

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 25, 2002.**

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2002-17 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 Comprehensive Historic Resource Survey within the original 36 miles of the City.** (Presented by Ann McGlone, Historic Preservation Officer, Planning Department)

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

The "B" Session adjourned at 11:08 A.M.

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2002-17 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. ABSENT: Conner.

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2002-17 Invocation by Councilman John Sanders.

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2002-17 Pledge of Allegiance to the flag of the United States.



**2002-17 PRESENTATION OF PROCLAMATION FOR THE 2<sup>ND</sup> ANNUAL WASTE MANAGEMENT SCHOLARSHIP GOLF TOURNAMENT**

Mayor Garza spoke of the annual golf tournament sponsored by Waste Management in an effort to raise funds for scholarships for South San Antonio students. He read a Proclamation in honor of the 2<sup>nd</sup> Annual Waste Management Scholarship Golf Tournament and presented it to Mr. Rick Green, General Manager of Waste Management.

Mr. Green spoke of the fundraising efforts noting that they have raised over \$77,000 in scholarship funds for the South side schools. He extended his appreciation to the City Council for their support.

Members of the City Council recognized Waste Management as a good corporate neighbor for their efforts to help the community in providing funds for education, and further acknowledged the number of schools being assisted.

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**2002-17 ON A POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mayor Garza recognized Mr. Ben Brewer and the Downtown Amigos who have provided an excellent job in representing the City of San Antonio.

Members of the City Council commended Mr. Brewer and the members of the Downtown Amigos for being great ambassadors for the City.

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**2002-17 DESIGNATION OF APRIL 30, 2002 AS "EL DIA DE LOS NIÑOS (CHILDREN'S DAY)"**

Councilman Garcia requested that Item 39 be considered at this time.

Ms. Stephanie Lopez, spoke of the "Dia de los Ninos" observance and spoke of the various day activities in efforts to make this day a national observance.

Ms. Becky Barrera, spoke of the celebrations observed in Latin America, and further elaborated on the activities taking place during the local day observance. She noted that

there were 150 cities in the United States already celebrating this observance, and urged the City Council to support the approval of the Resolution.

The Clerk then read the following Resolution:

A RESOLUTION  
NO. 2002-17-20

EXPRESSING CITY COUNCIL SUPPORT FOR THE DESIGNATION OF APRIL 30, 2002 AS EL DIA DE LOS NIÑOS (CHILDREN'S DAY); AS REQUESTED BY MAYOR EDWARD D. GARZA, AND COUNCILMEMBERS BOBBY PEREZ, DISTRICT 1, AND DAVID GARCIA, DISTRICT 5.

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

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

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2002-17      ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman Perez, recognized the 4<sup>th</sup> grade students and teachers from Keystone Elementary School who were in the Council meeting for a civics lesson.

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2002-17      ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman Garcia recognized Dr. Richard Butler from Trinity University who spoke on a six-week program on practical analysis and noted the original experimental team members.

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2002-17 Minutes of the regular City Council meeting of April 4, 2002 were approved.

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2002-17 **REPORT OF THE MAYOR'S BLUE RIBBON COMMISSION ON SAN ANTONIO'S ECONOMY**

Mayor Garza spoke of the Blue Ribbon Commission on San Antonio's economy, and commended Co-Chairs Lila Cockrell and Al Aguilar for their leadership. He also acknowledged former Mayors Henry Cisneros and Nelson Wolff for being instrumental in creating the Commission. He spoke of the many hours spent in identifying new ideas and opportunities to complement the Economic Development Plan. He added that some of the recommendations are already being implemented, and personally thanked all members of the various task forces who dedicated so many hours to this effort.

The Clerk then read the following Resolution:

A RESOLUTION  
NO. 2002-17-21

ACKNOWLEDGING THE ACCEPTANCE OF THE REPORT OF THE MAYOR'S BLUE RIBBON COMMISSION ON SAN ANTONIO'S ECONOMY.

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

Mr. Ramiro Cavazos, Director of Economic Development Department, spoke of the great opportunity to work with a great team in San Antonio who worked so diligently in developing the task forces, the timeline in bringing those recommendations, some for immediate implementation, and those for short and long term implementation.

The following citizen(s) appeared to speak:

Mayor Emeritus Lila Cockrell, spoke of those issues identified in the community to implement immediately. She spoke of the support of the San Antonio Express-News, all other sectors of the media, City staff, and the great comprehensive report developed.

Mrs. Cockrell then outlined each of the task forces, the respective chair persons, and recommendations.

Mr. Al Aguilar, Co-Chair of the Blue Ribbon Commission, then spoke on the Small Business Task Force, the Military Aerospace Task Force, its Chairs and membership highlighting on the various recommendations.

Mr. Cavazos, then outlined the next steps of the Commission, the continued evaluation, identifying the partnership organizations that may assume responsibility to further implement the Mayor's Blue Ribbon Commission recommendations.

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Mayor Garza introduced each of the members of the task forces, and commended each for attending the meeting and for their work on the Commission. He recognized the efforts and the implementation of initiatives and recommendations for short and long term plans. He then presented Certificates of Appreciation to each of the members.

Members of the City Council commended all members of the task forces for their outstanding work and dedication.

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

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**2002-17      CONSENT AGENDA-CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to Item 21 and in opposition to the PGA.

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 16, noting there was no bidding on this particular item, and cited campaign contributions made to various members of the City Council.

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2002-17      CONSENT AGENDA

Ms. Moorhouse made a motion to approve Agenda Items 6 through 31B, constituting the Consent Agenda, except for which were pulled from the agenda. Mr. Martin 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, Garcia, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Barrera, Conner.

AN ORDINANCE 95643

ACCEPTING THE OFFER SUBMITTED BY FOUR ALARM FIRE EQUIPMENT, MUNICIPAL EMERGENCY SERVICES, INC., A SOLE SOURCE SUPPLIER, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN INTERCOM SYSTEM FOR A TOTAL SUM OF \$26,978.00.

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AN ORDINANCE 95644

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY MAXWELL AUTO GROUP, BID NO. 1 AND BID NO. 2 TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SEDANS FOR A TOTAL SUM OF \$82,396.00.

