

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, DECEMBER 14, 2005 AND THURSDAY, DECEMBER 15, 2005

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The City Council convened in an informal "B" Session at 3:00 pm, Wednesday, December 14, 2005, Conference Room A, Mezzanine Level, in Terminal One of the San Antonio International Airport, 9800 Airport Blvd., for the purpose of:

Briefing and tour of the Terminal B Expansion Projects and Airside Improvements at the San Antonio International Airport. [Presented by Mark H. Webb, Interim Director, Aviation]

The "B" Session adjourned at 4:20 p.m.

The Regular Meeting was called to order at 9 a.m. on Thursday, December 15, 2005 by the Presiding Officer, Mayor Phil Hardberger, with the following members present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **ABSENT:** None.

The Invocation was delivered by Father Frank Macias, Assumption Seminary, guest of Councilmember Delicia Herrera, District 6.

Mayor Hardberger led the Pledge of Allegiance to the flag of the United States.

The minutes of the City Council meeting of November 17, 2005 were approved as presented.

INDIVIDUAL ITEMS FOR CONSIDERATION

The City Clerk read the following Ordinance:

AN ORDINANCE 101814

APPOINTING ISABEL BAESE GARCIA TO THE HISTORIC AND DESIGN REVIEW COMMISSION (CATEGORY: ARCHITECTURAL HISTORY) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2007.

Councilmember Flores made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Hall, Wolff, Haass, Hardberger. **NAYS:** Guajardo. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101815

APPOINTING VINCE MARTINEZ AND KATHLEEN VALE TO THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE INNER CITY TIRZ, FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MARCH 14, 2006

Councilmember Flores made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 35 OF THE CITY CODE SUBMITTED THROUGH THE 2005 ANNUAL UNIFIED DEVELOPMENT CODE UPDATE PROGRAM

The City Clerk read the following Ordinance:

AN ORDINANCE 101816

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY CORRECTING CLERICAL AND FORMATTING ITEMS; MAKING MAJOR AMENDMENTS; MAKING MINOR AMENDMENTS, CLARIFYING ITEMS; AND AMENDING DEFINITIONS.

Mr. Roderick Sanchez, Assistant Director of Development Services, made a presentation on the 2005 UDC Annual Update, a copy of which is on file with the Office of the City Clerk. He spoke to the 61 amendments being presented noting that 57 of them had been approved by the Zoning Commission and the Planning Commission, and that five amendments received split recommendations from the two Commissions. He specifically cited the sections in question and the recommendations being proposed by staff on each.

The following citizen(s) appeared to speak:

Mr. Larry Heimer, 922 Heimer Rd., Real Estate Council of San Antonio, referenced a letter the Real Estate Council sent to Council. He spoke on Real Estate Council concerns related to annual updates and amendments, lot line developments, conventional and unclaimed subdivision proposals, and transportation and street design.

Ms. Melissa Kazen, vice-president of public affairs, San Antonio Conservation Society, objected to VIA's exemption from the UDC zoning process and supported UDC amendments to clarify the role of the City in extra territorial jurisdiction.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Ave., discussed the need for trees.

Mr. Scott Erickson, 1021 San Pedro, Metropolitan Planning Organization, discussed standards discrepancies between the City's Bicycle Master Plan and the UDC.

Mr. Richard Alles, PO Box 70066, Citizens Tree Coalition, asked Council to vote against the proposed Conservation Subdivision amendments.

Mr. Tim Tuggey, VIA Metropolitan Transit, asked Council to approve the VIA exemption and thanked the City for its cooperation in developing the proposed amendment as it will make future building projects more efficient.

Ms. Melissa Castro, VIA Metropolitan Transit, stated that VIA is not receiving a full exemption and that the proposed amendment is the result of a compromise between the City and VIA.

Mr. Todd Hemmingson, VIA Metropolitan Transit, stated that the creation of the Advanced Transportation District was the impetus for VIA's exemptions request. He said the exemption will allow VIA to proceed efficiently and effectively with planned service and facilities improvements.

Mr. Frank Burney, 300 Convent, Suite 2500, legal counsel, San Antonio Conservation Society, stated the Society did not have opportunity to review the VIA exemption changes as they were only made public at this meeting. He said that the City should prevail with its traditional zoning Public Hearing practices, instead of allowing the proposed changes to be read at a VIA meeting, as was done. He reminded Council that the Alamodome was a VIA project.

Councilmember Radle made a motion to table the VIA exemption to January 12, 2006, to allow the Conservation Society an opportunity to review the exemption. Councilmember Guajardo seconded the motion.

After consideration, the motion to table prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

Councilmember Guajardo made a motion to table the amendments to the subdivision rules, Items 4 and 5, in the Unified Development Code to January 12, 2060. Councilmember Radle seconded the motion.

After consideration, the motion to amend failed by the following vote: **AYES:** Radle, Herrera, Guajardo, Hardberger. **NAYS:** Flores, McNeil, Gutierrez, Perez, Hall, Wolff, Haass. **ABSENT:** None.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinances:

AN ORDINANCE 101817

APPROVING THE CONTINUATION OF THE 2006 PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION (WARM) PLAN THROUGH DECEMBER

2006, AUTHORIZING EXECUTION OF AN AGREEMENT WITH CPS ENERGY, AND APPROVING THE ISSUANCE OF ASSISTANCE CREDITS IN A PROJECTED AMOUNT UP TO \$350,000.00 FOR THE PERIOD OCTOBER 1, 2005 THROUGH DECEMBER 31, 2006; AND AUTHORIZING THE EXECUTION OF SUBCONTRACTS WITH LOCAL NON-PROFIT AGENCIES FOR DISTRIBUTION OF WARM ASSISTANCE CREDITS TO CPS RATEPAYERS.

AN ORDINANCE 101818

APPROVING THE IMPLEMENTATION OF THE RESIDENTIAL ENERGY ASSISTANCE PARTNERSHIP (REAP) UTILITY ASSISTANCE PROJECT FOR CALENDAR YEAR 2006; AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH REAP TO ALLOW THE CITY TO SUBCONTRACT WITH LOCAL NON-PROFIT AGENCIES; AUTHORIZING THE EXECUTION OF SAID SUBCONTRACTS FOR DISTRIBUTION OF REAP ASSISTANCE CREDITS TO CPS ENERGY RATE PAYERS; AND APPROVING THE ISSUANCE OF ASSISTANCE CREDITS UP TO \$450,000.00 FOR THE PERIOD JANUARY 1, 2006 THROUGH DECEMBER 31, 2006.

Councilmember Perez made a motion to approve the proposed Ordinances. Councilmember Gutierrez seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on Projects WARM/REAP, a copy of which is on file with the Office of the City Clerk. He stated that the proposed ordinances authorized the extension of the 2006 Project Winter Assistance Relief Mobilization (WARM) Plan through December 2006 and also approved the agreement of the 2006 Residential Energy Assistance Partnership (REAP). He outlined background information on Projects WARM and REAP, eligibility requirements, accountability measures and the 2006 delivery of utility credits.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, stated that all rate payers should receive breaks regarding utilities, not just low-income rate payers. He expressed skepticism over the exorbitant proposed CPS service fee rates. He also addressed Item 12 and recommended Council oppose it.

City Clerk Leticia Vacek read into the record written testimony from Mr. Faris Hodge, Jr., 140 Dora, which questioned CPS raising fees for local consumers when it spends money on national advertising in *Time* magazine.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Haass.

The City Clerk read the following Ordinance:

AN ORDINANCE 101819

AUTHORIZING REVISIONS TO THE CPS ENERGY POLICIES FOR ELECTRIC LINE EXTENSIONS AND SERVICE CONNECTIONS AND GAS MAIN EXTENSIONS AND SERVICE CONNECTIONS AND ADJUSTING FEES ACCORDINGLY AND PROVIDING FOR AN EFFECTIVE DATE OF JANUARY 1, 2006.

Councilmember Perez made a motion to amend the proposed Ordinance with an exemption of increases on affordable housing units. Councilmember McNeil seconded the motion.

Mr. Ben Gorzell, Director of Public Utilities made a presentation on the City Public Service (CPS) Energy Extension Policies, a copy of which is on file with the Office of the City Clerk. He outlined background information on line extensions and how it is defined as construction of new facilities to provide energy delivery service to a retail electric or gas customer, noting that the policy for Electric Line Extensions and Service Connections have been in place since 1986. He further added that the policy for Gas Main Extensions and Service Connections were last updated and approved in 1995 and that those revisions were driven at the time by competitive pressures from other gas distribution utilities. He spoke to CPS' goals and objectives, their approach/philosophy and delineated the proposed changes. He amplified on the customer contributions per year under the electric system, the phase-in mechanism that will not adversely impact CPS Energy's financial position, and efforts made for community outreach.

The following citizen(s) appeared to speak:

Ms. Betsy Spencer, 1215 S. Trinity, San Antonio Alternative Housing Corporation, addressed Council to request a similar process be established for CPS due to the high cost of housing.

Ms. Sandy Williams, 4502 Centerview, Alamo Area Mutual Housing Association, spoke on the impact these fees will have on multi-family housing residents and the working

poor. She stated that rates, and how to apply those rates would be left to Council's determination if it so chooses.

Councilmember Perez made an amendment that the rates that are in existence now remain the same. Councilmember Radle seconded the motion. Councilmember Radle then withdrew her motion.

Councilmember Perez made an amendment that the rates that are in existence now remain the same. Councilmember Wolff seconded the motion.

After consideration, the motion to amend prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSTAINMENT:** Radle. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101820

AUTHORIZING REVISIONS TO THE CPS ENERGY (CPS) POLICY FOR MISCELLANEOUS CUSTOMER CHARGES, INCREASING CERTAIN FEES CURRENTLY CHARGED BY CPS; AND ESTABLISHING FOUR ADDITIONAL FEES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Wolff, Perez.

SECOND AND FINAL READING OF INVOLUNTARY ANNEXATION ORDINANCES:

The City Clerk read the following Ordinances:

AN ORDINANCE 101602

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 146 ACRES OF

LAND KNOWN AS THE HELOTES PARK TERRACE & THE PARK AT FRENCH CREEK AREA AND APPROVING A SERVICE PLAN FOR THE AREA.

