

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MARCH 13, 2003.

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2003-10 The City Council convened in an informal "B" Session at 9:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Staff Update on Tower of the Americas Assessment and Concession Initiative.** (Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager.)

The Council members present were: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

The "B" Session adjourned at 11:00 A.M.

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2003-10 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

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2003-10 Invocation by Father Carlos Velasquez, St. John Berchman.

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2003-10 Pledge of Allegiance to the flag of the United States.

2003-10 PRESENTATION OF A RESOLUTION OF RESPECT FOR CHARLES B. SHANNON.

Mayor Garza spoke to the many contributions of Mr. Charles Shannon, and his involvement in the community. He then read a Resolution of Respect, and asked that the Resolution be made a part of the minutes of the meeting, and presented it to his widow, Mrs. Shannon.

**RESOLUTION OF RESPECT
CHARLES B. SHANNON**

A RESOLUTION
NO. 2003-10-09

- Whereas,** on February 4, 2003, death brought to a close the life of Charles B. Shannon, an Eastside Activist and respected citizen of the community; and
- Whereas,** In 1982, Mr. Shannon was hired as the Director of what's now called the Davis-Scott Branch YMCA, and was later promoted to oversee three branches; in his 21 years with the YMCA, he raised over 5 million dollars for the Eastside and took Davis-Scott Branch from an unknown organization to one of the top YMCA's serving minority communities in the United States; and
- Whereas,** Mr. Shannon was a past member of numerous boards and organizations, such as the Eastside Coalition for Youth at Risk, Mayor's Gang Task Force, District Attorney's Juvenile Commission, and the San Antonio Greater Crime Prevention Commission; he also served as Chairman of groups such as the Southwest Community Empowerment Center, and the Palmer Drug Abuse Program; and
- Whereas,** In 1995, Mr. Shannon was appointed to the VIA Metropolitan Transit Board of Directors, and was elected as Chairman for VIA in January 2001; he was also Vice-President of the Board for the Barrio/Ella Austin Health Clinic, and was a member of the NAACP; and
- Whereas,** Mr. Shannon worked tirelessly for his community, earning the respect and admiration of all those whose lives he touched throughout his lifetime; his legacy of service, devotion and concern for the community will serve as an outstanding example for our generation and future generations to emulate. Now therefore:

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO:**

SECTION 1. That with the death of Charles B. Shannon, the City of San Antonio has lost a valuable asset to its past, present, and future.

SECTION 2. That the City Council joins with his family and friends in their sorrow over his death, and extends its sincerest sympathy and prayers of comfort to those who were near him.

SECTION 3. It is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy be presented to his family as a token of our deepest sympathy.

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Councilman Sanders spoke to the outstanding accomplishments of Mr. Charles Shannon. He stated that it would have been nice to do this at his funeral, but he wanted to share this with the City of San Antonio so that it could be part of the official record. He acknowledged a representative of VIA, and thanked him for attending this special presentation. He also thanked the family of Mr. Shannon for attending.

Councilwoman Conner expressed her sympathy, and noted that it was a terrible loss for the family and for the community.

Councilman Castro stated that Mr. Shannon would be greatly missed. He then spoke to his contributions to the community.

Councilman Barrera expressed his sympathy to the family for their tremendous loss.

Councilman Schubert acknowledged that he knew Mr. Shannon for close to 25 years, and stated that he was a wonderful man who did great work for the City of San Antonio. He noted that on a daily basis, he had a source of pride as he dealt with children, and acknowledged that it took a special person to do what he did for many years.

Councilman Perez expressed his sympathy to the family, and thanked them for sharing him. He further stated that his legacy would continue on for many years.

A relative of Mr. Shannon thanked the Council for their act of kindness through the presentation, and stated that they lost a great man. He encouraged everyone to continue to hold the family in prayer, as they were going through a very difficult time.

Councilman Sanders made a motion to approve the proposed Resolution of Respect. Councilman Carpenter seconded the motion.

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

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2003-10 PRESENTATION OF A WELCOME CERTIFICATE TO MR. JORGE ARTURO ELIZONDO NARANJO, MAYOR OF TAPICO, TAMAULIPAS IN MEXICO.

Mr. Raul Rodriguez, representing the North American Development Bank, epitomized Mayor Arturo Elizondo Naranjo as a new leader in Mexican Politics. He noted that Mayor Naranjo was responsible for bringing about wonderful things for the City of Tampico. He spoke to his visit to San Antonio, and how he had been studying the many virtues of the City. He stated that he had also been studying the development of the Riverwalk.

Mayor Naranjo thanked the City for the opportunity to visit. He invited Mayor Garza to visit Tampico, and expressed his eagerness to hear his tips and vision regarding how they could improve Tampico's River project.

Members of the City Council welcomed Mayor Naranjo to the City, and expressed their best wishes for a productive visit.

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2003-10 PRESENTATION OF A CITATION TO THE SAY SÍ ARTS PROGRAM.

Mayor Garza presented a Citation to Mr. Jon Hinojosa, Executive Director of the Say Sí Arts Program, for the "Coming Up Taller Award" that was presented to them by the President's Committee on the Arts and Humanities.

Mr. Hinojosa thanked the Mayor and Council for their support of arts programs, and for the Citation that was being presented to them today.

Mr. Mike Schrader, founder of Say Sí, thanked the Mayor and Council for their support of creative arts.

Members of the City Council commended the group for their accomplishment, and offered their best wishes for continued success.

