

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 27, 2002.

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2002-26 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 Headquarters Hotel Project.** (Presented by Mr. Milo Nitschke, Director.)

- B) **Staff Presentation on Financing Plan for future Convention Center Improvements.** (Presented by Mr. Milo Nitschke, Director of Finance.)

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

The "B" Session adjourned at 11:50 A.M.

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2002-26 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: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSENT:** None.

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2002-26 Invocation by Rev. Glenn Thigpen, Northwest Hills Baptist Church.

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2002-26 Pledge of Allegiance to the flag of the United States.

CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 9 through 62, constituting the Consent Agenda, except for Items 24, 46, 57, and 60, which were pulled for individual consideration. Mr. Garcia 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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 95983

APPROVING AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH LOS ANGELES COUNTY, CALIFORNIA AND AUTHORIZING PARTICIPATION IN A CONTRACT BETWEEN LOS ANGELES COUNTY, CALIFORNIA AND GRAYBAR ELECTRIC COMPANY, INC. TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH TELECOMMUNICATIONS SUPPLIES ON AN ANNUAL CONTRACT BASIS THROUGH THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE FOR AN ESTIMATED COST OF \$350,000.00.

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AN ORDINANCE 95984

ACCEPTING THE SOLE SOURCE PROPOSAL FROM JOHNSON CONTROLS, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH A CARD KEY ACCESS CONTROL SYSTEM FOR THE ONE-STOP FACILITY LOCATED 1400 S. FLORES THAT WILL HOUSE THE NEIGHBORHOOD ACTION DEPARTMENT, HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT AND THE SAN ANTONIO DEVELOPMENT AGENCY, FOR A TOTAL SUM OF \$49,972.00.

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AN ORDINANCE 95985

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH AGGREGATE SURFACE TREATMENT, FLEXIBLE BASE AND FLEXIBLE BASE FOR STABILIZATION, AUTOMOTIVE GLASS, LPG EQUIPMENT PARTS AND SERVICES, E-Z PACK RECYCLING BODY PARTS &

SERVICES, PORTABLE CHEMICAL TOILETS, DISPOSABLE BLANKETS, HERBICIDES AND OFFICE FURNITURE ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2002-2003 FOR A TOTAL OF APPROXIMATELY \$2,168,700.00.

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AN ORDINANCE 95986

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH DAVIS-DURAND-HOLLIS RUPE ARCHITECTS, INC. IN THE AMOUNT NOT TO EXCEED \$48,081.43 TO PROVIDE ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE TERMINAL IMPROVEMENTS PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95987

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF JASTER-QUINTANILLA & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES RELATED TO BLAST EFFECT ANALYSIS AT SAN ANTONIO INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$40,000.00; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91064, JANUARY 6, 2000.)

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AN ORDINANCE 95988

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH MARMON MOK TO PROVIDE ADDITIONAL ARCHITECTURAL AND PLANNING SERVICES RELATING TO THE PREPARATION OF SCHEMATIC PLANS FOR THE INTERIM EXPLOSIVE DETECTION SYSTEM FOR AN AMOUNT NOT TO EXCEED \$81,200.00 AS PART OF THE TERMINAL PROGRAMMING AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING THE NEGOTIATION OF AN ADDITIONAL AMENDMENT TO INCLUDE THE PREPARATION OF CONTRACT DOCUMENTS UPON COMPLETION OF THE SCHEMATIC PLANS FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$180,000.00; ESTABLISHING

THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.
(AMENDS ORDINANCE NO. 94318, AUGUST 8, 2001.)

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AN ORDINANCE 95989

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A TENDER, COMPLETION AND RELEASE AGREEMENT WITH MOUNTBATTEN SURETY COMPANY, INC. ("SURETY") AND PAR CONSTRUCTION, INC., ("COMPLETION CONTRACTOR") TO COMPLETE THE RENOVATIONS AND ADDITIONS TO TERMINAL 1 FEDERAL INSPECTION SERVICE; ACCEPTING \$30,299.30 FROM SURETY FOR THE ADDITIONAL COST TO COMPLETE THE ORIGINAL CONTRACT AND ACCEPTING AND CONTRACTING WITH PAR CONSTRUCTION, INC., AS THE COMPLETION CONTRACTOR TO COMPLETE PERFORMANCE UNDER THE ORIGINAL CONTRACT; AND RATIFYING THE PAYMENT OF \$4,648.00 TO PAR CONSTRUCTION, INC. FOR SERVICES AND REVERSING FIELD ALTERATION NUMBER 2, IN THE AMOUNT OF \$4,648.00.

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AN ORDINANCE 95990

APPROPRIATING \$13,000.00 FROM 1986 CERTIFICATES OF OBLIGATION FOR SITE FENCING, DEMOLITION COSTS AND OTHER MISCELLANEOUS CONSTRUCTION COSTS RELATED TO THE REALIGNMENT OF FIRE STATION NO. 25, LOCATED AT 1038 NEW LAREDO HIGHWAY, IN COUNCIL DISTRICT 4.

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AN ORDINANCE 95991

AUTHORIZING PAYMENT IN THE TOTAL AMOUNT OF \$3,787.08 TO OPERATION TECHNOLOGIES CORPORATION (\$2,921.08) AND THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (\$866.00) FOR ENVIRONMENTAL SERVICES IN CONNECTION WITH THE PROPOSED SITE FOR THE REPLACEMENT OF FIRE STATION NO. 7, LOCATED IN COUNCIL DISTRICT 1, UNDER AN EXISTING ON-CALL PROFESSIONAL SERVICE

AGREEMENT, PASSED AND APPROVED BY ORDINANCE NO. 89778;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95992

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH HNTB CORPORATION AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$52,253.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS PAYABLE FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SOUTHCROSS FROM NEW BRAUNFELS TO PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95993

APPROVING SAN ANTONIO WATER SYSTEM (SAWS) FUNDED FIELD ALTERATION NO. 12-FINAL WITH E-Z BEL CONSTRUCTION, INC., IN THE DECREASED AMOUNT OF \$306,062.05 IN CONNECTION WITH THE SOUTH FLORES FROM DURANGO TO FRANCISCAN UTILITY IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5.

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AN ORDINANCE 95994

SELECTING HDR ENGINEERING, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE BICYCLE LANES/ROUTES GROUP II METROPOLITAN PLANNING ORGANIZATION PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$92,271.00 FROM 1999 STREET IMPROVEMENT BONDS AND 2001 CERTIFICATES OF OBLIGATION; AUTHORIZING \$18,586.00 FOR ADDITIONAL SERVICES AND \$9,227.00 FOR MISCELLANEOUS ENGINEERING

CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95995

SELECTING UNITECH CONSULTING ENGINEERS, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE NORTHINGTON FROM S.W. 36TH TO S.W. 35TH PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$28,000.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS; AUTHORIZING \$2,800.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95996

SELECTING VITETTA GROUP INCORPORATED TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE BROOKHOLLOW BRANCH LIBRARY RENOVATION PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$34,500.00 FROM 1999 LIBRARY IMPROVEMENT BONDS; AUTHORIZING \$13,000.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$10,500.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95997

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS AND NEWNAM, INC., AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$5,000.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR ADDITIONAL ENGINEERING SERVICES

IN CONNECTION WITH THE MEDICAL @ FREDERICKSBURG PROJECT, LOCATED IN COUNCIL DISTRICT 8; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92229, AUGUST 3, 2000.)

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AN ORDINANCE 95998

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CHIANG, PATEL & YERBY, INC. AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$28,106.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SOUTH FLORES FROM MALONE TO OCTAVIA METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICTS 3 AND 5; AUTHORIZING \$2,811.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95999

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS, INC. (MBE), AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$187,290.00 FROM 1999 GENERAL OBLIGATION FLOOD CONTROL & PARK IMPROVEMENTS FUNDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SAN ANTONIO RIVER WALK/MISSION TRAILS LINK FROM ALAMO TO EAGLELAND METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 5; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90973, DECEMBER 9, 1999.)

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AN ORDINANCE 96000

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION, LTD. IN THE AMOUNT OF \$572,997.46 IN CONNECTION WITH THE DEMPSEY FROM FARR TO GWENDA LEA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING \$47,282.63 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$33,097.85 FOR PROJECT OVERSIGHT EXPENSES; AUTHORIZING AN ADDITIONAL \$8,780.07 PAYABLE TO G.G.I ENGINEERS FOR ENGINEERING EXPENSES; AUTHORIZING \$878.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$690.90 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81044, NOVEMBER 3, 1994.)

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AN ORDINANCE 96001

AUTHORIZING PAYMENT IN THE AMOUNT OF \$379,909.46 FROM 2001 CERTIFICATES OF OBLIGATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE CITY'S SHARE OF TWENTY PERCENT (20%) OF CONSTRUCTION COST IN CONNECTION WITH THE MISSION TRAILS PACKAGE 3 (3A) PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$56,985.34 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96002

AUTHORIZING THE APPROPRIATION OF FUNDS IN AN AMOUNT NOT TO EXCEED \$17,563.45 FOR THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE 24TH STREET FROM ELMENDORF LAKE TO EL PASO PROJECT, AN AUTHORIZED 1996 CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96003

APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$245,270.00 PAYABLE TO F.A. NUNNELLY CO. FOR MECHANICAL SYSTEMS IMPROVEMENTS IN CONNECTION WITH THE MUNICIPAL AUDITORIUM SELECTED STABILIZATION AND REPAIRS PROJECT LOCATED AT 100 AUDITORIUM CIRCLE IN COUNCIL DISTRICT 1. (AMENDS ORDINANCE NO. 93281, FEBRUARY 16, 2001.)

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AN ORDINANCE 96004

AUTHORIZING THE APPROPRIATION OF \$16,664.00 FROM 1999 PARK GENERAL OBLIGATION BOND FUNDS INTO THE STONE OAK PARK IMPROVEMENTS PROJECT IN COUNCIL DISTRICT 9 FOR PROFESSIONAL ENVIRONMENTAL AND ARCHEOLOGICAL ASSESSMENT FEES.

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AN ORDINANCE 96005

SELECTING MOGAS AND GONZALEZ ASSOCIATED ARCHITECTS TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE LINCOLN PARK POOL AND PLAYGROUND REHABILITATION PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$74,531.00 FOR ARCHITECTURAL SERVICES; AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$1,500.00 FROM THE ARCHITECT CONTINGENCY CODE INTO A NEW CODE FOR BID ADVERTISING/PRINTING COSTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96006

ACCEPTING THE LOW BID SUBMITTED BY CHARLIE & CO. TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE MAHNCKE PARK IMPROVEMENTS CONSTRUCTION PROJECT, LOCATED IN COUNCIL DISTRICT 9, IN THE AMOUNT OF \$149,000.00 WITH BID ALTERNATES 1 AND 4 FOR A TOTAL CONTRACT COST OF \$176,600.00; AUTHORIZING THE

EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; TRANSFERRING \$5,700.00 IN PROJECT SAVINGS; AUTHORIZING \$16,286.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$842.00 FOR BID ADVERTISING/PRINTING EXPENSES; AUTHORIZING \$400.00 FOR MANDATORY PROJECT FEES; APPROPRIATING \$95,800.00 FROM 1994 PARK BOND FUNDS AND \$92,628.00 FROM 1999 PARK FUNDS; ESTABLISHING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96007

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING 1999 PARK BOND FUNDS AND 25TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$70,000.00 PAYABLE TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. FOR LANDSCAPE ARCHITECT SERVICES IN CONNECTION WITH THE SOUTHSIDE LIONS PARK IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 3; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR BID ADVERTISING AND PRINTING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92115, JULY 27, 2000.)

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AN ORDINANCE 96008

RATIFYING WORK COMPLETED AND APPROVING FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$56,130.00, PAYABLE TO SANDOVAL CONSTRUCTION CO. FOR WORK ASSOCIATED WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT - MEXICAN CULTURAL INSTITUTE ADDITIONS AND ALTERATIONS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93003, NOVEMBER 30, 2001.)