AN ORDINANCE 101603

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 1,312 ACRES OF LAND KNOWN AS THE KYLE SEALE/LOOP 1604 AREA AND APPROVING A SERVICE PLAN FOR THE AREA.

AN ORDINANCE 101604

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 3,664 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 2 AND APPROVING A SERVICE PLAN FOR THE AREA.

AN ORDINANCE 101605

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 9,796 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 3 AND APPROVING A SERVICE PLAN FOR THE AREA.

AN ORDINANCE 101821

AMENDING THE FY 2006 OPERATING BUDGET AND AUTHORIZING PERSONNEL COMPLEMENTS TO PROVIDE NECESSARY CITY SERVICES DESCRIBED IN THE ANNEXATION SERVICE PLANS FOR HELOTES PARK TERRACE/PARK AT FRENCH CREEK, KYLE SEALE/LOOP 1604, AND SOUTHSIDE STUDY AREA 3.

Councilmember McNeil made a motion to approve the proposed Ordinances. Councilmember Hall seconded the motion.

Mr. Emil Moncivais, Director, Planning, narrated a slide presentation on the 2005-2006 Annexation Areas which included Helotes Park Terrace/Park at French Creek, Kyle Seale/Loop 1604, Southside Study Area 2 and Southside Study Area 3, a copy of which

is on file with the Office of the City Clerk. He presented views of the respective annexation areas, annexation data such as population, acreage involved, square miles and housing units. He presented the full purpose service delivery plans, and the annexation goals, policies and schedule.

Mr. Peter Zanoni, Director, Management and Budget, addressed the revenue impact analysis, revenue gains and losses, costs for additional operating resources, and FY 2006 Service Budgets.

The following citizen(s) appeared to speak:

Mr. Phil Torres, 13906 Kehm Drive, Helotes, voiced opposition to annexation of the Kyle Seale area. He also stated that he felt he should be provided the opportunity for arbitration.

Mr. Joseph Jaggard, 13811 Windy Creek, Helotes, also stated his opposition to the annexation for the Kyle Seale area. He noted the response times for EMS service and stated that it would take more than the required time of 4 minutes.

Mr. Robert Hard, 14507 Santa Fe Acres, Helotes, addressed the Council with regard to opposing the annexation and the response time of EMS. He noted that it would take 12 minutes for EMS response, 6 minutes more than average. He also asked that the nearby schools be taken into account when considering emergency response.

Mr. Don Chatham, 14510 Santa Fe Acres, Helotes, voiced opposition to the annexation and stated that the 6 minute response time will not be met. He asked that the Council hold off on the annexation until response times are reviewed.

Mr. Ronald Parks, 9202 Scotford, Helotes, spoke in opposition to the annexation and stated that the service plan has deficiencies in the EMS response time. He also stated that the service plan did not take into account area residents. He thanked Council and wished all a Merry Christmas and a Happy New Year.

Mr. David Voorhees, 327 Condelonia, Helotes, asked Council to table the vote, allow mediation to take place and work as a team in order to abide by state law.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Guajardo, Hall, Haass, Hardberger. **NAYS:** Herrera, Wolff. **ABSENT:** None.

EXECUTIVE SESSION

Mayor Hardberger recessed the regular session at 12:32 p.m. for lunch, and announced that Council would convene into Executive Session at 1:30 p.m. to discuss the following:

Discuss legal issues related to Collective Bargaining negotiations with the International Association of Firefighters Local 624, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to *Mario A Telles v. City of San Antonio, et al*, Cause No. 2004-CI-14612, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to *Daniel Olvera, et al v. Joseph A Cisneros, Individually, and City of San Antonio*, Cause No. 2003-CI-02341, pursuant to the Texas Government Code Section 551.071 (consultation with attorney)

The Mayor reconvened the Regular Session from Executive Session at 2:27 pm, at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

PUBLIC HEARING AND CONSIDERATION ON AMENDING THE REINVESTMENT ZONE NUMBER ELEVEN FINAL PROJECT TO CREATE A QUIET ZONE

The City Clerk read the following Ordinance:

AN ORDINANCE 101822

AMENDING THE REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS (THE "ZONE") FINAL PROJECT AND FINAL FINANCING PLANS TO CHANGE THE BOUNDARIES OF THE ZONE BY ADDING AND DELETING CERTAIN PARCELS, ADDING THE "QUIET ZONE" TO THE APPROVED PROJECT LIST B AND AUTHORIZING THE CONTRIBUTION OF 40% OF THE TOTAL COST OF THE QUIET ZONE, NOT TO EXCEED \$800,000.00 FROM THE TIF FUND.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

Mr. David Garza, Director, Neighborhood Action, made a presentation on the amendments to the final project and finance plans for the Inner City TIRZ, No. 11, a copy

of which is on file with the Office of the City Clerk. He stated this ordinance would amend the Inner City TIRZ plan project by amending the boundaries and adding the Quiet Zone for a contribution of 40% of the total costs not to exceed \$800,000. He outlined background information on the TIRZ which was designated and approved in May, 2001, noting that the boundaries had been amended on December 5, 2005 by adding and deleting parcels as requested from a property owner in the Zone. He stated the project encompassed approximately two miles of Union Pacific Railroad rail line from Essex Street on the south to Sherman Street on the north.

The following citizen(s) appeared to speak:

Mr. Eugene Seymour, 602 E. Commerce, Greater San Antonio Chamber of Commerce, stated the Chamber approved and supported the Quiet Zone and asked Council for item approval.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101823

AUTHORIZING EXECUTION OF AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT WITH PARK CENTRE TOWERS, LTD., WITH TERMS RELATING TO A PREVIOUSLY APPROVED \$300,000.00 MARKETING ASSISTANCE LOAN FROM THE ECONOMIC DEVELOPMENT INCENTIVE FUND, AS WELL AS A SEVEN-YEAR ANNUAL GRANT WITH AN ESTIMATED PRESENT VALUE OF \$2,706,585.00, FOR THE DEVELOPMENT OF 252 CONDOMINIUMS AND 60 TOWN HOMES ON THE NEAR EASTSIDE OF DOWNTOWN KNOWN AS THE PARK CENTRE TOWERS PROJECT; AUTHORIZING GRANT PAYMENT CONTINGENT UPON ANNUAL APPROPRIATION.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

Mr. Ed Davis, Assistant Director, Economic Development, narrated a slide presentation on the Economic Development Program Agreement with Park Centre Towers, a copy of which is on file with the Office of the City Clerk. He stated this ordinance would authorize the agreement with the Park Centre Towers for a seven-year grant with a present value of \$2,706,585 and a \$300,000 loan from the Economic Development

Incentive Fund. He cited annual grant examples, conditions of the grant to which the developer must adhere, loan terms, and the City's 20-year fiscal impact.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AGENDA ITEM 12

CONSIDERATION OF AN APPEAL BY EARL & ASSOCIATES, P.C. ON BEHALF OF MORTGAGE LOAN & AGENCY, INC., REGARDING THE PLANNING COMMISSION'S ACTION TO DENY RIGHTS UNDER CHAPTER 245, TEXAS LOCAL GOVERNMENT CODE FOR A PROPOSED PROJECT ON 1.722 ACRES OUT OF LOT 1, BLOCK 1, NCB 16329 LOCATED AT 150 VOIGT DRIVE.

Mr. Habib Berkan, 111 Soledad, petitioner, requested Council pull the item for consideration until a later date pending further discussion with the City.

Councilmember Gutierrez made a motion to pull the item for consideration until January 12, 2006. Councilmember Wolff seconded the motion.

After consideration, the motion to pull Agenda Item 12 prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

CONSENT AGENDA

Consent agenda items 14, 16, 18, 19A, 19B, 21, 35, 36, 38, 39, 40, 46, 47, 48, 49, 63, 68 and 51 were pulled for individual consideration. The remaining items 13 through 72 were approved upon motion made by Councilmember Perez and seconded by Councilmember Flores.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101826

ACCEPTING THE LOW BID SUBMITTED BY PHILPOTT MOTORS, LTD., BID NO. 2, TO PROVIDE THE CITY WITH 225 REPLACEMENT PATROL SEDANS

FOR A TOTAL COST OF \$4,443,590.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND AND THE CONFISCATED PROPERTY FUND.

AN ORDINANCE 101827

ACCEPTING AND RATIFYING 3 MONTHS OF SERVICE IN THE AMOUNT OF \$24,149.50 AND APPROVING A CONTRACT FROM COMPUTER ASSOCIATES INTERNATIONAL, INC. FOR THE PURCHASE OF 36 MONTHS OF SOFTWARE LICENSE MAINTENANCE, ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED ANNUAL COST OF \$96,598.00, FOR THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT FOR AN ESTIMATED ANNUAL COST OF \$96,598.00 OR \$289,794.00 FOR THE ENTIRE 3 YEAR CONTRACT, FROM THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT, FROM THE INFORMATION SERVICES FUND.

AN ORDINANCE 101828

ACCEPTING THE LOW, QUALIFIED BID BY F. A. NUNNELLY COMPANY, A SBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE NANI FALCONE COMMUNITY PARK IMPROVEMENTS PROJECT – PHASE II IN DISTRICT 7 FOR THE BASE BID AMOUNT OF \$479,000.00 AND WITH BID ALTERNATE 1 OF \$101,000.00 FOR A TOTAL CONTRACT AMOUNT OF \$580,000.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$108,077.56 FOR CONSTRUCTION CONTINGENCY AND \$6,668.25 FOR ARCHITECT CONTINGENCY; TRANSFERRING \$10,250.00 FROM WITHIN THE PROJECT BUDGET; AUTHORIZING APPROPRIATIONS OF \$646,381.63 FROM 2003-2007 PARK BOND FUNDS AND \$38,114.18 FROM REVENUES COLLECTED FOR THE UNIFIED DEVELOPMENT CODE (UDC) IN LIEU OF PARK LAND DEDICATION; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101829

AUTHORIZING THE SELECTION OF VARIOUS PROFESSIONAL SERVICES COMPANIES TO PERFORM ON-CALL ARCHITECTURAL SERVICES, CIVIL ENGINEERING SERVICES, ELECTRICAL ENGINEERING SERVICES, LANDSCAPE ARCHITECTURAL SERVICES, AND LAND SURVEYING SERVICES FOR IN-HOUSE AND SMALL PARK DESIGN PROJECTS; AND AUTHORIZING EXECUTION OF ONE YEAR CONTRACTS WITH AN OPTION

FOR THREE ADDITIONAL ONE YEAR RENEWALS, FROM BOND AND COMMUNITY DEVELOPMENT BLOCK GRANT (VARIOUS FUNDING SOURCES CDBG) FUNDS, AND AUTHORIZING PAYMENT.

