

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 27, 2004

* * * *

2004-21 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):

Presentation on findings and recommendations from the Convention Center Headquarters Advisory Board on the Convention Center Headquarters Project [Presented by Christopher J. Brady, Assistant City Manager, Terry M. Brechtel, City Manager]

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. ABSENT: Garza.

The "B" Session adjourned at 12:15 P.M.

— — —

2004-21 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro-Tem Ron Segovia, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. ABSENT: Garza.

— — —

2004-21 Invocation by Dr. Fines Flores, District 7, Mount Sinai Methodist Church.

— — —

2004-21 Pledge of Allegiance to the flag of the United States.

— — —

2004-21 **CEREMONIAL ITEMS**

The Mayor presented the following honorariums.

A Proclamation for Project Cool Days

A Proclamation for the Witte Museum exhibit "Bones: An Exhibit Inside You".

— — —

2004-21 POINT OF PERSONAL PRIVILEGE

Councilman Perez recognized a group of 53 students from Columbia Heights Elementary that were in the audience.

— — —

2004-21 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 9 through 12, constituting the Consent Agenda with items 9, 10, and 11 pulled for individual consideration. Councilman Haass 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 99229

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT TWO GRANTS FROM THE TEXAS MILITARY PREPAREDNESS COMMISSION (TMPC) IN THE TOTAL AMOUNT OF \$369,778.00 TO BE USED FOR INFRASTRUCTURE GRANT PROJECTS AT KELLYUSA AND BROOKS CITY-BASE; AUTHORIZING THE EXECUTION OF GRANT CONTRACTS WITH TMPC; AND AUTHORIZING THE EXECUTION OF SUBGRANT CONTRACTS WITH THE GREATER KELLY DEVELOPMENT AUTHORITY AND THE BROOKS DEVELOPMENT AUTHORITY FOR EACH PROJECT.

* * * *

— — —

2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99230

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY DONSAN CONSTRUCTION, LLC, (MBE) TO PROVIDE THE CITY OF SAN

ANTONIO PARKS AND RECREATION DEPARTMENT WITH SPRINGTIME
PARK IMPROVEMENTS FOR A TOTAL AMOUNT OF \$102,550.00.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Williams 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. **NAYS** None. **ABSENT:** Garza.

— — —

2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99231

AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$268,818.00 TO INCLUDE CONTRACTS FOR ULTRA OPT/CICS AND SQL BACK TRACK FOR MC SQL SR/BMC MAINTENANCE RENEWAL, PC DOCS/FULCRUM ENTERPRISE SUITE AND TRAFFIC SIGN MATERIALS.

* * * *

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

— — —

2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99232

AN ORDINANCE APPROPRIATING \$73,500.00 FROM 1999-2003 PARK BOND FUNDS FOR CONSTRUCTION RELATED COSTS IN CONNECTION WITH THE

NORTHRIDGE PARK IMPROVEMENTS PROJECT IN COUNCIL DISTRICT 10; AUTHORIZING \$73,400.00 FOR PARK CONSTRUCTION CREW EXPENSES AND \$100.00 FOR MANDATORY PROJECT FEES; AND AMENDING THE PROJECT BUDGET

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Williams 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 **NAYS:** None. **ABSENT:** Garza.

— — —
2004-21 **ITEMS FOR INDIVIDUAL CONSIDERATION**

2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99233

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE AND REFUNDING BONDS, SERIES 2004" IN THE PRINCIPAL AMOUNT OF \$84,700,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.

* * * *

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

Mr. Milo Nitschke, Finance Department Director, narrated a presentation (a copy of which is on file with the papers of this meeting) on the 2004 Debt Issuance.

Mr. Alex Hinojosa, SAWS Finance Director, provided the background and breakdown of the 2004 Capital Improvement Program funding and related funding sources. He also highlighted the current year debt transaction, discussed the current SAWS Credit Ratings, and explained the timeframe of the transactions as applicable to the different markets.

The following citizen appeared to speak:

Mr. Jack M. Finger

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.

