASTE COLLECTION, DISPOSAL, AND RECYCLING SERVICES IN THE HERITAGE NORTHWEST AREA FOR THE PERIOD JANUARY 1, 2004, TO DECEMBER 31, 2004; AND AUTHORIZING UP TO THREE (3) ONE-YEAR RENEWAL OPTIONS UPON THE APPROVAL OF THE DIRECTOR OF ENVIRONMENTAL SERVICES; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. Daniel Cardenas, Director of Environmental Services, narrated a slide presentation regarding the execution of two municipal solid waste collection contracts with Waste Management of Texas, Inc., a copy of which was made part of the official papers of this meeting. He expounded on the solid waste collection contracts background, and the RFP process. He then discussed the proposal evaluation criteria.

In response to Councilman Perez, Mr. Cardenas explained some of the responsibilities, and noted the citizens of San Antonio see all areas as the responsibility of the City of San Antonio, and thus all concerns should be addressed to the City and not the contractor.

In response to Councilman Perez, Ms. Melissa Byrne Vossmer, Assistant City Manager, explained administrative fees and cost for billing.

Mr. Cardenas explained how the charges were divided, and expounded on the services provided as well as the indirect costs. He further spoke to the possibilities of an emergency arising in the community.

In response to Councilman Segovia, Mr. Cardenas confirmed that if something happens in the private sector, it is the responsibility of the City to support it. He then expounded on slide 4 of the presentation that discussed the establishment of a program that allowed the City to evaluate the advantages and disadvantages of using private collection companies in specific areas.

In response to Councilman Hall, Mr. Cardenas confirmed that they were responsible for recycling.

Councilman Hall voiced his concern on slide 10, which discussed the RFP process.

Councilman Williams expressed concern that Waste Management's proposal was a little high.

Mr. Cardenas expounded on Staff's recommendations, and cited the impact on the crews and their safety.

Councilman Williams acknowledged he received feedback from citizens who were not excited about having a contractor coming through their neighborhood.

Mr. Cardenas acknowledged he became aware of concerns from some areas in the city.

Councilman Williams and Mr. Cardenas discussed how quality of control was reviewed, and the tasks of the superintendents.

Mr. Cardenas encouraged the citizens to call the City via 3-1-1 regarding any concerns they have.

Councilman Castro spoke to the concerns regarding customer service in the last few years, and encouraged Mr. Cardenas to make sure they were following through when they hand off responsibilities to others.

Mr. Cardenas stated that if the citizen is paying a garbage fee, the point of contact is the City of San Antonio, so when they advertise, they advertise in the areas that are contracted.

Councilman Castro addressed complaints he received from citizens regarding a few incidents where the citizen called complaining to Environmental Services, but did not see results.

In response to Councilman Castro, Mr. Cardenas explained that instructions were given to Waste Management indicating the City would handle the complaints. He encouraged the citizenry to address their concerns to the City. He acknowledged they would work with the contractors to address these concerns.

Councilman Perez clarified that when he brought up the issue of costs, he wasn't suggesting they pass on the costs, but rather, his point was to try and understand the true costs to providing services, and if it was cheaper for them to provide the services. He

referenced the complaints he had heard, and urged them to ensure there was a mechanism in place to address these problems.

Mr. Joe Ramos, representing Waste Management, addressed the issue of customer service, and stated it was better for the resident to call the City first. He confirmed that they respond to complaints 24 hours a day, 7 days a week, and the Operations Manager is involved as well. He further confirmed they have back up equipment on hand if something were to happen. Locally, he stated the company was not unionized.

Councilman Williams stated if the customer calls the 1-800 number and not the City, that operator should have the seamless transparency of what needs to be done. He informed Mr. Ramos that these operators should know where the call is coming from.

Mr. Ramos concurred with Councilman Williams, and stated he would address this issue.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **ABSTAIN:** Schubert. **NAYS:** None. **ABSENT:** None.

— — —  
2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98564

ACCEPTING A PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A ONE-YEAR CONTRACT WITH WASTE MANAGEMENT OF TEXAS, INC., IN THE APPROXIMATE AMOUNT OF \$434,419.20, BASED ON UNIT PRICING, TO PROVIDE SOLID WASTE COLLECTION, DISPOSAL, AND RECYCLING SERVICES IN THE LONGS CREEK AREA FROM JANUARY 1, 2004, TO DECEMBER 31, 2004; AND AUTHORIZING UP TO THREE (3) ONE- YEAR RENEWAL OPTIONS UPON THE APPROVAL OF THE DIRECTOR OF ENVIRONMENTAL SERVICES; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **ABSTAIN:** Schubert. **NAYS:** None. **ABSENT:** None.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98565

APPROVING THE PROJECT AGUA PLAN FOR CALENDAR YEAR 2004 WHICH WILL PROVIDE APPROXIMATELY \$65,319.00 IN UTILITY ASSISTANCE CREDITS FOR ELIGIBLE SAN ANTONIO WATER SYSTEM RATEPAYERS; AND AUTHORIZING THE DIRECTOR OF COMMUNITY INITIATIVES TO EXECUTE SAID PLAN.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98566

AUTHORIZING THE ACCEPTANCE OF \$120,341.00 FROM THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ADMINISTER THE WATER METER DISCOUNT AFFORDABILITY PROGRAM FOR CALENDAR YEAR 2004; APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-42 The Clerk read the following Ordinance:

AN ORDINANCE 98567

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE TOWER OF THE AMERICAS CONCESSION AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND TOWER FOODS, INC. IN COUNCIL DISTRICT 1, AS REQUESTED BY THE CITY OF SAN ANTONIO TO EXTEND THE CONTRACT TERM TO AUGUST 31, 2004 AND TO INCREASE PERCENTAGE OF REVENUE PAID TO THE CITY DURING THE EXTENDED TERM.

\* \* \* \*

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding the authorization of amendment one to the Tower of the Americas Concession Agreement with Tower Foods, Inc., a copy of which was made part of the official papers of this meeting. He expounded on the background of the agreement, and other related issues related to HemisFair Park.

In response to Councilman Perez, Mr. Matthews indicated they were trying to find additional funding to make capital improvements to the Tower from the City's side. He stated the bond funds they have would cover most of the major initiative for improvements once the extension period is over.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

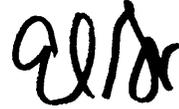
— — —  
2003-42 CITY MANAGER'S REPORT

Ms. Rebecca Waldmann, Director of Asset Management, presented an overview and update on the high-risk contracts.



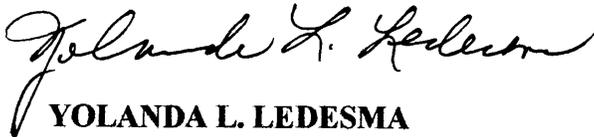
2003-42 There being no further business to come before the City Council, the meeting was adjourned at 10:01 P.M

A P P R O V E D



**EDWARD D. GARZA**  
M A Y O R

Attest:



**YOLANDA L. LEDESMA**  
Acting City Clerk