AN ORDINANCE 101830

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$93,630.00 PAYABLE TO MACINA, BOSE, COPELAND AND ASSOCIATES, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE 1999-2004 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED CULEBRA DRAINAGE PROJECT #58F PHASE II (ZARZAMORA CREEK), LOCATED IN DISTRICT 6, AUTHORIZING \$9,363.00 FOR ENGINEERING CONTINGENCY EXPENSES, AND AUTHORIZING \$7,210.00 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$110,203.00, APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101831

ACCEPTING THE LOW, QUALIFIED BID BY MANUEL ORTIZ CONSTRUCTION, LLC, A SBE/MBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE SPRING TIME PARK POOL IMPROVEMENTS PROJECT IN DISTRICT 8 FOR A TOTAL CONTRACT COST OF \$372,104.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$10,126.00 FOR CONSTRUCTION CONTINGENCY, \$52,726.00 FOR PARK MATERIALS, AND \$5,500.00 FOR BID ADVERTISING AND PRINTING; AUTHORIZING APPROPRIATIONS OF \$440,456.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101832

ACCEPTING THE LOW, QUALIFIED BID BY MANUEL ORTIZ CONSTRUCTION, LLC, A SBE/MBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE DISTRICT 6 POOL FACILITY REHABILITATION – NEW TERRITORIES PROJECT IN DISTRICT 6 FOR A TOTAL CONTRACT AMOUNT OF \$134,014.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$29,730.00 FOR CONSTRUCTION CONTINGENCY; AUTHORIZING APPROPRIATIONS OF \$163,744.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101833

ACCEPTING THE LOW, QUALIFIED BID BY 3TI, INC., A SBE/MBE/DBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE DISTRICT 6 POOL FACILITY REHABILITATION – WESTWOOD TERRACE PROJECT IN DISTRICT 6 FOR A TOTAL CONTRACT AMOUNT OF \$354,000.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; ALLOCATING \$25,000.00 FOR CONSTRUCTION CONTINGENCY, \$1,500.00 FOR MANDATORY PROJECT FEES, AND \$6,000.00 FOR BID ADVERTISING AND PRINTING; AUTHORIZING APPROPRIATIONS OF \$386,500.00 FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101834

APPROPRIATING \$150,000.00 FROM THE RIVER WALK CAPITAL IMPROVEMENT FUND IN ORDER TO ACCOMPLISH REPAIR PROJECTS ON THE RIVER WALK IN DISTRICT 1; ALLOCATING THIS AMOUNT INTO THE RIVER WALK MAINTENANCE REPAIRS PROJECT; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101835

APPROPRIATING AN AMOUNT NOT TO EXCEED \$4,248,276.00, ACCEPTING AN UNDERGROUND STORM WATER EASEMENT AND AUTHORIZING THE EXECUTION OF A DEVELOPER PARTICIPATION CONTRACT (BROADWAY CORRIDOR WATERSHED SA6) BETWEEN THE CITY OF SAN ANTONIO AND GUENTHER DEVELOPMENT, LLC, IN CONNECTION WITH THE BROADWAY CORRIDOR PHASE I, PART II, A 2005 STORM WATER REVENUE BOND PROJECT LOCATED IN COUNCIL DISTRICT 2.

AN ORDINANCE 101836

AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH PAPE-DAWSON ENGINEERS, INC., IN THE AMOUNT OF \$82,747.00 FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SALADO CREEK HIKE AND BIKE, PHASE I PROJECT, AN AUTHORIZED 1999 GENERAL OBLIGATION FLOOD CONTROL WITH PARK IMPROVEMENT BOND AND METROPOLITAN PLANNING ORGANIZATION (MPO) FUNDED PROJECT, LOCATED IN

DISTRICT 2; AUTHORIZING \$8,275.00 FOR PROJECT CONTINGENCY, \$6,371.54 FOR CAPITAL ADMINISTRATIVE COSTS, AND \$1,500.00 FOR ENVIRONMENTAL SERVICES, FOR A TOTAL AMOUNT OF \$98,893.54; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

AN ORDINANCE 101837

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$94,393.20 FOR CONSTRUCTION SERVICES TO BE PROVIDED BY RAM BUILDING SERVICES, L.L.C., AND AUTHORIZING \$6,607.52 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$101,000.72, IN CONNECTION WITH THE OZARK SIDEWALK & STREET OVERLAY PROJECT, AN AUTHORIZED 2003 STREET BOND FUNDED PROJECT, LOCATED IN DISTRICT 1, UNDER A PREVIOUSLY EXECUTED 2005-2006 INDEFINITE DELIVERY CONTRACT FOR PUBLIC WORKS INFRASTRUCTURE MAINTENANCE AND CONSTRUCTION.

AN ORDINANCE 101838

ACCEPTING THE LOWEST RESPONSIVE BID, APPROPRIATING FUNDS, AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,318,814.25 PAYABLE TO R.L. JONES, L.P., AUTHORIZING \$118,980.73 FOR PROJECT CONTINGENCY, \$91,615.16 FOR CAPITAL ADMINISTRATION COSTS, AND \$2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$1,531,410.14, \$129,007.00 OF WHICH TO BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, IN CONNECTION WITH THE ALAMO FARMSTEAD DRAINAGE PHASE 1 – WHITBY ROAD FROM ABE LINCOLN TO LEON CREEK PROJECT, AN AUTHORIZED 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDED PROJECT LOCATED IN DISTRICT 7.

AN ORDINANCE 101839

ACCEPTING THE LOWEST RESPONSIVE BID, APPROPRIATING FUNDS, AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,163,066.34 PAYABLE TO SAN ANTONIO CONSTRUCTORS, LTD. (SBE), AUTHORIZING \$88,019.03 FOR PROJECT CONTINGENCY, \$67,774.65 FOR CAPITAL ADMINISTRATION COSTS, AND \$2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$1,320,860.02, \$282,876.02 OF WHICH TO BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, IN CONNECTION WITH

THE DUKE AREA STREETS PHASE 1 PROJECT, AN AUTHORIZED 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDED PROJECT LOCATED IN DISTRICT 7.

AN ORDINANCE 101840

SELECTING CIVIL ENGINEERING CONSULTANTS, INC TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE PRUE ROAD LOW WATER CROSSING PROJECT, AN AUTHORIZED 2003 STORM WATER REVENUE BOND FUNDED PROJECT, LOCATED IN DISTRICT 8; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$58,520.96; AUTHORIZING \$5,852.10 FOR PROJECT CONTINGENCY AND \$4,506.11 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$68,879.17.

AN ORDINANCE 101841

AUTHORIZING FUNDS IN AN AMOUNT NOT TO EXCEED \$95,502.4688,510.10 IN CONNECTION WITH THE GOLIAD OUTFALL PHASE III PROJECT (\$1,210.39), WOODLAWN – BANDERA TO MAIDEN PROJECT (\$10,693.84), MARNEY PLAZA OUTFALL PROJECT (\$9,263.48), AND GOLIAD RD – PECAN VALLEY TO MILITARY DRIVE PROJECT (\$7,533.10) ALL LOCATED IN DISTRICT 3, MILITARY DITCH #65 PROJECT (\$7,199.54) LOCATED IN DISTRICT 4, AND THE CALLAGHAN ROAD – BANDERA TO HORSESHOE BEND PROJECT (\$52,609.75) LOCATED IN DISTRICT 7, FROM METROPOLITAN PLANNING ORGANIZATION (MPO) FUNDS AND 2003-2007 STORM WATER REVENUE BOND FUNDS.

AN ORDINANCE 101842

APPROVING AN AMENDMENT TO A HEMISFAIR PARK LEASE AGREEMENT WITH ANN E. BRALEY, DBA STAR COMPANIES, FOR USE OF APPROXIMATELY 600 SQUARE FEET IN THE AMAYA HOUSE, BUILDING 250, IN HEMISFAIR PARK IN DISTRICT 1 FOR STORAGE PURPOSES AT A RENTAL RATE OF \$100.00 PER MONTH.

AN ORDINANCE 101843

AUTHORIZING A THREE YEAR DISTRICT 2 CONSTITUENT OFFICE LEASE AGREEMENT, CALLING FOR \$1,373.58 PER MONTH IN RENT AND TWO TWO-YEAR RENEWAL OPTIONS AND/OR AN OPTIONAL HOLDOVER PERIOD OF 6 MONTHS AND RATIFYING A RENTAL PAYMENT IN THE AMOUNT OF \$1,512.66 FOR THE MONTH OF NOVEMBER 2005

AN ORDINANCE 101844

AUTHORIZING A TWO YEAR DISTRICT 3 CONSTITUENT OFFICE LEASE AGREEMENT, CALLING FOR \$468.00 PER MONTH IN RENT AND ONE TWO-YEAR RENEWAL OPTION.

AN ORDINANCE 101845

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH ICF CONSULTING, IN AN AMOUNT NOT TO EXCEED \$85,000.00, TO PROVIDE CONSULTING SERVICES TO THE FINANCE SAN ANTONIO AD HOC COMMITTEE; AND AMENDING ORDINANCE NO. 101115 TO EXTEND THE TERM OF THE FINANCE SAN ANTONIO AD HOC COMMITTEE, AS REQUESTED BY COUNCILMAN ART HALL, DISTRICT 8.

AN ORDINANCE 101846

AUTHORIZING THE CITY MANAGER TO GRANT A FEE WAIVER TO DRURY SOUTHWEST INC. ("DRURY") OF UP TO \$74,419.00 IN CONNECTION WITH TEMPORARY STREET AND SIDEWALK CLOSURES RELATED TO THE CONSTRUCTION OF THE RIVERWALK EXTENSION FROM GATE 3 TO GATE 4 ALONG THE MAIN CHANNEL OF THE SAN ANTONIO RIVER; AS REQUESTED BY COUNCILMAN ROGER O. FLORES, DISTRICT 1.