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AN ORDINANCE 96009

RATIFYING ADDITIONAL SERVICES PERFORMED; AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$8,239.98 TO PETER G. DOYLE ASSOCIATES AS THE NEUTRAL THIRD PARTY ADMINISTRATOR FOR THE DISPUTE REVIEW BOARD FOR SERVICES TO RESOLVE POTENTIAL CLAIMS ASSOCIATED WITH PHASE 1C OF THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96010

ACCEPTING THE PROPOSAL AND AUTHORIZING THE EXECUTION OF A ONE (1) YEAR PROFESSIONAL SERVICES AGREEMENT, WITH THREE (3) OPTIONAL ONE (1) YEAR EXTENSIONS, FOR THE COLLECTION, CHARACTERIZATION, PACKAGING, TRANSPORTATION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE WITH SAFETY KLEEN SYSTEMS, INC., IN AN AMOUNT NOT TO EXCEED \$410,000.00 ANNUALLY; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95792, MAY 9, 2002.)

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AN ORDINANCE 96011

AUTHORIZING A FIVE (5) YEAR LEASE AGREEMENT WITH PRESIDIO RESTAURANT, INC. FOR APPROXIMATELY 96.20 SQUARE FEET OF RIVER WALK SIDEWALK SPACE IN CITY COUNCIL DISTRICT 1 TO BE USED FOR OUTDOOR DINING PURPOSES FOR ANNUAL RENT OF \$1,731.60 IN YEAR ONE, \$1,777.80 IN YEAR TWO, \$1,824.00 IN YEAR THREE, \$1,870.13 IN YEAR FOUR, AND \$1,916.30 IN YEAR FIVE.

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AN ORDINANCE 96012

AUTHORIZING THE EXECUTION OF ONE (1) YEAR LEASE OR LICENSE AGREEMENTS WITH EIGHT (8) TENANTS AT MARKET SQUARE WHOSE

ORIGINAL AGREEMENTS HAVE BEEN TERMINATED AT MARKET SQUARE
IN CITY COUNCIL DISTRICT 1.

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AN ORDINANCE 96013

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND SERVICE LIFE & CASUALTY INSURANCE, A TEXAS CORPORATION, TO OCCUPY SPACE OVER AND UNDER A SIDEWALK ADJACENT TO LOT A-11, NEW CITY BLOCK 423, LOCATED BETWEEN E. HOUSTON AND E. CROCKETT STREETS, FOR AN EXISTING BASEMENT, MAINTENANCE OF A FREIGHT ELEVATOR, AN EIGHT (8) FOOT AWNING OVERHANG, AND A LOADING AND UNLOADING RAMP FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00.

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AN ORDINANCE 96014

AUTHORIZING PAYMENT IN THE AMOUNT OF \$50.75 TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH THE GLIDER AND LANDING - GUNSMOKE TO LOOP 410 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96015

AUTHORIZING PAYMENT IN THE AMOUNT OF \$725.00 PAYABLE TO MARK T. GREGORY AND WIFE, CAROL S. GREGORY FOR A TEMPORARY EASEMENT (\$625.00), AND A RIGHT OF ENTRY AGREEMENT (\$100.00); AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$725.00 PAYABLE TO BILLY E. THOMPSON AND WIFE, HELEN M. THOMPSON FOR A TEMPORARY EASEMENT (\$625.00), AND A RIGHT OF ENTRY AGREEMENT (\$100.00), FOR A TOTAL AMOUNT OF \$1,450.00 IN CONNECTION WITH STAHL ROAD AT

O'CONNOR AND JUDSON RECONSTRUCTION METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96016

ACCEPTING A REFUND IN THE AMOUNT OF \$53,030.14 FROM GERRY RICKHOFF, COUNTY CLERK, AS A REFUND FROM CONDEMNATION CAUSE NO. 99-ED-0006, CITY OF SAN ANTONIO VS. ITAMIC, INC. IN CONNECTION WITH THE BABCOCK ROAD - HAUSMAN ROAD TO DEZAVALA ROAD PROJECT; DEPOSITING FUNDS INTO THE CITY TREASURY; ENCUMBERING FUNDS INTO SAID PROJECT CONSTRUCTION CONTINGENCY ACCOUNT. (AMENDS ORDINANCE NO. 90466, SEPTEMBER 16, 1999.)

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AN ORDINANCE 96017

AMENDING ORDINANCE NO. 95364, PASSED AND APPROVED ON FEBRUARY 28, 2002, WHICH APPROPRIATED THE AMOUNT OF \$24.00 TO JESVI S. REYNA, FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND IN CONNECTION WITH THE PLEASANTON ROAD - GILLETTE TO LOOP 410 PROJECT AND AUTHORIZING PAYMENT OF THE ADDITIONAL SUM OF \$700.00 FROM 1999 GENERAL OBLIGATION STREET BOND FUNDS FOR A FULL AND FINAL NEGOTIATED SALES AGREEMENT IN THE AMOUNT OF \$724.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR JESVI S. REYNA; REVISING THE BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95364, FEBRUARY 28, 2002.)

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AN ORDINANCE 96018

AUTHORIZING PAYMENT IN THE AMOUNT OF \$11,217.02 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO DE ZAVALA PROJECT (\$270.60), BASSE ROAD AND SAN PEDRO INTERSECTION METROPOLITAN

PLANNING ORGANIZATION PROJECT (\$199.60), BITTERS ROAD - WEST AVENUE AT HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$7,357.25), FIRE STATION NO. 25 PROJECT (\$1,515.39), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$263.48), SALADO CREEK GREENWAY (HIKE & BIKE) PROJECT (\$127.85), SOUTHCROSS BOULEVARD - NEW BRAUNFELS TO PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$54.00), ST. MARY'S - ALAMO TO PEREIDA PROJECT (\$36.00), AND THE THOUSAND OAKS INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,392.85), FOR THE TOTAL SUM OF \$11,217.02; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96019

REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S AQUIFER STORAGE AND RECOVERY PROJECT ("ASR PROJECT") IS A NECESSARY PUBLIC PROJECT; FURTHER REAFFIRMING AND DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS PART OF THE ASR PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM TO ACQUIRE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE ASR PROJECT, TO WIT, A PORTION OF THE PROPERTIES LISTED AS FOLLOWS: 4.603 ACRES OUT OF COUNTY BLOCK 4008A AND 5.338 ACRES OUT OF COUNTY BLOCK 4008, ALL IN BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE AS PART OF THE ASR PROJECT; AUTHORIZING THE SYSTEM, ITS EMPLOYEES, AGENTS, AND/OR AUTHORIZED INDEPENDENT NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL SALES AND OTHER AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED ABOVE AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; FURTHER AUTHORIZING THE SYSTEM AND ITS ATTORNEYS TO FILE EMINENT DOMAIN PROCEEDINGS, IF

NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; APPROVING, RATIFYING AND DESCRIBED ABOVE; APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF AND/OR ACTING FOR THE SYSTEM TO ACQUIRE SUCH PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF THE SAN ANTONIO WATER SYSTEM; FINDING THE ORDINANCE TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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AN ORDINANCE 96020

AUTHORIZING 2000A STREETS CERTIFICATES OF OBLIGATION IN THE AMOUNT OF \$11,650.00, FOR FEE SIMPLE TITLE TO TWO PARCELS OF REAL PROPERTY AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED WITH THE BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT ("PROJECT"); DECLARING THE PROJECT TO BE A PUBLIC PROJECT FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY, TO WIT, ALL OR PORTIONS OF THE PROPERTIES LISTED AS FOLLOWS (1) BEING A 0.007 ACRE TRACT OF LAND OUT OF LOT 244; (2) A 0.005 ACRE TRACT OF LAND OUT OF LOT 245, ALL OUT OF NEW CITY BLOCK 11985, WILLOW RUN TERRACE, AND ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS FOR THE PROJECT INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS TITLE FEES AND ATTORNEY'S FEES; AUTHORIZING THE CITY STAFF AND/OR ITS DESIGNATED REPRESENTATIVES TO NEGOTIATE WITH AND TO

ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96021

AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,963.19 TO BRACEWELL & PATTERSON FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES PROJECT (\$8,093.17), BASSE ROAD AND SAN PEDRO INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$456.45), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$270.00), BLANCO ROAD & JACKSON KELLER INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$120.00), CHERRY STREET DRAINAGE PROJECT #15B PHASE II (\$334.75), FIRE STATION NO. 7 (\$351.00), FIRE STATION NO. 25 PROJECT (\$256.00), FUNSTON STREET PROPERTIES PROJECT (\$216.00), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$1,829.10), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN METROPOLITAN PLANNING ORGANIZATION PROJECT (\$645.20), HUNT LANE - MARBACH TO U.S. 90 METROPOLITAN PLANNING ORGANIZATION PROJECT (\$36.00), LARKSPUR DRIVE DRAINAGE PROJECT (\$45.00), PEARSALL ROAD LANDFILL REDEVELOPMENT PROJECT (\$96.15), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$72.00), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$520.12), SAN PEDRO AVENUE - QUINCY TO ROMANA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$72.00), WESTERN AVENUE DRAINAGE PROJECT #74 PHASE III B & C (\$478.25), AND THE WURZBACH ROAD AT I.H. 10 AND IRONSIDES INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$72.00), REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96022

AUTHORIZING PAYMENT IN THE AMOUNT OF \$791.79 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE FEES IN CONNECTION WITH THE FIRE STATION NO. 25 (\$191.79), HORTENCIA STREET - ELIZABETH ALYN TO

FORTUNA AVENUE (\$300.00), AND THE HOUSTON STREET - WALTERS TO ONSLOW METROPOLITAN PLANNING ORGANIZATION PROJECT (\$300.00); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96023

AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE USER AGREEMENT WITH EBAY, INC. TO PROVIDE ONLINE TRADING SERVICES WHICH WILL ALLOW THE CITY OF SAN ANTONIO TO SELL CITY-OWNED SURPLUS ITEMS VIA AN AUCTION-STYLE AND FIXED PRICE FORMAT ON EBAY'S WEB SITE AND OTHER RELATED WEB SITES.

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AN ORDINANCE 96024

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DENTON, NAVARRO & BERNAL, P.C. TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE COLLECTIVE BARGAINING NEGOTIATIONS BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO POLICE OFFICER'S ASSOCIATION FOR AN AMOUNT NOT TO EXCEED \$100,000.00, FOR THE TERM OF THE NEGOTIATIONS.

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AN ORDINANCE 96025

AUTHORIZING THE ACCEPTANCE OF FUNDS FROM SEVEN (7) LOCAL INDEPENDENT SCHOOL DISTRICTS IN THE AMOUNT OF \$186,180.00 FOR SUPPORT OF THE SAN ANTONIO EDUCATION PARTNERSHIP; ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE TRANSFER AND EXPENDITURE OF ANY REMAINING FUNDS FROM PREVIOUS PROGRAM YEARS IN SUPPORT OF THE CURRENT FISCAL YEAR OPERATIONS.

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AN ORDINANCE 96026

AUTHORIZING A BUDGET TRANSFER OF \$100,000.00 IN GRANT FUNDING BETWEEN THE TITLE V FAMILY PLANNING PROJECT AND THE TITLE V MATERNAL AND CHILD HEALTH PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; AND AMENDING THE BUDGETS OF BOTH PROJECTS FOR THE PERIOD ENDING AUGUST 31, 2002.

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AN ORDINANCE 96027

AUTHORIZING THE ACCEPTANCE OF A \$39,880.00 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TO BE USED TO FUND THE FIFTH YEAR OF THE ADMINISTRATIVE AND COORDINATION EFFORTS OF THE CRISIS ASSISTANCE TEAM ADMINISTRATION OF THE VICTIMS ADVOCACY SECTION.