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AN ORDINANCE 95645

ACCEPTING THE LOW BID SUBMITTED BY LUBE EQUIPMENT CO., INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH LUBRICATION AND FUEL BODIES FOR A TOTAL SUM OF \$141,000.00.

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AN ORDINANCE 95646

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY TRC COMPUTER (MBE), SECTIONS 1 AND 32; COMMONWEALTH TRADING COMPANY, INC. D/B/A COMMONWEALTH COMPUTER COMPANY, (MBE/AABE), SECTIONS 2, 8, 10, 19, 22, 23, 25, 33, 34, 35 AND 43; MICRO SYSTEM ENGINEERING D/B/A

MICRO SYSTEM ENTERPRISES, INC., (MBE), SECTIONS 3, 4, 6 AND 21; DELL COMPUTER CORPORATION, SECTIONS 5, 11, 37, AND 42; COMPUTER EXPRESS, (MBE), SECTIONS 7, 14, 16, 27, 31, 38, 39, 44, 45, 46 AND 47; TEXAS ELECTRONIC INFORMATION & COMPUTER CORP, TEICC, (MBE), SECTIONS 9, 12 AND 17; QA SYSTEMS, INC., (MBE/AABE), SECTION 13; BARBARA TECHNOLOGY CORPORATION D/B/A AMERICA'S COMPUTER COMPANY (WBE), SECTIONS 15 AND 36; PORTABLE COMPUTER SYSTEMS, (WBE), SECTIONS 18, 26; AMHERST CORPORATION COMPUTER SALES & SOLUTIONS D/B/A MINTECH, INC., SECTIONS 24; SOFTWARE HOUSE INTERNATIONAL GOVERNMENTAL SOLUTIONS, (WBE/MBE), SECTION 28, 29 AND 48; AUSTIN RIBBON & COMPUTER, INC. (WBE), SECTION 30; M&A TECHNOLOGY, INC. (MBE/AABE), SECTION 41; PCPC INC., (WBE), SECTION 49 TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH PERSONAL COMPUTER HARDWARE FOR AN ESTIMATED TOTAL OF \$1,899,000.00.

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#### AN ORDINANCE 95647

ACCEPTING LOW BID BY CATO ELECTRIC COMPANY TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE CUELLAR PARK WALKING TRAIL RECONSTRUCTION PROJECT IN CITY COUNCIL DISTRICT 6 IN THE AMOUNT OF \$64,765.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; PROVIDING FOR CONSTRUCTION CONTINGENCY, ENGINEERING FEES, ENGINEERING CONTINGENCY FEES AND PRINTING/BID ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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#### AN ORDINANCE 95648

APPROPRIATING 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS IN AN AMOUNT NOT TO EXCEED \$9,800.00 AND AUTHORIZING THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE SOUTHCROSS FROM S. PRESA TO NEW BRAUNFELS PROJECT, LOCATED IN COUNCIL DISTRICT 3.

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AN ORDINANCE 95649

RATIFYING AND AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL GENERAL OBLIGATION FUNDS IN AN AMOUNT NOT TO EXCEED \$11,111.50 TO BROWN ENGINEERING COMPANY FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE ESCALON STREET #1008 PROJECT LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81787, MARCH 9, 1995.)

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AN ORDINANCE 95650

AMENDING A PROFESSIONAL SERVICES CONTRACT BY AUTHORIZING ADDITIONAL GENERAL OBLIGATION BOND FUNDS IN AN AMOUNT NOT TO EXCEED \$791,500.00 PAYABLE TO O'NEILL CONRAD OPPELT, ARCHITECTS, INC. TO PROVIDE PROFESSIONAL DESIGN SERVICES, \$10,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES IN CONNECTION WITH THE NEW FIRE TRAINING ACADEMY PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92485, SEPTEMBER 14, 2000.)

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AN ORDINANCE 95651

AMENDING ORDINANCE NO. 94608, PASSED AND APPROVED ON SEPTEMBER 27, 2001, BY AUTHORIZING PAYMENT OF AN ADDITIONAL SUM OF \$150.00 TO JEAN RAMSAY GRAY, INDEPENDENT EXECUTRIX OF THE ESTATES OF WILLIAM R. GRAY AND JOAN P. GRAY, FOR A PARTIAL RELEASE OF LIEN FEE IN CONNECTION WITH THE ST. MARY'S STREET - ALAMO TO PEREIDA METROPOLITAN PLANNING ORGANIZATION PROJECT; REVISING THE BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 94608, SEPTEMBER 27, 2001.)

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AN ORDINANCE 95652

AUTHORIZING THE EXPENDITURE OF \$900.00 TO LAWYERS TITLE COMPANY OF SAN ANTONIO FOR TITLE FEES IN CONNECTION WITH THE DELL PLACE DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, THE MCKAY STREET - CONNER TO GRAND JEAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT AND THE SOUTHCROSS SIDEWALKS - ZARZAMORA TO SHELBY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECTS BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95653

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,394.59 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE SOUTHCROSS SIDEWALKS - ZARZAMORA TO SHELBY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95654

AUTHORIZING PAYMENT IN THE AMOUNT OF \$870.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS PAYABLE TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0021, CITY OF SAN ANTONIO VS. OSCAR HERNANDEZ, ET AL. FOR ACQUISITION OF FEE SIMPLE TITLE TO ONE (1) PARCEL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,966.40 FOR COURT COSTS IN CONNECTION WITH THE SOUTHCROSS SIDEWALKS - ZARZAMORA TO SHELBY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; FOR THE TOTAL SUM OF \$4,836.40; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93403, FEBRUARY 8, 2001.)

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AN ORDINANCE 95655

AUTHORIZING STANDARD CITY OPERATING AGENCY CONTRACTS WITH TEN (10) COMMUNITY BASED ORGANIZATIONS TO OPERATE TWENTY-THREE (23) OF THE TOTAL ONE-HUNDRED (100) SUMMER RECREATION SITES IN CONNECTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 2002 SUMMER RECREATION PROGRAM FOR A TOTAL OF \$100,000.00; AUTHORIZING PAYMENT TO THE ORGANIZATIONS FOR SERVICES PROVIDED UNDER SAID CONTRACTS; AUTHORIZING A LEASE AGREEMENT WITH OUR LADY OF SORROWS CHURCH FOR TEMPORARY USE OF OFFICE SPACE FOR PROGRAM ACTIVITIES; AND AUTHORIZING THE PAYMENT OF \$4,200.00 IN OFFICE SPACE RENTAL COSTS FOR SAID PROGRAM.

