

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 10, 2001.

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2001-19 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Boards and Commissions Work Session.** (Presented by Norma S. Rodriguez, City Clerk)

- B) **Presentation of the Neighborhood Housing Enforcement Code.** (Presented by Martin Rodriguez, Director of Code Compliance)

The Council members present were: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

The "B" Session adjourned at 11:20 A.M.

2001-19 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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2001-19 Invocation by Reverend Bert Clayton, Jefferson United Methodist Church.

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2001-19 Pledge of Allegiance to the flag of the United States.

2001-19 CANVASSING REPORT

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the counting of the early voting results before 7:00 P.M., and expressed concern over voters not being allowed to vote.

City Clerk Norma Rodriguez presented the Canvass Report, a copy of which presentation is made a part of the papers of this meeting. She outlined members of the Canvassing Board, the cumulative summary report, and City guidelines with respect to the Election Code.

After the Canvass Report, the City Clerk then read the following Ordinance:

AN ORDINANCE 93884

DECLARING THE RESULTS OF THE CANVASS OF THE JOINT GENERAL AND SPECIAL ELECTION HELD ON MAY 5, 2001; ORDERING A RUN-OFF ELECTION FOR CITY COUNCIL PLACES 2, 3 AND 4 TO BE HELD 00N MAY 29, 2001; ESTABLISHING EARLY VOTING SITES AND REGULAR POLLING PLACES FOR THE RUN-OFF ELECTION; AND NAMING AN EARLY VOTING BALLOT BOARD AND A SIGNATURE VERIFICATION COMMITTEE; AND RELATED MATTERS IN CONNECTION WITH THE MAY 5, 2001 JOINT AND SPECIAL ELECTION AND THE MAY 29, 2001 RUN-OFF ELECTION.

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WHEREAS, the Joint General and Special Election was held on the 5th day of May 2001, to determine the Mayor and Council Members of the City of San Antonio for the ensuing term of office of two years; and

WHEREAS, the names of the candidates was were submitted, the election was held and conducted and the returns thereof were made, all as required by the City Charter and the laws of the State of Texas; and

WHEREAS, the City Council's Canvassing Authority committee met on May 8, 2001 to canvass the returns of said election and it is not necessary to declare the official results of the canvass; and,

WHEREAS, at said election, no candidate for Member of Council places (district) 2,3, and 4 received a majority of all the votes for the office sought, cast by the qualified voters in said election, and therefore, no candidate was elected at said election for the Office of Member of Council, District 2, District 3 and District 4.

WHEREAS, it is not necessary to order a Run-off Municipal Election for May 29, 2001, for the purpose of electing the Members of the Council of the City of San Antonio those districts; and

WHEREAS, it is now necessary to make provisions for the run-off election by naming an Early Voting Ballot Board as required by Section 87.001, et seq, of the Texas Election Code, and a Signature Verification Committee as required by Section 87.027 of the Texas Election Code; and

WHEREAS, it is further necessary to establish early voting sites and regular polling places of the run-off election, and to take other actions related to the May 5, 2001 election and the May 29, 2001 run-off election;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

SECTION 1. The City Council’s Canvassing Committee having convened May 8, 2001, to canvass the returns of the Joint General and Special Election held on May 5, 2001, and after canvassing the returns of said election, does hereby find and declare the results of the election to be as follows:

FOR MEMBER OF COUNCIL, PLACE NO. 1

“FOR”	Richard Gonzales	1389 Votes
“FOR”	Bobby Perez	5264 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 2

“FOR”	Joel Williams	1852 Votes
“FOR”	Johnny Clinton Bates	419 Votes
“FOR”	John H. Sanders	2237 Votes
“FOR”	Byron Miller	1618 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 3

“FOR”	Roland Gutierrez	3448 Votes
“FOR”	Antonio Diaz	322 Votes
“FOR”	Antoniette “Toni” Moorhouse	3242 Votes
“FOR”	Narciso Mendoza	344 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 4

“FOR”	Ricardo A. Martinez	2167 Votes
“FOR”	Enrique “Kike” Martin	3330 Votes
“FOR”	David Fernandez	952 Votes
“FOR”	Mike Provost	943 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 5

“FOR”	David A Garcia	3402 Votes
“FOR”	Robert T Arocha	790 Votes
“FOR”	Javier Pena Martinez	113 Votes
“FOR”	Shirley Aguilar	690 Votes
“FOR”	Don Wilkins Castillo	19 Votes
“FOR”	Ernest J. Martinez	619 Votes
“FOR”	Lourdes Rodriguez	863 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 6

“FOR”	Joe Montoya	510 Votes
“FOR”	Pete Galaviz	556 Votes
“FOR”	Enrique M Barrera	4021 Votes
“FOR”	Larry Romo	1607 Votes
“FOR”	Steven W. Riddle	641 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 7

“FOR”	John Garcia	848 Votes
“FOR”	Julian Castro	7070 Votes
“FOR”	Fred A. Rangel	1479 Votes
“FOR”	Raul F. Quiroga, Jr	596 Votes
“FOR”	John Coleman	1155 Votes
“FOR”	Michael Gonzales	299 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 8

“FOR”	Bonnie Conner	10743 Votes
“FOR”	Larry Bruner	3431 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 9

“FOR”	Carroll Schubert	10485 Votes
“FOR”	Jim Williams	2485 Votes
“FOR”	Bob Dunlop	642 Votes
“FOR”	David Bucher	2202 Votes
“FOR”	Charles D. Judd	313 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 10

“FOR”	David Carpenter	8565 Votes
“FOR”	William Davidson	3167 Votes

FOR MEMBER OF COUNCIL, PLACE NO. 11 - MAYOR

“FOR”	Michael Idrogo	155 Votes
“FOR”	Andrew Fernandez Vicencio	228 Votes
“FOR”	Al Rohde	639 Votes
“FOR”	Ed Garza	59,041 Votes
“FOR”	Mike Yates	440 Votes
“FOR”	Fanny Mayahuel-Thomas	134 Votes
“FOR”	Andrew (Drew) N. Warthen	197 Votes
“FOR”	Shirley Thompson	1849 Votes
“FOR”	Art Alcausin Hall	8055 Votes
“FOR”	Tim Bannwolf	28,562 Votes
“FOR”	Julie Iris Oldham	231 Votes

Write In Candidate – Patricia Prioleau-Santiago 9 Votes

SECTION 2. It is further declared that as a result of said election, the following persons were elected Council Members for a two-year term commencing June 1, 2001.

Ed Garza	Member of Council	Mayor
Bobby Perez	Member of Council	Place No. 1
David A. Garcia	Member of Council	Place No. 5
Enrique M. Barrera	Member of Council	Place No. 6
Julian Castro	Member of Council	Place No. 7
Bonnie Conner	Member of Council	Place No. 8
Carroll Schubert	Member of Council	Place No. 9
David Carpenter	Member of Council	Place No. 10

And each of them were elected by receiving a majority of all the votes cast for the office for which each was a candidate cast by the qualified voters of the City of San Antonio voting at said election, and they and each of them are hereby declared to be the lawful and duly elected Council Member of the City for the places specified.