— — —
2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99234

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE AND REFUNDING BONDS, SERIES 2004" IN THE PRINCIPAL AMOUNT OF \$10,635,000 00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS, PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND AN ESCROW AGREEMENT, COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman 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, Haass. **NAYS**: None. **ABSENT**: Garza.

— — —
2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99235

AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE AND REFUNDING BONDS, SERIES 2004-A" IN THE PRINCIPAL AMOUNT OF \$26,365,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD. AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND AN ESCROW AGREEMENT, COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance Councilwoman 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, Haass. **NAYS**: None. **ABSENT**: Garza.

2004-21 The Clerk read the following Ordinance:

AN ORDINANCE 99236

AN ORDINANCE AUTHORIZING CERTAIN ACTIONS RELATING TO OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS WATER SYSTEM COMMERCIAL PAPER NOTES, SERIES A, INCLUDING APPROVAL OF A REVOLVING CREDIT AGREEMENT; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman 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, Haass. **NAYS:** None **ABSENT:** Garza.

— — —
2004-21 The Clerk read the following Resolution:

A RESOLUTION 2004-21-12

A RESOLUTION ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENTS TO THE CITY'S WATER UTILITY SYSTEM FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO.

* * * *

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

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

— — —
2004-21 ZONING CASES

5A.) ZONING CASE NUMBER Z2004093: The request of Vincent E. Villegas (Creative Concrete Designs), Applicant, for Vincent E. Villegas, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3NA" General Commercial Nonalcoholic Sales District on Parcel 9B, NCB 15894, 6516 Walzem 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 case. 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, Barrera, Castro, Hall, Schubert, Haass **NAYS:** None **ABSENT:** Flores, Garza.

AN ORDINANCE 99237

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 9B, NCB 15894 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT

* * * *

— — —
5B.) ZONING CASE NUMBER Z2003173-26: The request of City of San Antonio, Applicant, for Gayle, JC, Owner(s), for a change in zoning from "DR" Development

Reserve District and "R-6" Residential Single-Family District to "UD" Urban Development District on P-1 (P-32), NCB 18087; and P-1, CB 4285, located at the southwest corner of Loop 410 South and South Zarzamora Street.

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 case. 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, Barrera, Castro, Hall, Schubert, Haass **NAYS:** None **ABSENT:** Flores, Garza.

AN ORDINANCE 99238

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-1 (P-32), NCB 18087; AND P-1, CB 4285 FROM "DR" DEVELOPMENT RESERVE DISTRICT AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "UD" URBAN DEVELOPMENT DISTRICT

* * * *

5C.) ZONING CASE NUMBER Z2003173-29: The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "DR" Development Reserve District and "R-4" Residential Single-Family District to "RD" Rural Development District on P-2, P-2A, P-156 C, CB 4012, 16541, 16564, and 16666 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 Perez made a motion to approve the proposed rezoning case. Councilwoman Radle 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, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99239

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-2, P-2A, P-156 C, CB 4012 FROM "DR" DEVELOPMENT RESERVE DISTRICT AND "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RD" RURAL DEVELOPMENT DISTRICT.

* * * *

5D.) ZONING CASE NUMBER Z2003173-30 C: The request of City of San Antonio, Applicant, for Edgar Dodson, Owner(s), for a change in zoning from "UD" Urban Development District to "C-2 C" Commercial District with conditional use for a house moving business on north 470 feet of Tract 14 and Tract 15, and the north 140 feet of Tract 16, NCB 18087; and the south 1,330 feet of Tract 14, south 1,320 feet of Tract 15, and south 1,310 feet of Tract 16, CB 4286, 2432 SW I.H. 410.

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 case. 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, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99240

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS NORTH 470 FEET OF TRACT 14 AND TRACT 15, AND THE NORTH 140 FEET OF TRACT 16, NCB 18087; AND THE SOUTH 1,330 FEET OF TRACT 14, SOUTH 1,320 FEET OF TRACT 15, AND SOUTH 1,310 FEET OF TRACT 16, CB 4286 FROM "UD" URBAN DEVELOPMENT DISTRICT TO "C-2 C" COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A HOUSE MOVING BUSINESS.

