

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 14, 2002.**

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2002-06 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.) **Staff presentation on the City of San Antonio's Redistricting Process.**  
Presented by Staff's Redistricting Group.

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

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

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2002-06 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: Garcia.

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2002-06 Invocation by Rev. Kathy Moore, Northwest Assembly Church of God.

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2002-06 **PRESENTATION OF PROCLAMATION FOR SAN ANTONIO CINEFESTIVAL DAYS**

Mayor Garza spoke of the San Antonio Cinefestival to take place on February 19-24, 2002. He noted that this year marked the Silver Anniversary edition of this annual event, which had a long and important history of showcasing the very finest work of Chicano, Latino and Native American filmmakers and video artists. He then read a Proclamation in observance of San Antonio Cinefestival Days and presented it to Ms. Maria Elena Torralva-Alonso, Executive Director, of the Guadalupe Cultural Arts Center.

Ms. Alonso invited members of the City Council to attend the Cinefestival, and further extended her appreciation to the City Council for their continuing support throughout the years.

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2002-06 Minutes of the regular City Council meeting of January 31, 2002 were approved.

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2002-06 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to various items on the agenda, specifically noting the bidding process, and campaign contributions received by certain members of the City Council.

Ms. Nancy Englebert, 10486 Pine Glade, spoke in support of Item 15, a project underway in Council District 4.

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

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2002-06 **CONSENT AGENDA**

Mr. Carpenter made a motion to approve Agenda Items 7 through 30C, constituting the Consent Agenda, except for Item 10, which was pulled. Mr. Sanders seconded the motion.

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

AN ORDINANCE 95277

ACCEPTING THE LOW BID SUBMITTED BY TRUMPET DISTRIBUTION CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO AVIATION

DEPARTMENT WITH MULTIFOLD PAPER TOWELS FOR A TOTAL SUM OF \$41,574.00.

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AN ORDINANCE 95278

ACCEPTING THE LOW BID SUBMITTED BY DAYS CARPET & CLEANING SERVICES, AN MBE/AABE COMPANY, TO PROVIDE THE CITY OF SAN ANTONIO MUNICIPAL COURT DEPARTMENT WITH JANITORIAL SERVICES AT THE DETENTION CENTER ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$151,202.50.

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AN ORDINANCE 95279

ACCEPTING THE LOW BIDS SUBMITTED BY CLEANING IDEAS CORPORATION D/B/A SANIVAC/DAVIS MANUFACTURING, ITEM 1; YORK MANAGEMENT D/B/A JUNE SUPPLY, ITEM 2; AND TRUMPET DISTRIBUTION CORPORATION, ITEMS 3 AND 4, TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME, AVIATION, CONVENTION FACILITIES, HEALTH, PUBLIC WORKS AND PARKS AND RECREATION DEPARTMENTS WITH CUSTODIAL PAPER PRODUCTS FOR A TOTAL SUM OF \$175,236.00.

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AN ORDINANCE 95280

SELECTING BEATY & PARTNERS, ARCHITECTS, TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE RIVERWALK ADA IMPROVEMENTS – PHASE 3 PROJECT IN CITY COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$41,800.00 FOR ARCHITECTURAL SERVICES; ESTABLISHING THE PROJECT'S BUDGET; APPROPRIATING \$51,660.00 FROM ISSUED CERTIFICATES OF OBLIGATION INTO THE PROJECT BUDGET; ESTABLISHING A \$8,360.00 ARCHITECTURAL CONTINGENCY; PROVIDING \$1,500.00 FOR BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95281

ACCEPTING LOW, QUALIFIED BID WITH BID ALTERNATE 2 OF ORTIZ CONSTRUCTION & DESIGNS IN THE AMOUNT NOT TO EXCEED \$103,564.00 IN CONNECTION WITH THE FISCAL YEAR 2000/2001 FACILITY IMPROVEMENT MAINTENANCE PROGRAM (FIMP) AND 26TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED DELLVIEW PARK POOL IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING 21,486.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; \$3,000.00 FOR ARCHITECT FEES AND MISCELLANEOUS CONTINGENCY EXPENSES; \$688.00 FOR BID ADVERTISING EXPENSES; \$812.00 FOR PRINTING EXPENSES; AND \$750.00 FOR PERMIT FEE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95282

AUTHORIZING ADDITIONAL 1994 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS IN THE AMOUNT OF \$3,546.25 PAYABLE TO UNION PACIFIC RAILROAD FOR THE COST OF UPGRADING THE RAILROAD CROSSING IN CONNECTION WITH THE LEONHARDT ROAD AT LOW WATER CROSSING PROJECT, LOCATED IN COUNCIL DISTRICT 10; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90294, AUGUST 19, 1999.)

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AN ORDINANCE 95283

AMENDING A PROFESSIONAL SERVICES CONTRACT BY AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$6,270.00 PAYABLE TO CANTYCO, INC. D/B/A STEPHEN J. CANTY & ASSOCIATES, CONSULTING ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE HOLLYHOCK AT HUEBNER CREEK PROJECT LOCATED IN COUNCIL

DISTRICT 7, TO BE PAID FROM 2001 DRAINAGE CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 82029, APRIL 13, 1995.)

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AN ORDINANCE 95284

AUTHORIZING FUNDS IN THE AMOUNT OF \$1,112,128.74 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S SHARE OF TWENTY PERCENT (20%) OF CONSTRUCTION COST IN CONNECTION WITH THE HUNT LANE FROM MARBACH TO U.S. 90 METROPOLITAN PLANNING ORGANIZATION PROJECT LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING \$165,848.03 FOR CONSTRUCTION CONTINGENCY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT FROM GENERAL OBLIGATIONS OF THE CITY.

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AN ORDINANCE 95285

SELECTING ALAMO ARCHITECTS, INC., TO PROVIDE PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES IN CONNECTION WITH THE BRANCH LIBRARY PROJECT (MYSTIC PARK), FIRE STATION NO. 49 PROJECT (NORTHWEST), AND MYSTIC PARK STREET PROJECT (STREET AND DRAINAGE IMPROVEMENTS); AUTHORIZING \$87,537.00 TO ALAMO ARCHITECTS, INC. FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO THE PROJECTS; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$387,191.00; AUTHORIZING \$47,672.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$1,600.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95286

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH STINSON AVIATION CORPORATION, FOR THE USE OF BUILDING NO.

612 AND 12,585± SQUARE FEET OF GROUND AND RAMP SPACE AT STINSON MUNICIPAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$3,440.69.

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AN ORDINANCE 95287

AUTHORIZING THE EXECUTION OF A NEW LEASE AGREEMENT WITH THE HERTZ CORPORATION, FOR LEASE OF 279,258 SQUARE FEET OF GROUND SPACE AND A BUILDING SITUATED THEREUPON AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TERM OF FIVE (5) YEARS FOR A TOTAL ANNUAL RENTAL OF \$145,178.62.

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AN ORDINANCE 95288

AUTHORIZING THE RENEWAL AND EXTENSION OF THE EXISTING LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CASA TAMAUlipAS STATE GOVERNMENT PROMOTION OFFICE FOR 1,165 SQUARE FEET OF SPACE IN THE INTERNATIONAL CENTER, LOCATED AT 203 S. ST. MARY'S STREET, FOR A PERIOD OF TWO (2) YEARS COMMENCING MARCH 1, 2002 FOR AN ANNUAL PAYMENT TO THE CITY OF \$9.60 PER SQUARE FOOT (\$11,184.00 ANNUALLY) TO COVER THE COST OF UTILITIES, JANITORIAL SERVICES, AND COMMON AREA EXPENSES.