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AN ORDINANCE 96028

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 96029

AUTHORIZING A ONE-YEAR EXTENSION OF AND AMENDMENT TO THE CURRENT CONTRACT WITH EMPLOYEE ASSISTANCE PROGRAMS INTERNATIONAL (FORMERLY EMPLOYEE ASSISTANCE PROGRAMS, INC.), TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL NON-UNIFORMED ACTIVE CITY EMPLOYEES AND THEIR ELIGIBLE FAMILY MEMBERS FOR EVALUATION, ASSESSMENT AND SHORT-TERM COUNSELING FOR A TERM BEGINNING AUGUST 1, 2002 AND ENDING JULY

31, 2003, FOR AN ESTIMATED AMOUNT OF \$149,031.00. (AMENDS ORDINANCE NO. 90050, JULY 1, 1999.)

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AN ORDINANCE 96030

REAPPOINTING EDGAR L. ZEPEDA TO THE ETHICS REVIEW BOARD (DISTRICT 6) FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 21, 2004.

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AN ORDINANCE 96031

REAPPOINTING LANELL TAYLOR AS TRUSTEE TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY (DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2005.

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AN ORDINANCE 96032

APPOINTING DR. C. RICHARD WAITS TO THE TAX PHASE-IN ADVISORY COMMITTEE (DISTRICT 8) FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2003.

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AN ORDINANCE 96033

APPROVING THE APPOINTMENT OF MARILYN BULLOCK TO THE ALAMO WORKFORCE DEVELOPMENT BOARD (RURAL COMMUNITY BASED ORGANIZATION CATEGORY) FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2003.

2002-26 The Clerk read a proposed ordinance amending a professional services contract with Pape-Dawson Engineers, Inc., and authorizing additional funds in an amount not to exceed \$78,065.00 from 1999 General Obligation Flood Control with Park Improvement Bonds for additional engineering services in connection with the Salado Creek Hike & Bike Trail Phase I Project, located in Council District 2; revising the budget; appropriating funds; and providing for payment. (Amends Ordinance No. 98848, November 23, 1999.)

Mr. Tom Wendorf, Director of Public Works, explained the proposed ordinance regarding the engineering services in connection with the Salado Creek Hike and Bike Trail, a copy of which is on file with the papers of this meeting. He noted this represented additional funds for engineering services to include the preparation of plans and specifications, which were formulated in accordance to Texas Department of Transportation, and in a higher level of effort.

Mr. Sanders stated that he needed more information, and urged not to approve at this time in order to allow more discussion on this issue.

Mr. Perez withdrew his motion. Mr. Martin concurred to withdraw his second.

City Council concurred to not take any action on this item.

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96034

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO APPLY FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT IN THE AMOUNT OF \$654,301.00 FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE.

* * * *

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

Deputy Chief Tyrone Powers explained the proposed grant, which was a joint effort with the County, a copy of which is on file with the papers of this meeting. He noted that past

grants have funded equipment such as police helicopters, patrol cars, and radar units, and stated that this year the City and County would split the grant 50% to each agency and would fund a joint City-County project.

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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96035

AUTHORIZING THE ACCEPTANCE OF THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG) FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES, IN THE AMOUNT OF \$450,134.00 FOR THE PERIOD AUGUST 1, 2002 TO JULY 31, 2003 TO SUPPORT THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS (START), NEIGHBORHOOD CONFERENCING COMMITTEES (NCC), AND THE TEEN COURT; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE EXECUTION OF A LEASE WITH THE MEXICAN AMERICAN UNITY COUNCIL (MAUC) FOR APPROXIMATELY 804 SQUARE FEET OF OFFICE SPACE FOR THE AMOUNT OF \$873.99 A MONTH FOR THE OPERATION OF THE NCC PROGRAM.

* * * *

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

Mr. Dennis Campa, Director of Community Initiatives, explained the proposed grant which would provide additional funding to support the programs, Striving Together to Achieve Rewarding Tomorrows (START) and the Neighborhood Conferencing Committee (NCC) in addition to allow implementation of a teen court, a copy of which is on file with the papers of this meeting. He further amplified on the services provided to the community through the two programs, and the new Teen Court, which has quickly spread across the nation and is offered as a prevention and early intervention program for youth.

In response to Mr. Schubert regarding the number of additional personnel, Mr. Campa noted that some would be full-time positions and would provide administrative support for the entire initiative.

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

— — —
2002-26 **RECONSIDERATION OF CONSENT AGENDA**

Ms. Conner made a motion to reconsider the entire consent agenda in order to pull item 46 for individual consideration. Mr. Garcia seconded the motion.

Mr. Sanders made a motion to approve the proposal to reconsider. Mr. Garcia seconded the motion.

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96036

AUTHORIZING 2000 CERTIFICATES OF OBLIGATION IN THE AMOUNT OF \$642,000.00, FOR FEE SIMPLE TITLE TO TWO PARCELS OF REAL PROPERTY AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED WITH THE FIRE STATION NO. 47 PROJECT; DECLARING THE PROJECT TO BE A PUBLIC PROJECT FOR THE ACQUISITION OF FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY, TO WIT, ALL OR PORTIONS OF THE PROPERTIES LISTED AS FOLLOWS (1) BEING 7.561 ACRES OF LAND, MORE OR LESS, OUT OF AND PART OF THE LUDOVIC COLQUHUON SURVEY NO. 24, ABSTRACT 133, COUNTY BLOCK 4034, NCB 18338 (2) BEING 1.011 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN NEUTZE SURVEY NO. 325, ABSTRACT 554, COUNTY BLOCK 4729, NEW CITY BLOCK 4729, AND THE M. TORIN SURVEY NO. 25, ABSTRACT 554, COUNTY BLOCK 4754, AND THE

LUDOVIC COLQUHUON SURVEY NO. 24, ABSTRACT 133, COUNTY BLOCK 4034, TO BE KNOWN AS LOTS 2, 3, 4 AND 5, BLOCK 11, NEW CITY BLOCK 18338; ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS FOR THE PROJECT INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS TITLE FEES AND ATTORNEY'S FEES; AUTHORIZING THE CITY STAFF AND/OR ITS DESIGNATED REPRESENTATIVES TO NEGOTIATE WITH AND TO ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Ms. Conner requested that staff give a brief overview of this project.

Mr. Tom Wendorf, Director of Public Works, explained the costs associated with the project noting the acreage involved, a copy of which is on file with the papers of this meeting. He then presented maps of the proposed site.

Fire Chief Robert Ojeda explained the location of the property citing the flood plain area, adding that the Public Works Department would also control that area.

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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2002-26 ITEMS FOR INDIVIDUAL CONSIDERATION

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 74, which had been pulled from the agenda citing the process to have the item pulled.

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96037

CREATING A JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS TO SERVE CITY COUNCIL AND COUNTY COMMISSIONERS COURT IN AN ADVISORY CAPACITY ON ISSUES AFFECTING THE CITY/COUNTY'S ELDER CITIZENS SIXTY (60) YEARS AND OLDER AS REQUESTED BY MAYOR EDWARD GARZA.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the creation of the Joint City/County Commission on the Elderly, a copy of which presentation is on file with the papers of this meeting. He outlined the purpose, statistical data on the number of seniors, the Commission charge, proposed action and steps to finalize the appointment process.

Mayor Garza thanked former Councilman Bob Ross for his idea in bringing the Commission together, which will serve to address senior citizen issues.

Mr. Bob Ross, read a prepared statement, a copy of which is on file with the papers of this meeting thanking the City Council for supporting this effort.

The following citizen(s) appeared to speak:

Ms. Ida Kenny, stated she had worked with Mr. Ross on various issues addressing the elderly. She extended her appreciation to the City Council for supporting this initiative. She recommended that alternate members be appointed to the Commission, and possibly a member of the Bexar Area on Aging be included, in order to provide more outreach to the elderly.

Mr. Barrera commended the Mayor, Mr. Ross and other members of the Council for taking a proactive step to address elderly issues. He then made a motion to add the Executive Director of the Alamo Area Council of Governments (AACOG) as member to serve as ex-officio. Mr. Garcia seconded the motion.

Members of the City Council spoke in favor of the Commission, recognizing the Mayor and members of the Commissioners' Court for their efforts in creating this Commission.

The amendment to the motion as presented by Councilman Barrera was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96038

AMENDING THE SAN ANTONIO CITY CODE CHAPTER 35, ARTICLE III, DIVISION 4 "OVERLAY DISTRICTS" BY ADDING SECTION 35-338, "FACILITY PARKING/TRAFFIC CONTROL DISTRICTS," AND AMENDING SAN ANTONIO CITY CODE CHAPTER 35, APPENDIX C, "ZONING FEES" AS REQUIRED TO CONFORM TO THAT ADDITION.

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

Mr. Ron Smudy, Assistant Director of Parks and Recreation, narrated a slide presentation on the facility parking Ordinance to address land use challenges for commercial and residential uses near large facilities, a copy of which is on file with the papers of this meeting. He outlined the current regulations for the commercial parking lot requirements, the proposed Ordinance, which will allow for establishment of an overlay zone for annual permitting of commercial parking lots, and the process for application of permits. He addressed the benefits of the proposed Ordinance, which would reduce pedestrian vehicle conflicts, provide more efficient traffic flow, and better access for emergency vehicles.

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, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96039

CHANGING THE STREET NAME OF "COLISEUM ROAD" TO "SBC CENTER PKWY" (PARKWAY).

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

Mr. Michael Clack, Assistant Director of Development Services Department, narrated a slide presentation on the street name change from Coliseum Road to SBC Center Parkway, a copy of which presentation is on file with the papers of this meeting. He presented the background on the request submitted on behalf of Bexar County to change the street name, noting that this action was supported by the Coliseum Advisory Board, San Antonio Livestock Exposition, and the San Antonio Spurs. He delineated the site and location, the approving agencies, members of the Committee that considered the proposed name change, and the process utilized.

Bexar County Judge Nelson Wolff thanked the City Council for considering this issue, and for the partnerships developed to address streets and drainage. He added that the opening date of the arena was getting closer and stated that City Council would be a full partner in this effort as well.

Mr. Garcia stated this project was good for the East Side, and looked forward to the name change of Durango St. to Hippolito Garcia. He further recognized all parties involved with this effort.

Mr. Leo Gomez, San Antonio Spurs, thanked the City Council and all agencies for the partnerships developed, and further reiterated the invitation to the City Council as full partners on the opening of the SBC Center.

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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96040

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA) FOR A ONE-TIME GRANT IN THE AMOUNT OF \$985,903.00 TO BE INVESTED BY UTSA TOWARD A MILLION-DOLLAR PLEDGE FOR THE CONSTRUCTION OF A BIO-ENGINEERING CENTER.

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

Mr. Ramiro Cavazos, Director of Economic Development Department, narrated a slide presentation on the contract between the City and the University of Texas at San Antonio, (UTSA) for construction of a bio-engineering center, a copy of which presentation is on file with the papers of this meeting. He outlined the background on the matching funds, the additional funds to be matched by other entities upon UTSA raising the \$5 million. He added that other donors such as SBC and the U.S. Department of Commerce would contribute \$1.5 million towards the facility, which would be one of the largest engineering and science educational buildings in the state. He expounded on the multi-faceted use of the facility, the development of Ph.D programs in the sciences and engineering fields, financial impact, while noting that this was in support of the Economic Development Strategic Plan and the Better Jobs Initiative.

Dr. Ricardo Romo, President of UTSA, commended the City of San Antonio for its involvement and efforts to bring this project to fruition. He further amplified on the various programs at UTSA, acknowledging the City for its proactiveness in enhancing the educational programs, and adding that this investment would bring millions in return to the City of San Antonio.

Members of the City Council congratulated Dr. Romo for his leadership, and work to enhance the educational institution in the City, which will ultimately help with the economic and technological future of San Antonio.

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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96041

ESTABLISHING NEW DISTRICT BOUNDARIES FOR THE ELECTION OF COUNCILMEMBERS, PLACES 1 THROUGH 10, PURSUANT TO SECTION 4 OF THE CITY CHARTER.