* * * *

5E.) ZONING CASE NUMBER Z2004098 S: The request of Sprint Spectrum, Applicant, for James E. Porter, Owner(s), for a change in zoning from "C-3 NA" General Commercial Nonalcoholic Sales District to "C-3 NA S" General Commercial Nonalcoholic Sales District with specific use authorization for a 150 foot communication tower on the east 60 feet of the north 40 feet of Lot 5, Block 1, NCB 7739, 5314 South Flores Street.

Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 3)

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

Councilman Perez made a motion to deny the proposed rezoning case. Councilwoman Radle seconded the motion.

The following citizen(s) appeared to speak:

Ms. Mary Valazquez,

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

Zoning case Z2004098 S was denied.

5F.) ZONING CASE NUMBER Z2003173-28: The request of City of San Antonio, Applicant, for City of San Antonio, Owner(s), for a change in zoning from "MI-1" Mixed Light Industrial District to "RP" Resource Protection District on P-6B and P-7B, CB 4297, property generally located east of State Highway 16 South, along the Medina River, and north to 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 case. Councilman Barrera 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, Barrera, Castro, Hall, Schubert, Haass **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99241

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-6B AND P-7B, CB 4297 FROM "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT TO "RP" RESOURCE PROTECTION DISTRICT

* * * *

5G.) ZONING CASE NUMBER Z2004059: The request of Dean E. Dobson, Applicant, for Dean E. Dobson, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-3" Commercial District on Lot 345, NCB 11135, near the intersection of Palo Alto Road and the Poteet Jourdanton Freeway.

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 case. Councilwoman Radle 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, Barrera, Castro, Hall, Schubert, Haass **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99242

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON LOT 345, NCB 11135 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT.

* * * *

5H.) ZONING CASE NUMBER Z2004092: The request of Joey Lopez, Applicant, for Joey Lopez, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-2" Commercial District on 1.8 acres out of NCB 11071, 1232 and 1234 Gillette Boulevard

Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 4)

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

The following citizen(s) appeared to speak:

Ms. Josie Buenteo

Councilman Perez made a motion to approve the proposed rezoning case 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, Barrera, Castro, Hall, Schubert. **NAYS:** None **ABSENT:** Flores, Haass, Garza.

AN ORDINANCE 99243

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 1.8 ACRES OUT OF NCB 11071 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

* * * *

5I.) ZONING CASE NUMBER Z2004122: The request of City of San Antonio, Applicant, for The Greater Kelly Development Authority, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 5.980 Acres out of NCB 13964, 145 Duncan Drive.

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 case. Councilwoman Radle seconded the motion.

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

AN ORDINANCE 99244

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 5.980 ACRES OUT OF NCB 13964 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

* * * *

5J.) ZONING CASE NUMBER Z2004034 C: The request of Jerardo Cavazos, Applicant, for Jerardo Cavazos, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 C" Residential Single-Family District with conditional use authorization for a multi-family complex not to exceed 51 units on Lot 21, Block 2, NCB 6776, 1027 Kirk Place.

Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 5)

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

The following citizen(s) appeared to speak

Mr. Charlie Edens

Councilwoman Radle made a motion to continue the rezoning case to the Council meeting of July 22, 2004. Councilman Hall seconded the motion.

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

Zoning Case Z2004034 C was continued to the meeting of July 22, 2004

5K.) ZONING CASE NUMBER Z2004046: The request of JSL Development Corporation, Applicant, for Cable Ranch, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District and "C-3" Commercial District to "R-5" Residential Single-Family District on 75 679 acres out of NCB 15848, 1400 Block of Cable Ranch Road.