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AN ORDINANCE 95656

(A) ACCEPTING A SURRENDER OF LEASE AGREEMENT WITH HOTCHKISS MANAGEMENT COMPANY D/B/A BIG APPLE BAGEL (BIG APPLE BAGEL), AS TENANT, AT THE INTERNATIONAL CENTER LOCATED AT 203 SOUTH ST. MARY'S STREET; (B) AUTHORIZING THE EXECUTION OF A NEW LEASE AGREEMENT WITH SUSHI ZUSHI, INC., AS TENANT, FOR USE OF THE SAME RETAIL SPACE OF APPROXIMATELY 2,000 SQUARE FEET, FOR A TERM OF FIVE (5) YEARS AND FIVE (5)-MONTH ABATEMENT OF RENT IN CONSIDERATION OF CERTAIN TENANT IMPROVEMENTS TO THE SPACE, WITH ONE (1) FIVE YEAR RENEWAL OPTION, SUBJECT TO CITY COUNCIL APPROVAL, AT A TOTAL RENTAL PAYMENT FOR THE INITIAL TERM OF \$180,000.00 OR AN AVERAGE OF \$18.00 PER SQUARE FOOT PER YEAR, PLUS COMMON AREA MAINTENANCE (CAM) PAYMENTS FOR THE INITIAL TERM OF APPROXIMATELY \$27,600.00 SUBJECT TO AN ANNUAL ADJUSTMENT; AND (C) AUTHORIZING THE PAYMENT OF A REAL ESTATE BROKERAGE COMMISSION TO PROVIDENCE COMMERCIAL REAL ESTATE SERVICES/WEITZMAN GROUP OF \$10,800.00 OR SIX (6%) PERCENT OF THE TOTAL RENTAL PAYMENTS FOR THE INITIAL TERM.

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AN ORDINANCE 95657

RATIFYING THE EXECUTION OF A THREE (3) MONTH SHORT-TERM OCCUPANCY AGREEMENT ("LEASE AGREEMENT") WITH MACK-CALI

TEXAS PROPERTY L.P., AS LANDLORD, FOR THE USE OF 14,928 SQUARE FEET OF OFFICE SPACE LOCATED AT 111 SOLEDAD STREET IN THE RIVERVIEW OFFICE BUILDING AT A MONTHLY RENT OF \$8,250.00 FOR THE PERIOD OF FEBRUARY 1, 2002 TO APRIL 30, 2002 FOR A TOTAL COST OF \$24,750.00; AUTHORIZING THE EXECUTION OF A TWENTY FIVE (25) MONTH LEASE AGREEMENT WITH THE SAME LANDLORD FOR USE BY THE FINANCE DEPARTMENT (ENTERPRISE RESOURCE MANAGEMENT PROJECT) OF THE 14,928 SQUARE FEET AT A MONTHLY RENT OF \$17,416.00 OR AN ANNUAL RENTAL RATE OF \$14.00 PER SQUARE FOOT, INCLUDING ALL OPERATING EXPENSES SUBJECT TO ESCALATION AFTER THE BASE YEAR OF THE TERM, FOR THE PERIOD OF MAY 1, 2002 TO MAY 31, 2004 WITH THE RENT ABATED FOR THE FIRST MONTH AND WITH A RIGHT TO RENEW THE TERM OF THE LEASE AGREEMENT FOR THREE (3) ADDITIONAL CONSECUTIVE RENEWAL PERIODS OF SIX (6) MONTHS EACH AT A LEASE RENEWAL RATE OF \$14.50 PER SQUARE FOOT PER YEAR FOR THE FIRST TWO (2) RENEWAL PERIODS AND \$15.00 PER SQUARE FOOT PER YEAR FOR THE THIRD RENEWAL PERIOD, SUCH RENEWALS SUBJECT TO APPROVAL BY CITY COUNCIL; AND AUTHORIZING PAYMENT TO MACK-CALI TEXAS PROPERTY L.P., PURSUANT TO THE LEASE AGREEMENTS.

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AN ORDINANCE 95658

RATIFYING SERVICES AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$74,880.48 TO GOODE, CASSEB, JONES, RIKLIN, CHOATE & WATSON, P.C., FOR SERVICES RENDERED IN CONNECTION WITH THE CIBOLO CANYON CONSERVATION AND IMPROVEMENT DISTRICT; AND AUTHORIZING AN AMENDMENT TO THE LEGAL SERVICES CONTRACT WITH SAID FIRM PREVIOUSLY AUTHORIZED BY CITY COUNCIL PURSUANT TO ORDINANCE NO. 95015 IN ORDER TO INCREASE THE BUDGET BY \$100,000.00 FOR A TOTAL BUDGET OF \$150,000.00.

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AN ORDINANCE 95659

AUTHORIZING THE ACCEPTANCE OF AN AIRPORT IMPROVEMENT GRANT, IN THE AMOUNT OF \$1,213,402.00 FROM THE FEDERAL AVIATION

ADMINISTRATION IN SUPPORT OF THE NEW REMAIN OVERNIGHT APRON AT SAN ANTONIO INTERNATIONAL AIRPORT; AND REVISING THE BUDGET.

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AN ORDINANCE 95660

AUTHORIZING THE EXECUTION OF AN ADVERTISING REVENUE AGREEMENT WITH FAIRWAY ADVERTISING FOR THE MARKER ADVERTISEMENT SIGNS WITH POTENTIAL REVENUE OF \$11,700.00 PER YEAR AT CITY-OWNED AND OPERATED GOLF COURSES FOR A TWO (2) YEAR TERM WITH AN OPTIONAL TWO YEAR RENEWAL.