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

Mr. Frank Garza, General Counsel, narrated a slide presentation on the City Council Redistricting, a copy of which presentation is on file with the papers of this meeting. He outlined the background, the timeline with regard to the hiring of the consultant, the appointment of the Council Redistricting Committee, the development of the plans with the ten (10) districts, twelve (12) districts and the fourteen (14) districts. He added that the final six maps were presented to the public through public hearings held in May and June, 2002. He further expounded on Council direction for development of a map titled "S-11", citing that the ideal population for current districts is 114,509, and that the proposed plan lowers the deviation from the current 76% to the acceptable 9.39%. He further delineated the next steps of the process which would include the submission of the Redistricting plan no later than July 3, 2002, anticipated approval by the U.S. Justice Department no later than early November, and highlighted that the new district boundaries would be utilized for the May, 2003 election.

Mr. Schubert made a motion to amend the proposed Ordinance by removing Precinct 3147 from District 9 and moving it to District 1. Mr. Perez seconded the motion.

Mr. Perez commended his Council colleagues, Mr. Frank Garza, and consultants for the work expended on this project.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the type of maps distributed to the public.

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The amendment to the motion as presented by Councilman Schubert was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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

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2002-26 **ZONING CASES – CITIZEN COMMENTS**

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

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2002-26 **ZONING HEARINGS**

4A.) CASE NUMBER #Z2001223-4 - The request of the City of San Antonio, Applicant, for multiple property owners, Owners, for a change of zoning to designate those properties along the San Antonio River as River Overlay District 4, Beginning at the intersection of the centerlines of Durango and South Flores Street; thence, following the centerline of Durango Street southeast to its intersection with the centerline of South St. Mary's Street; thence, following the centerline of South St. Mary's Street southeast to its intersection with the centerline of King William Street; thence, following the centerline of King William Street southwest to its intersection with the centerline of Johnson Street; thence, following the centerline of Johnson Street southeast to its intersection with the centerline of Madison Street; thence, following the centerline of Madison Street southwest to its intersection with the centerline of Guenther Street; thence, following the centerline of Guenther Street southeast to its intersection with the centerline of Eagleland Drive; thence, following the centerline of Eagleland Drive and Carolina Street northeast to its intersection with the centerline of Marplay Street; thence, following the centerline of Marplay Street southeast to its intersection with the centerline of Playmoor Street; thence, following the centerline of Playmoor Street west to its intersection with the northeast corner of Lot 26, NCB 3078; thence following the meandering east property line of Lot 26, 2, 3, 12, 13, 14; Lot 8, 9, and the west 104.5 feet of Lot 10, Block 1, NCB 3097; the west 110 feet of Lot 10, 11, Block 2, NCB 3097; Lot

10, NCB 2979; Lot 18,19, and 20, NCB 2979; Lot 1,2 and 14, Block 1, NCB 3075 to its intersection with the north property line of Lot 30, Block 31, NCB 791; thence, following the north property line of Lot 30, Block 31, NCB 791 to its intersection with centerline of Presa Street; thence, following the centerline of Presa Street southeast to its intersection with the centerline of Westfall Avenue; thence, following the centerline of Westfall Avenue west to its intersection with the centerline of St. Mary's Street; thence, following the centerline of St. Mary's Street south to its intersection with the centerline of Grove Avenue; thence, following the centerline of Grove Avenue east to its intersection with the centerline of the alley right-of-way located between Roosevelt Avenue and Haynes Avenue; thence, following the centerline of the alley right-of-way located between Roosevelt Avenue and Haynes Avenue south to its intersection with the northeast corner of Lot 1, Block 2, NCB 3121; thence, following the east property line of Lots 1, 2 and 3, Block 2, NCB 3121 to its intersection with the centerline of Yellowstone Avenue; thence, following the centerline of Yellowstone Avenue southeast to its intersection with the northeast corner Lot 6 and the southwest triangular of 7, Block 3, NCB 3122; thence, following the meandering east property line of Lot 6, the southwest triangular of Lot 7, Block 3, NCB 3122; and, the east 50 feet of Lot 1, Block 1, NCB 6097 to its intersection with centerline of Highland Boulevard; thence following the centerline of Highland Boulevard east to its intersection with the centerline of the alley right-of-way located between Roosevelt Avenue and Loretta Place; thence, following the centerline of the alley right-of-way located between Roosevelt Avenue and Loretta Place southwest to its intersection with the centerline of Alamosa Avenue; thence, following the centerline of Alamosa Avenue east to its intersection with the northeast corner of the west 25 feet of Lot 3, Block 1, NCB 3851; thence, following the meandering east property line of the west 25 feet of Lot 3, 24, Block 1, Lot NCB 3851; and, the west 42 feet of Lot 3, Block 4, NCB 3854 to its intersection with the centerline of IH 10; thence, following the centerline of the alley right-of-way located between Roosevelt Avenue and Presa Street south to its intersection with the centerline of McKinley Avenue; thence, following the centerline of McKinley Avenue east to its intersection with the northeast corner of Lot 130, Block 2, NCB 2977; thence, following the meandering east property line of Lot 130, 129, and the north 137.5 feet of Lot 124, Block 2, NCB 2977 to its intersection with the centerline of Steves Avenue; thence, following the centerline of Steves Avenue east to its intersection with the northeast corner of Lot 130, Block 3, NCB 2978; thence, following the meandering east property line of Lot 130 and 158, Block 3, NCB 2978 to its intersection with the centerline of Mitchell Street; thence, following the centerline of Mitchell Street west to its intersection with the centerline of Kalteyer Street; thence, following the centerline of Kalteyer Street south to its intersection with the southeast corner of P-101; thence, following the meandering south property line of P-101, P-102, P-100 to its intersection with the northeast corner of Lot 29, Block 1, NCB 3975; thence, following the east property line of Lot 29, Block 1, NCB 3975 to its intersection with

centerline of Felisa Street; thence, following the centerline of Felisa Street west to its intersection with the centerline of Mission Road; thence, following the centerline of Mission Road south with its intersection with the centerline of Hart Avenue; thence, following the centerline of Hart Avenue west to its intersection with the southwest corner of Lot 20, Block 18, NCB 7770; thence, following the west property line of Lots 7 and 20, Block 18, NCB 7770 to the northwest corner of Lot 7, Block 18, NCB 7770; thence, following the south property line of Block 17, NCB 7772 and Lots 9 through 12, Block 17, NCB 7773 to its intersection with the centerline of Morrill Street; thence, following the centerline of Morrill west to its intersection with the centerline of Sierra Street; thence, following the centerline of Sierra Street north and northwest to its intersection with the centerline of Octavia Street; thence, following the centerline of Octavia Street west to its intersection with the southwest corner of the east 25 feet of Lot 14, Block 2, NCB 6720; thence, following the west property line of the east 25 feet of Lot 14, Block 2, NCB 6720 and Lot P-100, Block 6, NCB 6155 to its intersection with the centerlines of Hafer Avenue and Greenwood Avenue; thence, following the centerline of Greenwood Avenue north to its intersection with the centerline of Lorine Avenue; thence, following the centerline of Lorine Avenue west to its intersection with the southwest corner of Lot 48, Block 1, NCB 6150; thence, following the meandering west property line of Lots Lot 48, Block 1, NCB 6150 and Lot 48, Block 2, NCB 3382 to its intersection with centerline of Thelka Avenue; thence, following the centerline of Thelka Avenue west to its intersection with the centerline of Probrandt Street; thence, following the centerline of Probrandt Street north to its intersection with the centerline of Alamo Street; thence, following the centerline of Alamo Street northwest to its intersection with the centerline of Main Ave; thence, following the centerline of Main Avenue to its intersection with the centerline of Arsen Street; thence, following the centerline of Arsen Street northwest to its intersection with centerline of Flores Street; thence, following the centerline of Flores Street north to the point of beginning. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council Districts 1, 3 and 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.

Ms. Moorhouse made a motion for approval with the exclusion of the Thelka Neighborhood Area in order to clarify some issues still pending. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Janet Francis, San Antonio Conservation Society spoke in support of the boundaries for the river overlay district, noting the mixed use for development, which will serve as a tool to guide future development on the river.

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

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

AN ORDINANCE 96042

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 BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF DURANGO AND SOUTH FLORES STREET; THENCE, FOLLOWING THE CENTERLINE OF DURANGO STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF SOUTH ST. MARY'S STREET; THENCE, FOLLOWING THE CENTERLINE OF SOUTH ST. MARY'S STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF KING WILLIAM STREET; THENCE, FOLLOWING THE CENTERLINE OF KING WILLIAM STREET SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF JOHNSON STREET; THENCE, FOLLOWING THE CENTERLINE OF JOHNSON STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF MADISON STREET; THENCE, FOLLOWING THE CENTERLINE OF MADISON STREET SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF GUENTHER STREET; THENCE, FOLLOWING THE CENTERLINE OF GUENTHER STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF EAGLELAND DRIVE; THENCE, FOLLOWING THE CENTERLINE OF EAGLELAND DRIVE AND CAROLINA STREET NORTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF MARPLAY STREET; THENCE, FOLLOWING THE CENTERLINE OF MARPLAY STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF PLAYMOOR STREET; THENCE, FOLLOWING THE CENTERLINE OF PLAYMOOR STREET WEST TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF LOT 26, NCB 3078; THENCE FOLLOWING THE MEANDERING EAST PROPERTY LINE OF LOT 26,

2, 3, 12, 13, 14; LOT 8, 9, AND THE WEST 104.5 FEET OF LOT 10, BLOCK 1, NCB 3097; THE WEST 110 FEET OF LOT 10, 11, BLOCK 2, NCB 3097; LOT 10, NCB 2979; LOT 18,19, AND 20, NCB 2979; LOT 1,2 AND 14, BLOCK 1, NCB 3075 TO ITS INTERSECTION WITH THE NORTH PROPERTY LINE OF LOT 30, BLOCK 31, NCB 791; THENCE, FOLLOWING THE NORTH PROPERTY LINE OF LOT 30, BLOCK 31, NCB 791 TO ITS INTERSECTION WITH CENTERLINE OF PRESA STREET; THENCE, FOLLOWING THE CENTERLINE OF PRESA STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF WESTFALL AVENUE; THENCE, FOLLOWING THE CENTERLINE OF WESTFALL AVENUE WEST TO ITS INTERSECTION WITH THE CENTERLINE OF ST. MARY'S STREET; THENCE, FOLLOWING THE CENTERLINE OF ST. MARY'S STREET SOUTH TO ITS INTERSECTION WITH THE CENTERLINE OF GROVE AVENUE; THENCE, FOLLOWING THE CENTERLINE OF GROVE AVENUE EAST TO ITS INTERSECTION WITH THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY LOCATED BETWEEN ROOSEVELT AVENUE AND HAYNES AVENUE; THENCE, FOLLOWING THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY LOCATED BETWEEN ROOSEVELT AVENUE AND HAYNES AVENUE SOUTH TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF LOT 1, BLOCK 2, NCB 3121; THENCE, FOLLOWING THE EAST PROPERTY LINE OF LOTS 1, 2 AND 3, BLOCK 2, NCB 3121 TO ITS INTERSECTION WITH THE CENTERLINE OF YELLOWSTONE AVENUE; THENCE, FOLLOWING THE CENTERLINE OF YELLOWSTONE AVENUE SOUTHEAST TO ITS INTERSECTION WITH THE NORTHEAST CORNER LOT 6 AND THE SOUTHWEST TRIANGULAR OF 7, BLOCK 3, NCB 3122; THENCE, FOLLOWING THE MEANDERING EAST PROPERTY LINE OF LOT 6, THE SOUTHWEST TRIANGULAR OF LOT 7, BLOCK 3, NCB 3122; AND, THE EAST 50 FEET OF LOT 1, BLOCK 1, NCB 6097 TO ITS INTERSECTION WITH CENTERLINE OF HIGHLAND BOULEVARD; THENCE FOLLOWING THE CENTERLINE OF HIGHLAND BOULEVARD EAST TO ITS INTERSECTION WITH THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY LOCATED BETWEEN ROOSEVELT AVENUE AND LORETTA PLACE; THENCE, FOLLOWING THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY LOCATED BETWEEN ROOSEVELT AVENUE AND LORETTA PLACE SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF ALAMOSA AVENUE; THENCE, FOLLOWING THE CENTERLINE OF ALAMOSA AVENUE EAST TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF THE WEST 25 FEET OF LOT 3, BLOCK 1, NCB 3851; THENCE, FOLLOWING THE MEANDERING EAST PROPERTY LINE OF THE WEST 25 FEET OF LOT 3, 24, BLOCK 1, LOT NCB 3851; AND, THE WEST 42 FEET OF LOT 3, BLOCK 4, NCB 3854 TO ITS INTERSECTION WITH THE CENTERLINE OF IH 10; THENCE, FOLLOWING THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY LOCATED BETWEEN ROOSEVELT AVENUE AND PRESA STREET SOUTH TO ITS INTERSECTION WITH THE CENTERLINE OF MCKINLEY AVENUE; THENCE, FOLLOWING THE