Staff's recommendation was for approval

Zoning Commission has recommended approval. (Council District 6)

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

The following citizen(s) appeared to speak:

Ms. Mary Lee Buettner

Councilman Barrera made a motion to approve the proposed rezoning case. Councilwoman Radle 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, Barrera, Castro, Hall, Schubert, Haass **NAYS**: None. **ABSENT**: Flores, Garza.

AN ORDINANCE 99245

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 75.679 ACRES OUT OF NCB 15848 FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "C-3" COMMERCIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

* * * *

5L.) ZONING CASE NUMBER Z2004074 C: The request of Kaufman & Associates, Inc., Applicant, for South Texas Contracting Partners, Owner(s), for a change in zoning from "C-2 NA C" Commercial Nonalcoholic Sales District with conditional use for a print shop to "C-2 NA C" Commercial Nonalcoholic Sales District with conditional use for a contractors facility with outside storage on Lot 1, Block 4, NCB 16051, 8531 Leslie 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 case. Councilman Barrera 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, Barrera, Castro, Hall, Schubert, Haass. **NAYS**: None. **ABSENT**: Flores, Garza.

AN ORDINANCE 99246

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 4, NCB 16051 FROM "C-2 NA C" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH CONDITIONAL USE FOR A PRINT SHOP TO "C-2 NA C" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH CONDITIONAL USE FOR A CONTRACTORS' FACILITY WITH OUTSIDE STORAGE.

* * * *

5M.) ZONING CASE NUMBER Z2004096: The request of Julia Rosas, Applicant, for Landmark Contractors by Reynaldo De La Garza, Owner(s), for a change in zoning from R-5 Residential Single-Family District to C-1 Light Commercial District on Lot 83, NCB 11995, 6435 West Commerce Street.

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.

The following citizen(s) appeared to speak:

Ms. Julia Rosas

Councilman Castro made a motion to approve the proposed rezoning case. Councilman Barrera 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, Barrera, Castro, Hall, Schubert, Haass **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 99247

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 83, NCB 11995 FROM R-5 RESIDENTIAL SINGLE-FAMILY DISTRICT TO C-1 LIGHT COMMERCIAL DISTRICT.

* * * *

— — —

5N.) ZONING CASE NUMBER Z2003101C S: The request of J. Allen Family Partner, Ltd., Applicant, for Rogers Shavano Ranch, Ltd., Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 NA ERZD C S" Commercial Non-Alcoholic Sales Edwards Recharge Zone District with a conditional use for a mini-storage facility and a specific use authorization for a mini-storage facility exceeding 2.5 acres on a 5.6-acre tract of land out of NCB 17627, southwest of De Zavala and Old Lockhill-Selma Road (not open for public access).

Staff's recommendation was for approval with conditions.

Zoning Commission recommends approval with staff's conditions. (Council District 8)

Zoning Case Z2003101C S was withdrawn by the applicant.

— — —

5O.) ZONING CASE NUMBER Z2004049: The request of Dr. Carmen Garza Levcovitz, Applicant, for Dr. Carmen Garza Levcovitz, Owner(s), for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on P-9, P-10 and P-11A NCB 14615, 8122 Hausman Road.

Zoning Commission has recommended approval of "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District. (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 the Council meeting of June 10, 2004. Councilman Flores seconded the motion.

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

Zoning Case Z2004049 was continued to the meeting of June 10, 2004.

— — —

5P.) ZONING CASE NUMBER Z2004073S. The request of Brown, P. C., Applicant, for Cuthbert Partners, Ltd., et al, Owner(s), for a change in zoning from "BP" Business Park District to "C-3 S" General Commercial District with specific use authorization for an auto paint and body shop on 10 294 acres out of NCB 14862, 11600, 11596, and 11570 IH 10 West

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

AN ORDINANCE 99248

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 10 294 ACRES OUT OF NCB 14862 FROM "BP" BUSINESS PARK DISTRICT TO "C-3 S" GENERAL COMMERCIAL DISTRICT.