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AN ORDINANCE 95289

AUTHORIZING THE SUBMISSION OF A CONTINUATION GRANT APPLICATION IN THE AMOUNT OF \$250,000.00 TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A TITLE V GRANT BY THE DEPARTMENT OF COMMUNITY INITIATIVES TO CONTINUE THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS (START) PROGRAM AND LIFE SKILLS FOR ELEMENTARY SCHOOL STUDENTS, FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003.

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AN ORDINANCE 95290

AUTHORIZING THE EXECUTION OF A FIVE YEAR AUTOMATIC TELLER MACHINE (ATM) LICENSE AGREEMENT WITH ONE FIVE YEAR RENEWAL OPTION WITH SECURITY SERVICE FEDERAL CREDIT UNION ("SSFCU") FOR THE INSTALLATION OF ONE ATM AT WOLFF STADIUM IN CONSIDERATION FOR PAYMENT TO THE CITY OF SAN ANTONIO OF APPROXIMATELY \$2,375.00 PER YEAR WHICH SHALL BE CALCULATED ON RENT AND USAGE FEES.

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AN ORDINANCE 95291

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF \$68,678.76 FOR CALENDAR YEAR 2002.

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AN ORDINANCE 95292

ADOPTING AMENDMENTS TO CHAPTER 19 OF THE CITY CODE TO ESTABLISH PARKING RATES AT THE ST. MARY'S STREET PARKING GARAGE FOR THE HOURLY, MONTHLY/RESIDENTIAL, FIRST LEVEL RESERVED SPACE FEE, EXHIBITOR RATE, LATE MONTHLY PAYMENT KEY-IN FEE, ACCESS DEVICE DEPOSIT FEE, ACCESS DEVICE REPLACEMENT FEE, FLAT EVENT RATE, AND TO ESTABLISH A FEE FOR A LOST TICKET AND ESTABLISHING AN EFFECTIVE DATE.

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AN ORDINANCE 95293

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARENT/CHILD INCORPORATED ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE PHYSICAL AND DENTAL EXAMINATIONS REIMBURSABLE ON A FEE-FOR-SERVICE BASIS FOR THE PERIOD FEBRUARY 1, 2002 TO JANUARY 31, 2003; ESTABLISHING A FUND;

ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 95294

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$38,774.00 IN CASH SUPPORT FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT THE ONGOING SAN ANTONIO METROPOLITAN HEALTH DISTRICT AIDS SURVEILLANCE PROJECT; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; AND REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2001/2002 ESTABLISHED IN ORDINANCE NO. 93174, PASSED AND APPROVED ON JANUARY 4, 2001. (AMENDS ORDINANCE NO. 93174, JANUARY 4, 2001.)

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AN ORDINANCE 95295

AUTHORIZING ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF DEFENSE IN THE AMOUNT OF \$149,950.00 FOR THE PROCUREMENT TECHNICAL ASSISTANCE CENTER; AUTHORIZING A \$306,605.00 PROPOSED BUDGET AND A PERSONNEL COMPLEMENT FOR THE PERIOD BEGINNING JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; AND AUTHORIZING THE TRANSFER OF PROGRAM YEAR 2000 (PROJECT NO. 26/032008) SURPLUS FUNDS OF APPROXIMATELY \$8,358.48 TO PROGRAM YEAR 2001 EXPENSES (PROJECT NO. 26/032009).

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AN ORDINANCE 95296

AUTHORIZING THE CHANGING OF THE STREET NAME "REGENCY BOULEVARD" TO "VALERO WAY" AS REQUESTED BY JOHN K. RINEHART ON BEHALF OF VALERO ENERGY CORPORATION.

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AN ORDINANCE 95297

AUTHORIZING THE CHANGING OF THE NAME OF A PORTION OF SONTERRA BOULEVARD EAST OF STONE OAK PARKWAY TO "EAST SONTERRA" AS REQUESTED BY WILLIAM T. ELLIS.

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AN ORDINANCE 95298

AUTHORIZING THE TEMPORARY CLOSURE OF SAN SABA STREET, BETWEEN W. COMMERCE AND DOLOROSA STREET FOR TWELVE (12) SPECIAL EVENTS IN MARKET SQUARE FOR THE YEAR 2002, FROM 6:00 P.M. THE DAY PRIOR TO EACH EVENT UNTIL 8:00 A.M. ON THE DAY AFTER THE LAST DAY OF EACH EVENT ON THE FOLLOWING DATES: MARCH 16-17; MARCH 29; MAY 3-5; MAY 25-27; JUNE 22-23; JULY 5-7; JULY 13-14; JULY 26; AUGUST 3-4; AUGUST 31-SEPTEMBER 2; SEPTEMBER 13-15; NOVEMBER 29-30 THROUGH DECEMBER 1, 2002, AS REQUESTED BY THE PARKS AND RECREATION DEPARTMENT.

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AN ORDINANCE 95299

APPOINTING MIKE VILLYARD (DISTRICT 9) AND REAPPOINTING ABRAHAM (ABE) RAMIREZ (DISTRICT 8) TO THE BOARD OF ADJUSTMENT FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY 22, 2004.

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AN ORDINANCE 95300

APPOINTING JUDY SAUCEDO (DISTRICT 7) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2003.

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AN ORDINANCE 95301

APPOINTING JUDITH LAUFER (PROVIDER OF HANDICAPPED SERVICES CATEGORY - DISTRICT 9) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003.

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2002-01 Item 10, being a proposed ordinance ratifying the contract with Pacesetter Personnel Service to provide the City of San Antonio Alamodome with temporary housekeeping and conversion services in an amount not to exceed \$172,750.00, was pulled from consideration by the City Manager.

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2002-06 **INDIVIDUAL ITEMS-CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to the nominations for the at-large boards, and further expressed concern on the PGA development and the safety of water quality.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to various items on the agenda, specifically to Item 33, citing numerous needs of the community.

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2002-06 **ITEMS FOR INDIVIDUAL CONSIDERATION:**

City Clerk Norma S. Rodriguez read a proposed Ordinance appointing Vicki S. Perkins, Hospital Services Administrator to the Advisory Board of Health for a term of office to expire on December 31, 2002.

Ms. Rodriguez stated that the nomination had been brought forward from the previous week's "B" Session.

Mr. Martin made a motion to nominate Ms. Perkins. Ms. Moorhouse seconded the motion.

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

AN ORDINANCE 95302

APPOINTING VICKI S. PERKINS (HOSPITAL SERVICES ADMINISTRATOR CATEGORY – DISTRICT 3) TO THE ADVISORY BOARD OF HEALTH OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2005.

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2002-06 City Clerk Rodriguez read a proposed Ordinance appointing one member to the San Antonio AIDS/HIV Commission for a term of office to expire on June 11, 2004.

Ms. Rodriguez stated that the nomination(s) had been brought forward from the previous week's "B" Session.

Ms. Moorhouse made a motion to nominate Richard Diaz. Mr. Perez seconded the motion.

Mr. Sanders made a motion to nominate Camilla Shante Madden. Mr. Martin seconded the motion.

Ms. Madden received the majority of the votes. Afterwards, Ms. Moorhouse made a motion to approve the Ordinance with Ms. Madden as the appointee. Mr. Sanders seconded the motion.