SECTION 3. It is further declared that as a result of said election, no candidate for Places 2, 3 and 4 received a majority of all votes cast by the qualified voters of the City voting in said election, therefore, no candidate was elected at said election for Member of Council for these places, but that a run-off election will be necessary in order that the candidate receiving the highest number of votes shall be received a majority of all the votes cast for the office. The two candidates receiving the highest number of votes for places 2, 3 and 4 shall again be voted for the Run-off Election ordered herein.

SECTION 4. A run-off Municipal election for the purpose of electing members of the City Council of the City of San Antonio, places (districts) 2, 3, and 4 is hereby ordered to be held in the City of San Antonio, Bexar County, Texas on the 29th day of May, 2001, in

accordance with the laws of the State of Texas and the provisions of the Charter of the City of San Antonio; and the official ballots for said election shall be prepared in accordance with the Texas Election Code. The Two candidates receiving the highest number of votes for places 2, 3, and 4 shall again be voted for the Run-Off Election ordered herein.

SECTION 5. It is further ordered that said election shall be held as prescribed by law, in the City of San Antonio, Bexar County, Texas, at the polling or voting places as set forth in Exhibit A attached hereto and incorporated herein.

SECTION 6. The early voting sites for the run-off election shall be set out in Exhibit B, attached hereto and incorporated herein. Early voting shall commence on Monday, May 21, 2001 and run through Friday, May 25, 2001. For the hours as set out in Exhibit B.

SECTION 7. In accordance with Section 87.001, et. Seq., Texas Election Code, Marian Stanko is hereby appointed Presiding Judge of the Early Voting Ballot Board.

Said Presiding Judge shall be authorized to hire a sufficient number of clerks to perform the duties necessary in canvassing the Early Voting Ballots. The Early Voting Ballots Members shall be compensated at the rate of pay that Presiding Election Judges receive as provided in Section 87.027 of the Election Code. The Committee shall consist of thirteen members:

Jeff Piercey (Chair)	6202 War Princess
Rufino Flores	5303 Bluffhaven
Victoria Flores	5303 Bluffhaven
Joe Garrish	402 Bertetti
George Panfely	7203 Ashton
William Munguia	403 Bertetti
Audrey Buchert	9622 Barcelona
Bill Forshay	406 Bertetti
Roy Curiel	659 Maria Elena
Frank Vega	6206 Farragut
Jimmie Scruggs	8902 Ridge Hollow
Irene Valdez	8110 Janda Susan
Martha Martin	3606 Mohegan

The Committee shall meet on Thursday, May 24, 2001 at the Bexar County Annex, at 203 W. Nueva, Suite 3.6 (Multi-Purpose Room) at 8:00 a.m., and at any other times which may be deemed necessary by the Presiding Judge of the Early Voting Ballot Board. These times, dates, and locations shall be posted by the City Clerk according to

the State Election Code. The City Clerk will notify the members of the newly appointed Signature Verification Committee to convene at the aforesaid times.

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She presented the results of the votes for each of the candidates on the ballot and declared the winner of each of the Council races.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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City Clerk Rodriguez then administered the Statement of Elected Officer to each of the Council winners, and announced that the Oath of Office would be administered as soon as the Statements are faxed and sent to the Secretary of State for filing.

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2001-19 CONSENT AGENDA – CITIZENS COMMENTS

Ms. Sheryl Pursley, 224 Post Ave, #1, spoke to Item 15 on the agenda, stating that more communication efforts need to be made in order to enhance diabetes research.

Mr. Jack M. Finger, P.O. Box 12048, spoke to the art contracts, and expressed concern over early voting procedures.

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2001-19 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 6 through 21B constituting the Consent Agenda, except for Items 14 and 16, which were considered individually. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

AN ORDINANCE 93885

ACCEPTING THE BID FROM THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES IN ACCORDANCE WITH THE STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH DESKTOP COMPUTERS AND NETWORKING CARDS FOR A TOTAL OF \$34,920.00.

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AN ORDINANCE 93886

ACCEPTING THE LOW BIDS SUBMITTED BY COMMERCIAL CHEMICAL; HINES POOL & SPA, INC. AND LESLIE'S POOLMART, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH POOL CHEMICALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED COST OF \$200,000.00.

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AN ORDINANCE 93887

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH E. S. MORAN CONSULTING ENGINEER, INC. TO PROVIDE ADDITIONAL DESIGN, ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES IN THE AMOUNT OF \$17,018.00 IN CONNECTION WITH THE CITY'S OLMOS BASIN PARK REHABILITATION & TRAIL SYSTEM 1999 PARK GENERAL OBLIGATION BOND ISSUE PROJECT; PROVIDING AN ADDITIONAL \$1,000.00 FOR BID ADVERTISING AND PRINTING FEES; REVISING THE OLMOS BASIN PARK REHABILITATION & TRAIL SYSTEM DEVELOPMENT PROJECT BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GO BOND FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91825, MAY 25, 2000.)

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AN ORDINANCE 93888

ACCEPTING THE DONATION AND TRANSFER OF APPROXIMATELY 67.19 ACRES OF LAND AT MUD CREEK, NORTH OF LOW OAK AND WEST OF

JONES MALTSBERGER ROAD IN CITY COUNCIL DISTRICT 10, AND APPROXIMATELY 253.62 ACRES OF LAND AT PANTHER SPRINGS, NORTH OF LOOP 1604 AND EAST OF BLANCO ROAD IN CITY COUNCIL DISTRICT 9 FROM THE SAN ANTONIO RIVER AUTHORITY FOR USE AS PUBLIC PARK SPACE; AND ACCEPTING SPECIAL WARRANTY DEEDS FOR SAID PROPERTY.

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AN ORDINANCE 93889

AUTHORIZING THE RENEWAL OF A LICENSE AGREEMENT FOR A 10-YEAR TERM BETWEEN THE CITY OF SAN ANTONIO AND THE BAPTIST HEALTH SYSTEM FOR USE OF PUBLIC RIGHT OF WAY WITH AN OVERHEAD PASSAGEWAY ACROSS RICHMOND AVENUE BETWEEN CAMDEN AVENUE AND QUINCY STREET FOR THE TOTAL CONSIDERATION OF \$6,000.00.

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AN ORDINANCE 93890

AUTHORIZING THE RENEWAL OF A LICENSE AGREEMENT FOR A 10-YEAR TERM BETWEEN THE CITY OF SAN ANTONIO AND THE BAPTIST HEALTH SYSTEM FOR USE OF PUBLIC RIGHT OF WAY WITH A TUNNEL UNDER CAMDEN AVENUE BETWEEN RICHMOND AVENUE AND SEYMOUR STREET FOR A TOTAL CONSIDERATION OF \$12,500.00.