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AN ORDINANCE 95661

AUTHORIZING THE SUBMISSION OF A \$1,025,152.00 GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE 2002 SUMMER FOOD SERVICE PROGRAM OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION; AUTHORIZING THE ACCEPTANCE OF THE GRANT IF AWARDED; APPROPRIATING FUNDS; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AUTHORIZING THE TRANSFER OF FUND BALANCES FROM THE 2001 SUMMER FOOD SERVICE PROGRAM BUDGET; AND AUTHORIZING THE ACCEPTANCE OF ADDITIONAL FOOD SUPPORT IF AWARDED DURING THE TERM OF THIS PROJECT.

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AN ORDINANCE 95662

AUTHORIZING THE ALLOCATION OF \$400,000.00 FROM 1999 GENERAL OBLIGATION LIBRARY BOND FUNDS FOR THE PURCHASE OF THE OPENING DAY MATERIALS COLLECTION OF THE HENRY GUERRA BRANCH LIBRARY.

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AN ORDINANCE 95663

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR STATE/FEDERAL ASSISTANCE PROVIDED THROUGH THE TEXAS STATE LIBRARY AND

ARCHIVES COMMISSION IN THE AMOUNT OF \$764,627.00, WHICH WILL BE USED FOR THE PURPOSE OF PUBLIC LIBRARY DEVELOPMENT OF THE ALAMO AREA LIBRARY SYSTEM.

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AN ORDINANCE 95664

AUTHORIZING THE ACCEPTANCE OF THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION 2002 LOAN STAR LIBRARIES GRANT AWARD IN THE AMOUNT OF \$94,922.00, WHICH WILL BE USED TO HIRE FOUR (4) PART-TIME DEPARTMENT SYSTEMS AIDES TO ASSIST THE PUBLIC WITH THE USE OF THE INTERNET AND COMPUTER APPLICATIONS SOFTWARE IN THREE BRANCH LIBRARY LOCATIONS AND ONE (1) FLOATER TO BE USED WHEREVER NEEDED TO ENHANCE THE LIBRARY'S COMPACT DISK (CD) COLLECTIONS AND TO ESTABLISH CORE DIGITAL VIDEO DISK (DVD) COLLECTIONS IN ALL LIBRARY LOCATIONS.

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AN ORDINANCE 95665

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$100,000.00 WITH THE METROPOLITAN PARTNERSHIP FOR ENERGY TO PROVIDE A CLEARINGHOUSE FOR EDUCATIONAL PROGRAMS AND IMPROVE COOPERATION AMONG PUBLIC ENTITIES ON ISSUES RELATED TO ENERGY CONSERVATION, FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; AND APPROPRIATING FUNDS.

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AN ORDINANCE 95666

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$50,000.00 WITH THE SAN ANTONIO MOBILITY COALITION (SAMCO) TO IDENTIFY, PUBLICIZE AND ADVANCE MOBILITY SOLUTIONS, IMPROVE LOCAL TRANSPORTATION PLANNING EFFORTS AND SEEK FUNDING FOR PROJECTS FOR THE PERIOD FEBRUARY 1, 2002 THROUGH JANUARY 31, 2003; AND APPROPRIATING FUNDS.

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AN ORDINANCE 95667

AUTHORIZING THE EXECUTION OF A TWO (2) MONTH EXTENSION OF THE INTERLOCAL AGREEMENTS WITH VARIOUS PUBLIC EDUCATION DISTRICTS FOR THE PURPOSE OF WAIVING CERTAIN DEVELOPMENT FEES IN EXCHANGE FOR SERVICES.

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AN ORDINANCE 95668

APPOINTING CRESTON (CY) CYRIL HUTCHINSON TO THE GREATER KELLY DEVELOPMENT AUTHORITY (DISTRICT 8) FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2003.

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AN ORDINANCE 95669

APPOINTING NATHANIEL BUTLER TO THE SAN ANTONIO HOUSING AUTHORITY (DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2003.

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2002-17      ZONING HEARINGS – CITIZEN COMMENTS

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

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

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2002-17      ZONING HEARINGS

4A.)                                    CASE NUMBER #Z2002046 - The request of Jose Juan Guerrero & Esperanza Guerrero, Applicant, for Jose Juan & Esperanza Guerrero, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" Commercial District on Lot 1, Block 58, NCB 7183, 2311 Capitol. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Mr. Perez made a motion to re-send and re-notice the zoning case with a C-2C zoning change. Mr. Carpenter seconded the motion.

After consideration, the motion to re-send and re-notice for a C-2C zoning, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Barrera, Conner, Garza.

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4B.)                                    CASE NUMBER #Z2002070 - The request of City of San Antonio, Applicant, for Burger King Corp. #499, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3 NA" Commercial Non-Alcoholic Sales District on Lot 5, Block 37, NCB 17302, 8296 Marbach Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

AN ORDINANCE 95670

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 5, BLOCK 37, NCB 17302, 8296 MARBACH ROAD, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT.

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4C.) CASE NUMBER #Z2002072 - The request of Earl & Brown, P.C., Applicant, for West Texas Business Center, Ltd., Ted Barclay of Trammel Crow; 7411 John Smith, Ste. 100, San Antonio, 78229, Owner(s), for a change in zoning from: "I-1" General Industrial District to "C-3" Commercial District on 0.23 acres of Lot 1, Blk 4, NCB 17246, 6905 Alamo Downs Parkway. Staff's recommendation was for denial as requested and approval of "C-3 NA".

Zoning Commission has recommended approval of "C-3 NA". (Council District 6)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Mr. Castro made a motion to approve the proposed rezoning of "C-3 NA" in concurrence with staff. 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, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Barrera, Conner, Garza.

AN ORDINANCE 95671

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 0.23 ACRES OF LOT 1, BLK 4, NCB 17246, 6905 ALAMO DOWNS PARKWAY, FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT.

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4D.) CASE NUMBER #Z2002043 - The request of Del Norte Development Corp., Applicant, for Del Norte Development Corp., Owner(s), for a change in zoning from "R-6" PUD Residential Single Family Planned Unit Development District, "MF-33" Multi Family District and "C-2" Commercial District to "R-5" PUD Residential Single Family Planned Unit Development District on 23.49 acre tract of land out of P-7D, NCB 18558, Palo Blanco Subdivision south of Guilbeau Rd. and west of Bandera Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, 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, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Barrera, Conner, Garza.