CENTERLINE OF MCKINLEY AVENUE EAST TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF LOT 130, BLOCK 2, NCB 2977; THENCE, FOLLOWING THE MEANDERING EAST PROPERTY LINE OF LOT 130, 129, AND THE NORTH 137.5 FEET OF LOT 124, BLOCK 2, NCB 2977 TO ITS INTERSECTION WITH THE CENTERLINE OF STEVES AVENUE; THENCE, FOLLOWING THE CENTERLINE OF STEVES AVENUE EAST TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF LOT 130, BLOCK 3, NCB 2978; THENCE, FOLLOWING THE MEANDERING EAST PROPERTY LINE OF LOT 130 AND 158, BLOCK 3, NCB 2978 TO ITS INTERSECTION WITH THE CENTERLINE OF MITCHELL STREET; THENCE, FOLLOWING THE CENTERLINE OF MITCHELL STREET WEST TO ITS INTERSECTION WITH THE CENTERLINE OF KALTEYER STREET; THENCE, FOLLOWING THE CENTERLINE OF KALTEYER STREET SOUTH TO ITS INTERSECTION WITH THE SOUTHEAST CORNER OF P-101; THENCE, FOLLOWING THE MEANDERING SOUTH PROPERTY LINE OF P-101, P-102, P-100 TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF LOT 29, BLOCK 1, NCB 3975; THENCE, FOLLOWING THE EAST PROPERTY LINE OF LOT 29, BLOCK 1, NCB 3975 TO ITS INTERSECTION WITH CENTERLINE OF FELISA STREET; THENCE, FOLLOWING THE CENTERLINE OF FELISA STREET WEST TO ITS INTERSECTION WITH THE CENTERLINE OF MISSION ROAD; THENCE, FOLLOWING THE CENTERLINE OF MISSION ROAD SOUTH WITH ITS INTERSECTION WITH THE CENTERLINE OF HART AVENUE; THENCE, FOLLOWING THE CENTERLINE OF HART AVENUE WEST TO ITS INTERSECTION WITH THE SOUTHWEST CORNER OF LOT 20, BLOCK 18, NCB 7770; THENCE, FOLLOWING THE WEST PROPERTY LINE OF LOTS 7 AND 20, BLOCK 18, NCB 7770 TO THE NORTHWEST CORNER OF LOT 7, BLOCK 18, NCB 7770; THENCE, FOLLOWING THE SOUTH PROPERTY LINE OF BLOCK 17, NCB 7772 AND LOTS 9 THROUGH 12, BLOCK 17, NCB 7773 TO ITS INTERSECTION WITH THE CENTERLINE OF MORRILL STREET; THENCE, FOLLOWING THE CENTERLINE OF MORRILL WEST TO ITS INTERSECTION WITH THE CENTERLINE OF SIERRA STREET; THENCE, FOLLOWING THE CENTERLINE OF SIERRA STREET NORTH AND NORTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF OCTAVIA STREET; THENCE, FOLLOWING THE CENTERLINE OF OCTAVIA STREET WEST TO ITS INTERSECTION WITH THE SOUTHWEST CORNER OF THE EAST 25 FEET OF LOT 14, BLOCK 2, NCB 6720; THENCE, FOLLOWING THE WEST PROPERTY LINE OF THE EAST 25 FEET OF LOT 14, BLOCK 2, NCB 6720 AND LOT P-100, BLOCK 6, NCB 6155 TO ITS INTERSECTION WITH THE CENTERLINES OF HAFER AVENUE AND GREENWOOD AVENUE; THENCE, FOLLOWING THE CENTERLINE OF GREENWOOD AVENUE NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF LORINE AVENUE; THENCE, FOLLOWING THE CENTERLINE OF LORINE AVENUE WEST TO ITS INTERSECTION WITH THE

SOUTHWEST CORNER OF LOT 48, BLOCK 1, NCB 6150; THENCE, FOLLOWING THE MEANDERING WEST PROPERTY LINE OF LOTS LOT 48, BLOCK 1, NCB 6150 AND LOT 48, BLOCK 2, NCB 3382 TO ITS INTERSECTION WITH CENTERLINE OF THELKA AVENUE; THENCE, FOLLOWING THE CENTERLINE OF THELKA AVENUE WEST TO ITS INTERSECTION WITH THE CENTERLINE OF PROBRANDT STREET; THENCE, FOLLOWING THE CENTERLINE OF PROBRANDT STREET NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF ALAMO STREET; THENCE, FOLLOWING THE CENTERLINE OF ALAMO STREET NORTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF MAIN AVE; THENCE, FOLLOWING THE CENTERLINE OF MAIN AVENUE TO ITS INTERSECTION WITH THE CENTERLINE OF ARSEN STREET; THENCE, FOLLOWING THE CENTERLINE OF ARSEN STREET NORTHWEST TO ITS INTERSECTION WITH CENTERLINE OF FLORES STREET; THENCE, FOLLOWING THE CENTERLINE OF FLORES STREET NORTH TO THE POINT OF BEGINNING.

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4B.) CASE NUMBER #Z2002084 - The request of Martin & Maria Elena Barbosa, Applicant, for A.M. Russ, Owner(s), for a change in zoning from "MF-33" Multi-Family Residence District to "O-1" Office District on Lot C, Block 25, NCB 2085, 1619 N. Calaveras. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 1)

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 August 8, 2002. Ms. Moorhouse seconded the motion.

After consideration, the motion to continue this case until August 8, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2002084 was continued to the Council meeting of August 8, 2002.

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4C.) CASE NUMBER #Z2002081 - The request of Gordon V. Hartman, Applicant, for Gordon V. Hartman, Owner(s), for a change in zoning from "R-6" Single-Family Residence District to "R-6 PUD" Single-Family Residence Planned Unit Development District on 44.06 acres tract of land out of NCB 17730, Woodlake Parkway, north of F.M. 78. 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. Garcia 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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 96043

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 44.06 ACRES TRACT OF LAND OUT OF NCB 17730, WOODLAKE PARKWAY, NORTH OF F.M. 78, FROM "R-6" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-6 PUD" SINGLE-FAMILY RESIDENCE PLANNED UNIT DEVELOPMENT DISTRICT.

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4D.) CASE NUMBER #Z2001223-5 - The request of the City of San Antonio, Applicant, for multiple property owners, Owners, for a change of zoning to designate those properties along the San Antonio River as River Overlay District 5, Beginning at the intersection of the centerlines of Hansford Street and Mission Road; thence, following the centerline of Hansford Street east to its intersection with the centerline of Roosevelt Avenue; thence, following the centerline of Roosevelt Avenue

southeast to its intersection with the centerline of Uvalde Street; thence, following the centerline of Uvalde Street northeast to its intersection with the right-of-way centerline of the MKT Railroad; thence, following the centerline of right-of-way centerline of the MKT Railroad southeast to its intersection with the centerline of Liberty Street; thence, following the centerline of Liberty Street northeast to its intersection with the centerline of Presa Street; thence, following the centerline of Presa Street north to its intersection with the northwest corner of Lot 4, Block 3, NCB 3084; thence, following the north property line of Lot 4, Block 3, NCB 3084 to its northeast corner; thence, following the meandering east property line of Lot 4, east 42 feet of Lots 5 and 6, Block 3, NCB 3084; Lots 1 through 4 and 24, Block 1, NCB 7596; Lot 5, Block 2, NCB 7595; Lot 2, 3, 3A, 4 and 8, NCB 8614; Lots A and B, A8, Block 8, NCB 8615 southeast to its intersection with the centerline of Boxelder Lane; thence, following the centerline of Boxelder Lane south to its intersection with the centerline of Southcross Boulevard; thence, following the centerline of Southcross Boulevard west to its intersection with the northeast corner of the west 45 feet of Lot 4, Block 1, NCB 7603; thence following the meandering east property line of the west 45 feet of Lot 4, Block 1, NCB 7603; Lot 4, east 25 feet of 16 and west 25 feet of 17, Block 2, NCB 7604; Lot 4 and 12, Block 3, NCB 7605; east 25 feet of lot 4 and the west 25 feet of lot 5, Block 7, NCB 7609; Lot 21, Block 7, NCB 7608; Lot 5, Block 8, NCB 7610; Lot 2 and 22, Block 1, NCB 7626; Lot 2 and 19, Block 4, NCB 7629; Lot 2 and 17, Block 7, NCB 7632; Lot 5 and A, Block 10, NCB 7635; Lot 4, Block 1, NCB 7637; Lot 4 through 7, Block 2, NCB 7639; Lot 4 through 7, Block 3, NCB 7640; Lot 1, 2 and 16, Block 4, NCB 7642 to its intersection with the centerline of Story Lane; thence, following the centerline of Story Lane west to its intersection with the centerline of Presa Street; thence, following the centerline of Presa Street southeast to its intersection with the centerline of Old Corpus Christi Road; thence, following the centerline of Old Corpus Christi Road southeast to its intersection with the centerline of Southeast Military Drive; thence, following the centerline of Southeast Military Drive west to its intersection with the centerline of Mission Road; thence, following the centerline of Mission Road northwest to its intersection with the northwest corner of Tract 3, NCB 7657; thence, following the northeast property line of Tract 3, NCB 7657 to its intersection with the southwest corner of P-6, NCB 7657; thence, following the northwest property lines of Tract 3, P-5, P-6, and the east 50.69 feet of 12, NCB 7657 to the centerline of Napier Avenue; thence, following the centerline of Napier Avenue southeast to its intersection with the right-of-way centerline of the alley located between Lot 15, Block 2, NCB 7658 and Lot 23 NCB 7657; thence following the right-of-way centerline of the alley located between Lot 15, Block 2, NCB 7658 and Lot 23 NCB 7657 northeast to its intersection with the centerline of Pyron Road; thence, following the centerline of Pyron Road southeast to its intersection with the centerline of Padre Drive; thence, following the centerline of Padre Drive northwest to its intersection with the centerline of Roosevelt Avenue; thence, following the centerline of Roosevelt Avenue north to its intersection with the centerline of Southcross Boulevard; thence, following the centerline of Southcross Boulevard southwest to its intersection with the centerline of

Mission Road; thence, following the centerline of Mission Road north to the point of beginning. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. Ray Lozano, Land Development Services, explained that the applicant withdrew the request for rezoning.