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AN ORDINANCE 93891

AUTHORIZING PAYMENT OF THE AMOUNT OF \$10,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0003, CITY OF SAN ANTONIO VS. ALFRED F. RENTERIA AND RITA H. RENTERIA, ET AL., FOR FEE SIMPLE TITLE TO A TRACT OF LAND; AND PAYMENT OF THE AMOUNT OF \$913.00 FOR COURT COSTS, IN CONNECTION WITH THE PLEASANTON ROAD - MAYFIELD TO SOUTHCROSS METROPOLITAN PLANNING ORGANIZATION; FOR THE TOTAL SUM OF \$10,913.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93892

AUTHORIZING THE EXECUTION OF A SUBLEASE AGREEMENT WITH THE GREATER KELLY DEVELOPMENT AUTHORITY (GKDA), AS LANDLORD, FOR USE OF APPROXIMATELY 12,501 RENTABLE SQUARE FEET OF SPACE IN A PORTION OF BUILDING 3820 BAY A AT KELLYUSA INDUSTRIAL CENTER TO BE USED BY THE SAN ANTONIO FIRE DEPARTMENT FOR ITS CANDIDATE PHYSICAL ABILITY TEST PROGRAM FOR A SIX-MONTH TERM COMMENCING ON JUNE 1, 2001, AT A TOTAL RENTAL PAYMENT FOR THE LEASE TERM OF \$10.00 AND COMMON AREA MAINTENANCE, ESSENTIAL SERVICES, AND INSURANCE CHARGES OF APPROXIMATELY \$5,436.18, FOR A TOTAL OF APPROXIMATELY \$5,446.18.

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AN ORDINANCE 93893

AUTHORIZING THE ACCEPTANCE OF \$120,000.00 FROM BEXAR COUNTY HOSPITAL DISTRICT, D/B/A UNIVERSITY HEALTH SYSTEM TO RENEW THE ONGOING DIABETES REGISTRY PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNIVERSITY HEALTH SYSTEM; ESTABLISHING A FUND; ADOPTING A BUDGET FOR THE DIABETES REGISTRY 2001 PROGRAM; APPROVING A PERSONNEL COMPLEMENT AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 93894

AMENDING ORDINANCE NO. 93855, PASSED AND APPROVED ON APRIL 26, 2001 TO CHANGE THE EFFECTIVE DATE OF THE SAN ANTONIO SYSTEM BOARD OF TRUSTEES' EFFECTIVE APPOINTMENT DATE FROM MAY 7, 2001 TO JUNE 1, 2001. (AMENDS ORDINANCE NO. 93855, APRIL 26, 2001.)

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AN ORDINANCE 93895

AUTHORIZING THE EXECUTION OF TWENTY-TWO (22) DELEGATE AGENCY CONTRACTS UNDER THE "ARTS IN THE COMMUNITY" PROGRAM TOTALING \$149,200.00; AND APPROPRIATING FUNDS.

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AN ORDINANCE 93896

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS BETWEEN MISSION SAN JOSE AND TRAVIS PARK AND BETWEEN THE QUARRY MARKET AND TRAVIS PARK ON SATURDAY, MAY 19, 2001 BEGINNING AT 7:30 A.M. UNTIL 10:00 A.M. IN CONNECTION WITH THE BIKE FEST 2001, SPONSORED BY THE METROPOLITAN PLANNING ORGANIZATION.

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AN ORDINANCE 93897

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF W. HOUSTON FROM ALAMO PLAZA TO MILAM PARK ON SATURDAY, JUNE 2, 2001 BEGINNING AT 9:30 A.M. UNTIL 11:00 A.M., IN CONNECTION WITH THE STAND FOR CHILDREN WALK, SPONSORED BY THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT.

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AN ORDINANCE 93898

RE-APPOINTING OLIVER HILL (DISTRICT 2) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2003.

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AN ORDINANCE 93899

RE-APPOINTING LILLIE M. HARRIS TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2003.

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2001-19 The Clerk read the following Ordinance:

AN ORDINANCE 93900

AUTHORIZING THE ACCEPTANCE OF A \$750,000.00, THREE-YEAR GRANT FROM THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), U.S. DEPARTMENT OF JUSTICE, AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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

Police Chief Al Philippus, narrated a slide presentation on the grant from the Office Community Oriented Policing, a copy of which is made a part of the papers of this meeting, and noted the number of police officers hired with each of the grants.

Mayor Peak ascertained the support given by the community to the Police Department, and the confidence the people of San Antonio have in the San Antonio Police Officers.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Carpenter.

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2001-19 The Clerk read the following Ordinance:

AN ORDINANCE 93901

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE TO ENTER INTO A CONTRACT WITH KEEP SAN ANTONIO BEAUTIFUL, INC. TO PROVIDE ASSISTANCE TO THE CITY IN CONDUCTING A NEIGHBORHOOD CLEAN-UP

PROGRAMS AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$20,000.00 FOR SUCH SERVICES.

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

Mr. Dan Cardenas, Director of Environmental Services, spoke to the contract, and the efforts to continue the community-wide clean-up project.

In response to Ms. Conner, Mr. Cardenas outlined the last community clean-up held and the funds associated with this effort.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-19 **ZONING HEARINGS – CITIZEN COMMENTS**

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

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to several of the zoning cases.

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2001-19 **ZONING HEARINGS FOR 4Q & 4R.**

Zoning hearings for Case Nos. #4Q and 4R were considered at this time.

4Q) CASE NO. #Z2001062 - The request of Stone-Terra, LLC, Applicant, for Stone-Terra, LLC, Owner(s), for a change in zoning from "B-2 ERZD" Business Edwards Recharge Zone District to "B-2 ERZD CC" Business Edwards Recharge Zone District with Special City Council approval for a hospital on 1.265 acres out of Lot 4 (formally P-22A), Block 2, NCB 16332. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Garza, Carpenter.

AN ORDINANCE 93902

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.265 ACRES OUT OF LOT 4 (FORMALLY P-22A), BLOCK 2, NCB 16332, PROPERTY IS LOCATED NORTHEAST OF THE INTERSECTION OF STONE OAK PARKWAY AND SONTERRA BLVD., FROM "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2 ERZD CC" BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A HOSPITAL.

The following are recommendations to address the environmental concerns raised by the location of this hospital facility on the Edwards Aquifer Recharge Zone:

1. The following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
 - A. A WPAP shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
 - D. A copy of the approved WPAP.
2. The diesel tank shall be placed with a containment basin designed to capture and retain a minimum of 150 percent of the storage capacity of the tank.
3. All valves, pipes, fittings, and other controls connected to the diesel tank shall be placed within the containment basin.
4. The entire containment area shall be placed under a covered structure designed to prevent rainwater from collecting within the containment basin.
5. The containment basin shall not have any discharge or drainage valves.
6. A spill containment kit and approved absorbent materials designed to capture and retain potential spills shall be clearly labeled and displayed within 20 feet of the containment area.