* * * *

— — —

5Q.) ZONING CASE NUMBER Z2004099. The request of Royal Properties, Applicant, for Roy Barrera, Owner(s), for a change in zoning from C-3 ERZD General Commercial Edwards Recharge Zone District to MF-33 ERZD Multi-Family Edwards Recharge Zone District on 4.455 acres out of NCB 14865, the west side of Babcock Road approximately 215 feet north of West Hausman 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 the August 26, 2004 Council meeting. Councilman Barrera seconded the motion.

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

Zoning Case Z2004099 was continued to the meeting of August 26, 2004.

— — —

5R.) ZONING CASE NUMBER Z2004100 S: The request of Kaufman & Associates, Inc., Applicant, for Niland Family Ltd. (Jana Inc.), Owner(s), for a change in zoning from O-2 Office District to O-2 S Office District with specific use authorization for a laboratory - medical or dental on Lot 9, Block 2, NCB 14282, 9600 Datapoint.

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

AN ORDINANCE 99249

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 9, BLOCK 2, NCB 14282 FROM O-2 OFFICE DISTRICT TO O-2 S OFFICE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A LABORATORY - MEDICAL OR DENTAL.

* * * *

5S.) ZONING CASE NUMBER Z2004075C: The request of Alan Lindskog, Applicant, for Amreit Income & Growth Fund, Ltd., Owner(s), for a change in zoning from C-2 ERZD Commercial Edwards Recharge Zone District to C-2 C ERZD Commercial Edwards Recharge Zone District with conditional use for a nightclub on 0.0918 acres out of NCB 19214, 19210 Huebner Road. Staff's recommendation was for approval. Zoning Commission has recommended approval with the following conditions: 1. No outdoor events or entertainment shall be permitted. 2. Property shall maintain compliance with the City's noise ordinance. 3. Marquee, flashing and blinking signs shall be prohibited 4 All signage shall maintain compliance with the City's sign code. 5. Hours of operation shall be limited to 2 a.m. on everyday save Sunday evening when hours will be prohibited to midnight. (Council District 9)

Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval.

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

Councilman Schubert made a motion to approve the proposed rezoning case. 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, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Barrera, Castro, Garza.

AN ORDINANCE 99250

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.0918 ACRES OUT OF NCB 19214 FROM C-2 ERZD COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO C-2 C ERZD

COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH CONDITIONAL
USE FOR A NIGHTCLUB.

* * * *

5T.) ZONING CASE NUMBER Z2004097: The request of 35 O'Connor Road, Ltd., Applicant, for 35 O'Connor Road, Ltd., Owner(s), for a change in zoning from I-1 General Industrial District to C-3 General Commercial District on Lot 7, NCB 17621, 11726 IH 35 North. (Council District 9)

Staff's recommendation was for approval.

Zoning Commission has recommended approval.

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

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 following Ordinance, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Williams, Barrera, Garza.

AN ORDINANCE 99251

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, NCB 17621 FROM I-1 GENERAL INDUSTRIAL DISTRICT TO C-3 GENERAL COMMERCIAL DISTRICT.

* * * *

2004-21 INDIVIDUAL ITEMS CONTINUED

2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99252

AN ORDINANCE CANVASSING THE RESULTS OF THE JOINT SPECIAL ELECTION HELD ON MAY 15, 2004; AND ADOPTING THE AMENDMENTS TO THE CITY OF SAN ANTONIO CITY CHARTER.

* * * *

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

Acting City Clerk. Yolanda Ledesma narrated a presentation, (a copy of which is on file with the papers of this meeting), on the Canvassing Report of the May 15, 2004 Joint Special Election on Charter Revisions. Mrs. Ledesma explained the procedures, under votes, over-seas mail and provisional ballots for proposition 1-4. Mrs. Ledesma discussed the votes cast vs. number of registered voters, results by city council districts, and recommendations.

The following citizen(s) appeared to speak.