AN ORDINANCE 95672

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 23.49 ACRE TRACT OF LAND OUT OF P-7D, NCB 18558, PALO BLANCO SUBDIVISION SOUTH OF GUILBEAU RD. AND WEST OF BANDERA RD., FROM "R-6" PUD RESIDENTIAL SINGLE FAMILY PLANNED UNIT DEVELOPMENT DISTRICT, "MF-33" MULTI FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "R-5" PUD RESIDENTIAL SINGLE FAMILY PLANNED UNIT DEVELOPMENT DISTRICT.

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4E.) CASE NUMBER #Z2002007 - The request of James B. Manley, Applicant, for James B. Manley, Owner(s), for a change in zoning from "R-6"

Single-Family Residence District to "C-2 " Commercial District on Lot P-34C, Blk 1, NCB 34732, 23750 I.H.10 West. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Mr. Schubert made a motion to approve the proposed rezoning with the restrictive covenants, a copy of which is on file with the papers of this meeting. 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, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Martin, Garcia, Barrera, Conner, Garza.

#### AN ORDINANCE 95673

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-34C, BLK 1, NCB 34732, 23750 I.H.10 WEST, FROM "R-6" SINGLE-FAMILY RESIDENCE DISTRICT TO "C-2 " COMMERCIAL DISTRICT.

\* \* \* \*

4F.) CASE NUMBER #Z2002037 - The request of Henry W. Jenkins, Applicant, for Henry W. Jenkins, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-20" PUD Residential Single Family Planned Unit Development District on A 3.121 acre tract out of Lot 1, Block 1, NCB 34730, 23695 Cielo Vista Dr. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

AN ORDINANCE 95674

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 A 3.121 ACRE TRACT OUT OF LOT 1, BLOCK 1, NCB 34730, 23695 CIELO VISTA DR., FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-20" PUD RESIDENTIAL SINGLE FAMILY PLANNED UNIT DEVELOPMENT DISTRICT.

\* \* \* \*

4G.) CASE NUMBER #Z2002045 - The request of LCR-M Corporation, Applicant, for Noland Properties, Inc., Owner(s), for a change in zoning from C-2 Commercial District to C-2 NA C Commercial, Nonalcoholic Sales District with conditional use for wholesale plumbing fixtures and supplies with outside storage of plumbing pipe, fittings and related products on Lot 14, NCB 14063, 2639 Mossrock Dr. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Mr. Schubert made a motion to approve the proposed rezoning. 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, Castro, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Martin, Garcia, Barrera, Conner, Garza.

AN ORDINANCE 95675

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, NCB 14063, 2639 MOSSROCK DR., FROM "C-2" COMMERCIAL DISTRICT TO "C-2 NA C" COMMERCIAL, NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR WHOLESALE PLUMBING FIXTURES AND SUPPLIES WITH OUTSIDE STORAGE OF PLUMBING PIPE, FITTINGS AND RELATED PRODUCTS.

\* \* \* \*

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 – 491.

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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4H.) CASE NUMBER #Z2002048 - The request of Arthur C. Burdick, Jr., Applicant, for B/K Dominion Ridge Park, LP, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" Commercial District on Lot P-1, NCB 18338. 22415 IH 10 W. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

#### AN ORDINANCE 95676

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-1, NCB 18338, 22415 IH 10 W., FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT.

\* \* \* \*

4I.) CASE NUMBER #Z2002060 S - The request of Charles Edens, Applicant, for Emerald Realty of San Antonio, Owner(s), for a change in zoning from "C-3 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD S" Commercial Edwards Recharge Zone District with a specific use authorization for a small animal clinic with no outside runs on Lot 19, Block 2, NCB 14757, 15503 Babcock Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed zoning request.

The following citizen(s) appeared to speak:

Mr. Eric Lange, spoke in support of the zoning change.

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

#### AN ORDINANCE 95677

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 19, BLOCK 2, NCB 14757, 15503 BABCOCK RD., FROM "C-3 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3 ERZD S" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A SMALL ANIMAL CLINIC WITH NO OUTSIDE RUNS.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. Deceased animals, animal waste, and hazardous and contaminated material shall be placed in properly labeled containers and disposed of properly by a licensed waste hauler. All medical waste shipping documents shall be available for inspection upon request by the Resource Protection Division of SAWS. Incineration on site of any waste in any quantity shall be prohibited.
2. The Underground Storage Tanks (UST) located on the subject property must be in compliance with all City of San Antonio and TNRCC rules and regulations for USTs located over the Edwards Aquifer Recharge Zone.
3. Prior to the release of any building permits for additional development, the following shall be submitted to the Aquifer Protection & Evaluation Division of the San Antonio Water System:
  - A. A Water Pollution Abatement Plan (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.
4. The land uses within 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.
5. 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.
6. The owner or agent shall provide a copy of the standard lease agreement to the Resource Protection Division of the San Antonio Water System and the Texas Natural Resource Conservation Commission (TNRCC).
7. 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.

8. 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.
9. If any solution openings, 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.

Based on the evaluation of the property, and the proposed land use, staff recommends approval of the intended use as long as the applicant, owner and operator agree to abide by all recommendations contained in this document.

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.

\* \* \* \*

4J.) CASE NUMBER #Z2002044 - The request of Don Marshall, Applicant, for Don Marshall, Owner(s), for a change in zoning from "H R-4" Historic Residential Single-Family District to "H C-1" Historic Commercial District on Lot 5 and the west 40 feet of Lot 6, Block 15, NCB 1837, 120 W. Mistletoe. Staff's recommendation was for denial of "C-1" and approval of "NC".

Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

AN ORDINANCE 95678

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 5 AND THE WEST 40 FEET OF LOT 6, BLOCK 15, NCB 1837, 120 W. MISTLETOE, FROM "H R-4" HISTORIC RESIDENTIAL SINGLE-FAMILY DISTRICT TO "H C-1" HISTORIC COMMERCIAL DISTRICT.