7. Infectious medical and bio-hazardous wastes shall be removed from the site and properly disposed of by a privately licensed waste hauler.
8. All stormwater run-off from the commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.
9. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392 to schedule a site inspection.
10. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.
11. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
12. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.
13. The land uses with the commercial zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as prohibited, that land use will not be permitted on that site.
14. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
15. The owner/applicant of this development shall contact the San Antonio Water System at (210) 704-7259 to obtain information about commercial conservation programs and rebate opportunities.
16. The storage, handling, and use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

17. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.
18. If any solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Natural Resource Conservation Commission at (210) 490-3096 and the Aquifer Protection & Evaluation Division of the San Antonio Water System at (210) 704-7392.
19. The Aquifer Protection & Evaluation Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

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4R) CASE NO. #Z2001063 SUP - The request of Blanco Road Retail, Ltd., Applicant, for Blanco Road Retail, Ltd., Owner(s), for a change in zoning from "B-2 ERZD" Business Edwards Recharge Zone District to "B-2 ERZD SUP CC" Business Edwards Recharge Zone District with a Special Use Permit and Special City Council approval for Building Specialties, Retail Facility on 5.995 acres out of NCB 18394, 1100 block of Loop 1604 Expressway. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 93903

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 5.995 ACRES OUT OF NCB 18394, 1100 BLOCK OF LOOP 1604 EXPRESSWAY, FROM "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2 ERZD SUP CC" BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIAL USE PERMIT AND SPECIAL CITY COUNCIL APPROVAL FOR BUILDING SPECIALTIES, RETAIL FACILITY.

Provided that the following recommendations of the Aquifer Studies Office are adhered to:

1. The following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits:
 - A. A WPAP shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A letter from the Texas Natural Resource Conservation Commission approving each WPAP,
 - D. A copy of the approved WPAP.
2. If applicable and as a minimum condition of approval of this zoning case, the owner/operator of each individual lot shall submit a Spill Prevention Plan to the San Antonio Water System (SAWS) for review and approval. The Spill Prevention Plan shall include, but is not limited to the following items:
 - A. A complete list, including Material Safety Data Sheets (MSDS), of all chemicals to be stored on the site. The list must include the maximum amount of each chemical kept on site at any time;
 - B. A plan for promptly and properly cleaning any chemical leaks or spills;
 - C. A plan for the proper disposal of any contaminated materials;
 - D. Provisions for preventing any spilled chemicals from leaving the storage area(s).
3. The emergency power generator and the diesel Aboveground Storage tank shall be located behind a secure barrier designed to prevent surrounding vehicular traffic from colliding with the power generator.
4. The Aboveground Storage Tank shall be placed within a containment basin designed to capture a minimum of 150 percent of the storage capacity of the AST.
5. All valves, pipes, fittings, and other controls connected to the Aboveground Storage Tank shall be placed within the containment basin.
6. The entire containment area shall be placed under a covered structure designed to prevent rainwater from collecting with the containment basin.
7. The containment basin shall not have any discharge or drainage valves.

8. A spill containment kit and approved absorbent materials designed to capture and retain potential spills shall be clearly labeled and displayed with 20 feet of the containment area.
9. The storage of bulk or loose fertilizers on the site shall be prohibited.
10. All stormwater run-off from the commercial development shall be directed to a stormwater abatement system that shall be approved by the Aquifer Protection & Evaluation Division of the San Antonio Water System prior to the release of any building permits.
11. After the water pollution abatement structure construction is complete and prior to the start of business, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392 to schedule a site inspection.
12. If the water pollution abatement structure fails to drain properly, the owner shall notify the Source Water & Watershed Protection Department at (210) 704-7392.
13. All water pollution abatement structures shall be properly maintained and kept free of trash and debris.
14. According to the provisions contained in the Edwards Rules 30 TAC, Section 213.5 (b) (5), the WPAP applicant is responsible for maintaining the permanent water pollution abatement structures and all other BMP's after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing.
15. The land uses within the commercial zoned areas shall be in conformance with the table or permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as prohibited, that land use will not be permitted on that site.
16. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
17. The owner/applicant of this development shall contact the San Antonio Water System at (210) 704-7259 to obtain information about commercial conservation programs and rebate opportunities.
18. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

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

Mr. Perez made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 93904

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 9, BLOCK 60, NCB 10589, 2908 - 2910 NW LOOP 410, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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4B) CASE NO. #Z2001043 - The request of Justin Triesch, Applicant, for Justin Triesch, Owner(s), for a change in zoning from "B-3" Business District to "I-2 CC" Heavy Industry District with City Council approval for a steel recycling facility on 1.57 acres out of Lots 1 and 2, Block 1, NCB 17198 and Tract 16A, NCB 11168, 5326 Roosevelt Avenue, San Antonio, Texas 78223. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 3).

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

Ms. Guerrero made a motion to approve the change as recommended by the Zoning Commission. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Garza.

AN ORDINANCE 93905

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

CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.57 ACRES OUT OF LOT 1 AND 2, BLOCK 1, NCB 17198 AND TRACT 16A, NCB 11168, 5326 ROOSEVELT AVENUE, SAN ANTONIO, TEXAS 78223, FROM "B-3" BUSINESS DISTRICT TO "I-2 CC" HEAVY INDUSTRY DISTRICT WITH CITY COUNCIL APPROVAL FOR A STEEL RECYCLING FACILITY.

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4C) CASE NO. #Z2001068 SUP - The request of City of San Antonio, Applicant, for Elias J. Guajardo, Owner(s), for a change in zoning from "B" Residence District to "R-1 SUP" Single Family Residence District with a Special Use Permit for one Manufactured Home on Lot 11 and Lot 12, Block 25, NCB 10907, 422 Esma Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 3).

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

Ms. Guerrero made a motion to approve the proposed rezoning. Mr. Prado seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jerry Arredondo, spoke in support of the proposed zoning change.

Ms. Lupita Garza, 422 Sligo, spoke in opposition to the zoning change, expressing concern on how the manufactured homes would affect the valuation of their properties. She further added that she had not been notified on the casing being considered for the second time.

Mr. Edward Garza, 422 Sligo, spoke in opposition to the zoning change, stating he was concerned with the devaluation of their properties, and further urged the City Council to deny the request.

Ms. Maria Cortez, 425 Esma, spoke in opposition to the proposed change.

Mr. Joe Cortez, stated the owner had placed the manufactured homes without the proper authorization.

Mr. Thomas Garcia, spoke in support of the manufactured homes, and stated that the residences were gradually being improved.

In response to Mayor Peak, Mr. Garcia stated he was considering placing a business and possibly building another home.

Mr. Elias Guajardo urged City Council to support the proposed change.

Ms. Guerrero ascertained that it was a different zoning case and that because the subject property was not within the 200' radius, there was no notification sent to certain property owners.

Mr. Ray Lozano, further clarified on the location of the property and the notification process, and confirmed that the subject property was not within the 200' radius.

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Ms. Guerrero noted that it was important to have proper notification, and that the manufactured home was a means to provide affordable housing. She stated that the petition was clear in identifying the zoning case at hand. Ms. Guerrero then moved for approval with a special use permit to put a safety mechanism in place, "B-R-1SUP with restrictions, and to amend it to 10 years. Mr. Prado seconded the motion.