Mr. Charles English

Mr. Farris Hodge Jr

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

— — —
2004-21 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE

Mayor Pro-Tem Segovia declared the public hearing open

The Clerk read the following ordinance

AN ORDINANCE 99253

AN ORDINANCE ADOPTING THE 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF \$14,772,150.00 AS CONTAINED IN THE FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE 30TH YEAR CDBG PROGRAM; DESIGNATING THE 30TH YEAR CDBG PROGRAM FUNDS, APPROPRIATING 30TH YEAR PROGRAM FUNDS IN THE AMOUNT OF \$14,772,150 00; ALLOCATING PROGRAM FUNDS

TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES, AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; ESTABLISHING A REVOLVING LOAN ACCOUNT FOR NEIGHBORHOOD HOUSING SERVICES (NHS), SAN ANTONIO ALTERNATIVE HOUSING CORP (SAAHC) AND THE NEIGHBORHOOD ACTION DEPARTMENT'S RENTAL REHABILITATION AND OWNER-OCCUPIED REHABILITATION AND RECONSTRUCTION PROGRAMS; AUTHORIZING THE REPROGRAMMING OF CDBG FUNDS IN THE AMOUNT OF \$230,734.93 AVAILABLE FROM THE NEIGHBORHOOD COMMERCIAL REVITALIZATION PROGRAM (NCR) PROJECT TO OPERATION FACELIFT; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION AND/OR MODIFICATION OF THE APPROPRIATE PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS, AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO SAID PROJECT; AND PROVIDING FOR PAYMENT, AUTHORIZING THE AMENDMENT OF THE NEIGHBORHOOD ACTION DEPARTMENT'S LEAD BASED PAINT HAZARD CONTROL PROGRAM DESCRIPTION TO ADDRESS LEAD BASED PAINT HAZARDS IN HOUSING UNITS WHERE CHILDREN WITH ELEVATED BLOOD LEAD LEVELS HAVE BEEN IDENTIFIED AND REFERRED IN COORDINATION WITH THE HEALTH DEPARTMENT; AUTHORIZING THE AMENDMENT OF THE DANGEROUS STRUCTURES DETERMINATION BOARD'S HISTORIC STRUCTURES STABILIZATION PROGRAM TO INCLUDE COMMERCIAL PROPERTIES AND TO COVER THE COST OF PROFESSIONAL SERVICES; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH SAID 30TH YEAR CDBG PROGRAM, AND THE PROJECTS THEREUNDER; AND AUTHORIZING THE SUBMISSION OF THE CDBG GRANT TO THE U S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD

* * * *

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

Mr. Andrew Cameron, Housing and Community Development Director, spoke regarding the Proposed Fiscal Year 2004-2005 Consolidated Annual Budget. (items 7A & 7B) a copy of which is on file with the papers of this meeting.

Mr. Cameron discussed the summary of the ordinances, provided a breakdown on the program budget, highlighted the Operation Face Lift project, and outlined the four major categories to be included in the budget as Housing, Capital Improvement, Neighborhood Revitalization and Administration.

The following citizen(s) appeared to speak:

Ms. Mary Emerson, Eastlawn Neighborhood Association President
Mr. Charles English
Mr. Buck Benson, School of Excellence
Mr. Rich Hooker, School of Excellence Superintendent
Ms. Brooke Garcia, San Antonio Youth Centers
Mr. Joe Pierce, Greater San Antonio Community Development Corp.
Mr. Faris Hodge, Jr
Mr. Gabriel Garcia and Mr David Cordero
Mr. Elginio Rodriguez, Loma Vista Neighborhood Association

Mayor Pro-Tem Segovia declared the Public Hearing closed.

Councilman Castro made an amendment to the motion to reallocate CDBG funding for certain projects in the various council districts Councilman Barrera seconded the motion.

After consideration, the motion for amendment prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass. **NAYS:** Schubert. **ABSENT:** Garza

After consideration, the main motion as amended, 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.