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

AN ORDINANCE 96044

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 BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF HANSFORD STREET AND MISSION ROAD; THENCE, FOLLOWING THE CENTERLINE OF HANSFORD STREET EAST TO ITS INTERSECTION WITH THE CENTERLINE OF ROOSEVELT AVENUE; THENCE, FOLLOWING THE CENTERLINE OF ROOSEVELT AVENUE SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF UVALDE STREET; THENCE, FOLLOWING THE CENTERLINE OF UVALDE STREET NORTHEAST TO ITS INTERSECTION WITH THE RIGHT-OF-WAY CENTERLINE OF THE MKT RAILROAD; THENCE, FOLLOWING THE CENTERLINE OF RIGHT-OF-WAY CENTERLINE OF THE MKT RAILROAD SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF LIBERTY STREET; THENCE, FOLLOWING THE CENTERLINE OF LIBERTY STREET NORTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF PRESA STREET; THENCE, FOLLOWING THE CENTERLINE OF PRESA STREET NORTH TO ITS INTERSECTION WITH THE NORTHWEST CORNER OF LOT 4, BLOCK 3, NCB 3084; THENCE, FOLLOWING THE NORTH PROPERTY LINE OF LOT 4, BLOCK 3, NCB 3084 TO ITS NORTHEAST CORNER; THENCE, FOLLOWING THE MEANDERING EAST PROPERTY LINE OF LOT 4, EAST 42 FEET OF LOTS 5 AND 6, BLOCK 3, NCB 3084; LOTS 1 THROUGH 4 AND 24, BLOCK 1, NCB 7596; LOT 5, BLOCK 2, NCB 7595; LOT 2, 3, 3A, 4 AND 8, NCB 8614; LOTS A AND B, A8, BLOCK 8, NCB 8615 SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF BOXELDER LANE; THENCE, FOLLOWING THE CENTERLINE OF BOXELDER LANE SOUTH

TO ITS INTERSECTION WITH THE CENTERLINE OF SOUTHCROSS BOULEVARD; THENCE, FOLLOWING THE CENTERLINE OF SOUTHCROSS BOULEVARD WEST TO ITS INTERSECTION WITH THE NORTHEAST CORNER OF THE WEST 45 FEET OF LOT 4, BLOCK 1, NCB 7603; THENCE FOLLOWING THE MEANDERING EAST PROPERTY LINE OF THE WEST 45 FEET OF LOT 4, BLOCK 1, NCB 7603; LOT 4, EAST 25 FEET OF 16 AND WEST 25 FEET OF 17, BLOCK 2, NCB 7604; LOT 4 AND 12, BLOCK 3, NCB 7605; EAST 25 FEET OF LOT 4 AND THE WEST 25 FEET OF LOT 5, BLOCK 7, NCB 7609; LOT 21, BLOCK 7, NCB 7608; LOT 5, BLOCK 8, NCB 7610; LOT 2 AND 22, BLOCK 1, NCB 7626; LOT 2 AND 19, BLOCK 4, NCB 7629; LOT 2 AND 17, BLOCK 7, NCB 7632; LOT 5 AND A, BLOCK 10, NCB 7635; LOT 4, BLOCK 1, NCB 7637; LOT 4 THROUGH 7, BLOCK 2, NCB 7639; LOT 4 THROUGH 7, BLOCK 3, NCB 7640; LOT 1, 2 AND 16, BLOCK 4, NCB 7642 TO ITS INTERSECTION WITH THE CENTERLINE OF STORY LANE; THENCE, FOLLOWING THE CENTERLINE OF STORY LANE WEST TO ITS INTERSECTION WITH THE CENTERLINE OF PRESA STREET; THENCE, FOLLOWING THE CENTERLINE OF PRESA STREET SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF OLD CORPUS CHRISTI ROAD; THENCE, FOLLOWING THE CENTERLINE OF OLD CORPUS CHRISTI ROAD SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF SOUTHEAST MILITARY DRIVE; THENCE, FOLLOWING THE CENTERLINE OF SOUTHEAST MILITARY DRIVE WEST TO ITS INTERSECTION WITH THE CENTERLINE OF MISSION ROAD; THENCE, FOLLOWING THE CENTERLINE OF MISSION ROAD NORTHWEST TO ITS INTERSECTION WITH THE NORTHWEST CORNER OF TRACT 3, NCB 7657; THENCE, FOLLOWING THE NORTHEAST PROPERTY LINE OF TRACT 3, NCB 7657 TO ITS INTERSECTION WITH THE SOUTHWEST CORNER OF P-6, NCB 7657; THENCE, FOLLOWING THE NORTHWEST PROPERTY LINES OF TRACT 3, P-5, P-6, AND THE EAST 50.69 FEET OF 12, NCB 7657 TO THE CENTERLINE OF NAPIER AVENUE; THENCE, FOLLOWING THE CENTERLINE OF NAPIER AVENUE SOUTHEAST TO ITS INTERSECTION WITH THE RIGHT-OF-WAY CENTERLINE OF THE ALLEY LOCATED BETWEEN LOT 15, BLOCK 2, NCB 7658 AND LOT 23 NCB 7657; THENCE FOLLOWING THE RIGHT-OF-WAY CENTERLINE OF THE ALLEY LOCATED BETWEEN LOT 15, BLOCK 2, NCB 7658 AND LOT 23 NCB 7657 NORTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF PYRON ROAD; THENCE, FOLLOWING THE CENTERLINE OF PYRON ROAD SOUTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF PADRE DRIVE; THENCE, FOLLOWING THE CENTERLINE OF PADRE DRIVE NORTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF ROOSEVELT AVENUE; THENCE, FOLLOWING THE CENTERLINE OF ROOSEVELT AVENUE NORTH TO ITS INTERSECTION WITH THE CENTERLINE OF SOUTHCROSS BOULEVARD; THENCE, FOLLOWING THE CENTERLINE OF SOUTHCROSS BOULEVARD SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF MISSION

ROAD; THENCE, FOLLOWING THE CENTERLINE OF MISSION ROAD NORTH TO THE POINT OF BEGINNING.

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4E.) CASE NUMBER #Z2002095 - The request of Deyanira M. Leal, Applicant, for Deyanira M. Leal, Owner(s), for a change in zoning from "C-2" Commercial District to "R-4" Residential Single Family District on Lots 33-34, Blk 13, NCB 3718, 1701 and 1703 Saltillo. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 5)

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

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

AN ORDINANCE 96045

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 33-34, BLK 13, NCB 3718, 1701 AND 1703 SALTILLO, FROM "C-2" COMMERCIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT.

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4F.) CASE NUMBER #Z2002085 - The request of KB Home, Applicant, for Manon Faily, Owner(s), for a change in zoning from I-1 Industrial Use to R-4 Single-Family Residential District (45.021 acres) and RM-4 (PUD) Residential Mixed District

Planned Unit Development (16.215 acres) on 61.236 acres out of NCB 17874. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

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

Mr. Barrera made a motion to continue this rezoning case until the City Council meeting of August 8, 2002. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until August 8, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2002085 was continued to the Council meeting of August 8, 2002.

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4G.) CASE NUMBER #Z2002093 - The request of Kaufman & Associates, Inc., Applicant, for Boerne Stage Crossing Limited Partnership, Owner(s), for a change in zoning from "DR" Development Reserve and "R-6" Residential Single-Family District to "C-2" Commercial District (53.6 acres) and "C-3" Commercial District (26.8 acres) on 80.4 acres out of NCB 16390, Boerne Stage 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 approve the proposed rezoning with the following deed restrictions. Mr. Garcia seconded the motion.

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

Restrictions

1. **Site Design** - Declarant agrees to blend structures on the Property into the natural environment, which shall include the use of architectural styles and materials compatible with local traditions and the use of landscaping to soften the impact of Property development.
2. **Landscaping** - Declarant agrees that landscaping on the Property will be done with plants native to the local Hill Country area. Declarant further agrees that a fifteen foot (15') wide landscaped buffer shall exist along the rear property line of the portion of the Property zoned "C-3".
3. **Lighting**
 - A.) Declarant agrees that lighting used to illuminate parking areas, signs and other areas of the Property shall be arranged so that the source of the light is concealed from adjacent properties.
 - B.) Declarant agrees that lighting on the Property shall be arranged so that it does not interfere with traffic along either the IH-10 West Expressway or the IH-10 West Access Road.
4. **Orientation** - Declarant agrees that development on the Property shall be oriented away from adjacent residential properties.
5. **Outdoor Music** - Declarant agrees that the Property shall have no outdoor music or public address system except complementary patio music.
6. **Restriction of Uses** - Declarant agrees that the following uses shall not be permitted on the Property: sexually oriented businesses, dance halls, head shops, massage parlors, and/or tattoo parlors/studios.

AN ORDINANCE 96046

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 80.4 ACRES OUT OF NCB 16390, NORTHWEST CORNER OF BOERNE STAGE ROAD AND I.H. 10 WEST, FROM "DR" DEVELOPMENT RESERVE AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT (53.6 ACRES NCB 16390) AND "C-

3" COMMERCIAL DISTRICT (26.8 ACRES NCB 16390).

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4H.) CASE NUMBER #Z2002096S - The request of Harry Jewett Assoc., Inc., Applicant, for Oak Hills Lanes Attn: Ken Cobb, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 S" Commercial District with a specific use authorization for telephone equipment infrastructure on 0.0983 acres of Lot A, Block 2, NCB 12472. 7330 Callaghan 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 approve the proposed rezoning. 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, Garcia, Barrera, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Castro.

AN ORDINANCE 96047

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 0.0983 ACRES OF LOT A, BLOCK 2, NCB 12472. 7330 CALLAGHAN ROAD, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR TELEPHONE EQUIPMENT INFRASTRUCTURE.

* * * *

4I.) CASE NUMBER #Z2002033C - The request of Fire & Police Pension Fund, Applicant, for Shearer Hills Baptist Church, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "R-5" Residential Single-Family District to "C-2" Commercial District (Lots 1, 2, 3, and 4 Blk 2, NCB 10063), "R-4 C" Residential Single-Family District with a conditional use for a non-commercial parking lot (Lots 1, 2, 3, 4, 5 and 12, Blk 2, NCB 11016) and "R-5 C" Residential Single-Family District with a conditional use for a non-commercial parking lot (Lot 5, Blk 2, NCB 10063), 802-803 Oblate Drive. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval as per staff recommendation. (Council District 9)

Zoning Case #Z2002033-C was pulled from consideration.

* * * *

4J.) CASE NUMBER #Z2002053 - The request of Douglas J. Fetzer, Applicant, for Fetzer Enterprises Inc., Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-3 R" Commercial Restrictive Alcohol Sales District on Lots 13 and 14, Block 32, NCB 11748, 112101 Lisbon & 112002 Lisbon. Staff's recommendation was for denial as requested and approval of "C-3 R".

Zoning Commission has recommended approval of "C-3 R". (Council District 9)

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

AN ORDINANCE 96048

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 13 AND 14, BLOCK 32, NCB 11748, 112101 LISBON & 112002 LISBON, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3 R" COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT.

* * * *

4K.) CASE NUMBER #Z2002098 - The request of Gordon V. Hartman, Applicant, for Windcrest Partners, LTD, Owner(s), for a change in zoning from "MF-33" Multi Family District to "R-6" PUD Residential Single Family Planned Unit Development District on .0398 acres, more or less, out of Lot 1, NCB 13783 and 21.430 acres, more or less, out of Lot 2, Block 2, NCB 13783, Randolph Blvd. & Royal Ridge. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 10)

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

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

AN ORDINANCE 96049

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 .0398 ACRES, MORE OR LESS OUT OF LOT 1, NCB 13783 AND 21.430 ACRES, MORE OR LESS OUT OF LOT 2, BLOCK 2, NCB 13783, RANDOLPH BLVD. & ROYAL RIDGE, FROM "MF-33" MULTI FAMILY DISTRICT TO "R-6" PUD RESIDENTIAL SINGLE FAMILY PLANNED UNIT DEVELOPMENT DISTRICT.