Mayor Peak added that the trailer homes are not entirely bad if properly maintained. He urged staff to assure that all restrictions are adhered to in order to properly maintain homes and to provide adequate protection for the owners and surrounding residents.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

AN ORDINANCE 93906

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 11 AND LOT 12, BLOCK 25, NCB 10907, 422 ESMA STREET, FROM "B" RESIDENCE DISTRICT TO "R-1 SUP" SINGLE FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR ONE MANUFACTURED HOME.

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4D) CASE NO. #Z2001066 - The request of Phil Garay, Applicant, for Alma D. Marquez, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "B-2" Business District on Lot 1 and Lot 2, Block 3, NCB 7797, 1002 Pleasanton Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

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

Mr. Prado made a motion to approve the proposed rezoning. Mr. Bannwolf seconded the motion.

The following citizen(s) appeared to speak:

Mr. Andrew Rincon, 342 W. Sayers, stated there should be a separation of the residential area from the proposed business, expressing concern on the ingress and egress to the subject area.

Mr. Prado made a motion for approval with the condition of a 6-foot privacy fence and two 1-foot vehicular non-access easements along the east property line. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

AN ORDINANCE 93907

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND LOT 2, BLOCK 3, NCB 7797, 1002 PLEASANTON ROAD, FROM "R-7" SMALL LOT RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT WITH THE FOLLOWING CONDITIONS: 1. A SIX FOOT PRIVACY FENCE SHALL BE ERECTED AND MAINTAINED ALONG THE EAST

PROPERTY LINE. 2. A ONE (1) FOOT VEHICULAR NON-ACCESS EASEMENT SHALL BE PROVIDED ALONG THE EAST PROPERTY LINE (ALLEY) ON THE PROPERTY LINE (ALLEY).

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4E) CASE NO. #Z99189A - The request of City of San Antonio, Applicant, for Oscar Speegle, Owner(s), for a change in zoning from "B" Residence District to "B-3R" Restrictive Business District or "R-2" Residence District on 3.61 acres out of Tract 6, NCB 11268 on 8119 Somerset Road. Staff's recommendation was for approval of "R-2."

Zoning Commission has recommended approval of "R-2" (Council District 4).

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

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

AN ORDINANCE 93908

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 3.61 ACRES OUT OF TRACT 6, NCB 11268 ON 8119 SOMERSET ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT OR "R-2" RESIDENCE DISTRICT.

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4F) CASE NO. #Z99189B - The request of City of San Antonio, Applicant, for Brenda, Robert and Susanna Garza, Owner(s), for a change in zoning from "B" Residence District and "B-2" Business District to "B-3" Business District or "B-

1SUP" Business District with a Special Use Permit for a grocery store and restaurant with sales of alcoholic beverages only for off premise consumption on Lots 2, 3 and 28, Block 5, NCB 11191, 7710, 7714 and 7718 Somerset Road. Staff's recommendation was for approval of "B-1SUP".

Zoning Commission has recommended approval of "B-1SUP" (Council District 4).

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

Mr. Prado voted to agree with the zoning commission for denial of "B-3" and approval of "B-1SUP" per the proposed Palo Alto rezoning plan. "B-3" zoning is not recommended adjacent to residential dwellings. The SUP will allow the existing grocery store to expand and grow while still protecting the existing neighborhood.

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

AN ORDINANCE 93909

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2, 3 AND 28, BLOCK 5, NCB 11191, 7710, 7714 AND 7718 SOMERSET ROAD, FROM "B" RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT OR "B-1SUP" BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR A GROCERY STORE AND RESTAURANT WITH SALES OF ALCOHOLIC BEVERAGES ONLY FOR OFF PREMISE CONSUMPTION.

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4G) CASE NO. #Z2001006 - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multi-Family Residence District to "R-3 CC" Multi-Family Residence District with City Council approval for a Child Care

Facility on 0.7694 acres out of Lot 15, Block 28, NCB 8147, 4000 Block of El Paso Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

Mr. Garcia made a motion to postpone the part of the Mirasol project, and noted that he had been working with the community residents on this case. Mr. Prado seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

Zoning Case Z2001006 was denied.

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4H) CASE NO. #Z20272 - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-3" Multiple-Family Residence District on 2.284 acres out of NCB 8156 and NCB 8155; and, from "R-3CC" Multiple-Family Residence District with special City Council approval for a Child Care Parent Education Center to "R-3" Multiple-Family Residence District on Lot 1, Block 1, NCB 8144 on northeast and southeast of the intersection of San Fernando Street and S.W. 28th Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to approve the proposed rezoning. Mr. Prado seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garza.

AN ORDINANCE 93910

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

CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 2.284 ACRES OUT OF NCB 8156 AND NCB 8155, FROM "R-7" SMALL LOT RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT; AND LOT 1, BLOCK 1, NCB 8144 ON NORTHEAST AND SOUTHEAST OF THE INTERSECTION OF SAN FERNANDO STREET AND S.W. 28TH STREET, FROM "R-3CC" MULTIPLE-FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A CHILD CARE PARENT EDUCATION CENTER TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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4I) CASE NO. #Z20294 SUP - The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multiple Family Residence District to "R-3 SUP" Multiple Family Residence District with a Special Use Permit for an Administration Building (San Antonio Housing Authority) on Lots 2 through 6, Block. 28, NCB 8139, 802 - 818 Mathews Avenue. Staff's recommendation was for approval with the condition that a one- (1) foot vehicular non-access easement be provided along Mathews Avenue.

Zoning Commission has recommended approval with the condition that a one- (1) foot vehicular non-access easement be provided along Mathews Avenue (Council District 5).

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

Mr. Garcia made a motion to approve the proposed rezoning with staff conditions. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

AN ORDINANCE 93911

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 THROUGH 6, BLOCK. 28, NCB 8139, 802 - 818 MATHEWS AVENUE, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT

TO "R-3 SUP" MULTIPLE FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR AN ADMINISTRATION BUILDING (SAN ANTONIO HOUSING AUTHORITY).

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4J) CASE NO. #Z2001050 SUP - The request of Hector Sanchez, Applicant, for Hector Sanchez, Owner(s), for a change in zoning from "H" Local Retail to "B-2NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for an automotive repair and body shop on Lot 1 and Lot 2, Block 88, NCB 3680, 3626 West Commerce. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to approve the proposed rezoning with staff conditions. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garza.

AN ORDINANCE 93912

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND LOT 2, BLOCK 88, NCB 3680, 3626 WEST COMMERCE, FROM "H" LOCAL RETAIL TO "B-2NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR AN AUTOMOTIVE REPAIR AND BODY SHOP.

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4K) CASE NO. #Z2001055 - The request of Damm Enterprises, Inc., Applicant, for Chris Damm, Owner(s), for a change in zoning from "B-2" Business

District to "B-2NA SUP" Business Non-Alcoholic Sales with a Special Use Permit for automobile sales on Lot 13, Block 1, NCB 2449, 2424 Guadalupe Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garza.

AN ORDINANCE 93913

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 13, BLOCK 1, NCB 2449, 2424 GUADALUPE STREET, FROM "B-2" BUSINESS DISTRICT TO "B-2NA SUP" BUSINESS NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR AUTOMOBILE SALES.