AN ORDINANCE 101848

AUTHORIZING THE RELEASE OF LIEN AND EXECUTION OF ALL AMENDED RELATED DOCUMENTS IN CONNECTION WITH THE WILSHIRE WOODS APARTMENT RENTAL REHABILITATION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT.

AN ORDINANCE 101849

AUTHORIZING THE EXECUTION OF A CONTRACT WITH MORRIS & MCDANIEL, INC., TESTING CONSULTANT, FOR THE PREPARATION OF VALIDATED WRITTEN PROMOTIONAL EXAMINATIONS AND VALIDATED WRITTEN SCENARIO-BASED PROMOTIONAL EXAMINATIONS FOR CERTAIN POSITIONS IN THE SAN ANTONIO POLICE DEPARTMENT, FOR A TERM OF THREE YEARS, WITH AN OPTION TO RENEW FOR AN ADDITIONAL TWO YEAR PERIOD, FOR AN ANNUAL COMPENSATION IN THE AMOUNT OF \$186,840.00 FOR EXAMINATION DEVELOPMENT AND AN ANNUAL AMOUNT NOT TO EXCEED \$15,000.00 FOR ANY NECESSARY APPEALS, FOR A TOTAL ANNUAL AMOUNT OF \$201,840.00.

AN ORDINANCE 101850

AUTHORIZING THE EXECUTION OF A COST REIMBURSEMENT AGREEMENT WITH SAN ANTONIO FIGHTING BACK IN THE AMOUNT OF \$218,800.00 TO COVER OVERTIME COSTS, FEES, AND SUPPLIES RELATED TO THE WEED AND SEED INITIATIVE PROGRAM.

AN ORDINANCE 101851

AUTHORIZING THE EXECUTION OF A COST REIMBURSEMENT AGREEMENT WITH SAN ANTONIO FIGHTING BACK IN THE AMOUNT OF \$218,800.00 TO COVER OVERTIME COSTS, FEES, AND SUPPLIES RELATED TO THE WEED AND SEED INITIATIVE PROGRAM.

AN ORDINANCE 101852

AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL GRANT FUNDS IN THE AMOUNT OF \$120,000.00 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) FOR THE SAN ANTONIO HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) INITIATIVE'S ACCELERATED ARREST PROGRAM FOR THE GRANT PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2005, AND REVISING THE CURRENT PROGRAM BUDGET FOR A TOTAL BUDGET AMOUNT OF \$2,153,568.00.

AN ORDINANCE 101853

AMENDING ORDINANCE 101282 BY PROVIDING \$45,391.00 FROM THE GENERAL FUND IN ONE TIME SUPPORT TO CONTINUE FUNDING THE CRISIS ASSISTANCE TEAM ADMINISTRATION GRANT PROGRAM FROM SEPTEMBER 1, 2005 THROUGH SEPTEMBER 30, 2006, AND AMENDING THE GRANT BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 101854

AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL GRANT FUNDS IN THE AMOUNT OF \$165,628.00 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) FOR THE 2005 SAN ANTONIO HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) INITIATIVE FOR THE GRANT PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005, AND REVISING THE CURRENT PROGRAM BUDGET FOR A TOTAL BUDGET AMOUNT OF \$2,243,775.00.

AN ORDINANCE 101855

AUTHORIZING THE ACCEPTANCE OF A \$1,125.00 CASH DONATION FROM WAL-MART STORES TO THE WEST SAFFE (SAN ANTONIO FEAR FREE ENVIRONMENT) UNIT OF THE SAN ANTONIO POLICE DEPARTMENT, AMENDING THE BUDGET, AND APPROPRIATING FUNDS.

AN ORDINANCE 101856

AUTHORIZING THE ACCEPTANCE OF \$1,000.00 FROM MRS. BOB (HANA) ROSS FOR THE PURCHASE OF ART-WORK TO BE DISPLAYED IN THE BOB ROSS SENIOR MULTI-SERVICE HEALTH AND RESOURCE CENTER; AND APPROPRIATING FUNDS.

AN ORDINANCE 101857

AUTHORIZING THE EXECUTION OF A LETTER OF CONSENT FROM THE GREATER KELLY DEVELOPMENT AUTHORITY STATING THAT THE CITY OF SAN ANTONIO HAS NO OBJECTIONS TO THE DEMOLITION OF KELLYUSA WAREHOUSE BUILDING 3060.

AN ORDINANCE 101858

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$30,135.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE FAIR HOUSING INITIATIVES PROGRAM FOR THE PERIOD OF NOVEMBER 1, 2005 THROUGH OCTOBER 31, 2006; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS REQUIRED IN CONNECTION WITH THE GRANT AWARD; AND APPROVING THE BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 101859

APPROVING THE SUBMISSION OF A CALENDAR YEAR (CY) 2006 COMMUNITY SERVICES BLOCK GRANT (CSBG) PERFORMANCE STATEMENT, BUDGET AND PERSONNEL COMPLEMENT TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA); AUTHORIZING THE ACCEPTANCE OF AN AMOUNT UP TO \$1,975,218.00, SUBJECT TO AWARD OF THE GRANT BY TDHCA; APPROVING THE CY 2006 CSBG BUDGET AND PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS REQUIRED IN CONNECTION WITH THE GRANT AWARD; AUTHORIZING THE EXECUTION OF A CONTRACT, CONTINGENT UPON FUNDING, WITH THE GUADALUPE COMMUNITY CENTER IN AN AMOUNT UP TO \$15,000.00, FOR THE PROVISION OF SERVICES IN CONNECTION WITH THE CSBG CY 2006 PROGRAM.

AN ORDINANCE 101860

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$128,482.00 WITH UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY, ON BEHALF OF THE ALAMO AREA COMMUNITY INFORMATION SYSTEM (AACIS), FOR THE CONTINUATION OF PROGRAM SUPPORT AT FOUR COMMUNITY TECHNOLOGY CENTERS AND FOR THE ESTABLISHMENT OF A FIFTH COMMUNITY TECHNOLOGY CENTER AT THE COLONEL VICTOR J. FERRARI COMMUNITY FAMILY RESOURCE AND LEARNING CENTER BEGINNING JANUARY 1, 2006; AND ADOPTING AN FY 2006 PROGRAM BUDGET.

AN ORDINANCE 101861

AUTHORIZING THE ACCEPTANCE OF A SAM'S CLUB LITERACY GRANT IN THE AMOUNT OF \$1,750.00 FOR THE PROVISION OF TUTORS TO ASSIST STUDENTS AT THE COMMUNITY FAMILY RESOURCE AND LEARNING CENTERS BEGINNING JANUARY 1, 2006; AND ADOPTING AN FY 2006 PROGRAM BUDGET.

AN ORDINANCE 101862

APPROVING THE RELEASE OF PAYMENT IN THE AMOUNT OF \$51,071.08 FROM APPROPRIATED CONTRACT FUNDS FOR THE RENOVATION OF THE MEXICAN CULTURAL INSTITUTE, UNDERTAKEN IN CONJUNCTION WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT, TO MOUNTBATTEN SURETY COMPANY, INC., THE SURETY WHO ISSUED THE REQUIRED PAYMENT BOND FOR THE CONTRACTOR, SANDOVAL CONSTRUCTION COMPANY.

AN ORDINANCE 101863

AUTHORIZING THE EXECUTION OF FIVE CONTRACTS FOR A TOTAL OF \$210,000.00 WITH LOCAL DENTISTS TO PROVIDE DENTAL SERVICES FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE EXECUTION OF A CONTRACT WITH UNIVERSITY PHYSICIANS GROUP FOR \$120,000.00 FOR OBSTETRICS AND GYNECOLOGY PHYSICIAN SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT WITH SOUTHWEST GENERAL HOSPITAL FOR \$120,000.00 FOR MAMMOGRAPHY PROCEDURES; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT ESTABLISHING A CEILING FOR A TOTAL AMOUNT OF \$75,000.00 TO A PROFESSIONAL SERVICES AGREEMENT WITH A NURSE PRACTITIONER; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT ESTABLISHING A CEILING FOR A TOTAL AMOUNT OF \$75,000.00 TO A PROFESSIONAL SERVICES AGREEMENT WITH A PHYSICIAN ASSISTANT; AND AUTHORIZING PAYMENTS.

AN ORDINANCE 101864

AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO AND FORT SAM HOUSTON REDEVELOPMENT PARTNERS,

LTD. (FSHRP) FOR BUILDING PLAN REVIEW, BUILDING INSPECTIONS, AND THE ISSUANCE OF CERTIFICATES OF OCCUPANCY BY THE CITY UPON THE REQUEST OF FSHRP AS IF THE STRUCTURES WERE SUBJECT TO THE JURISDICTION OF THE CITY OF SAN ANTONIO.

AN ORDINANCE 101865

AN ORDINANCE AMENDING FY 2006 BUDGET ORDINANCE NO. 101386 BY INCREASING THE APPROPRIATION OF THE HUMAN DEVELOPMENT SERVICES FUND (HDSF) OF THE MAYOR AND CITY COUNCIL BY \$200,002.00, FOR A TOTAL OF \$660,000.00 IN THE HDSF, AS REQUESTED BY COUNCILMEMBER RICHARD PEREZ, DISTRICT 4, AND COUNCILMEMBER PATTI RADLE, DISTRICT 5.

AN ORDINANCE 101866

APPOINTING JILL MCGOWIN (DISTRICT 10) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 101867

REAPPOINTING JOHN YBANEZ (DISTRICT 6) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2006.

AN ORDINANCE 101868

APPOINTING ROSA GONZALEZ (DISTRICT 7) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 101869

APPOINTING JANET PEREZ (DISTRICT 6) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 101870

APPOINTING ANTONIO (TONY) MEDINA (DISTRICT 6) TO THE MECHANICAL BOARD OF APPEALS (CATEGORY: COMMERCIAL REFRIGERATION CONTRACTOR) FOR A TERM OF OFFICE FOR THE REMAINDER OF AN UNEXPIRED TERM THAT WILL END MARCH 20, 2007.