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

AN ORDINANCE 95303

APPOINTING CAMILLA SHANTE MADDEN (DISTRICT 2) TO THE SAN ANTONIO AIDS/HIV COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2005.

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95304

APPOINTING FOUR MEMBERS AND REAPPOINTING ONE MEMBER TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 28, 2004. [NOMINEES: FLORENCE ALCOSER, CITY-WIDE COMMUNITY LEADER CATEGORY, DISTRICT 2; MICHELLE DUDLEY (REAPPOINTMENT), BUSINESS CATEGORY, DISTRICT 2; CHRIS HILLIARD, FORT SAM HOUSTON CATEGORY, DISTRICT 2; JAMES DARRYL BYRD, SAN ANTONIO DEVELOPMENT AGENCY CATEGORY, DISTRICT 2; AND JULIAN HERRERA, CITY-WIDE COMMUNITY LEADER CATEGORY, DISTRICT 3]

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Ms. Rodriguez stated that the nomination(s) had been brought forward from the previous week's "B" Session, noting there was an equal number of nominations for slots available.

Ms. Moorhouse made a motion to approve the proposed Ordinance. Mr. Martin seconded the motion.

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

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2002-06 City Clerk Norma S. Rodriguez read a proposed Ordinance appointing one member to the Metropolitan Transit Authority for a term of office to expire on December 31, 2004.

Ms. Rodriguez stated that the nomination(s) had been brought forward from the previous week's "B" Session.

Mr. Martin made a motion to nominate Ms. Nancy Englebert. There was no second to the motion.

Ms. Moorhouse made a motion to nominate Ms. Grace Acuna. Mr. Perez seconded the motion.

Mr. Schubert stated that Ms. Acuna was serving on the Harlandale I.S.D. Board, and expressed concern on her serving on the VIA Board. He stated that the VIA Board was charged with many important issues and contracts, adding that it was not a good policy to appoint members to the same type of Boards. He further stated that he was not going to support Ms. Acuna.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** Schubert. **ABSENT:** Garcia.

AN ORDINANCE 95305

APPOINTING GRACIE A. ACUNA (DISTRICT 3) TO THE METROPOLITAN TRANSIT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95306

APPROVING THE FORM, CONTENT, AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE, SALE AND DELIVERY OF APPROXIMATELY \$121,145,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS, AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2002," AND APPROXIMATELY \$38,075,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS, PASSENGER FACILITY CHARGES AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2002"; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AND AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS.

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

Mr. Milo Nitschke, Director of Finance, briefly outlined the actions to take place with the issuance of the bonds, a copy of which is on file with the papers of this meeting. He stated that the sale would take place on March 4<sup>th</sup>, and on March 7<sup>th</sup> the presentation would be made to the City Council.

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

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95307

RELEASING APPROXIMATELY 710 ACRES FROM THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF SAN ANTONIO ON CERTAIN CONDITIONS INCLUDING THE RELEASE OF CERTAIN PROPERTY AMOUNTING TO APPROXIMATELY 456 ACRES FROM THE ETJ OF THE CITY OF HELOTES AND AMENDING ORDINANCE NOS. 67064 AND 53852 AS NECESSARY TO RECLAIM PORTIONS OF THE PROPERTY AS A PART OF THE ETJ OF THE CITY OF SAN ANTONIO.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the acreage release from the Extraterritorial Jurisdiction (ETJ), a copy of which presentation is on file with the papers of this meeting. He outlined the background, ETJ policies, analysis of current acreage, Bexar Appraisal values, and the estimated values at built-out. He further delineated the specific properties affected with acreage and appraised land values.

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

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95308

RATIFYING THE PROPOSAL FROM MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, TO PURCHASE PROPERTY AND BOILER AND MACHINERY INSURANCE POLICIES FROM FIVE (5) INSURANCE COMPANIES FOR A COVERAGE PERIOD FROM DECEMBER 31, 2001 TO DECEMBER 31, 2002, FOR A PREMIUM OF \$1,202,640.00; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Michael Rich, City Attorney's Risk Management Division, narrated a slide presentation on the proposed recommendation for the City's insurance policies for coverage of the Boiler & Machinery, and property, a copy of which presentation is on file with the papers of this meeting. He outlined the background, insurance coverage period and cost, history of claims, insurance premiums, and property losses collected.

Mr. Johnny Fontenot, McGriff, Seibels & Williams of Texas, Inc., presented the data on the marketing approach noting that 24 companies had been contacted. He noted that the September 11<sup>th</sup> event accelerated the hardening of the insurance market thus resulting in higher premiums.

Mr. Rich further explained the policy structure for the various properties.

Mr. Steven Arronge, Acting City Attorney assured the City Council that staff would be aggressive in obtaining coverage for City property.

In response to Mr. Perez, regarding the one carrier to cover all properties, Mr. Rich stated that because of the City's exposure, number of losses, coupled with the market, the City was unable to attain one carrier for all properties.

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

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2002-06 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2002-06-05

AUTHORIZING THE SAN ANTONIO RIVER AUTHORITY TO SUBMIT A LETTER OF REQUEST TO THE U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT, TO INITIATE A FEASIBILITY STUDY OF THE SOUTHERNMOST THREE (3) MILE SECTION OF OLMOS CREEK GREENWAY, LOCATED IN COUNCIL DISTRICT 9, TO DETERMINE IF THIS CREEK SEGMENT QUALIFIES FOR THE SECTION 206 "AQUATIC ENVIRONMENTAL RESTORATION" PROGRAM AS RECOMMENDED IN THE NORTH CENTRAL NEIGHBORHOODS COMMUNITY PLAN.

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Mr. Carpenter made a motion to approve the proposed Resolution. Mr. Martin seconded the motion.

Mr. Emil Monivais, Director of Planning, narrated a slide presentation on the Olmos Creek Greenway, Aquatic Ecosystem Restoration, a copy of which presentation is on file with the papers of this meeting. He outlined the project map identifying potential trail routes, linkages to neighborhoods and schools, and possible wetlands. He presented views of the proposed project, background information, policy analysis, and fiscal impact, noting there was no financial commitment by the City of San Antonio with regard to the feasibility study. He added that the City's sponsorship would be determined by the City Council upon completion of the preliminary restoration plan.

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

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2002-06 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2002-06-06

SUPPORTING THE CITY-COUNTY COOPERATION PLAN, WHICH IS A JOINT COMMITMENT OF BEXAR COUNTY AND THE CITY OF SAN ANTONIO TO CREATE A MORE SEAMLESS AND INTEGRATED STRUCTURE OF LOCAL GOVERNMENT AND SETTING A WORK PROGRAM FOR 2002 AND 2003.

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Mr. Carpenter made a motion to approve the proposed Resolution. Mr. Martin seconded the motion.

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation on the plan for City-County Cooperation, a copy of which presentation is on file with the papers of this meeting. He outlined the background, plan overview, vision and mission, the general principles of the plan, work plan for 2002, noting the existing City-County contracts, and the proposed projects such as the subdivision plat approval, emergency preparedness, magistration/pretrial process, SBC Center improvements, drainage and flood control, San Antonio History Center, Parks and Recreation, and Housing and Human Services.

Mayor Garza thanked City staff for coordinating these efforts with the County, specifically noting Mr. Perez for taking the lead in this effort. He further spoke on the spirit of cooperation between the City and County, which will ultimately enhance the services to the citizens of San Antonio and Bexar County, specifically highlighting homeland security and the national recognition received by pulling resources together. He added that while some basic services were being addressed, there were still others needing some work, and that the main focus should be increased efficiency and accountability efforts.