2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99254

AN ORDINANCE ADOPTING THE 13TH YEAR HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) IN THE AMOUNT OF \$7,315,294.00, \$335,700.00 IN FISCAL YEAR 2003-2004 AMERICAN DREAM DOWNPAYMENT INITIATIVE, \$396,135.00 IN FISCAL YEAR 2004-2005 AMERICAN DREAM DOWNPAYMENT INITIATIVE AND \$100,471.93 IN REPROGRAMMED FUNDS AS CONTAINED IN

THE FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE REPROGRAMMING OF HOME FUNDS IN THE AMOUNT OF \$100,471.93 AVAILABLE FROM THE SAN ANTONIO HOUSING TRUST NEIGHBORHOOD REVITALIZATION FUND; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION AND/OR MODIFICATION OF THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE FISCAL YEAR 2004-2005 HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) PROGRAM; DESIGNATING THE 13TH YEAR HOME PROGRAM FUNDS, APPROPRIATING 13TH YEAR PROGRAM FUNDS; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO SAID PROJECTS; AND PROVIDING FOR PAYMENT; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH SAID 13TH YEAR HOME PROGRAM, AND THE PROJECTS THEREUNDER; AND AUTHORIZING THE SUBMISSION OF THE HOME GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD

* * * *

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

Councilwoman Radle made a motion to amend the proposed ordinance by severing out items relating to San Antonio Alternative Housing. Councilman Williams seconded the motion.

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

After consideration, the main motion as amended, 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.

—

—

—

2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99255

AUTHORIZING THE ESTABLISHMENT OF A REVOLVING LOAN ACCOUNT FOR SAN ANTONIO ALTERNATIVE HOUSING CORPORATION (SAAHC); AUTHORIZING THE REPROGRAMMING OF HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) FUNDS IN THE AMOUNT OF \$100,471.93 AVAILABLE FROM THE SAN ANTONIO HOUSING TRUST NEIGHBORHOOD REVITALIZATION FUND. AUTHORIZING 13TH YEAR HOME FUNDS IN THE AMOUNT OF \$407,998.67 AVAILABLE FROM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SET-ASIDE AND THE FOREGOING AMOUNT OF \$100,471.93 IN REPROGRAMMED FUNDS AVAILABLE FROM SAN ANTONIO HOUSING TRUST NEIGHBORHOOD REVITALIZATION FUND AND FISCAL YEAR 2003-2004 AMERICAN DREAM DOWNPAYMENT INITIATIVE FUNDS IN THE AMOUNT OF \$190,000.00 FOR A TOTAL AMOUNT OF \$698,470.60 PAYABLE TO SAN ANTONIO ALTERNATIVE HOUSING CORPORATION PEOPLE HELPING PEOPLE PROJECT, AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION AND/OR MODIFICATION OF THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO SAID PROJECT, AND PROVIDING FOR PAYMENT

* * * *

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, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None **ABSENT:** Garza. **ABSTAINED:** Radle.

— — —
2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99256

AN ORDINANCE AMENDING THE NORTHWEST COMMUNITY PLAN TO UPDATE THE LAND USE ELEMENT OF THE PLAN, IN COUNCIL DISTRICTS 7

AND 8, A COMPONENT OF THE MASTER PLAN OF THE CITY IN AN AREA BOUNDED BY BANDERA ROAD AND THE CITY OF LEON VALLEY ON THE NORTHEAST, GRISSOM ROAD AND CULEBRA ROAD ON THE SOUTH, AND LOOP 1604 ON THE NORTHWEST.

* * * *

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

Mr. Emil R. Moncivais, Planning Director, presented an overview, (a copy of which is on file with the papers of this meeting) of the Northwest Community Plan Land Use Plan Update. Mr. Moncivais explained the briefing & update purposes, planning area & process, existing & future land use update, key changes, and benefits of plan update.

Councilman Castro made a motion to amend the proposed Ordinance save and except for the area that will be submitted by Mr. Moncivais. Councilman Barrera seconded the motion.

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

After consideration, the main motion as amended prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass. **NAYS:** None. **ABSENT:** Schubert, Garza.