* * * *

2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96050

AUTHORIZING THE EXECUTION OF A TWO (2) YEAR PROFESSIONAL SERVICES CONTRACT, WITH TWO (2) ONE-YEAR RENEWAL OPTIONS, WITH LINEBARGER GOGGAN BLAIR PENA & SAMPSON, L.L.P., IN ASSOCIATION WITH ESCAMILLA & PONECK, INC. FOR THE COLLECTION OF CITY OF SAN ANTONIO DELINQUENT ADJUDICATED CLASS C MISDEMEANOR FINES FOR A FEE OF THIRTY PERCENT (30%) OF THE NET AMOUNT COLLECTED.

* * * *

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

Mr. Quentin Porter, Director of Municipal Court, narrated a slide presentation on the contract to collect delinquent adjudicated Class C misdemeanor fines, a copy of which presentation is on file with the papers of this meeting. He outlined the terms of the contract delineating the performance guarantee, the minimum pay scale for all personnel, and highlighting the benefits for all personnel, requirement that the monies generated through the contract to stay in the City San Antonio, and the financial impact.

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

The following citizen(s) appeared to speak:

Mr. James Myart, spoke to the high costs to handle an \$820 case, noting it was absurd and unnecessary to use this kind of monies to appeal a magistrate. He expressed concern on this method of handling cases.

* * * *

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, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garza.

2002-26 **PUBLIC HEARING AND ORDINANCE: AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.**

Mayor Pro Tem Sanders declared the Public Hearing to be open.

Mr. Drew Cameron, Director of Housing and Community Development, narrated a slide presentation on the reprogramming of CDBG funds, a copy of which presentation is on file with the papers of this meeting. He outlined the districts impacted, background, reprogramming selection criteria, proposed revenue and re-allocations to the respective districts and fiscal impact.

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need for additional funds to provide better facilities for senior citizens, parks and recreation and health clinics.

Ms. Julie Iris Oldham, P.O. Box 40263, expressed concern on the use of funds, and recommended that COPS Metro not receive any monies until audit is conducted.

There being no further citizens signed to speak to this matter, Mayor Pro Tem Sanders declared the Public Hearing to be closed.

* * * *

The Clerk then read the following Ordinance:

AN ORDINANCE 96051

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$1,364,594.00 AVAILABLE FROM DISTRICTS 1, 2, 3, 5 AND 10 PROJECT COMPLETIONS, CURRENT PROJECTS UNDER CONTRACT WITH AVAILABLE SURPLUS FUNDS AND CANCELLED PROJECTS TO CREATE NEW PROJECTS; AUTHORIZING STAFF TO CLOSE-OUT AND CANCEL AFFECTED PROJECTS AND TO CREATE AND/OR MODIFY APPROPRIATE PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS

AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

* * * *

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96052

AUTHORIZING PAYMENT IN THE AMOUNT OF \$350,000.00 FOR THE FEE SIMPLE PURCHASE OF APPROXIMATELY 53.844 ACRE TRACT OF LAND KNOWN AS THE WHITE PROPERTY AS PART OF THE PROPOSITION THREE CREEK LINEAR PARKS DEVELOPMENT AND EXPANSION PROJECT; AUTHORIZING \$18,012.00 FOR DUE DILIGENCE FEES AND CLOSING COSTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT TO CHICAGO TITLE AS ESCROW AGENT.

* * * *

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

Ms. Susan Crane, Special Projects Manager, narrated a slide presentation on the White property acquisition, a copy of which presentation is on file with the papers of this meeting. She outlined the breakdown of Proposition 3 funding, noting the allocations for creekway funding, the Salado Creek priority ranking, aerial maps along with facts of the subject property, and total costs to the creekways and linear parks project.

(Mayor Garza returned to the meeting and presided.)

In response to Mr. Garcia regarding the title of property, Ms. Crane stated that the property is in bankruptcy, and that a hearing would take place to assure it would be cleared.

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96053

ACKNOWLEDGING UNILATERAL MODIFICATION #8 TO THE YOUTH OPPORTUNITY GRANT (YOG) CONTRACT EXTENDING THE GRANT TERM FOR ONE YEAR; ACKNOWLEDGING UNILATERAL MODIFICATION #7 TO THE YOUTH OPPORTUNITY GRANT WHICH REPROGRAMS \$52,126.00 TO ANOTHER GRANT PARTNER; ACKNOWLEDGING UNILATERAL MODIFICATION #6 TO THE YOUTH OPPORTUNITY GRANT AMENDING THE STATEMENT OF WORK TO ALLOW FOR THE SERVICING OF IN-SCHOOL YOUTH; APPROVING A BUDGET; ADOPTING A PERSONNEL COMPLEMENT; AUTHORIZING ALL DELEGATE AGENCY CONTRACTS TO CONCLUDE ON JUNE 30, 2002 IN ACCORDANCE WITH THE YOG FISCAL YEAR; AUTHORIZING THE AMENDMENT OF ALL DELEGATE AGENCY CONTRACTS MEETING GRANT REQUIREMENTS TO INCLUDE REQUESTED VERBIAGE, REVISED BUDGETS AND PERFORMANCE IMPACT PLANS; AUTHORIZING DELEGATE AGENCY CONTRACTS; AND AUTHORIZING THE EXTENSION OF THE FACILITY LEASE AGREEMENT FOR OFFICE SPACE AT 2300 W. COMMERCE STREET FOR A PERIOD OF UP TO ONE YEAR.

* * * *

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

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the Youth Opportunity (YO) Project, a copy of which is on file with the papers of this meeting. He outlined the purpose of the proposed Ordinance which would authorize execution of eight delegate agency contracts, amend twelve delegate agency contracts, renew a lease agreement with the Mexican American Unity Council (MAUC) and reprogram funds for year 2 to the Edgewood Independent School District Youth Opportunity program. He explained the background on the Youth Opportunity Project, collaborative partners, the Youth Opportunity participant profile, the current statement of work on the contract and

the proposed amendments to the statement of work, and the proposed Year 3 recommendations for funding.

In response to Ms. Moorhouse regarding the capture area, Mr. Campa stated that the federally funded empowerment zone included Districts 1, 2, 5, 6 and also some of District 7.

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

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96054

AUTHORIZING THE CITY TO PROCEED WITH THE PURCHASE OF HARDWARE TO SUPPORT THE DEVELOPMENT SERVICES, ENTERPRISES RESOURCE PLANNING (ERP) AND CUSTOMER RELATIONSHIP MANAGEMENT (CRM) COMPONENTS OF PHASE III OF THE ENTERPRISE RESOURCE MANAGEMENT (ERM) PROJECT, AND SPECIFICALLY APPROVES THE SELECTION OF SIGMA SOLUTIONS, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH COMPUTER HARDWARE EQUIPMENT AND THE FIRST YEAR OF MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$5,061,836.00 AND FOUR ADDITIONAL YEARS OF SERVICE AND MAINTENANCE NOT TO EXCEED \$1,261,593.00; APPROPRIATING FUNDS FOR THE INITIAL PURCHASE; AND AUTHORIZING PAYMENT.

* * * *

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

Mr. Gary Moeller, Director of Information Technology Department, narrated a slide presentation on the Phase III Enterprises Resource Management (ERM) Project of hardware, a copy of which presentation is on file with the papers of this meeting. He outlined the background of the ERM, ERM project overview which included Customer Relationship Management (CRM), financial contracts and procurement, development services, human resources and payroll, and technology components. He further highlighted on the ERM hardware selection process, hardware architecture – primary site,

and disaster recovery site, summary of costs, maintenance and service, schedule for hardware installation and payment schedule, and the SBEDA good faith effort plan.

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

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96055

AMENDING ORDINANCE NO. 95401, PASSED AND APPROVED MARCH 7, 2002, BY TRANSFERRING THE ENCUMBRANCES TO R.L. JONES, INC. FROM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT NO. 26-01341 TO 1999 G.O. DRAINAGE BOND PROJECT NO. 45-960002 AND AUTHORIZING THE TRANSFER OF EXPENDITURES OF \$580,896.36 FROM 1999 G.O. DRAINAGE BOND PROJECT NO. 45-960002 TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT NO. 26-013421 IN CONNECTION WITH THE ALICE FAY STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6.

* * * *

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

Mr. Drew Cameron, Director of Housing and Community Development, explained the proposed amendment, which would transfer encumbrances to R.L. Jones Contractors, a copy of which is on file with the papers of this meeting. He further clarified the timely expenditure requirements of HUD, noting that this transaction would assure the timeliness of expenditures of CDBG funds.

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96056

CONTINUING THE UNIFIED DEVELOPMENT CODE TECHNICAL ADVISORY COMMITTEE TO ASSIST IN THE MONITORING, REVIEW, AND IMPLEMENTATION OF THE REVISED UNIFIED DEVELOPMENT CODE; REAPPOINTING AT-LARGE MEMBERS TO THE COMMITTEE; EXTENDING THE TERMS OF ALL MEMBERS OF THE COMMITTEE; PROVIDING THAT A MEMBER OF THE COMMITTEE IS NOT CONSIDERED A "CITY OFFICIAL" FOR PURPOSES OF CHAPTER 2, ARTICLE III (CODE OF ETHICS); AND REPEALING ORDINANCES 93882 AND ORDINANCE 95190.

* * * *

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

Mr. Andrew Martin, City Attorney, spoke to the sensitivity of the issues to be considered by the Committee, and the requirement of the Ethics Code, noting that by not considering the members as "City officials", members would not be obligated to file a Financial Disclosure report.

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

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2002-26 Item 74 being a proposed ordinance considering amendments to or the repeal of Ordinance No. 95579, enacted April 4, 2002, approving a development agreement among the City of San Antonio, the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, and Lumbermen's Investment Corporation on the terms and conditions set out therein; providing for, and conditioned upon, ratification of the proposed agreement by the district's governing body upon its formation; and providing for the execution of all necessary documents required pursuant to that Development Agreement; as requested by Mayor Edward D. Garza, was pulled from consideration by the City Manager.

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96057

AUTHORIZING THE EXPENDITURE OF \$2,000.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO THE TEXAS SENATE HISPANIC CAUCUS' GREGORY LUNA MEMORIAL LEGISLATIVE INTERN PROGRAM WHICH PROVIDES UNDERGRADUATE AND GRADUATE STUDENTS FROM ACROSS THE STATE THE OPPORTUNITY TO SERVE AS POLICY INTERNS IN THE TEXAS LEGISLATURE; AS REQUESTED BY MAYOR EDWARD D. GARZA.

* * * *

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

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 95058

AUTHORIZING THE EXPENDITURE OF \$300.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE TRI-CITY CHOIR MUSIC FESTIVAL, TO BE USED TO HELP DEFRAY THE COST OF EXPENSES RELATED TO HOSTING THE MUSIC FESTIVAL IN SAN ANTONIO FROM FRIDAY JULY 19, 2002 THROUGH SATURDAY JULY 20, 2002; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

* * * *

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

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96059

AUTHORIZING THE FOLLOWING ADJUSTMENTS TO DISTRICT 3'S ONE-TIME PROJECTS BUDGET, THE NEIGHBORHOOD ACCESSIBILITY & MOBILITY PROGRAM FUND AND THE CONTINGENCY FUND: REDUCING THE AMOUNT SET ASIDE IN THE FY 2000 ONE-TIME PROJECTS BUDGET FOR LOS VECINOS DE LAS MISIONES AIR CONDITION REPAIR BY \$365.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 2001 ONE-TIME PROJECTS BUDGET FOR LATIN AMERICAN TRIP BY \$4,500.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 2000 ONE-TIME PROJECTS BUDGET FOR MCCRELESS LIBRARY - FURNITURE AND EQUIPMENT BY \$1,311.72; REDUCING THE AMOUNT SET ASIDE IN THE FY 1999 ONE-TIME PROJECTS BUDGET FOR BROOKSIDE PARADE OF HOMES BY \$4,768.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 1999 ONE-TIME PROJECTS BUDGET FOR HIGHLANDS HIGH SCHOOL TRACK LIGHTING BY \$934.37; REDUCING THE AMOUNT SET ASIDE IN THE 2001 ONE-TIME PROJECTS BUDGET FOR DOWNTOWN YMCA BIKE STORAGE LOCKERS BY \$35.99; INCREASING THE DISTRICT 3 NEIGHBORHOOD ACCESSIBILITY & MOBILITY FUND BUDGET BY \$5,000.00; AND INCREASING THE DISTRICT 3 CONTINGENCY FUND BUDGET BY \$6,915.08; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

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

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2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96060

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE HIGHLANDS SKYLINE YOUTH SPORTS COMPLEX TO HELP DEFRAY THE COSTS OF REPAIRS TO THE LIGHTING SYSTEM AND POWER POLES AT THE COMPLEX; AS REQUESTED BY COUNCILWOMAN ANTONIETTE "TONI" MOORHOUSE.