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

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2002-06

ZONING HEARINGS – CITIZEN COMMENTS

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to various zoning cases, highlighting the importance of safeguarding the water for the City of San Antonio.

Mr. Jack M. Finger, P.O. Box 12048, spoke to various zoning cases, expressing concern on commercial encroachment upon residential areas.

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2002-06

ZONING HEARINGS

4A.) CASE NUMBER #Z2002003 - The request of City of San Antonio – HPO (Ann B. McGlone), Applicant, for Mike and Yolanda Hernandez, Owner(s), for a change in zoning to designate Historic Significant (Currently zoned "I-1" General Industrial District) on Lot 3, Block 4, NCB 759, 1108 N. Flores Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

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

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

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

AN ORDINANCE 95309

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 3, BLOCK 4, NCB 759, 1108 N. FLORES STREET, TO DESIGNATE HISTORIC SIGNIFICANT (CURRENTLY ZONED "I-1" GENERAL INDUSTRIAL DISTRICT).

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4B.) CASE NUMBER #Z2002010 - The request of National Convenience Stores, Inc., Applicant, for Gaumnitz, Inc., Owner(s), for a change in zoning from Temporary "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 100, NCB 15894, 7125 Gibbs Sprawl (FM 1976). Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

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

Mr. Sanders made a motion to approve the proposed rezoning. Mr. Schubert seconded the motion.

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

AN ORDINANCE 95310

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 100, NCB 15894, 7125 GIBBS SPRAWL (FM 1976), FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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

— — —

4C.) CASE NUMBER #Z2002002 - The request of City of San Antonio - HPO (Ann Benson McGlone), Applicant, for Capistrano Enterprises Inc., Owner(s), for a change in zoning to designate Historic Significant (Currently zoned "MF-33" Multi

Family District, and "I-1" General Industrial District) on Lot 45, NCB 9483, 2914 Pleasanton Road. 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. Moorhouse made a motion to approve the proposed rezoning. Mr. Castro seconded the motion.

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

#### AN ORDINANCE 95311

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 45, NCB 9483, 2914 PLEASANTON ROAD, TO DESIGNATE HISTORIC SIGNIFICANT (CURRENTLY ZONED "MF-33" MULTI FAMILY DISTRICT, AND "I-1" GENERAL INDUSTRIAL DISTRICT).

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4D.) CASE NUMBER #Z2001239 - The request of Jay Khadem, Applicant, for Jay Khadem, Owner(s), for a change in zoning from "C-2 NA" Commercial Non-Alcoholic Sales District to "C-2 NA C " Commercial, Non-Alcoholic Sales District with Conditional Zoning for auto and vehicle sales - new and used with a screen fence to be provided adjacent to the western edge of Lot 549, NCB 7883, I.H. 35 South. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 4)

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

Mr. Perez 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, Sanders, Moorhouse, Martin, Barrera, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Conner, Garza.

AN ORDINANCE 95312

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 549, NCB 7883, I.H. 35 SOUTH, FROM "C-2 NA" COMMERCIAL, NON-ALCOHOLIC SALES DISTRICT TO "C-2 NA C" COMMERCIAL, NON-ALCOHOLIC SALES DISTRICT WITH CONDITIONAL ZONING FOR AUTO AND VEHICLE SALES.

\* \* \* \*

The City Council approves this Special Use Permit so long as the following conditions are met:

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35-491.

SECTION 4: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 5: This ordinance is not severable.

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4E.) CASE NUMBER #Z2001266 - The request of Rudolfo Vasquez, Applicant, for Rudolfo Vasquez, Owner(s), for a change in zoning from "C-1"

Commercial District to "C-3 NA" Commercial District on Lots 1 & 2, NCB 7850, 1002 W. Pyron Avenue. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 4)

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

Mr. Perez made a motion to approve with a change to C-3NA. 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, Sanders, Martin, Barrera, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Garcia, Conner, Garza.

#### AN ORDINANCE 95313

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, NCB 7850, 1002 W. PYRON AVENUE, FROM "C-1" COMMERCIAL DISTRICT TO "C-3 NA" COMMERCIAL DISTRICT.

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— — —  
4F.) CASE NUMBER #Z2002011 - The request of DFGG of Texas, Ltd., Applicant, for DFGG of Texas, Ltd., Owner(s), for a change in zoning from "B-2" Business District and "O-1" Office District ("C-2" Commercial District and "O-2" Office District) to "R-4" Residential Single Family District on P-3C, NCB 15850, Potranco Road & Hunt Lane. 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. Perez made a motion to continue this rezoning case until the City Council meeting of March 14, 2002. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Ms. Nancy Englebert, representing Heritage Neighborhood Association, stated that the area residents would like to meet with the builders to resolve some pending issues.

Mr. Phil Garay, stated that he had spoken to Ms. Englebert and that he was not aware of any problems. He further explained the proposed zoning request.

\* \* \* \*

Mr. Martin stated there was a policy in his area with regard to zoning changes in terms of applicants of zoning requests to meet with neighborhood associations, and further noted there had not been any meeting scheduled to resolve pending issues. He urged Mr. Garay to meet with the neighborhood president and other affected residents.

After consideration, the motion to continue this case until March 14, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Martin, Barrera, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Garcia, Castro, Conner, Garza.

Zoning Case Z2002011 was continued to the Council meeting of March 14, 2002.

— — —

4G.) CASE NUMBER #Z2002014 - The request of City of San Antonio, Applicant, for Manual R. and Ester Lopez, Owner(s), for a change in zoning "C-3 NA" Commercial Non-Alcoholic Sales District to "C-3" Commercial District on East 204.5 feet of Lot 1, Blk 6, NCB 8779, 1605 Somerset Rd. 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. Perez 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, Sanders, Martin, Barrera, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Garcia, Castro, Conner, Garza.

AN ORDINANCE 95314

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 EAST IRR. 204.5 FEET OF LOT 1, BLK 6, NCB 8779, 1605 SOMERSET RD., FROM "C-3 NA" COMMERCIAL, NON-ALCOHOLIC SALES DISTRICT TO "C-3" COMMERCIAL DISTRICT.

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4H.) CASE NUMBER #Z2002023 - The request of City of San Antonio, Applicant, for, Owner(s), for a change in zoning from "R-1" to "R-6 C" Residential Single Family District with a conditional use for two existing residences on Lot 19, Blk 51, NCB 8939, 305 McLaughlin Avenue. 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. Perez made a motion to continue this rezoning case until the City Council meeting of February 28, 2002. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until February 28, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Castro, Conner, Garza.

Zoning Case Z2002023 was continued to the Council meeting of February 28, 2002.

4I.) CASE NUMBER #Z2002024 - The request of City of San Antonio, Applicant, for, Owner(s), for a change in zoning from "I-1" Light Industrial District to "R-6" Residential Single Family District on West 120 Feet of North 100 Feet of Parcel 7-B, NCB 15248, 9120 Covell 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. Perez 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, Sanders, Moorhouse, Martin, Barrera, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Castro, Conner, Garza.

AN ORDINANCE 95315

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 WEST 120 FEET OF NORTH 100 FEET OF PARCEL 7-B, NCB 15248, 9120 COVEL ROAD, FROM "I-1" LIGHT INDUSTRIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT.

\* \* \* \*

— — —  
2002-01      At this time Case Number 4K was brought before Council.