AN ORDINANCE 101871

APPOINTING MONICA JEANNIE RODRIGUEZ (CATEGORY: SAN ANTONIO ECONOMIC DEVELOPMENT FOUNDATION), DEIRDRE E. HISLER (CATEGORY: TEXAS PARKS & WILDLIFE), JAMES L. BLAIR (CATEGORY: SAN ANTONIO RIVER AUTHORITY), SCOTT HALTY (CATEGORY: SAN ANTONIO WATER SYSTEM), BONNIE CONNER (CATEGORY: PARKS AND RECREATION ADVISORY BOARD) AND ROBERT POTTS (CATEGORY: EDWARDS AQUIFER AUTHORITY) TO THE CONSERVATION ADVISORY BOARD FOR TERMS OF OFFICE EXPIRING MAY 31, 2007.

AN ORDINANCE 101872

APPOINTING ED GARZA TO THE BOARD OF DIRECTORS (THE "BOARD") FOR THE CITY SOUTH MANAGEMENT AUTHORITY, AND FOR THE NAMING HIM AS PRESIDING OFFICER OF THE BOARD FOR THE REMAINDER OF AN UNEXPIRED A FOUR TWO -YEAR TERM EXPIRING JUNE 30, 20097, AND WAIVING SECTION 2-402 OF THE CITY CODE, AT-LARGE APPOINTMENTS, FOR THIS TERM.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following Ordinance:

AN ORDINANCE 101873

ACCEPTING AND RATIFYING A SOLE SOURCE CONTRACT FROM PHILIPS MEDICAL SYSTEMS FOR THE PURCHASE OF 30 AUTOMATIC EXTERNAL DEFIBRILLATORS FOR THE FIRE DEPARTMENT FOR A TOTAL OF \$55,507.50, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Gutierrez.

The City Clerk read the following Ordinance:

AN ORDINANCE 101874

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$717,065.00 INCLUDING AUTOMOTIVE LUBRICANTS; OXYGEN, ACETYLENE AND WELDING SUPPLIES; CONCRETE LEVELING AND STABILIZATION; REPAIR AND MAINTENANCE OF PHYSIO CONTROL MONITORS/DEFIBRILLATORS; DOOR TO DOOR DELIVERY OF BRUSH COLLECTION NOTICES; AND JANITORIAL SUPPLIES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

Councilmember Perez asked of the printing of the notices and the quantity.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

The City Clerk read the following Ordinance:

AN ORDINANCE 101875

AUTHORIZING THE EXECUTION OF AN AMENDMENT OF THE MEMORANDUM OF AGREEMENT BETWEEN THE FEDERAL AVIATION ADMINISTRATION AND THE CITY OF SAN ANTONIO, ESTABLISHING THEIR RESPECTIVE ROLES AND RESPONSIBILITIES IN CONNECTION WITH PHASE 2 OF THE RUNWAY SAFETY AREA AND IMPROVEMENTS PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET TO

PROVIDE \$77,500.00 FOR REIMBURSEMENT OF EXPENSES AND PROVIDING FOR PAYMENT TO THE FAA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

The City Clerk read the following Ordinance:

AN ORDINANCE 101876

AUTHORIZING EXECUTION OF AN AMENDMENT TO THE STINSON MUNICIPAL AIRPORT LEASE AGREEMENT WITH CARLOS P. DELGADO/ALMA A. RICO, FOR OPERATION OF THE STINSON FIELD PATIO CAFÉ AT STINSON MUNICIPAL AIRPORT TO ALLOW THE EXTENSION OF THE EXISTING LEASE TERM TO THE EARLIER OF APRIL 30, 2007 OR THE COMPLETION OF THE NEW CAFÉ FACILITY WITHIN THE NEW STINSON TERMINAL BUILDING.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101877

AUTHORIZING A LICENSE RENEWAL TO THE HEARST NEWSPAPERS PARTNERSHIP, L.P. (SAN ANTONIO EXPRESS NEWS) TO OCCUPY SPACE BENEATH THE SIDEWALK AT THIRD STREET AND AVE. E, ADJACENT TO NEW CITY BLOCK 427, LOCATED IN DISTRICT 1, FOR PAYMENT TO THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$5,500.00.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

POINT OF PERSONAL PRIVILEGE

Councilmember Wolff motioned to pull Agenda Item 51 from consideration until January 12, 2006. Councilmember Perez seconded the motion.

After consideration, the motion to pull Agenda Item 51 prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

Councilmember Wolff motioned to reconsider Agenda Item 51. Councilmember Perez seconded the motion.

After consideration, the motion to pull Agenda Item 51 prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

Councilmember Wolff motioned to table Agenda Item 51 to January 12, 2006. Councilmember Perez seconded the motion.

After consideration, the motion to table Agenda Item 51 prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

Agenda Item 51 was pulled from consideration.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following Ordinance:

AN ORDINANCE 101878

AUTHORIZING LEASE AGREEMENTS WITH CLEAR CHANNEL RADIO, INC., THE SAN ANTONIO EXPRESS-NEWS, AND TEXAS INFINITY BROADCASTING,

L.P. FOR OFFICE SPACE IN CITY HALL, THE LEASES CALLING FOR RENT AT \$16.85 PER SQUARE FOOT, HAVING TWO YEAR TERMS BEGINNING JANUARY 1, 2006, AND PROVIDING FOR RENEWALS AT MARKET RATES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

The following citizen(s) appeared to speak:

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, recommended the City meet with the company to make sure that a pay structure is in place to ensure guards receive the rate mentioned in the contract.

Mr. Jack M. Finger, P.O. Box 12048, asked Mayor Hardberger to make a motion to rescind those approved items he had signed up to speak on but was unable to. Mayor Hardberger offered an apology, stating that volume of items Mr. Finger requested to address created confusion. Mr. Finger commented on several items Council earlier approved, in particular noting the deletion of selected information on a candidate's supporting biographical application for a seat on the City South Management Authority's Board of Directors.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101879

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PADGETT STRATEMANN & COMPANY, LLP FOR END OF FISCAL YEAR SUPPORT SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000.00.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101880

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY PURSUIT SAFETY, INC. TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH ANTENNAS FOR A TOTAL OF \$39,650.00 FROM THE 1999 GENERAL OBLIGATION PUBLIC SAFETY BOND FUNDS.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Hardberger. **NAYS:** None. **ABSENT:** Wolff, Haass.

The City Clerk read the following Ordinance:

AN ORDINANCE 101881

SELECTING HALFF ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING AND CONSULTING SERVICES IN CONNECTION WITH THE LAND USE, LAND COVER PROJECT, WHICH IS LOCATED CITY-WIDE; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$546,800.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT, FROM STORM WATER FACILITIES FUNDS.

Councilmember Guajardo made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Wolff.

The City Clerk read the following Ordinance:

AN ORDINANCE 101882

ACCEPTING THE PROPOSAL OF ALEXANDER UTILITY ENGINEERING, INC., FOR CONSULTING SERVICES TO DEVELOP A STRATEGIC PLAN AND PREPARE A REQUEST FOR PROPOSAL TO ACQUIRE TELECOMMUNICATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$73,450.00.

Councilmember Guajardo made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101883

AUTHORIZING THE PURCHASE OF EXCESS GENERAL LIABILITY AND EXCESS WORKERS' COMPENSATION INSURANCE, AS A PACKAGE POLICY, FOR THE CITY OF SAN ANTONIO WITH STATE NATIONAL INSURANCE COMPANY THROUGH MCGRUFF, SEIBELS AND WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE (1) YEAR PERIOD BEGINNING DECEMBER 31, 2005, IN THE AMOUNT OF \$628,425.00.

Councilmember Guajardo made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101884

AUTHORIZING PAYMENT FROM AIRPORT FUNDS PURSUANT TO THE SAN ANTONIO AIR SERVICE INCENTIVE PROGRAM IN AN AMOUNT NOT TO EXCEED \$100,000.00 TO SOUTHWEST AIRLINES FOR ADVERTISING AND PROMOTIONAL EXPENSES, AS A RESULT OF THE AIR CARRIER'S

INITIATION OF NEW NON-STOP SERVICE TO CHICAGO MIDWAY AIRPORT
EFFECTIVE OCTOBER 2, 2005.

Councilmember Guajardo made a motion to approve the proposed Ordinance.
Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Hall, Wolff, Haass, Hardberger. **NAYS:** Guajardo. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

AN ORDINANCE 101885

ACCEPTING A PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A ONE-YEAR CONTRACT IN THE PROJECTED AMOUNT OF \$443,591.40 WITH WASTE MANAGEMENT OF TEXAS, L.P., BASED ON A UNIT PRICE PER HOME, TO PROVIDE SOLID WASTE COLLECTION TWICE WEEKLY, BRUSH AND BULKY ITEM COLLECTION TWICE ANNUALLY, RECYCLING SERVICES ONE TIME PER WEEK, DEAD ANIMAL COLLECTION AND ALL ASSOCIATED WASTE DISPOSAL COSTS IN THE STONE OAK AREA FOR THE PERIOD OF JANUARY 1, 2006, TO DECEMBER 31, 2006, AND AUTHORIZING UP TO THREE (3) ADDITIONAL ONE (1) YEAR EXTENSIONS UPON THE APPROVAL OF THE DIRECTOR OF ENVIRONMENTAL SERVICES; AND PROVIDING FOR PAYMENT.

Councilmember Guajardo made a motion to approve the proposed Ordinance.
Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Hall, Wolff, Haass, Hardberger. **NAYS:** Guajardo. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101886

AUTHORIZING THE EXECUTION OF A DEDUCTIVE FIELD ALTERATION NO. 1 TO REDUCE THE AMOUNT OF THE CONTRACT WITH YANTIS COMPANY FOR THE RUNWAY SAFETY AREA AND IMPROVEMENTS PROJECT AT THE SAN

ANTONIO INTERNATIONAL AIRPORT IN THE AMOUNT OF \$90,000.00;
REVISING THE PROJECT BUDGET AND TRANSFERRING FUNDS.