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4L) CASE NO. #Z2001072 - The request of J. Garlyn Rainwater, Applicant, for Kwik N Neat Inc. / Danny Renteria, Owner(s), for a change in zoning from "B" Residence District to "B-2" Business District on 0.1214 acres out of Lot 2, Block 2, NCB 6585, 1611 Northwest 24th Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero.

AN ORDINANCE 93914

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.1214 ACRES OUT OF LOT 2, BLOCK 2, NCB 6585, 1611 NORTHWEST 24TH STREET, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4M) CASE NO. #Z2001075 - The request of Jennifer M. Dhaemers, Applicant, for Alexander Russ, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "R-1 CC" Single-Family Residence District with City Council approval for a preschool/day-care center on Lot 4, Block 1, NCB 18308, Old Tezel Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero.

AN ORDINANCE 93915

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 4, BLOCK 1, NCB 18308, OLD TEZEL ROAD, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1

CC" SINGLE-FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A PRESCHOOL/DAY-CARE CENTER.

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4N) CASE NO. #Z20303 SUP - The request of Edward Karam, Applicant, for William C. Miller, Jr., Owner(s), for a change in zoning from "B-2" Business District to "B-2SUP" Business District with a Special Use Permit for an automobile sales lot on the north 225 feet of Lot 84, Block B, NCB 11507 on Lot 84, Block B, NCB 11507, 1235 Bandera Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval with conditions (Council District 7).

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

Mr. Garza made a motion to continue this rezoning case until the City Council meeting of May 24, 2001. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until May 24, 2001, prevailed by the following vote: **AYES:** Perez, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Garcia.

Zoning Case Z20303 SUP was continued to the Council meeting of May 24, 2001.

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4O) CASE NO. #Z2001073 - The request of George Gaiser, Applicant, for De Zavala Capital Assoc. 1992-1 Ltd., Owner(s), for a change in zoning from "I-1" Light Industrial Use and "B-3R" Restrictive Business District to "B-3" Business District on Lots 1, 2, 3, 4, Block 2, NCB 17451. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

Ms. Conner made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garcia.

AN ORDINANCE 93916

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2, 3, 4, BLOCK 2, NCB 17451, FROM "I-1" LIGHT INDUSTRIAL USE AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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4P) CASE NO. #Z2001056 - The request of SHSA Ltd., Applicant, for Steven M. Huffman, Owner(s), for a change in zoning from "B-3 ERZD" Business Edwards Recharge Zone District to "B-3 ERZD CC" Business Edwards Recharge Zone District with Special City Council approval for a hospital on 7.00 acres out of NCB 15669, southeast corner of Hardy Oaks Blvd and Sonterra Boulevard. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garcia.

AN ORDINANCE 93917

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 7.00 ACRES OUT OF NCB 15669, SOUTHEAST CORNER OF HARDY OAKS BLVD AND SONTERRA BOULEVARD, FROM "B-3 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3 ERZD CC" BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A HOSPITAL.

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At this time Zoning Case #4S was brought up for consideration.

4S) CASE NO. #Z2001067 - The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from Temporary "A ERZD" Single-Family Residence Edwards Recharge Zone District, "A" Single-Family Residence District, Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District and Temporary "R-1" Single-Family Residence District to "R-1a ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1B ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1c ERZD" Single-Family Residence Edwards Recharge Zone District, "R-8 ERZD" Large Lot Home Edwards Recharge Zone District, "R-8a ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1b" Single-Family Residence District, "R-8a" Single-Family Residence District and "R-8" Large Lot Home District (as per attached list, incorporated by reference herein) Shady Oaks Neighborhood. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia.

AN ORDINANCE 93918

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE REZONING AND RECLASSIFICATION OF PROPERTY FROM TEMPORARY "A ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "A" SINGLE-FAMILY RESIDENCE DISTRICT, TEMPORARY "R-1 ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1A ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "R-1B ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "R-1C ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "R-8 ERZD" LARGE LOT HOME EDWARDS RECHARGE ZONE DISTRICT, "R-8A ERZD" SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "R-1B" SINGLE-FAMILY RESIDENCE DISTRICT, "R-8A" SINGLE-FAMILY RESIDENCE DISTRICT AND "R-8" LARGE LOT HOME DISTRICT (AS PER ATTACHED LIST, INCORPORATED BY REFERENCE HEREIN) SHADY OAKS NEIGHBORHOOD.

Provided that the following recommendations of the Aquifer Studies Office are adhered to:

1. Upon securing sewer service from a municipal utility, the on-site sewerage systems currently serving Canyon Creek Estates shall be decommissioned in accordance with the rules and regulations of the Bexar County Public Works Department.
2. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

4. The City of San Antonio shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.
5. The Aquifer Protection & Evaluation Division shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to.

SECTION 2. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 1024.

SECTION 3. The Director of Planning shall change the zoning records and maps in accordance herewith the same shall be available and open to the public for inspection.

SECTION 4. This ordinance is not severable.

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**Zoning Case Number Z2001067
Shady Oaks Neighborhood
Proposed Rezoning:**

1. From Temporary “R-1 ERZD Single-Family Residence Edwards Recharge Zone District to “R-1A ERZD” Single-Family Residence Edwards Recharge Zone District on:

- NCB 14790, BLK 000, LOT 31
- NCB 14790, BLK 000, LOT 21
- NCB 13827, BLK 13, LOT 5
- NCB 14790, BLK 000, LOT 32
- NCB 13827, BLK 13, LOT 9

2. From Temporary “R-1 ERZD” Single-Family Residence Edwards Recharge Zone District to “R-1B ERZD” Single-Family Residence Edwards Recharge Zone District on:

- NCB 14187, BLK 11, LOT 11
- NCB 14187, BLK 11, LOT 17
- NCB 14187, BLK 11, LOT 16
- NCB 14187, BLK 11, LOT 15
- NCB 14187, BLK 11, LOT 9
- NCB 14187, BLK 11, LOT 14
- NCB 14187, BLK 11, LOT 10
- NCB 14790, BLK 000, LOT 22
- NCB 14187, BLK 11, LOT 2 & SW TRI 17.06 FT OF 1
- NCB 14790, LOT 34A
- NCB 14187, BLK 11, LOT 18
- NCB 14187, BLK 11, LOT 3
- NCB 14187, BLK 11, LOT 12
- NCB 14187, BLK 11, LOT 4
- NCB 13827, BLK 13, LOT 7
- NCB 13827, BLK 13, LOT 8

NCB 14187, BLK 11, LOT 5
NCB 14187, BLK 11, LOT 6

3. From Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "R-1C ERZD" Single-Family Residence Edwards Recharge Zone District on:

NCB 14797, BLK 000, LOT 167F
NCB 14797, BLK 000, LOT 167A
NCB 14797, BLK 000, LOT 167 E
NCB 14797, BLK 000, LOT 167D
NCB 14187, BLK 11, LOT 13
NCB 14797, BLK 000, LOT 167G EXC SW TRI
NCB 14187, BLK 11, LOT 19
NCB 14797, BLK 000, LOT 167 C
NCB 13827, BLK 13, LOT 6