4K.)                      CASE NUMBER #Z2002001 - The request of City of San Antonio - HPO (Ann Benson McGlone), Applicant, for San Antonio Independent School District, Owner(s), for a change in zoning from "R-6 (H)" Single-Family Residence Historic District to "R-6 (HE H)" Single-Family Residence Historic, Exceptional Interiors, Historic District on Lot 21, Blk 8, NCB 6758, 723 Donaldson Avenue. 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.

The following citizen(s) appeared to speak:

Ms. Mary Esther Bernal, representing San Antonio Independent School District, urged the City Council to support the request. She stated this request was for the interior of

Jefferson High School to be designated as historic, noting there had been a Committee recommendation on this plan. She further recognized the efforts of City staff members Ann McGlone and Genie Cooper for the valuable assistance provided in this effort.

Mr. Barrera 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, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Garza.

AN ORDINANCE 95316

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 21, BLK 8, NCB 6758, 723 DONALDSON AVENUE, FROM "R-6 H" SINGLE-FAMILY RESIDENCE HISTORIC DISTRICT TO "R-6 (HE H)" SINGLE-FAMILY RESIDENCE HISTORIC, EXCEPTIONAL INTERIORS, HISTORIC DISTRICT.

\* \* \* \*

4L.) CASE NUMBER #Z2002013 - The request of Paul Denham, Applicant, for Leslie P. Busick, Trustee, Owner(s), for a change in zoning from "C-3" Commercial District and "C-2 NA" Commercial Non-Alcoholic Sales District) to "R-5" Residential Single-Family District on 23.414 acres out of NCB 18300, Old Tezel Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

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

Mr. Castro 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, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Garza.

AN ORDINANCE 95317

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 23.414 ACRES OUT OF NCB 18300, OLD TEZEL RD., FROM "C-3" COMMERCIAL DISTRICT AND "C-2 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

\* \* \* \*

4M.) CASE NUMBER #Z2001086 - The request of Earl & Brown, P.C., Applicant, for Ploch Properties, Ltd. and Ploch Sisters, L.L.C., Owner(s), for a change in zoning from "R-4" Manufactured Home Residence District and "R-4 UC-1" Manufactured Home Residence Urban Corridor District, "B-3 UC-1" Business Urban Corridor District, and "I-1 UC-1" Light Industrial Urban Corridor District to "BP" Business Park District and "BP UC-1" Business Park Urban Corridor District on Lots 3, 4, and P-12, NCB 14862, 11600 IH 10 W. Expressway. 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, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Garza.

AN ORDINANCE 95318

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 3, 4, AND P-12, NCB 14862, 11600 IH 10 W.

EXPRESSWAY, FROM "R-4" MANUFACTURED HOME RESIDENCE DISTRICT AND "R-4 UC-1" MANUFACTURED HOME RESIDENCE URBAN CORRIDOR DISTRICT, "B-3 UC-1" BUSINESS URBAN CORRIDOR DISTRICT, AND "I-1 UC-1" LIGHT INDUSTRIAL URBAN CORRIDOR DISTRICT TO "BP" BUSINESS PARK DISTRICT AND "BP UC-1" BUSINESS PARK URBAN CORRIDOR DISTRICT.

\* \* \* \*

4N.) CASE NUMBER #Z2001207 - The request of Hausman 18 Joint Venture, Applicant, for Hausman 18 Joint Venture, Owner(s), for a change in zoning from "B-2 " ERZD Business Edwards Recharge Zone District and "B-2 NA " ERZD Business Non Alcoholic Sales Edwards Recharge Zone District ("C-2" ERZD Commercial Edwards Recharge Zone District and "C-2 NA" ERZD Commercial Non Alcoholic Sales Edwards Recharge Zone District) to "RM-4" PUD ERZD Residential Mixed Planned Unit Development Edwards Recharge Zone District on P-5A NCB 14865, 7500 Hausman Rd. 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 continue this rezoning case until the City Council meeting of March 14, 2002. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until March 14, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Garza.

Zoning Case Z2001207 was continued to the Council meeting of March 14, 2002.

4O.) CASE NUMBER #Z2002004 - The request of American Tower Corporation, Applicant, for American Tower Corporation, Owner(s), for a change in zoning from temporary "R-6" Residential Single Family District to "C-3 S" Commercial District with a Specific Use Permit for a Wireless Communications Facility on Lot P-10C, NCB 15825, 5410 Pecan Springs Road. 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 for approval, noting the letter of commitment from American Tower Corporation to provide landscaping in the subject area. Mr. Perez seconded the motion.

Ms. Conner 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, Sanders, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Garcia, Garza.

#### AN ORDINANCE 95319

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 P-10C, NCB 15825, 5410 PECAN SPRINGS ROAD, FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY.

\* \* \* \*

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35-491.

SECTION 4: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 5: This ordinance is not severable.

\* \* \* \*

4P.) CASE NUMBER #Z2002006 - The request of Amrit Kaur Khalsa, Applicant, for Amrit Kaur Khalsa, Owner(s), for a change in zoning "R-5" Residential Single Family District to "RM-5 C" Residential Mixed District with a conditional use for a yoga studio on West 72.64 ft. of the East 87.19 ft. Lot 29, NCB 11880, 1607 W. Lawndale Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval with the following conditions: 1. A 6 foot screening fence or appropriate landscaping that is agreeable to neighbors shall be constructed along the north, east and west property lines. 2. Studio hours shall be between 9:00 a.m. to 8:30 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on weekends. Parking shall be allowed only in the rear and side yard. 3. Lighting shall be directional so as not to offend the nearby residences. (Council District 9)

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

Mr. Schubert made a motion for approval with conditions as outlined by the Zoning staff. 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, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Garza.

#### AN ORDINANCE 95320

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 WEST 72.64 FT. OF THE EAST 87.19 FT. LOT 29, NCB 11880, 1607 W. LAWDALE DRIVE, FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "RM-5 C" RESIDENTIAL MIXED DISTRICT WITH A CONDITIONAL USE FOR A YOGA STUDIO.

\* \* \* \*

4Q.) CASE NUMBER #Z2002009 - The request of Noah's G.P. Inc., Applicant, for Fred Tips Jr. Family L/TR c/o Robert D. Tips, Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-3 ERZD" Commercial Edwards Recharge Zone District) to "C-3 S ERZD" Commercial Edwards Recharge Zone District with a Special Use Permit for a Mini-storage facility on a site of 4.613 acres out of Lots 8, 10, and 11, Block 1, NCB 16481, Thousand Oaks Drive. Staff's recommendation was for approval.

\* \* \* \*

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

Zoning Commission has recommended approval with the following conditions: 1. An 8' ft. chain link fence shall be constructed along the northeast property line parallel to the City Public Service transmission line easement and the adjacent Park Oaks Shopping Center. 2. Landscape, plant and maintain a screen hedge along the outside chain link fence to screen the fence and buildings. 3. Lighting shall be directional so as not to offend the nearby residences. 4. An onsite stormwater detention and filtration system will be provided in accordance with City of San Antonio drainage regulations. 5. Trash dumpsters shall not be placed along the northeast boundary nearest to the subdivision.

Mr. Schubert made a motion for approval with conditions as submitted. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Mr. Richard Lowder, spoke in opposition to the zoning change, noting that he had been trying to meet with the developer to resolve some issue with the architectural design.