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4K.) CASE NUMBER #Z2002050 - The request of Randy & Susan Bixby, Applicant, for Randy & Susan Bixby, Owner(s), for a change in zoning from C3 NA ERZD Commercial, Nonalcoholic Sales Edward Recharge Zone District to C3 NA ERZD S Commercial, Nonalcoholic Sales Edwards Recharge Zone District with specific use authorization for a tree cut and trim service and a contractor facility on Lot 16, NCB 17867, 18765 Redland Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

AN ORDINANCE 95679

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 16, NCB 17867, 18765 REDLAND RD., FROM "C3 NA ERZD" COMMERCIAL, NONALCOHOLIC SALES EDWARD RECHARGE ZONE DISTRICT TO "C3 NA ERZD S" COMMERCIAL, NONALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A TREE CUT AND TRIM SERVICE AND A CONTRACTOR FACILITY.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit a Letter of Certification (Aquifer Protection Plan) to the Resource Protection & Compliance Department of the San Antonio Water System.
2. The following shall be submitted to the Resource Division of the San Antonio Water System prior to the release of any building permits:
  - A. A Water Protection Abatement Plan 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 signed Engineers Seal from the State of Texas,
  - C. A letter from the Texas Natural Resource Conservation Commission approving each Water Pollution Abatement Plan,
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The owner/applicant shall comply with the vegetable filter strip maintenance and repair plan contained in the approved WPAP. Because of the increase in impervious cover additional stormwater treatment must be designed and approved by SAWS prior to release of the building permit.
4. The maintenance of commercial vehicles and machinery used in the operations of the business shall not be conducted on site.
5. The land uses within the commercial zoned areas shall be in conformance with the table of permitted uses at the time the rezoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for rezoning 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.
6. All properties containing any portion of the 100-year floodplain, shall have in accordance with Chapter 34, Article VI, Division 6, Section 34-913, a buffer zone

adjacent to the outside the 100-year floodplain. The buffer zone shall consist of a no-build zone and shall be left in its natural condition.

7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner of this property shall utilize the 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 Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.

8. 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.

9. The San Antonio Water System shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

10. If any solution openings, 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 Resource Protection Division staff of the San Antonio Water System at (210) 704-7392.

11. All stormwater pollution abatement measures (Structural and non-structural) shall be properly maintained and kept free of trash and debris.

12. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after the construction 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 – 491.

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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4L.) CASE NUMBER #Z2001132A - The request of City of San Antonio, Applicant, for Six Star Partnership, Owner(s), for a change in zoning from "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

109.023 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. John Jacks, Land Development Services, explained the proposed zoning request.

Mr. Carpenter made a motion to send back the case back to the Zoning Commission for review to reconsider the classification and possibly consider C-2. Mr. Perez seconded the motion.

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

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4M.) CASE NUMBER #Z2002047 C S - The request of TCDFW Harcourt, L.P., Applicant, for TCDFW Harcourt, L.P., Owner(s), for a change in zoning from "R-6 ERZD" Residential Single Family Edwards Recharge Zone District to "C-3 C S ERZD" Commercial Edwards Recharge Zone District with City Council approval with a conditional use and a specific use authorization to allow for existing warehousing and printing operations distribution and assembly facility on Lot 1, Block 1, NCB 34920, 19500 Bulverde Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval of "C-3 C S ERZD". (Council District 10)

Mr. John Jacks, Land Development Services, explained the proposed zoning request.

Mr. Carpenter made a motion to approve "C-3". 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, Castro, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Barrera, Conner, Schubert, Garza.

AN ORDINANCE 95680

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 34920, 19500 BULVERDE ROAD, FROM "R-6 ERZD" RESIDENTIAL SINGLE FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-3 C S ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A CONDITIONAL USE AND A SPECIFIC USE AUTHORIZATION TO ALLOW FOR EXISTING WAREHOUSING AND PRINTING OPERATIONS DISTRIBUTION AND ASSEMBLY FACILITY.

\* \* \* \*

Provided that the following recommendations of the Aquifer Protection & Evaluation Division of the San Antonio Water System are adhered to:

1. If applicable, prior to the release of any building permits the owner/operator of any Category 2 property shall submit for approval an Aquifer Protection Plan to the Resource Protection & Compliance Department of the San Antonio Water System.
2. If applicable, 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 Water Pollution Abatement Plan (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 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.
3. The owner/applicant shall comply with the maintenance plan and schedule for permanent pollution abatement measures contained in the approved WPAP.
4. The maintenance of commercial vehicles and machinery used in the operations of the business shall not be conducted on site.
5. The land uses within 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.
6. All properties containing any portion of the 100 year floodplain, shall have in accordance with Chapter 34, Article VI, Division 6, Section 34-913, a buffer zone adjacent to and outside the 100 year floodplain. The buffer zone shall consist of a no build zone and shall remain in its natural condition.

7. 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 (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.

8. 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.

9. The San Antonio Water System shall inspect all future construction of service laterals and sewer mains for proper construction according to State and City Regulations and Code.

10. If any solution openings, 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 Resource Protection Division staff of the San Antonio Water System at (210) 704-7392.

11. All stormwater pollution abatement measures (structural and non-structural) shall be properly maintained and kept free of trash and debris.

12. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after the construction project.

Based on the evaluation of the property, the information submitted by the applicant and the intended land use, staff recommends approval provided the owner/applicant agrees to abide by all recommendations contained in this statement.

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 – 491.

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 5: This ordinance is not severable.

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2002-17      The Clerk read the following Ordinance:

AN ORDINANCE 95681

APPOINTING DALE RISER TO THE BOARD OF ADJUSTMENT (ALTERNATE MEMBER, DISTRICT 8) FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2004.

\* \* \* \*

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

— — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95682

APPOINTING AL MARIN (CLERGY, DISTRICT 2) AND REAPPOINTING PATRICIA S. GARZA (GOVERNMENT HILL ALLIANCE CATEGORY, DISTRICT 2) TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 28, 2003 AND JANUARY 28, 2004, RESPECTIVELY; AND AMENDING ORDINANCE NO. 95304, PASSED AND APPROVED ON FEBRUARY 14, 2002, TO CHANGE JULIAN HERRERA'S PREVIOUS APPOINTMENT TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD TO REFLECT THE GOVERNMENT HILL ALLIANCE CATEGORY. (AMENDS ORDINANCE NO. 95304, FEBRUARY 14, 2002.)