— — —

2004-21 CITIZENS TO BE HEARD

The following citizens appeared to speak on various topics:

Mr. Jerry Elder
Mr. Joe Shokriav Fox
Mr. Faris Hodge, Jr.
Mr. Dwite Rover
Ms. Judith Hurst
Mr. Joe Perez
Ms. Barb Connors, NCAAA

— — —

BEXAR COUNTY, THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO UPGRADE THE ROADWAYS THAT WILL SERVE THE TOYOTA PLANT AND RATIFYING THE APPROVAL OF DESIGN SERVICES

* * * *

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

Mr. Doug Yerkes, City Engineer, narrated a presentation (a copy of which is on file with the papers of this meeting), on the Interlocal Agreement between the City of San Antonio and Bexar County to provide funding for a collaborative effort between Bexar County, the City of San Antonio and the Texas Department of Transportation to upgrade the roadways that will service the Toyota plant

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

— — —
2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99259

AN ORDINANCE AUTHORIZING THE WAIVER AND REFUND OF CERTAIN DEVELOPMENT FEES IN THE AMOUNT OF \$6,898.00 FOR VICTORY FELLOWSHIP LOCATED AT 1030 S.W 39TH STREET IN COUNCIL DISTRICT 6; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 6. STAFF RECOMMENDS DENIAL OF ALL DEVELOPMENT FEE WAIVERS AND REFUNDS FOR THIS PROJECT.

* * * *

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

Mr. Florencio Pena, Development Services Department Director, conducted a briefing on the Victory Fellowship fee waiver request (a copy of which is on file with the papers of this meeting). He outlined the background regarding the waiver and refund of development fees for the expansion of the Victory Fellowship Outreach facilities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES**: Flores, Williams, Segovia, Barrera, Hall, Haass. **NAYS**: Perez, Radle. **ABSENT**: Castro, Schubert, Garza.

— — —
2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99260

AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE, TITLED "BUILDING", PHASING OUT ALL NEW TESTING AND NEW LICENSING OF MECHANICAL LICENSES DEFERRING TO STATE LICENSE PROVISIONS.

* * * *

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

Mr. Florencio Pena, Development Services Department Director, discussed amendments to Chapter 6 of the City Code in reference to "Building" (a copy of which is on file with the papers of this meeting). Mr. Pena provided the background information on the amendment of the Building codes regarding municipal mechanical testing and licensing.

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

— — —
2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99261

AN ORDINANCE AMENDING CHAPTER 10 OF THE CITY CODE, TITLED "ELECTRICITY", DEFERRING ALL NEW TESTING AND NEW LICENSING OF ELECTRICIANS TO THE STATE LICENSE PROVISIONS; ESTABLISHING A \$75 ANNUAL FEE TO BE INCLUDED IN THE CITY'S FEE SCHEDULE FOR REGISTRATION OF A STATE-ISSUED ELECTRICAL CONTRACTOR'S LICENSE OR ELECTRICAL SIGN CONTRACTOR'S LICENSE.

* * * *

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

Mr. Florencio Pena, Development Services Department Director, spoke regarding amendments to Chapter 10 of the City Code with regards to Electricity (a copy of which is on file with the papers of this meeting).

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

— — —

2004-21 The Clerk read the following ordinance:

AN ORDINANCE 99262

AN ORDINANCE AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE MULTI-FAMILY REVENUE BONDS NOT TO EXCEED \$13,000,000.00 TO PROVIDE FINANCING FOR THE DEVELOPMENT OF THE STONEHOUSE VALLEY APARTMENTS PROJECT, LOCATED NEAR THE INTERSECTION OF WOODSTONE AND VANCE JACKSON IN COUNCIL DISTRICT 8; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

* * * *

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

Mr. Andrew Cameron, Housing and Development Department Director, narrated a presentation (a copy of which is on file with the papers of this meeting) an authorization to issue multi-family revenue bonds. Mr. Cameron provided a summary and background on the Stonehouse Valley Apartments development, and also explained the fiscal impact of the project

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

— — —