* * * *

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96061

AUTHORIZING THE FOLLOWING ADJUSTMENTS TO THE DISTRICT 7 ONE-TIME PROJECTS BUDGET, THE DISTRICT 7 ADMINISTRATIVE ASSISTANT FUND BUDGET AND THE DISTRICT 7 CONTINGENCY FUND BUDGET: REDUCING THE AMOUNT SET ASIDE IN THE FY 2000 ONE-TIME PROJECTS BUDGET FOR CRAG II - PROJECT SUPPORT BY \$9,649.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 2001 ONE-TIME PROJECTS BUDGET FOR COMMUNITIES IN SCHOOLS BY \$1,739.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 1999 ONE-TIME PROJECTS BUDGET FOR PLANTER BOXES ON FREDERICKSBURG ROAD BY \$5,000.00; REDUCING THE AMOUNT SET ASIDE IN THE FY 2000 ONE-TIME PROJECTS BUDGET FOR DECO DISTRICT PEDESTRIAN ENHANCEMENTS BY \$6,855.00; INCREASING THE DISTRICT 7 CONTINGENCY FUND BUDGET BY \$11,388.00 AND INCREASING THE DISTRICT 7 ADMINISTRATIVE ASSISTANT FUND BUDGET BY \$11,855.00; AS REQUESTED BY COUNCILMAN JULIAN CASTRO.

* * * *

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

— — —
2002-26 The Clerk read the following Ordinance:

AN ORDINANCE 96062

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE ST. MARK THE EVANGELIST CATHOLIC CHURCH CYO SOFTBALL TEAM, TO BE USED TO HELP DEFRAY THE COST OF PURCHASING UNIFORMS FOR THE TEAM; AS REQUESTED BY COUNCILMAN CARROLL W. SCHUBERT.

* * * *

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

— — —
2002-26 **PUBLIC HEARING AND ORDINANCE: YOUTH CURFEW ORDINANCE NO. 74025, AS AMENDED.**

Mayor Garza declared the Public Hearing to be open.

Police Chief Albert Ortiz, narrated a slide presentation on the City of San Antonio Juvenile Curfew Ordinance, a copy of which presentation is on file with the papers of this meeting. He outlined the juvenile curfew objectives targeted to reduce juvenile victimization, reduce juvenile crimes, encourage school attendance, assist parents with the supervision of their children, and provide a tool to law enforcement. He outlined the preventative programs under the Community Initiatives Department, Parks and

Recreation Department, highlighting on the previous Ordinances approved by City Council, curfew exceptions, and curfew offense, delineating the curfew process, statistical data on the violations by substation. He further noted the statistical data on the curfew enforcement and juvenile arrests, and the curfew assessment.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to some areas that needed addressing, and commended Chief Ortiz for the outstanding work he has done thus far. He stated there was a problem in the Kenwood Community Center area with the weeds being too high. He added that the parents had to be more involved with the direction of youth in the community and enforce rules at home, specifically in the downtown area. He added that more policewomen were needed in the downtown area.

Mr. Andy Mireles, Chair of the Juvenile Board, and a representative on the Crime Prevention Commission, urged the City Council to continue with the curfew Ordinance, noting that at this time the rate of crimes being committed by youth was very high. He noted that the 4th court of appeals could be used by police to investigate whether or not a youth is where they're supposed to be. He also stated that this served as a safety ordinance to assist in daytime and nighttime hours, thereby allowing schools to have more funding because more children would be in school. He strongly encouraged the City Council to renew the curfew Ordinance.

Mr. Leroy Favela, member of San Antonio Crime Prevention Commission, stated that the Ordinance has had a tremendous impact on community, and encouraged City Council to continue the curfew Ordinance.

Ms. Christine Guerra, Manager of Texas Alcoholic Commission, stated that this was an excellent tool to help the community and law enforcement officials. She noted that in the past 18 months, 103 juveniles were cited for use of alcohol, and strongly encouraged City Council to approve this Ordinance.

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Mr. Garcia then made motion to continue the curfew Ordinance. Mr. Carpenter seconded the motion.

Mr. Perez stated he appreciated the opportunity and the citizens who had come to address this subject and their input. He stated that the benefit is clearly positive, and added that he wanted to continue to look for ways to improve the process, to get the most of this Ordinance, and to assure that enforcement is carried out.

Mr. Castro also stated that enforcement was necessary, and highlighted that the Ordinance was a useful tool.

Mr. Castro further encouraged SAPD to collaborate with different schools to continue to work on this issue. He noted that the reason for the increase in central and east side substations was because more people were congregating more in the downtown area, as was the case on the east side.

Chief Ortiz stated that the area from 37 eastward to W.W. White Rd was an extension of Military drive, and added that there was a migration of juveniles and aging of juveniles to Commerce St., noting however there were a lot of young girls.

In response to Mr. Castro, regarding the geographic congregation and the need to enhance the City's ability to present curfew violations through signage to remind young people of the curfew, Chief Ortiz stated that when complaints are made, they move around, and as enforcement is taken, they disperse onto other areas.

Ms. Moorhouse recognized some cellular on patrol volunteers who were present in the audience, and congratulated the Police Department and volunteers, for participating with the City to assure compliance with the curfew, and other issues throughout the City. She further recommended investigation on how the City may assist the volunteer groups with equipment and materials.

Mr. Garcia, Chair of the Crime Prevention Commission, commended Chief and members of the Commission for their attendance and support of this Ordinance. He concurred with Judge Mireles, stating that the whole purpose of the Ordinance was to address the horrendous situation with gangs. He recommended continuance of the Ordinance in order to preclude any crime element, and urged City Council to continue as is. He added there had been a decline with gangs, and this Ordinance has been a useful mechanism to assist with this effort.

Members of the City Council commended Judge Mireles for the leadership and work on the Commission and for the efforts used to assist the youth.

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There being no citizens to speak the Mayor declared the Public Hearing to be closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 96063

CONTINUING THE YOUTH CURFEW ORDINANCE (ORDINANCE NO. 74025, AS AMENDED BY ORDINANCE NOS. 76419, 79327, AND 86567).

* * * *

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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2002-26 **EXECUTIVE SESSION**

The City Council recessed its regular session at 4:54 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-Client consultation on legal issues related to actions of the Fire and Police Retiree Health Care Fund Board.
- B.) Attorney-Client consultation on legal issues related to the proposed Convention Headquarters Hotel.
- C.) Attorney-Client consultation regarding the lawsuit styled Farmco Trust, Richard Schaeffer and John Schaeffer v. City of San Antonio, 2000-CI-04602, and R. Brooks Hardee, et al, v. City of San Antonio, et al, 2000-CI-17663.
- D.) Attorney-Client consultation regarding cable issues, including: 1) the status of interconnection negotiations with Time Warner Cable and Grande Communications and the associated franchise renewal and re-opener process; and 2) the City's options in dealing with bankruptcy filed by Western Integrated Networks.
- E.) Attorney-Client consultation on legal issues related to the upcoming collective bargaining negotiations between the City of San Antonio and the San Antonio Police Officer's Association.

The City Council adjourned the Executive Session at 6:30 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.

2002-26

CITIZENS TO BE HEARD

MR. HESTOY KAAZADO

Mr. Hestoy Kaanzado stated that he took objection to his name not being verified on the petition.

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SAVE OUR AQUIFER ORGANIZATION/SMART GROWTH ORGANIZATION

The following persons spoke to the City Council regarding their concerns about their desires to rescind the PGA development Agreement or to call an election. They spoke about the need to count every signature.

Ms. Maria Antoniette Berriozabal

Mr. John Thompson

Ms. Leticia Vela

Mr. Charles English, also submitted a prepared statement, a copy of which is on file with the papers of this meeting.

REPRESENTATIVES OF THE FUERZA UNIDA ORGANIZATION

Ms. Virginia Grice read a prepared statement in Spanish from Petra Viola, representing Fuerza Unida, who asked that their voice be heard.

Mr. James Isaman, 8407 Bart Starr, stated that he was one of the circulators on the PGA petition and added that 99 percent of the people who signed the petitions are in favor of an election.

Ms. Elodia Flores Zuniga, 130 Hearne Avenue, spoke about an individual who has made sexual advances against an individual.

Ms. Dolores "Dee" Murff, speaking for the Esperanza Center, asked that the citizens of San Antonio be allowed to vote on the PGA development agreement.

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MS. SARAH CALBERG

Ms. Sarah Calberg, 1003 Creekview, presented a written statement with regard to Council action on the acquisition of property for the Salado Creek Hike and Bike Trail, a copy of which is on file with the papers of this meeting.

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**2002-26 UPDATE BY SAN ANTONIO WATER SYSTEM ON ACTIONS
TAKEN IN RESPONSE TO RIVER ROAD NEIGHBORHOOD INCIDENT ON
APRIL 13, 2002**

Gen. Eugene Habinger, Chief Executive Office, San Antonio Water System, gave the City Council an interim report on this issue, with a final report due in September.

He addressed three specific issues: The neighborhood (205 homes impacted by this incident). He then spoke to over 104 samples taken at these homes and reports, which indicate there is no evidence of contaminated water at this time. He stated there have been 15 claims, 14 have been settled, the water bills for that month were waived for all 205 homes. He also spoke about the new water main for this area.

He then spoke about the process being changed - including new notification process, photographic record of every milestone. He stated that although the initial focus was on River Road, they looked at other past projects - and are currently evaluating and analyzing each of them, noting that their main purpose is to assure that this type of situation never reoccurs again.

He spoke about a new Citizens Committee being formed who have already met and will be reviewing the entire incident.

On accountability, Gen. Habinger stated that persons responsible for this incident must and will be held accountable and spoke to the actions taken with regard to those six individuals. Gen. Habinger spoke to increasing standards for all contracts, hopefully without impacting the small companies. He reiterated on the immediate action, acknowledging the constructive counsel and guidance from City Council.

Mr. Perez thanked Gen. Habiger for the report and efforts, noting the lack of people in attendance today, which indicates that SAWS has gone out there and have taken care of the work. He stated he appreciates the accountability and an effort to ensure any further incidents such as this, adding that quality control to the entire system is important.

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2002-26 **FIRST QUARTER 2002 REPORT ON WATER RESOURCES**

Ms. Susan Butler, Director of Water Resources and Conservation, narrated a slide presentation, a copy of which is on file with the papers of this meeting. She outlined the significant accomplishments, noting some setbacks, delineated the projected water supply – 2010 projected water demand, financial summary on water supply projects, denoting short and long-term projects.

Mr. Alex Hinojosa, Director of Finance, San Antonio Water System, narrated a slide presentation on the water supply financial summary, and recap of 2002 multi-year financing plan, the affordability program, and the 2002 water supply fee, a copy of which is on file with the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, expressed concern on the possible contamination of our water supply, citing the incident of the River Road neighborhood area. He spoke on the appointment of Mr. James Mayor.

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Ms. Conner commended Gen. Habiger for the comprehensive report, and inquired on the price for water per acre-foot.

In response to Ms. Conner, Ms. Butler spoke to the prices for underground water, delivery costs, operating ranges, proposed costs for acre foot per year, noting that some are more expensive. With regard to the water market, Ms. Butler stated that the availability in the eastern area has more water sources, while in the west, the water is scarce, noting that the Edwards Aquifer market is a more active market.