4. From Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "R-8 ERZD" Large Lot Home Edwards Recharge Zone District on:

NCB 14790, BLK 000, LOT 30
NCB 14797, BLK 000, LOT 164
NCB 14797, BLK 000, LOT 167B
NCB 14797, BLK 000, LOT 165
NCB 14790, BLK 000, LOT 23
NCB 14796, BLK 000, LOT 145
NCB 14790, BLK 000, LOT 25
NCB 14796, BLK 000, LOT 150
NCB 14790, BLK 000, LOT 20
NCB 14790, BLK 000, LOT 27
NCB 14802, BLK 000, LOT D
NCB 14790, BLK 000, LOT 29
NCB 14790, BLK 000, LOT 24
NCB 14793, BLK 000, LOT 76
NCB 14797, BLK 000, LOT 166
NCB 15084, BLK 23, LOT 18
NCB 14804, BLK 000, LOT F
NCB 14187, BLK 11, LOT 1 EXC SW TRI 17.06 FT
NCB 14790, BLK 000, LOT 33
NCB 14790, BLK 000, LOT NE IRRG 354.21 OF 97
NCB 15084, BLK 23, LOT 17
NCB 14790, BLK 000, LOT 28
NCB 14797, BLK 000, LOT 161
NCB 14790, BLK 000, LOT 26
NCB 14797, BLK 000, LOT 163
NCB 14796, BLK 000, LOT 156
NCB 14798, BLK 000, LOT 168
NCB 14797, BLK 000, LOT 160
NCB 14796, BLK 000, LOT 143
NCB 14798, BLK 000, LOT 171
NCB 14798, BLK 000, LOT 172
NCB 14797, BLK 000, LOT 162
NCB 14796, BLK 000, LOT 157
NCB 14187, BLK 11, LOT 8
NCB 14796, BLK 000, LOT 155

NCB 14796, BLK 000, LOT 149
NCB 14796, BLK 000, LOT 147
NCB 14796, BLK 000, LOT 140
NCB 14796, BLK 000, LOT 141
NCB 14796, N IRR 135.36 FT OF LOT 158 & P-100

5. From Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District to "R-8A ERZD" Single-Family Residence Edwards Recharge Zone District on:

NCB 14793, BLK 000, LOT 89
NCB 14793, BLK 000, LOT 92
NCB 14790, BLK 000, LOT 42
NCB 14790, BLK 000, LOT 37
NCB 14798, BLK 000, LOT 173
NCB 14793, BLK 000, LOT 91
NCB 14790, BLK 000, LOT 38
NCB 14793, BLK 000, LOT 90
NCB 14790, BLK 000, LOT 39
NCB 14793, BLK 000, LOT 93
NCB 14790, BLK 000, LOT 40
NCB 14793, BLK 000, LOT 94
NCB 14793, BLK 000, LOT 96
NCB 14798, BLK 000, LOT 169
NCB 14790, BLK 000, LOT 8
NCB 14793, BLK 000, LOT 86
NCB 14798, BLK 000, LOT 174
NCB 14793, BLK 000, LOT 88
NCB 14796, BLK 000, LOT 154
NCB 14796, BLK 000, LOT 151
NCB 14796, BLK 000, LOT 153
NCB 14796, BLK 000, LOT 152
NCB 14790, BLK 000, LOT 41
NCB 14791, BLK 000, LOT 55
NCB 14790, BLK 000, LOT 44
NCB 14796, BLK 000, LOT 142
NCB 14791, BLK 000, LOT 46
NCB 14791, BLK 000, LOT 47
NCB 14796, BLK 000, LOT 144
NCB 14791, BLK 000, LOT 50
NCB 14791, BLK 000, LOT 51
NCB 14799, BLK 000, LOT A
NCB 14791, BLK 000, LOT 54
NCB 14800, BLK 000, LOT B
NCB 14796, BLK 000, LOT 148
NCB 14798, BLK 000, LOT 175 EXC E 10 FT
NCB 14790, BLK 000, LOT 6
NCB 14790, BLK 000, LOT 5
NCB 14798, BLK 000, LOT 176
NCB 14790, BLK 000, LOT 4
NCB 14798, BLK S E IRR 324.61 OF LOT 177
NCB 14790, BLK 000, LOT 3
NCB 14796, BLK 000, LOT 146
NCB 14791, BLK 000, LOT 48 EXC NW TRI 47 FT & SE TRI 112.4 FT OF 49 1.7

A portion of NCB 14796, BLK 000, LOT 133
NCB 14796, BLK 000, LOT 134
NCB 14796, BLK 000, LOT 135
NCB 14796, BLK 000, LOT 136
NCB 14796, BLK 000, LOT 137
NCB 14796, BLK 000, LOT 138
NCB 14796, BLK 000, LOT 139
NCB 14791, BLK 000, LOT 45
NCB 14793, BLK 000, LOT 85
NCB 14793, BLK 000, LOT 95
NCB 14791, BLK 000, LOT 49 EXC SE TRI 112.4 FT & NW TRI 47 FT OF 48 1.3
NCB 14791, BLK 000, LOT 52
NCB 14791, BLK 000, LOT 53
NCB 14792, BLK 000, LOT 61
NCB 14791, BLK 000, LOT 60
NCB 14803, BLK 000, LOT E
NCB 14801, BLK 000, LOT C
NCB 14791, BLK 000, LOT 44
NCB 14790, BLK 000, LOT 13
NCB 14790, BLK 000, LOT 18
NCB 14792, BLK 000, LOT 65
NCB 14790, BLK 000, LOT 17
NCB 14792, BLK 000, LOT 64
NCB 14790, BLK 000, LOT 16
NCB 14792, BLK 000, LOT 63
NCB 14790, BLK 000, LOT 15
NCB 14793, BLK 000, LOT 77
NCB 14790, BLK 000, LOT 14
NCB 14792, BLK 000, LOT 67
NCB 14790, BLK 000, LOT 12
NCB 14790, BLK 000, LOT 11
NCB 14791, BLK 000, LOT 59
NCB 14790, BLK 000, LOT 10
NCB 14790, BLK 000, LOT 9
NCB 14791, BLK 000, LOT 57
NCB 14791, BLK 000, LOT 56
NCB 14793, BLK 000, LOT 87
NCB 14792, BLK 000, LOT 62
NCB 14793, BLK 000, LOT 80
NCB 14790, BLK 000, LOT 35A
NCB 14792, BLK 000, LOT 69
NCB 14793, BLK 000, LOT 84
NCB 14792, BLK 000, LOT 70
NCB 14793, BLK 000, LOT 83
NCB 14792, BLK 000, LOT 71
NCB 14793, BLK 000, LOT 82
NCB 14792, BLK 000, LOT 72
NCB 14792, BLK 000, LOT 66
NCB 14792, BLK 000, LOT 73
NCB 14790, BLK 000, LOT 19
NCB 14792, BLK 000, LOT 74
NCB 14793, BLK 000, LOT 79
NCB 14792, BLK 000, LOT 75