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

— — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95683

REAPPOINTING HEBERTO GUTIERREZ AND JEFF WEBSTER TO THE BEXAR METRO 9-1-1 NETWORK DISTRICT BOARD OF MANAGERS (DISTRICT 10) FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY 28, 2004.

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

— — —  
2002-01 City Clerk Norma Rodriguez presented the nominees brought forward from the "B" Session where the candidates had been interviewed.

Mr. Garcia made a motion to accept the following nominations: Mr. Greg Evans, Ms. Gloria Martinez, Mr. Joseph O'Brien, Mr. Robert S. Ressman, Mr. Oliver Hill and Mr. Trent Miracle. Mr. Carpenter 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, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

AN ORDINANCE 95684

APPOINTING GREG EVANS, GLORIA W. MARTINEZ, JOSEPH A. O'BRIEN, AND REAPPOINTING ROBERT S. RESSMAN, OLIVER HILL AND TRENT MIRACLE TO THE CITIZENS ADVISORY ACTION BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 28, 2004.

**2002-17 PRESENTATION PRESENTED BY ETHICS REVIEW BOARD REGARDING A COMPLAINT FILED.**

A presentation was made by Mr. Art Downey, member of Ethics Review Board regarding a complaint filed under the Code of Ethics of the City of San Antonio against Mr. Eduardo Garcia, member of the Historic and Design Review Commission. Mr. Downey explained the panel review process, the sworn testimony presented by City staff and other individuals. After reviewing the sworn complaints and testimony, the panel presented their opinion to the Ethics Commission. He further spoke on the recommendations of the Commission where firm guidelines would be set for Board and Commission members.

Mr. Perez stated that the Council Subcommittee on Ethics had the opportunity to review and discuss the case and adopt recommendations with respect to this case. He then made a motion to uphold the Ethics Review Board's recommendation and opinion, and ask that the Council follow provisions of Ethics Ordinance and include the punishment and notification to the member. 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, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garcia, Barrera, Castro, Conner, Garza.

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**AN ORDINANCE 95685**

**UPHOLDING AND ACCEPTING THE RECOMMENDATION AND THE OPINION OF THE PANEL OF THE ETHICS REVIEW BOARD IN THE MATTER OF EDUARDO GARCIA; AND NOTIFYING MR. GARCIA THAT HIS CONDUCT VIOLATED PART B, SECTION 2, UNFAIR ADVANTAGE OF PRIVATE INTERESTS, OF THE ETHICS CODE IN ACCORDANCE WITH PART 1, SECTION 1, DISCIPLINARY ACTION.**

— — —  
**2002-17 The Clerk read the following Ordinance:**

**AN ORDINANCE 95686**

**ACCEPTING THE LOW QUALIFIED BID OF CONSTRUCTORS AND ASSOCIATES, INC. IN THE AMOUNT OF \$14,164,000.00 FOR THE**

CONSTRUCTION OF PACKAGE 3 OF THE TERMINAL IMPROVEMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$708,200.00 FOR CONSTRUCTION CONTINGENCİES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. Ryan Martinez, Assistant Director of Aviation, narrated a slide presentation on the Terminal Improvements Program, a copy of which is on file with the papers of this meeting. He outlined the background, details of Improvement Package 3, views of the various locations set for improvements, bid process, and budget summary. He further delineated the costs of alternates for certain improvements such as HVAC improvements, international arrival mezzanine, and the bathroom facilities in Terminal 1.

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

— — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95687

AMENDING CHAPTER 22, ARTICLE 1, SECTION 22-1 OF THE CITY CODE, ENTITLED RESTRICTIONS ON SALE AND USE/ALCOHOLIC BEVERAGES IN PARKS; AMENDING CHAPTER 22, ARTICLE 1, SECTION 22-3, ENTITLED GLASS BEVERAGE CONTAINERS PROHIBITED IN CERTAIN PARKS; ESTABLISHING A SPECIAL PERMIT POLICY; ESTABLISHING AN EFFECTIVE DATE; AND "GRANDFATHERING" EXISTING PARK RESERVATIONS. (AMENDS CHAPTER 22)

\* \* \* \*

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the amendments to Chapter 22 with regard to restrictions on sale and use of alcoholic beverages in certain parks, a copy of which is on file with the papers of this meeting. He outlined the background, history of the alcohol restrictions in City parks, the current policy, the special permit policy under Ordinance 59172, comparison to other Texas cities' policies, and the number of incidents in FY 2000-01 related to alcohol. He further expounded on the proposed Ordinance and the exemptions of parks in the respective districts

Mr. Castro commended City staff, and spoke on the public hearing held to receive input at the individual districts. He further added that the purpose of the Ordinance was to make the parks more family oriented and safe. He noted this Ordinance would give the park police an opportunity to address any problems before they escalate, thus reducing crime.

Mr. Matthews further amplified on the park fees and the special use permit, noting there might be some other issues to address such as an event having a crowd of over 200 where additional liability insurance would need to be provided.

Members of the City Council requested that staff provide appropriate signage in order to have the public properly informed, and allow flexibility before enforcement takes place.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the needed restrictions on alcoholic use in order to avoid problems and crime in the parks.

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

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(Mayor Garza returned to the meeting and presided.)

— — —  
2002-17 Item 37 being a proposed ordinance authorizing the purchase of a conservation easement over a 1,164 acres tract of land known as the Kallison Ranch in Western Bexar County from the Texas Parks and Wildlife Department for the amount of

\$2,910,000.00 as part of the Proposition Three Edward's Land Acquisition Program, was pulled from consideration by the City Manager.

— — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95688

AN ORDINANCE RELEASING APPROXIMATELY 368 ACRES FROM THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF SAN ANTONIO ON CERTAIN CONDITIONS. (TO THE CITY OF CHINA GROVE)

\* \* \* \*

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the City of China Grove release of Extra Territorial Jurisdiction (ETJ), a copy of which is on file with the papers of this meeting. He outlined the review process, site location, analysis – noting there would be no revenue loss by the City of San Antonio and that the release of the 368 acres would square off the property and better define their ETJ, and the condition of the ETJ release.