Councilmember Herrera made a motion to approve the proposed Ordinance.
Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

AN ORDINANCE 101887

ACCEPTING THE PROPOSAL OF, AND AUTHORIZING AN AGREEMENT WITH, INITIAL SECURITY, TO PROVIDE SECURITY GUARD SERVICES AT VARIOUS CITY FACILITIES FOR A TERM TO BEGIN JANUARY 1, 2006 AND END SEPTEMBER 30, 2010 AT AN HOURLY RATE OF \$13.30 PER HOUR, FOR AN APPROXIMATE TOTAL ANNUAL COST OF \$1,570,000.00.

Councilmember Herrera made a motion to approve the proposed Ordinance.
Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101888

AUTHORIZING STAFF TO NEGOTIATE AND EXECUTE A DEVELOPMENT AGREEMENT FOR THE MUSEUM REACH PROJECT FROM JOSEPHINE ST. TO NEWELL ST. IN ACCORDANCE WITH THE SAN ANTONIO RIVER IMPROVEMENT PROJECT (SARIP) MASTER PLAN AS MODIFIED; AND AUTHORIZING A MODIFICATION TO THE SEPTEMBER 30, 2004 MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN ANTONIO RIVER AUTHORITY (SARA) AND THE CITY OF SAN ANTONIO WHICH WILL REDEFINE SARA'S PARTICIPATION IN THE MUSEUM REACH PROJECT.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 101889

ACCEPTING THE LOW, QUALIFIED BID OF SHORTY, INC., DBA CHARLIE & COMPANY, IN THE AMOUNT OF \$212,222.00 TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE SOUTHSIDE LIONS (EAST) PARK PLAYGROUND PROJECT IN DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$7,751.38 FOR CONSTRUCTION CONTINGENCY, FOR A TOTAL AMOUNT OF \$219,973.38; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$196,810.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, \$8,163.38 FROM REVENUES COLLECTED FOR UDC FEES IN LIEU OF PARK LAND DEDICATION AND \$15,000.00 IN 1999-2004 IN PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Gutierrez made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

POINT OF PERSONAL PRIVILEGE

Councilmember Patti Radle discussed the importance of recycling and referred Councilmembers to the Green Book, featuring office supplies made from recycled materials.

Mayor Hardberger informed Council Chambers that the Citizens to be Heard would follow zoning considerations and the City Manager's Report.

PLAN AMENDMENTS AND ZONING CASES

P-1. PLAN AMENDMENT CASE #50012 (District 4): An Ordinance amending the land use plan contained in the City South Community Plan, a component of the Master Plan of the City, by changing the use of an approximately 122.5 acre tract of land located at 14851 and 14970 Watson Road from Agriculture land use to Rural Living land use. Staff and Planning Commission have recommended approval.

Councilmember Perez made a motion to table the proposed plan amendment until January 5, 2006. Councilmember Gutierrez seconded the motion.

After consideration, the motion to table this item prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

After consideration, the motion to table this item prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Gutierrez, Haass, Hardberger.

The item was continued until January 5, 2006.

Z-1. ZONING CASE #Z2005254 (District 1): An Ordinance changing the zoning to establish a Neighborhood Conservation District-5 (NCD-5) Overlay on properties generally bounded by West Hildebrand Avenue on the north, Union Pacific Railroad Right of Way on the east, Fredericksburg Road on the south, including all parcels fronting both sides of Fredericksburg Road, and IH-10 on the west; and to provide for a Neighborhood Conservation Plan, as requested by of the City of San Antonio, Applicant, for Multiple Owners. Staff and Zoning Commission have recommended approval.

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

Councilmember Flores made a motion to approve the proposed rezoning case with "NCD-5." Councilmember Herrera 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.

AN ORDINANCE 101890

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY DESCRIBED HEREIN AS BEGINNING AT THE INTERSECTION OF THE EASTERN BOUNDARY LINE OF INTERSTATE HIGHWAY 10 RIGHT-OF-WAY AND THE CENTERLINE OF WEST HILDEBRAND AVENUE; THENCE, FOLLOWING THE CENTERLINE OF WEST HILDEBRAND AVENUE EAST TO THE INTERSECTION OF CENTERLINE OF WEST HILDEBRAND AVENUE AND THE WESTERN BOUNDARY LINE OF UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE, FOLLOWING THE WESTERN BOUNDARY LINE OF UNION PACIFIC RAILROAD RIGHT-OF-WAY SOUTH TO THE INTERSECTION OF THE WESTERN BOUNDARY LINE OF UNION PACIFIC RAILROAD RIGHT-OF-WAY AND THE INTERSECTION OF CORNELL AVE.; THENCE, FOLLOWING THE SOUTH AND WEST PROPERTY LINES OF PARCELS OF: NCB 2047 BLOCK 4 THE SOUTH 70 FEET OF THE EAST 66.8 FEET OF LOT 11 AT 101 CORNELL; NCB 2047 BLOCK 4 THE NORTH IRREGULAR 115 FEET OF LOT 10 OR A10; NCB 2047 BLOCK 4 THE SOUTH IRREGULAR 126.5 FEET OF LOT 18; NCB 2047 BLOCK 4 THE NORTH IRREGULAR 102.01 FEET OF LOT 18; NCB 2046 BLOCK 6 THE SOUTH IRREGULAR 121 FEET OF LOT 3; NCB 2046 BLOCK 6 THE EAST 21.2 FEET OF LOT 2 AND NORTH IRREGULAR 107.5 FEET OF LOT 3; NCB 2046 BLOCK 6 LOT 4 AND P-100 (FORMER PART OF ALLEY) ; NCB 2022 BLOCK 6 LOT 6 HIGGS, CARTER, AND KING; NCB 2022 BLOCK 8 LOT 12, ARBITRARY A13 & ARBITRARY A14 HIGGS, CARTER, AND KING ; NCB 2022 BLOCK 8 LOT A14 HIGGS, CARTER, KING; NCB 2022 BLOCK 8 LOT 15; NCB 2021 BLOCK 10 LOT 27 AND SOUTH 96 FEET OF LOT 26; NCB 2021 BLOCK 10 THE NORTH 26.85 FEET OF THE WEST 30 FEET AND THE NORTH 48.85 FEET OF THE EAST 20 FEET OF LOT 25 AND THE NORTH 48.85 FEET OF LOT 26; NCB 2021 BLOCK 10 LOTS 1 AND 2; NCB 1995 BLOCK 7 LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 AND THE SOUTH IRREGULAR 96 FEET OF LOT 9, THE SOUTH 61 FEET OF LOTS 10 AND 11 AND P-100; NCB 1995 BLOCK 7 THE NORTH IRREGULAR 64 FEET OF LOT 9 AND THE NORTH IRREGULAR 99.1 FEET OF LOT 10 AND NORTH TRIANGULAR 73.8 FEET OF LOT 11; NCB 1994 BLOCK 4 LOT 26; NCB 1994 BLOCK 4 THE NORTH IRREGULAR 76.1 FEET OF LOT 25; NCB 1994 BLOCK 4 THE SOUTHEAST TRIANGULAR 62.15 FEET BY 90.77 FEET OF LOT 1A; NCB 1994 BLOCK 4 THE NORTHWEST 50.5 FEET OF THE SOUTHEAST 112.65 FEET OF LOT 1A AND THE SOUTH IRREGULAR 54.96 FEET OF THE EAST 34.97 FEET OF LOT 2B; NCB 1994 BLOCK 4 LOT 2A & NW TRI 30.7 FT OF 1A; NCB 1994 BLOCK 4 THE NORTHWEST TRIANGULAR 23.2 FEET OF LOT 2; NCB 1994 BLOCK 4 LOT 3; NCB 1968 BLOCK 2 LOTS 4, 5, 6, 7, 8, 9, AND 10; NCB 1968

BLOCK 2 LOTS 1, 2, AND 3 EXCEPT FOR THE EAST 10.6 FEET OF LOTS 1, 2, AND 3; NCB 60 THE EAST 97 FEET OF LOT 1; THENCE, FOLLOWING A LINE EXTENDING WEST FROM THE SOUTH PROPERTY LINE OF NCB 60 THE EAST 97 FEET OF LOT 1 TO THE INTERSECTION OF THAT LINE AND THE EASTERN BOUNDARY LINE OF IH-10 RIGHT-OF-WAY.

Z-2. ZONING CASE #Z2005243 (District 3): An Ordinance changing the zoning boundary from "C-2" Commercial District to "R-4" Residential Single-Family District on Lots 30 through 32, Block 25, NCB 3200, 1523 and 1525 Bailey Avenue as requested by H L H Properties, LP, Applicant, for Harry Hausman, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Gutierrez made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Haass.

AN ORDINANCE 101891

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 30 THROUGH 32, BLOCK 25, NCB 3200, 1523 AND 1525 BAILEY AVENUE FROM "C-2" COMMERCIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY.

Z-3. ZONING CASE #Z2005244 CD (District 3): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to "R-6" (CD-for a Home Health Care Administrative Office) Residential Single-Family District with a Conditional Use for an Home Health Care Administrative Office on the east 59.8 feet of the south 160 feet of Lot 8, Block 3, NCB 8581, 201 Rayburn Drive as requested by Augustine & Norma Estrada, Applicant, for Augustine & Norma Estrada, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Gutierrez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101892

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 59.8 FEET OF THE SOUTH 160 FEET OF LOT 8, BLOCK 3, NCB 8581 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" (CD FOR AN HOME HEALTH CARE ADMINISTRATIVE OFFICE) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A HOME HEALTH CARE ADMINISTRATIVE OFFICE.

Z-4. ZONING CASE #Z2005251 (District 3): An Ordinance changing the zoning boundary from "R-4" Residential Single Family District to "MH" Manufactured Housing District on Lot 5, Block 1, NCB 10867, 7701 Shetland Drive as requested by Rogelio Ibarra, Applicant, for Rogelio Ibarra and Sara, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Gutierrez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101893

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 5, BLOCK 1, NCB 10867 FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "MH" MANUFACTURED HOUSING DISTRICT.