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

#### AN ORDINANCE 95321

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 4.613 ACRES OUT OF LOTS 8, 10, AND 11, BLOCK 1, NCB 16481, THOUSAND OAKS DRIVE, FROM "C-2 ERZD" COMMERCIAL

EDWARDS RECHARGE ZONE DISTRICT AND "C-3 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3 S ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIAL USE PERMIT FOR A MINI-STORAGE FACILITY.

\* \* \* \*

4R.) CASE NUMBER #Z2001181 - The request of Benjamin & Nancy Pena, Applicant, for Benjamin & Nancy Pena, Owner(s), for a change in zoning from "R-1" ("R-6") Single Family Residence District to "R-6 C" Residential Single Family District with a conditional use for a restaurant with no alcoholic sales on Lot 14, Block 1, NCB 14947, 118 Weidner. Staff's recommendation was for approval.

Zoning Commission has recommended denial of "C-2". (Council District 10)

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

Mr. Carpenter made a motion for approval as recommended by Zoning staff. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Rosie Gallegos, stated she had no objection to the business, however she added that it would be an eyesore to the neighborhood. She requested that the facility be improved for appearance.

Mr. Hector Hernandez, spoke in support of the zoning change.

Mr. Ben Pena, applicant, stated he would be working on those improvements necessary.

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

AN ORDINANCE 95322

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 14, BLOCK 1, NCB 14947, 118 WEIDNER, FROM "R-6" SINGLE FAMILY RESIDENCE DISTRICT TO "R-6 C" RESIDENTIAL SINGLE FAMILY DISTRICT WITH A CONDITIONAL USE FOR A RESTAURANT WITH NO ALCOHOLIC SALES.

\* \* \* \*

4S.) CASE NUMBER #Z2001132 A - The request of City of San Antonio, Applicant, for Six Star Partnership, Owner(s), for a change in zoning from "QD CC ERZD" Quarry Edwards Recharge Zone District with City Council approval for Blasting and Asphaltic Concrete ("QD S ERZD" Quarry Edwards Recharge Zone District with a Special Use Permit for Blasting and Asphaltic Concrete) to "C-2 ERZD" Commercial Edwards Recharge Zone District on a 109.3 acre tract of land out of NCB 17728, east side of Bulverde Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "C-2 NA ERZD" Commercial Non Alcoholic Sales Edwards Recharge Zone District. (Council District 10)

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

Mr. Carpenter made a motion to continue this rezoning case until the City Council meeting of March 14, 2002. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until March 14, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia, Conner.

Zoning Case Z2001132A was continued to the Council meeting of March 14, 2002.

2002-01      At this time Case Number 4J was brought before Council.

4J.) CASE NUMBER #Z2002005 - The request of R.R. "Rob" Burchfield, Applicant, for Superior Tomato Avocado, Owner(s), for a change in zoning from "I-1" General Industrial District & "I-2" Heavy Industrial District to "MF-25" Multi-Family District on Lots 1, 2, 3, 8, 9, 10, 11, and 12A, Block 39, NCB 3698, 1700 South Hamilton 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. Perez 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, Sanders, Moorhouse, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia, Conner.

AN ORDINANCE 95323

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON LOTS 1, 2, 3, 8, 9, 10, 11, AND 12A, BLOCK 39, NCB 3698, 1700 SOUTH HAMILTON STREET, FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "I-2" HEAVY INDUSTRY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

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**2002-06 PUBLIC HEARING AND ORDINANCES: CONSIDERATION OF AN ORDINANCE TO ADOPT THE NORTH CENTRAL NEIGHBORHOOD COMMUNITY PLAN.**

Mayor Garza declared the Public Hearing to be open.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the North Central Neighborhoods Community Plan, a copy of which presentation is on file with the papers of this meeting. He outlined the planning area, significance of the adopted plan, planning process, community outreach, plan elements which included land use plan, neighborhood and economic development, transportation and infrastructure, community facilities and quality of life, plan implementation, and goals for the neighborhood development.

The following citizen(s) appeared to speak:

Ms. Betty Eckert, spoke in support of the plan, and commended City staff for the countless hours in developing the plan.

Ms. Maxine Salais, spoke in support of the proposed plan.

\* \* \* \*

Mayor Garza commended the residents for the effort and time dedicated to developing the plan in order to continue to maintain the integrity of the neighborhoods.

Mr. Perez further recognized all participants who brought the plan forward which will benefit the neighborhoods for many years to come.

The Clerk read the following Ordinance:

AN ORDINANCE 95324

ADOPTING THE NORTH CENTRAL NEIGHBORHOODS COMMUNITY PLAN AS A COMPONENT OF THE CITY'S MASTER PLAN THUS SUPERCEDING THE NORTH SHEARER HILLS NEIGHBORHOOD PLAN, ADOPTED ON APRIL 8, 1993 BY RESOLUTION NO. 93-15-38.

\* \* \* \*

Mr. Sanders made a motion to approve the proposed Ordinance. Ms. Conner seconded the motion.

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

— — —  
**2002-06 PUBLIC HEARING AND ORDINANCES: CONSIDERATION OF AN ORDINANCE TO ADOPT THE NEAR NORTHWEST COMMUNITY PLAN.**

Mayor Garza declared the Public Hearing to be open.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the Near Northwest Community Plan, a copy of which presentation is on file with the papers of

this meeting. He delineated the planning area, significance of the adopted plan, planning process, community outreach, and plan elements.

Mayor Garza commended the leaders in this effort, specifically recognizing the neighborhood associations and citing this document as a blueprint for the many growth opportunities.

The following citizen(s) appeared to speak:

Mr. Allen Ghormley, Vice President, American City Vista, spoke in support of the plan, however urged the Council to reconsider changing 10-12 acres north of Quentin which directly affected the subdivisions where KB was presently doing some work. He noted that the present plan would have detrimental affects on this acreage, and would preclude their company from eliminating the use of townhomes, and cottage development. He applauded the proposed plan, but urged the City Council to change the density designation for this area.

In response to Mayor Garza, Mr. Moncivais clarified the definition on land use with the low and medium density guidelines. He stated that if the developer were to require more density, staff would return for a process in order to amend the plan as necessary. He added that as long as the neighborhoods and Council would be involved in terms of land use there should not be a problem.

Mr. Ghormley further reiterated his concern, noting that it was a radical change from the plan in place two months earlier. He noted that the plan needs to maintain a certain degree of flexibility, otherwise the proposed plan simply represented lots the same as those developed in 1920's, 30's or 40's, which cannot be done in the inner City.

\* \* \* \*

Mayor Garza requested that clarification be made to assure the neighborhood leaders and investors as to what exactly is qualified for the land use in this area. He emphasized the need to adopt a plan that would be flexible to allow work that will be in the best interest of the community, while preserving the integrity of the communities.

The following citizen(s) appeared to speak:

Ms. Charlotte Kahl, spoke in support of the plan, and recognized the residents and the Council for the efforts to implement community master plans throughout the City that would increase residential and business corridors.

Ms. Joan Broagley, thanked the Council and all participants of the plan which would serve as short and long term plans for the communities, and especially commended American City Vista for their efforts to bring new housing into the older neighborhoods.

Ms. Dede Finney, spoke with regard to the process of negotiations, noting the many neighborhood associations and staff who met at the various locations thereby increasing participation from all parties involved. She added that it was a very democratic process.

Mr. Noel Suniga, Director of Jefferson/Woodlake Lake CDC, spoke in support of the coordinated process with the City and the plan, which would allow the CDC as a lead partner to increase inventory of business, examine current zoning classifications, and participate in tax increment financing. He added that the plan was a product of much hard work of the citizens, officials, City staff, and presented an opportunity to allow developers to invest in the near northwest community area.