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

— — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95689

AUTHORIZING THE EXPENDITURE OF \$5,000.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE COMMISSION ON THE STATUS OF WOMEN TO ASSIST THE COUNCIL APPOINTEES IN CARRYING OUT TASKS AS SET FORTH BY THE BYLAWS BY ALLOWING COMMISSIONERS TO PAY FOR EXPENSES ASSOCIATED WITH

EFFORTS RELATING TO SPECIFIC WOMEN'S ISSUES; AS REQUESTED BY  
MAYOR EDWARD D. GARZA.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance with additional funds from the following districts: District 1 - \$250; District 2 - \$250; District 3 - \$500; District 4 - \$1000; District 8 - \$500; District 9 - \$500; District 10 - \$1000. 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, Moorhouse, Martin, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia, Barrera, Castro, Conner.

— — — — —  
2002-17 The Clerk read the following Ordinance:

AN ORDINANCE 95690

AUTHORIZING THE EXPENDITURE OF \$1,050.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE UNITY FOUNDATION TO BE USED TO COVER EXPENSES INCURRED FROM THE USE OF THE CITY'S MOBILE STAGE FOR COSTS ASSOCIATED WITH THE HEALTH FAIR, SCHEDULED AT TRAVIS PARK ON SATURDAY, JUNE 15, 2002; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance with additional funding from the following districts: District 5 - \$750; District 7 - \$50.00; Mayor - \$500.00. Mr. Sanders seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the proposed funding.

Mr. Ramiro Mendoza, urged the City Council not to approve the proposed Ordinance.

Mr. Martin Herrera, thanked the members of the City Council for the support, and urged other members to support the Ordinance. He spoke of the activities taking place during the forum, highlighting the awareness campaign of the AIDS illness.

\* \* \* \*

Mr. Perez recognized colleagues for the additional contribution to meet the needs of all citizens, noting that all organizations seeking assistance needs to get equal support.

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

— — —  
2002-17      **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilwoman Antoniette Toni Moorhouse who will attend the Women in Municipal Government (WIMG) Board of Directors meeting in Minneapolis, Minnesota from Thursday, May 2, 2002 through Saturday, May 4, 2002.

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

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

— — —  
2002-17      The Clerk read the following Ordinance:

AN ORDINANCE 95691

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE BEXAR COUNTY VOLUNTEERS IN PROBATION/PARTNERS FOR YOUTH PROGRAM, TO BE USED TO OFFSET THE COST OF A FOUR (4) DAY CAMP FOR YOUTH; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

\* \* \* \*

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

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2002-17 The clerk read the following Ordinance:

AN ORDINANCE 95692

AUTHORIZING THE EXPENDITURE OF \$90.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE ROYAL VIEW NEIGHBORHOOD ASSOCIATION TO BE USED TO OFFSET THE COST OF "GOOD NEIGHBOR PROGRAM" SIGNS; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

\* \* \* \*

Mr. Martin made a motion to approve the proposed Ordinance. Ms. Moorhouse 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, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

— — —  
2002-17 CITY MANAGER'S REPORT

City Manager Terry Brechtel, made a report to the Council regarding the Military Reservist Policy.

Ms. Elisa Bernal, Director of Human Resources, narrated a slide presentation on the military reservist policy, noting the number of activated reservists, a copy of which is on file with the papers of this meeting. Ms. Bernal outlined the policy provisions, donation of leave provisions, and the amendments to the military reservist policy. She further

expounded on the estimated supplement costs for the uniform and non-uniformed personnel from April 24 – September 30, 2002.

Mayor Garza thanked City staff for the report and addressing the issues with the reservists' pay within City structure.

The following citizen(s) appeared to speak:

Mr. Rene Rodriguez, President of San Antonio Police Officers Association thanked the City Council, City Manager and staff for providing the support to ensure financial security for the families of reservists.

\* \* \* \*

Members of the City Council commended the City Manager Brechtel, and City staff for the work expended on this effort.

Mr. Lou Lendman, Director of Budget and Performance Assessment, presented the proposed process for the Budget Open House to be held on May 14, 2002. He further outlined the prioritization process for the FY 2002 Budget schedule.

— — —  
**2002-17 EXECUTIVE SESSION**

The City Council recessed its regular session at 4:35 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-Client consultation regarding the lawsuit styled Estella Hendrickson, et al, v. City of San Antonio, et al, Cause No. SA-01-CA-0253-HG, United States District Court, Western District of Texas.
- B.) Attorney-Client consultation regarding the status of the Right-of-Way Use Agreement Negotiations with Grey Forest Utilities.

The City Council adjourned the Executive Session at 5:07 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

**CITIZENS TO BE HEARD**

**MR. DAVID WOFFORD**

Mr. David Wofford, read a letter to the City Council in opposition to the proposed action that the Spurs organization is taking which will affect the San Antonio Iguanas organization. (A copy of Mr. Wofford's letter is attached to the papers of this meeting.)

\* \* \* \*

**MRS. BARBARA WOFFORD**

Mrs. Barbara Wofford, reiterated the comments made by Mr. David Wofford against the SPURS proposed action.

\* \* \* \*

**MS. MEGAN WOFFORD**

Ms. Wofford spoke in support of the statements made by Mr. and Mrs. David Wofford in support of the San Antonio Iguanas.

\* \* \* \*

**MS. ROSEMARY T. HACKETT**

Ms. Rosemary T. Hackett, spoke to a denial of her application for a flood plain variance at her trailer home. She stated that it has affected her property because of the drainage problems, and wants the City to purchase the property since the new subdivision has caused certain damages to her property.

Mayor Pro Tem Moorhouse asked Ms. Hackett to visit with the City Staff present and discuss this issue.

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2002-17 There being no further business to come before the City Council, the meeting was adjourned at 5:25 P.M

A P P R O V E D



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

Attest:



**NORMA S. RODRIGUEZ, CMC/AAE**  
City Clerk