Z-5. ZONING CASE #Z2005253 (District 3): An Ordinance changing the zoning boundary from "MF-33" Multi Family District and "I-1" General Industrial District to "R-4" Residential Single-Family District on Lots 20 through 25, Block 21, NCB 3196, 1503 Kayton, as requested by Earl & Associates, P. C., Applicant, for HLH Properties, L. P., Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Gutierrez made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101894

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 20 THROUGH 25, BLOCK 21, NCB 3196 FROM "MF-33" MULTI FAMILY DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

Z-7. ZONING CASE #Z2005215 (District 4): An Ordinance changing the zoning boundary from "I-1" General Industrial District to "C-3 NA" General Commercial Nonalcoholic Sales District on Lot 7, Block 4, NCB 8782, 1273 New Laredo Highway as requested by Arturo and Maria de Lourde Monroy, Applicant, for Arturo and Maria de Lourde Monroy, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101895

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 4, NCB 8782 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3 NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT.

Z-8. ZONING CASE #Z2005246 S (District 4): An Ordinance changing the zoning boundary from "RM-4" Residential Mixed District to "C-3" General Commercial District on 7.193 acres out of NCB 12685, 8700 block of Interstate Highway 35 South near the intersection with State Highway 16 as requested by Albert W. Van Cleave, III, Applicant, for TAJI, Ltd., A Texas Limited Partnership, Owner(s). Staff's recommendation was for approval and Zoning Commission has recommended approval of "C-3 R" Restrictive General Commercial District.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101896

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 7.193 ACRES OUT OF NCB 12685 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-9. ZONING CASE #Z2005249 (District 4): An Ordinance changing the zoning boundary from "C-2" Commercial District and "C-3 NA" General Commercial, Nonalcoholic Sales District to "C-3" General Commercial District on Lot 2, Block 95, NCB 11067, 9222 Poteet Jourdanton Freeway as requested by Jasun Harmon, Applicant, for Tetco Stores, Incorporated, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101897

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLOCK 95, NCB 11067 FROM "C-2" COMMERCIAL DISTRICT AND "C-3 NA" GENERAL COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-10. ZONING CASE #Z2005258 (District 4): An Ordinance changing the zoning boundary from "I-2" Heavy Industrial District to "C-2" Commercial District on a 1.853 acre tract out of P-108, NCB 11186, 7800 Block of Barlite Boulevard as requested by Comprehensive Radiology Management Services, Applicant, for MTB Interests Inc. & WOB Interests Inc., Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101898

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 1.853 ACRE TRACT OUT OF P-108, NCB 11186 FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Z-12. ZONING CASE #Z2005216 (District 8): An Ordinance changing the zoning boundary from "R-20 GC-1" Residential Single-Family Gateway Corridor District-1 to "C-2 GC-1" Commercial Gateway Corridor District-1 on 2.79 acres out of NCB 18337, the northwest corner of Oak Road and IH 10 West Access Road as requested by Dan Snell, Applicant, for Pommerening Living Trust and Annabella A. Pommerening Living Trust, Owner(s). Staff and Zoning Commission have recommended denial of "C-2" and approval of "O-1."

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

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101899

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.79 ACRES OUT OF NCB 18337 FROM "R-20 GC-1" RESIDENTIAL SINGLE-FAMILY GATEWAY CORRIDOR DISTRICT-1 TO "O-1 GC-1" COMMERCIAL GATEWAY CORRIDOR DISTRICT-1.

Z-15. ZONING CASE #Z2005248 S (District 8): An Ordinance changing the zoning boundary from "O-2 GC-1" Office Hill Country Gateway Corridor District and "C-2 GC-1" Commercial Hill Country Gateway Corridor District to "C-2 S GC-1" Commercial Hill Country Gateway Corridor District with a Specific Use Permit for a bar and/or tavern on .48 acres out of NCB 16391, 23535 IH 10 West as requested by Kaufman and Associates, Inc., Applicant, for L. S. Boardwalk, LLC, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Haass.

AN ORDINANCE 101900

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.48 ACRES OUT OF NCB 16391 FROM "O-2 GC-1" OFFICE HILL COUNTRY GATEWAY CORRIDOR DISTRICT AND "C-2 GC-1" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR DISTRICT TO "C-2 S GC-1" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR DISTRICT WITH A SPECIFIC USE PERMIT FOR A BAR AND/OR TAVERN.

Z-16. ZONING CASE #Z2005252 (District 8): An Ordinance changing the zoning boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 4.826 acres out of NCB 14868, 6500 Block of Babcock Road, as requested by Mi Valle Partners, Ltd., Applicant, for Mi Valle Partners, Ltd., Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Haass.

AN ORDINANCE 101901

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 4.826 ACRES OUT OF NCB 14868 FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

Z-17. ZONING CASE #Z2005191 S (District 9): An Ordinance changing the zoning boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Permit for a Car Wash on 1.0959 acres out of NCB 19223, 20200 Block of Huebner Road as requested by Texas Shine Express, LLC, Applicant, for Shops of Stone Oak, LP, Owner(s). Staff and Zoning Commission have recommended denial.

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

Councilmember Wolff made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Hall, Wolff, Haass. **NAYS:** Flores, Radle, Herrera, Guajardo, Hardberger. **ABSENT:** None.

AN ORDINANCE 101902

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.0959 ACRES OUT OF NCB 19223 FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-2 S ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE PERMIT FOR A CAR WASH.

Z-18. ZONING CASE #Z2005239 CD (District 9): An Ordinance changing the zoning boundary from "R-5" Residential Single-Family District to "R-5" (CD-Multi-Family) Residential Single-Family District with a Conditional Use for multi-family dwellings not to exceed 18 units per acre on Lots 2 through 4, Block 4, NCB 11720; Lots 5 and 7, Block 3, NCB 11719, 2011, 2019 and 2027 Silver Oaks and 11218 and 11230 Brazil as requested by John A. Campbell, Applicant for Donald Pittman, Owner(s). Staff's recommendation was for approval. Zoning Commission has recommended approval with conditions: 1. Street Trees required. (Local A Street requires 28 feet of pavement and a 50 foot ROW that leaves 22 feet for sidewalks and trees.) 2. Due to the multi-family nature of the overall development, individual lots shall not be exempt from the landscape ordinance.

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

Councilmember Wolff made a motion to approve the proposed Ordinance with conditions. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101903

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 THROUGH 4, BLOCK 4, NCB 11720; LOTS 5 AND 7, BLOCK 3, NCB 11719 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" (CD-MULTI-FAMILY) RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT TO EXCEED 18 UNITS PER ACRE.

Z-19. ZONING CASE #Z2005236 (District 10): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units on Lot H and Lot I, NCB 12104, 2900 and 2876 Nacogdoches Road as requested by Lancaster Development Company, Applicant, for Tom E. Turner Family Foundation, Owner(s). Staff and Zoning Commission have recommended approval.

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

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101904

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT H AND LOT I, NCB 12104 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO PUD "MF-25" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT NOT TO EXCEED 26 UNITS.

Z-20. ZONING CASE #Z2005240 (District 10): An Ordinance changing the zoning boundary from "C-2" Commercial District to "C-3R" Restrictive Commercial District on Lot 10, Block 10, NCB 15700, 12819 Nacogdoches Road as requested by Jose Guillen, Applicant, for Jose Guillen, Owner(s). Staff and Zoning Commission have recommended approval.

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

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Wolff.

AN ORDINANCE 101905

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS LOT 10, BLOCK 10, NCB 15700 FROM "C-2" COMMERCIAL DISTRICT TO "C-3 R" RESTRICTIVE COMMERCIAL DISTRICT.

Z-21. ZONING CASE #Z2005242 (DISTRICT 10): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to "MH" Manufactured Housing District on the east 150 feet of Lot A-17, NCB 13806, 407 Overlook Drive as requested by Marilyn Anderson, Applicant, for Marilyn Anderson, Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101906

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS EAST 150 FEET OF LOT A-17, NCB 13806 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MH" MANUFACTURED HOUSING DISTRICT.

Z-22. ZONING CASE #Z2005245 CD (District 10): An Ordinance changing the zoning boundary from "C-2" Commercial District to "C-2" (CD-Automotive Repair Shop) Commercial District with a Conditional Use for a Automotive Repair Shop on Lot 22, Block 34, NCB 9073, 1251 Austin Highway as requested by Richard Gomez, Applicant, for Richard Gomez, Owner(s). Staff and Zoning Commission have recommended approval with conditions: 1. No more than 8 vehicles on site at any given time for repair or storage. 2. Each vehicle limited to 2 months maximum for storage. 3. No storage of junk vehicles. 4. Vehicles must be licensed. 5. No freestanding signage will be permitted. 6. Dumpsters must be screened from public view. 7. Lighting will be placed to direct the light away from adjoining properties and traffic.

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

Councilmember Haass made a motion to approve the proposed Ordinance with conditions. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

AN ORDINANCE 101907

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 22, BLOCK 34, NCB 9073 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" (CD-AUTOMOTIVE REPAIR SHOP) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN AUTOMOTIVE REPAIR SHOP.

Z-23. ZONING CASE #Z2005255 (District 10): An Ordinance changing the zoning boundary from "MH" IH-1 Manufactured Housing Northeast Gateway Corridor Overlay District 1 to "L" IH-1 Light Industrial Northeast Gateway Corridor Overlay District 1 on Lot 2, NCB 13807, 5103 Sherri Ann Road as requested by J. H. & T. G. F. Ltd., Applicant, for Kopplow Family Limited Partnership, Owner(s). Staff and Zoning Commission have recommended approval.

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

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

AN ORDINANCE 101908

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, NCB 13807 FROM "MH" IH-1 MANUFACTURED HOUSING NORTHEAST GATEWAY CORRIDOR OVERLAY DISTRICT 1 TO "L" IH-1 LIGHT INDUSTRIAL NORTHEAST GATEWAY CORRIDOR OVERLAY DISTRICT 1.

Z-24. ZONING CASE #Z2005256 (District 10): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to "C-3 NA" General Commercial Nonalcoholic Sales District on P-4B, NCB 15722, 12997 O'Connor Road as requested O'Haver Development, LLC, Applicant, for Dian Antonio E. Fernandez and Aura Guadalupe

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

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

AN ORDINANCE 101909

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS P-4B, NCB 15722 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3 NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT.