Mr. Jesus De La Torres, Jefferson Neighborhood Association, spoke in support of the plan and commended the City Council and staff for their participation.

Ms. Theresa Berlanga, P.O. Box 12816, spoke to the housing needs in the community, and urged the Council to revise the UDC to include a means to provide loans for housing, and a better way to provide remodeling of older homes.

Mr. Don Saunders, spoke to the proposed plan, adding that while the plan may eliminate Ghormley from the equation, the Council should not make changes at this point to the plan. He stated that community involvement was good and necessary, but that there should not be any interference with the decisions of the Zoning Board and City Council.

\* \* \* \*

The Clerk read the following Ordinance:

AN ORDINANCE 95325

ADOPTING THE NEAR NORTHWEST COMMUNITY PLAN AS A COMPONENT OF THE CITY'S MASTER PLAN, THUS SUPERCEDING THE JEFFERSON NEIGHBORHOOD UPDATED PLAN, ADOPTED BY RESOLUTION NO. 97-47-45.

\* \* \* \*

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

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

— — —

2002-06 The Clerk read a proposed ordinance approving the following amendments to the Unified Development Code as recommended by the Planning and Zoning Commissions: Amendment "A" 35-310.10 (c) (3) & Table 310-1 – Addition of a new "C-2" Zoning District with no maximum front building setback and a change in the zoning conversion matrix to reflect "B" – "2" districts as converting to "C-2" districts; Amendment "B" - 35-344(g) Amendment of PUD and MPDC provisions to provide for inclusion of yards in "open space" calculation; Amendment "C" – 35-344(c) (1) Addition of zoning prefix to PUD designations and 35-344(c) (2) Amendment of "density table"; Amendment "D" – Add definition of the initials "NA" to Table 311 and 312; Amendment "E" – 35-311 Deletion of bars and taverns as a permitted use in "NC" & "C-1" zoning districts and addition as a conditional use; Amendment "F" – 35-311 Deletion of manufactured housing as a permitted use in R-4 and RM4; Amendment "G" – 35-422(e)(1) Add wording to clarify the number of designated uses allowed under "Conditional Zoning"; Amendment "H" – 35-353(a) & (f) Add text (p 3 – 140 & p 3 – 141) to clarify properties eligible for "Neighborhood Preservation District" designation; Amendment "I" – Appendix D add note to clarify conversion of existing "R-A" and "PUD" districts; Amendment "J" – 35-311 Addition of radio auto alarm installation as a primary use in the "Table 311-2"; and providing for notification.

\* \* \* \*

Ms. Moorhouse made a motion to approve the proposed Ordinance. Mr. Sanders seconded the motion.

Mr. Roderick Sanchez, Assistant Director of Development Services, narrated a slide presentation on the Unified Development Code amendments, a copy of which presentation is on file with the papers of this meeting. He delineated the background, ordinance overview, and each of the proposed amendments A through J with specific designations, uses and views of the subject areas.

The following citizen(s) appeared to speak:

Mr. Zachary Lee, property developer, stated that he owned properties located in and outside of Loop 410, and that the B-2 designation, which was now, C-2 with a 35' maximum setback was not realistic in any environment. He also noted that it was

important that the City Council make a decision today due to the number of projects presently on hold by himself as well as other developers.

Mr. Bill Kaufmann, noted that he was available for any questions with regard to the C-2 designation.

Mr. Bill Ellis, Real Estate Council, spoke of the diligent participation of members of the Real Estate Council, and further commended all community stakeholders. He requested that the City Council reconsider the issue with regard to the UDC Technical Advisory Committee, the 35' setback, and to eliminate the C-2 and create the C-2P.

Ms. Jill Souter, President, San Antonio Conservation Society, urged the City Council to deny Amendment A or to have it pulled for further review. She added that an important part of the new UDC was the maximum 35-foot setback line for C-2 districts, and that by approving Amendment A, thousands of undeveloped sites that were formerly zoned B-2 will automatically become C-2 and will have no maximum building setback lines.

\* \* \* \*

Mayor Garza thanked the stakeholders, and requested that staff further clarify the issue of C-2.

Mr. Sanchez stated there were still items in the code that would preserve the older areas. He further expressed concern on placing the burden on property owners to have to convert to the C-2P with no maximum setback. He noted that B-1 would retain a maximum setback of 20 feet, and that older areas needed to be rezoned to C-2P.

Ms. Conner commented on the possibility of directing this issue back to the Balanced Growth Committee and the Technical Advisory Committee and for both to review the process of the conversion to the C-2P.

Mayor Garza expressed concern on the timeline and the manpower needed to identify those properties and get it through the necessary process.

Mr. Gene Dawson, head of the Technical Advisory Committee and Chair of the UDC rewrite Committee further explained the B-2 conversion to C-2. He noted that all retailers such as H.E.B. and Lowe Companies in B-2 converted to C-2 with a maximum 35-foot setback, and that every B-2 would not be in conformance with the Zoning department. He stated that due to the amount of work it was better to create a C-2P.

Mayor Garza reiterated this was a critical issue with time constraints, and that he did not want to create obstacles for revitalization and place the burden on property owners or neighborhoods.

City Manager Terry Brechtel stated that staff would need the time to resolve this issue in order to take properties inside Loop 410 and convert to C-2P and those outside Loop 410 as C-2, in order to develop a balance. She stated that this issue could be deferred for two weeks in order to achieve that balance.

In response to Mr. Castro, Mr. Dawson stated that the vote on this issue was not by a consensus vote, noting the number of voting staff members at the time.

Mr. Castro reiterated on the importance of this issue, and made a motion to approve the Ordinance but continue consideration of Amendment A for two weeks. Mr. Barrera seconded the motion.

Mr. Carpenter encouraged the Legal Department to thoroughly review this action with regard to the zoning of properties inside and outside Loop 410. He stated that property rights might be taken away from some.

Mr. Steven Arronge, Acting City Attorney assured there would be a thorough review of all legal issue before coming back to the Council.

The amendment to the motion to bring back Amendment A in two weeks by Councilman Castro, failed by the following roll call vote: **AYES:** Sanders, Barrera, Castro, Conner, Garza. **NAYS:** Moorhouse, Martin, Schubert, Carpenter. **ABSENT:** Perez, Garcia.

The main motion, as amended, failed, by the following vote: **AYES:** Sanders, Barrera, Castro, Conner, Garza. **NAYS:** Moorhouse, Martin, Schubert, Carpenter. **ABSENT:** Perez, Garcia.

Mayor Garza urged the City Council to reconsider the motion to approve the ordinance and bring back Amendment A in two weeks.

Mr. Castro made a motion to reconsider the Ordinance. Ms. Moorhouse seconded the motion.

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

Ms. Moorhouse then made a motion to approve the Ordinance except for Amendment A, which will be brought forward in two weeks to the "A" Session for consideration. Mr. Sanders seconded the motion.