NCB 14793, BLK 000, LOT 78
NCB 14790, BLK 000, LOT 7
NCB 14791, BLK 000, LOT 58
NCB 14791, BLK 000, LOT 58
NCB 14792, BLK 000, LOT 68
NCB 14793, BLK 000, LOT 81

6. From Temporary "A" Single-Family Residence District to "R-1B" Single-Family Residence District on:

NCB 14187, BLK 11, LOT 2 & SW TRI 17.06 FT
NCB 14187, BLK 11, LOT 3
NCB 14187, BLK 11, LOT 4
NCB 14187, BLK 11, LOT 5
A portion of NCB 14187, BLK 11, LOT 6

7. From Temporary "A ERZD" Single-Family Residence Edwards Recharge Zone District to "R-1B ERZD" Single-Family Residence Edwards Recharge Zone District on:

A portion of NCB 14187, BLK 11, LOT 6

8. From Temporary "R-1" Single-Family Residence District to "R-8A" Single-Family Residence District on:

NCB 14796, BLK 000, LOT 132
A portion of NCB 14796, BLK 000, LOT 133

9. From Temporary "R-1" Single-Family Residence District to "R-8" Large Lot Home District on:

NCB 14187, BLK 11, LOT 1 EXC SW TRI 17.06

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2001-19 INDIVIDUAL ITEMS – CITIZEN COMMENTS

Ms. Nancy Englebert, 10486 Pine Glade, spoke in support of the service provided by sign interpreters and the close captioning Ordinance and expressed concern on the time limit imposed on citizens to speak before the Council.

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the Adoption of the Creek-Based Greenways planning and design guidelines, a copy of which presentation is made a part of the papers of this meeting. He elaborated on the background of the Parks and Recreation System Plan and noted that the consultants would further delineate on the planning and design guidelines.

A representative from Pape-Dawson, spoke on the creek-based greenway, presented the 3 Physiographic Regions of Bexar County, the corridor analysis and evaluation, the share use trail and the design consideration.

Mr. Matthews stated this effort presented the preliminary development to add new greenways to the present park inventory. He further noted that staff would continue to seek federal and state grants, donations and private foundations.

Discussion continued on the adoption process, the coordination efforts and the public awareness campaign.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas.

— — —
2001-19 The Clerk read the following Ordinance:

AN ORDINANCE 93921

AMENDING ORDINANCE NO. 80172, PASSED AND APPROVED ON MAY 12, 1994, TO ESTABLISH THE PROCEDURE BY WHICH SIX SIGNATURE MEMORANDA ARE PLACED ON THE CITY COUNCIL AGENDA, AS REQUESTED BY THE CITY COUNCIL POLICY AND PLANNING COMMITTEE; AMENDING ORDINANCE NO. 87687, PASSED AND APPROVED ON APRIL 16, 1998, TO ESTABLISH NEW RULES AND TIME LIMITS FOR CITIZENS TO ADDRESS THE CITY COUNCIL, AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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

Mr. Frank Garza, City Attorney, narrated a slide presentation on the six-signature memorandum process and the citizen speaker forum, a copy of which presentation is made a part of the papers of this meeting. He delineated the speaker process of major Texas cities and clarified on the open meeting requirement with respect to citizen input.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition of the proposed Ordinance and expressed concern of citizens not being able to address issues before the Council.

Mr. Faris Hodge, Jr., 140 Dora, expressed concern on the time limits imposed on citizens to address City Council, and the lack of customer service.

Mr. Fred McGee, expressed concern on the time limits for speakers.

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Mayor Peak clarified on the flexibility of the presiding officer to allow citizens additional time when necessary.

Mr. Perez stated that the goal was to provide access to the citizens while ensuring the efficient operation of City government. He added this would preclude staff from having to stay at the Council meeting for hours and also noted that the presiding officer had the discretion of extending the speaking time when necessary.

In response to Ms. Conner, City Attorney Garza addressed the process of sign-up of citizens.

Ms. Conner made an amendment to the motion, to have all memos going to Policy and Planning, be copied for each Council member. Mr. Bannwolf seconded the motion.

Ms. Guerrero added that she was confident that the presiding officer would be flexible in allowing the extra time needed for those citizens to speak. She stated there had been some abuse by citizens, and acknowledged that there was still a need for refinement of the process.

Mr. Prado stated he had opposed this type of ordinance in the past, however because of the flexibility allowed, he would support this issue.

Mr. Salas reiterated on the flexibility to be given to those citizens that needed to address certain issues with the City Council.

The amendment to the motion as presented by Councilwoman Conner was approved by the following roll call vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** Garcia. **ABSENT:** None.

After consideration, the main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-19 The Clerk read the following Ordinance

AN ORDINANCE 93922

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 7 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$1,200.00 TO COUNCILMAN ED GARZA FOR AN ADMINISTRATIVE SERVICE CONTRACT WITH MELISSA CABELLO HAVRDA (\$1,200.00) FROM APRIL 16, 2001 THROUGH MAY 31, 2001; AS REQUESTED BY COUNCILMAN ED GARZA.

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Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2001-19 **EXECUTIVE SESSION**

The City Council recessed its regular session at 4:30 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney/Client Consultation regarding recovery of costs due to Change orders resulting from architectural errors and omissions on the Convention Center Expansion Project.

The City Council adjourned the Executive Session at 5:10 P.M. and reconvened in regular session, at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2001-19 CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, expressed concern on the mail boxes that were placed in the middle of the sidewalks, and took exception to the electoral polls closing at 7:00 P.M. He also requested that Mr. Charlie Conner resign from the UDC Committee.

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DEATH PENALTY MORATORIUM

A group of citizens appeared to speak before the City Council asking that the City Council support a resolution urging the Texas Legislature to impose a moratorium on the death penalty.

The following citizen(s) appeared to speak:

Mr. Tom Keene, Archdiocese of San Antonio,

Mrs. Yolanda Cruz

Ms. Jill Smith

Mr. Roger Barnes, Incarnate Word, submitted a prepared statement, a copy of which is on file with the papers of this meeting.

Mr. William P. Lytle, 101 E. Lullwood,

Mr. Peter Monod, Office of Archbishop, representing Archbishop Flores

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MS. MARGARET ESPINOZA

Ms. Margaret R. Espinoza, 6038 Buena Vista, spoke in favor of the death penalty and spoke of her own personal experience and of her own daughter's murder.

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MS. NATHALA MOODY

Ms. Nathala Moody, 7421 Valley Oak, spoke of her personal experience in being the mother of a murdered son and spoke in favor of the death penalty.

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MR. WADE FIRMIN

Mr. Wade Firmin, 6722 Washita Way, spoke in favor of the death penalty.

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MR. JAY MOORE

Mr. Jay Moore, 1326 Austin Hwy, spoke in support of the moratorium and submitted a prepared statement, a copy of which is on file with the papers of this meeting.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke of the laws of the land.

2001-19 There being no further business to come before the City Council, the meeting was adjourned at 5:58 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest: 
NORMA S. RODRIGUEZ, CMC/AAE
City Clerk