Z-14. ZONING CASE #Z2005247 (District 8): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-3" General Commercial District and "C-3 ERZD" General Commercial Edwards Recharge Zone District on 19.31 acres out of NCB 34760, 34761, and 14747, Abandoned Railroad Right of Way along IH 10 West Access Road, North of La Canterra and South of Camp Bullis Road as requested by Brown, P. C. Attorneys at Law, Applicant, for Thomas Enterprises, Inc., Owner(s). Staff and Zoning Commission have recommended approval.

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

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Herrera, Hall, Wolff, Haass, Hardberger. **NAYS:** Radle, Guajardo. **ABSENT:** McNeil.

AN ORDINANCE 101910

MENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 19.31 ACRES OUT OF NCB 34760, 34761, AND 14747 FROM "R-6" GC-1 RESIDENTIAL SINGLE-FAMILY GATEWAY CORRIDOR DISTRICT AND "R-6 ERZD" GC-1 RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE GATEWAY CORRIDOR DISTRICT TO "C-3" GC-1 GENERAL COMMERCIAL GATEWAY CORRIDOR DISTRICT ON 16.47 ACRES AND "C-3 ERZD" GC-1 GENERAL COMMERCIAL EDWARDS RECHARGE ZONE GATEWAY CORRIDOR DISTRICT ON 2.84 ACRES.

CEREMONIAL ITEMS

Mayor Hardberger addressed the following honorariums:

A Resolution of Appreciation to Mr. J. Rolando Bono, former City Manager, for his many years of service to the City.

A RESOLUTION 2005-47-42

EXPRESSING APPRECIATION TO J. ROLANDO BONO FOR HIS DEDICATED SERVICE TO SAN ANTONIO

WHEREAS, J. ROLANDO BONO HAS SERVED THE CITY OF SAN ANTONIO WITH HONOR, DISTINCTION AND DEDICATION FOR THE PAST 28 YEARS; AND

WHEREAS, MR. BONO BEGAN HIS CAREER WITH THE CITY OF SAN ANTONIO ON OCTOBER 26, 1977, SERVING IN NUMEROUS CAPACITIES, MANAGING VIRTUALLY EVERY DEPARTMENT, WHILE GROWING PROFESSIONALLY FROM ASSISTANT TO THE CITY MANAGER, ASSISTANT CITY MANAGER, DEPUTY CITY MANAGER AND MOST RECENTLY CITY MANAGER; AND

WHEREAS, MR. BONO WAS INSTRUMENTAL IN COORDINATING AND IMPLEMENTING THE URBAN MANAGEMENT ASSISTANTS OF SOUTH TEXAS (UMAST), A NON-PROFIT ORGANIZATION THAT HE HAS ACTIVELY SUPPORTED FOR NEARLY THREE DECADES; AND

WHEREAS, IN ADDITION TO HIS COMMUNITY INVOLVEMENT WITH THE BOY SCOUTS OF AMERICA, UNITED WAY OF SAN ANTONIO, AND GOLDEN GLOVES, MR. BONO ALSO REMAINED INVOLVED IN VARIOUS PROFESSIONAL ORGANIZATIONS, TO INCLUDE THE INTERNATIONAL CITY-COUNTY MANAGEMENT ASSOCIATION, HISPANIC NETWORK OF ICMA, AND URBAN MANAGEMENT ASSISTANTS OF SOUTH TEXAS; AND

WHEREAS, THE CITY COUNCIL IS PROUD OF MR. BONO'S EXTRAORDINARY CONTRIBUTIONS, AND RECOGNIZES THAT HIS DISTINGUISHED PERFORMANCE, LEADERSHIP, EXPERTISE, AND DEEP SENSE OF COMMITMENT TO PUBLIC SERVICE HAVE GREATLY BENEFITED THE CITY OF SAN ANTONIO.

NOW THEREFORE: BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

HEREBY COMMENDS MR. J. ROLANDO BONO FOR HIS OUTSTANDING RECORD OF EXCELLENCE, FOR HIS LONG AND DEVOTED SERVICE TO SAN ANTONIO AND ITS CITIZENS, AND PRESENTS THIS RESOLUTION AS A TOKEN OF ITS APPRECIATION.

PASSED AND APPROVED THIS 15TH DAY OF DECEMBER, 2005.

PHIL HARDBERGER
MAYOR

ATTEST:
CITY CLERK

Citation to Neela Thangada, winner of the 7th Annual Discovery Channel Young Scientist Challenge.

Certificate of Commendation to CPS Storm Team for their assistance in areas affected by Hurricanes Katrina and Rita.

Certificates of Appreciation to Hyatt Regency Hotel, Westin Riverwalk Hotel, St. Anthony Hotel, Hyatt Hill Country Resort, Hotel Valencia, Enterprise Rent-a-Car and Advantage Rent-a-Car for their community service in District 5.

CITY MANAGER'S REPORT

Mr. Ben Gorzell, City of San Antonio Public Utilities Director/Public Utilities Supervisor, made a presentation on the City's public education television channels, as related to Texas Senate Bill 5. Mayor Hardberger recapped the presentation by saying that due to Senate Bill 5 the City has lost its equipment and personnel to air Council Meetings as well as other programs. He added that it is the City's intent to continue all such services.

The following citizen(s) appeared to speak:

Ms. Citlali Zentella, PO Box 1421, addressed the Council relating to being informed on the laws and the community. She asked for a copy of Senate Bill 5.

Ms. DeAnne Cuellar, 922 San Pedro, Texas Media Empowerment Project, asked Council to demonstrate their support of public access broadcasting.

Mr. Ed Mims, 20554 Wind Springs, stated that he started television programming years ago and is pleased to know that the Council will continue the programming. He asked the Council to look into farming out the public programming. He also recommended that the programs not be censored and to possibly establish a committee.

Mr. Jess Turner, New Braunfels, informed the Council that via his public access program, many children have contacted him and want programming to continue. He asked that the City meet with Time Warner and find the resources to continue the program.

Ms. Rita Hack, San Antonio, stated that her public access show offers an important service community. She suggested that the City seek alternative sources to offer public access (e.g. other cable providers).

Mr. Nick Calzoneit, 66 Brees, asked Council to continue the public access programming as it is an important source of information delivery to the Latino community. He referred to news coverage of efforts to rename a Harlendale elementary school which received only minor mainstream media coverage, but were highly touted on public access.

Ms. Kim I Saw the Lord Jesus [*sic*], 2803 Wood Cutter, said her public access program allows her to reach many people and spread the message of God.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, noted that the Texas legislature has a history of approving last-minute legislation that affects us all.

Mr. Faris Hodge, Jr., 140 Dora, stated the City should look at other cable providers and explore Internet broadcasting. He stated that three minutes to address Council is insufficient. He added that the Library overcharges for Internet access.

Ms. Gerri I. Peters, 612 Strings Dr., stated she was a public access producer and appreciated what the Council is trying to do. She noted the importance of public access broadcasting to the community.

Ms. Graciela Sanchez, 922 San Pedro, Esperanza Peace and Justice Center, addressed Council to state there is a history in this country that required corporations to provide access to the public network for public access programming. She recommended corporate citizens donate a percentage of personal funds for public programming.

Mr. Ernest Zamora, Jr., 631 Bailey, stated his local anime program is known around the globe and is truly unique, offering viewers an outlet to show their creative works. He said public access benefits the City via tourism and potential conventions.

Ms. Patsy Robles Benitez, 7109 Leslie, presented a video clip to demonstrate the broad influence and discussion topics her show presented to children. She said the City can find the money to continue offering the service if it desires.

Mr. Christopher Perez, 803 Glacis, addressed Council to state that public access provides a unique voice and to silence this voice would be a tragedy.

Mr. Antonio Diaz, 507 Kashmir Pl., addressed the Council to state that he understood that the decision was mandated, but explained that Time Warner is not being a good partner. He also mentioned censorship and his wish for public access to continue. Lastly, he said the public comment portion of Council Meetings should be broadcasted.

Mr. Richard Couches, 114 Queens Crescent, addressed the Council regarding a public access channel and offered to sell it to the City. He stated that all that is needed is a transmitter.

Mr. Elision Moreno addressed the Council with regard to keeping the public access channel and stated that equipment can be obtained with government grants.

Ms. Delia Guajardo, 107 Sutton, addressed the Council and asked everyone to watch her program on Sundays at 3:30 p.m. She wished all a Merry Christmas and a prosperous New Year.

Mr. Joe Desperado, 306 Laurel wood Dr., addressed Council and stated that public access is creative expression. He spoke about variety and diversity. He stated that cultural and public awareness programming is a reflection of our city. He asked that Council continue the public access channel.

CITIZEN'S TO BE HEARD

Mr. Glen Allen Graham, 6900 N. Van Diver, thanked the City and Council for their hard work. He also asked Council to reconsider the last Council's approval of the PGA Golf Resort.

Mr. Frank Bartlett, 5750 Broadway, addressed Council to express his displeasure with the City's employment process.

Ms. Deborah Carlo Clifton, 10137 Galesburg, addressed Council to recommend it outsource public access television production and urged there be no interruption of broadcasting.

Ms. Patricia Rodriguez, San Antonio, sang a song to the Mayor and Council as a gift to each.

Ms. Marcia Slayer, PO Box 590810, stated that she researched public access channels in Austin and Dallas and brought this information to Council for evaluation as models for San Antonio.

Ms. L. Gutierrez, 1633 Babcock, stated that she was glad that the City was going to continue access to the public access channel.

Mr. Rohm Bays, 107 Devonshire, stated that public access was an important community resource. He stated that the City could make this channel even better.

Mr. Gonzalo Piz, San Antonio, stated how important public access production has been to him professionally and how important it is to community development.

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger and Council recognized Assistant City Manager Chris Brady for his service and contributions to the City and wished him success with the City of Mesa, Arizona.

ADJOURNMENT

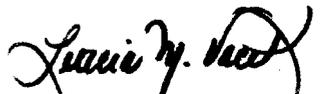
There being no further business to discuss, Mayor Hardberger adjourned the meeting at 8:25 pm.

A P P R O V E D



PHIL HARDBERGER
M A Y O R

Attest:



LETICIA M. VACEK
City Clerk