After consideration, the motion to approve the Ordinance except for Amendment "A" which will be brought forward in two weeks to "A" Session for consideration, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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#### AN ORDINANCE 95326

APPROVING THE FOLLOWING AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSIONS: AMENDMENT "B" - 35-344(G) AMENDMENT OF PUD AND MPDC PROVISIONS TO PROVIDE FOR INCLUSION OF YARDS IN "OPEN SPACE" CALCULATION; AMENDMENT "C" - 35-344(C) (1) ADDITION OF ZONING PREFIX TO PUD DESIGNATIONS AND 35-344(C) (2) AMENDMENT OF "DENSITY TABLE"; AMENDMENT "D" - ADD DEFINITION OF THE INITIALS "NA" TO TABLE 311 AND 312; AMENDMENT "E" - 35-311 DELETION OF BARS AND TAVERNS AS A PERMITTED USE IN "NC" & "C-1" ZONING DISTRICTS AND ADDITION AS A CONDITIONAL USE; AMENDMENT "F" - 35-311 DELETION OF MANUFACTURED HOUSING AS A PERMITTED USE IN R-4 AND RM4; AMENDMENT "G" - 35-422(E)(1) ADD WORDING TO CLARIFY THE NUMBER OF DESIGNATED USES ALLOWED UNDER "CONDITIONAL ZONING"; AMENDMENT "H" - 35-353(A) & (F) ADD TEXT (P 3 - 140 & P 3 - 141) TO CLARIFY PROPERTIES ELIGIBLE FOR "NEIGHBORHOOD PRESERVATION DISTRICT" DESIGNATION; AMENDMENT "I" - APPENDIX D ADD NOTE TO CLARIFY CONVERSION OF EXISTING "R-A" AND "PUD" DISTRICTS; AMENDMENT "J" - 35-311 ADDITION OF RADIO AUTO ALARM INSTALLATION AS A PRIMARY USE IN THE "TABLE 311-2"; AND PROVIDING FOR NOTIFICATION.

— — —

2002-06 The Clerk read a proposed ordinance establishing a process for the selection of potential alternate sites for the PGA Village (currently the Cibolo Canyon Conservation and Improvement District) and further establishing that such process be completed within sixty (60) days; as requested by Mayor Edward D. Garza.

Mayor Garza noted there had been significant discussion on PGA, and in order to continue discussion on the development agreement, he urged the City Council to table this item at this time.

Mr. Perez made a motion to table this issue. Ms. Conner seconded the motion.

After discussion, the motion to table the ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse, Martin, Garcia.

The proposed ordinance was tabled.

— — —  
2002-06      **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mayor Garza noted there was a special presentation to be made to Ms. Conner on behalf of her husband, Charlie Conner. Councilwoman Conner was presented with red roses in observance of Valentine's Day.

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2002-06      **TRAVEL AUTHORIZATION - Granted:**

Confirmation and travel authorization for Mayor Edward D. Garza who attended the National League of Cities Working Group on Homeland Security Meeting in Dallas/Fort Worth, Texas from Friday, February 8, 2002 through Sunday, February 10, 2002.

Mr. Perez made a motion to approve the proposed Travel Authorization. Mr. Sanders seconded the motion.

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



AN ORDINANCE 95328

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO POSITIVE BEGINNINGS, INC., TO BE USED TO PURCHASE MATERIALS AND EQUIPMENT FOR THE CHILDCARE PROGRAMS AT ITS THREE (3) SITES, LOCATED AT 440 LABOR STREET, CHARLES ANDREWS APARTMENTS, AND MISSION PARK APARTMENTS; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

\* \* \* \*

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

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

— — —  
2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95329

AUTHORIZING THE EXPENDITURE OF \$1,500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO PROJECT MEND, INC., TO BE USED TO PURCHASE MEDICAL EQUIPMENT FOR THE CITY OF SAN ANTONIO'S LOW-INCOME, PHYSICALLY IMPAIRED CITIZENS; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

\* \* \* \*

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

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

2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95330

AUTHORIZING THE EXPENDITURE OF \$400.00, FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE HOLY SPIRIT PARENT TEACHER CLUB, TO HELP DEFRAY DECORATION COSTS FOR THE HOLY SPIRIT ANNUAL GALA FUNDRAISER, HELD ON FEBRUARY 9, 2002; AS REQUESTED BY COUNCILMAN CARROLL W. SCHUBERT.

\* \* \* \*

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

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

— — —

2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95331

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE CLARA DRISCOLL MIDDLE SCHOOL PTA, TO BE USED TO HELP DEFRAY THE COSTS RELATED TO AN ALCOHOL AND DRUG-FREE PARTY FOR ITS GRADUATING 8<sup>TH</sup> GRADE CLASS; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

\* \* \* \*

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

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

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95332

AUTHORIZING THE EXPENDITURE OF \$900.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, PAYABLE TO ST. TIMOTHY'S CATHOLIC CHURCH, TO BE USED TO HELP DEFRAY THE COST OF ST. TIMOTHY'S ANNUAL SPRING DANCE, SCHEDULED FOR SATURDAY, MARCH 9, 2002; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

\* \* \* \*

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

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the contribution being made to St. Timothy Catholic Church, noting the separation of church and state.

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

— — —  
2002-06 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2002-06-07

EXPRESSING THE CITY COUNCIL'S INTENT TO CREATE A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE, NOW KNOWN AS SKY HARBOR PROJECT IN CITY COUNCIL DISTRICT FOUR NEAR BOWSPRIT DRIVE AND BOSTON HARBOR STREET FOR THE PURPOSE OF SUPPORTING AFFORDABLE HOUSING AND PUBLIC IMPROVEMENTS IN THE AREA.

\* \* \* \*

Mr. Schubert made a motion to approve the proposed Resolution. Mr. Sanders seconded the motion.

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation on the proposed Tax Increment Financing for the Sky Harbor Project, a copy of which presentation is on file with the papers of this meeting. He outlined the financing, proposed development, acreage, average sale price, proposed public improvements, and views of the area.

In response to Mr. Perez regarding the formulation of a process to address City related expenses, Mr. Garza stated that the issue was still being discussed and that it would be brought back to the Committee to discuss with full partners, possibly for the next Housing Committee meeting.

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

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2002-06      **CITY MANAGER'S REPORT**

City Manager Terry Brechtel, announced the appointment of Mr. Dale Lockett as the Acting Director of the Convention and Visitors Bureau due to the departure of Steve Moore. She spoke of Dale's vast experience at the Bureau that would bring a wide array of expertise, noting that he played an integral role in the reorganization of the Bureau.

Mr. Drew Cameron, Director of Housing and Community Development, presented a report from the Office of Inspector General regarding the audit of the Section 108 Loan for the redevelopment of Kelly Air Force Base.

Members of the City Council congratulated Dale Lockett on his appointment. City Council further commended Drew on the positive report on the audit, indicating the type of work presented by staff in order to achieve necessary goals.

Mr. Barrera further requested that any correspondence from HUD be presented to the Council and to the community as expeditiously as possible.

Mr. Cameron stated that the local HUD office support staff, which added to the quick resolution, and that quarterly reports from GKDA would continue.

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2002-06

CITIZEN TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the City Council about various subjects and issues.

\* \* \* \*

MS. THERESA BERLANGA

Ms. Theresa Berlanga, P.O. Box 12816, spoke to the Council about her concerns for her safety and asked that she be given police protection.

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MR. RUBEN ESPRONCEDA

Mr. Ruben Espronceda, Editor of the San Antonio Post, spoke to the Council about the PGA issue and distributed to each Council member the February 2002 issue of the "San Antonio Post."

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SAN ANTONIO LIBRARY FOUNDATION

Mr. Pat Flynn, Chair of the S.A. Library Foundation, and other members of the Foundation presented each Council member with a box of chocolates and a book of poems as a "thank you" for their support of the Library System.