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2003-10 WELCOME OF THE MISS USA PROGRAM.

Mayor Garza spoke to the upcoming Miss USA Pageant, and presented a gift to Ms. Paula Shugart, President of the Miss Universe Association, and Ms. Nicole O'Brian, the current Miss Texas.

Ms. Shugart thanked the City for being such a gracious host. She spoke to the partnership of NBC and Mr. Donald Trump, and explained that while they searched for a City to host this year's pageant, their first request was that the pageant be held in a visually outstanding location. She thanked the Mayor and City Council, and the other City Departments for their role in making this pageant a success. She stated that everyone had worked so beautifully together. She spoke to the intangibles of the media exposure, and acknowledged that the Miss USA telecast would have a great impact and would reach millions of viewers worldwide. She noted that the delegates had become ambassadors for the City. She spoke of the numerous recordings of the television stations Telemundo and the Travel Channel, and how these recordings would also have an impact for the City.

Ms. O'Brian stated that it was an honor to represent the Lone Star State, and acknowledged that she knew first hand what Texas hospitality was like. She thanked everyone who put in so much effort to make this happen. She spoke to the various events the delegates were able to experience, and noted that each event was a memorable occasion, and each delegate would always have a piece of San Antonio in their hearts.

Mayor Garza wished Ms. O'Brian the best of luck during the pageant.

Councilman Perez stated that he looked forward to all of the events coming up with regards to the Pageant.

Councilwoman Conner noted that she had the pleasure of attending one of the events held for the delegates, and stated that she was impressed with the girls. She stated that one delegate was a medical student, and another had a Master's Degree. She also spoke to the scholarships the delegates receive during this pageant.

Mayor Garza confirmed that Jr. Achievement was one of the groups receiving monies from one of the events of the Miss USA Pageant. He thanked Ms. Shugart and Ms. O'Brian for visiting the Council meeting.

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2003-10 Minutes of the Regular Council Meeting of February 6, 2003 were approved.

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2003-10 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to the Miss USA pageant. He further spoke to Item 27, and the Susan G. Komen Race For the Cure. He questioned whether they have done their job in promoting breast cancer awareness, with regards to emphasizing the link between breast cancer and the abortion cause. He then spoke to Item 23.

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2003-10 **CONSENT AGENDA**

Councilman Carpenter made a motion to approve Agenda Items 7 through 29B, constituting the Consent Agenda, except for Item 15, which was pulled for individual consideration. Councilman Perez 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, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 97293

ACCEPTING THE LOW, QUALIFIED BID SUBMITTED BY WESTERN DATA SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH GLOBAL POSITIONING SATELLITE (GPS) BACKPACK AND HANDHELD DATA COLLECTION DEVICES FOR A TOTAL SUM OF \$32,950.00.

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AN ORDINANCE 97294

RATIFYING THE SINGLE SOURCE CONTRACT FROM MCGRAW-HILL COMPANIES TO PROVIDE CRIMINAL INVESTIGATION TEXTBOOKS FOR THE

CITY OF SAN ANTONIO POLICE DEPARTMENT FOR A TOTAL SUM OF \$38,322.45.

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AN ORDINANCE 97295

ACCEPTING THE BID SUBMITTED BY BWI-SCHULENBURG, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FERTILIZER FOR A TOTAL SUM OF \$61,842.00.

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AN ORDINANCE 97296

ACCEPTING THE BID SUBMITTED BY SNAP-ON INDUSTRIAL UTILIZING THE TEXAS MULTIPLE AWARD SCHEDULE TO PROVIDE THE CITY OF SAN ANTONIO PURCHASING & GENERAL SERVICES FLEET MAINTENANCE & OPERATIONS DIVISION WITH A DYNAMOMETER FOR A TOTAL SUM OF \$28,442.48.

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AN ORDINANCE 97297

AUTHORIZING THE ALLOCATION OF \$39,870.14 IN 1999 PARK BOND FUNDS FOR THE INGRAM HILLS PARK IMPROVEMENT PROJECT IN CITY COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET AND PROVIDING FUNDS FOR PARK MATERIALS.

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AN ORDINANCE 97298

SELECTING JOSHUA ENGINEERING GROUP, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE TOWER OF THE AMERICAS BUS DUCT REPLACEMENT PROJECT IN CITY COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$29,787.00; ALLOCATING \$34,265.00 FROM ISSUED CERTIFICATES OF OBLIGATION; AUTHORIZING \$29,787.00 FOR ENGINEERING FEES, \$2,978.00 FOR ENGINEERING CONTINGENCY EXPENSES AND \$1,500.00 FOR BID

ADVERTISING/PRINTING EXPENSES; ESTABLISHING THE PROJECT BUDGET;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97299

AUTHORIZING THE EXPENDITURE OF \$247,164.00 FROM THE STREET
MAINTENANCE IMPROVEMENTS FUND TO THE CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT TO PROVIDE CONSTRUCTION SERVICES FOR
THE VALLEY-HI STREET AND DRAINAGE IMPROVEMENTS PROJECT,
LOCATED IN COUNCIL DISTRICT 4; ESTABLISHING A FORCE ACCOUNT;
AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97300

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING
ADDITIONAL FUNDS IN THE AMOUNT NOT TO EXCEED \$21,437.48 FROM
1999 G.O. STREET BOND FUNDS PAYABLE TO CHIANG, PATEL & YERBY,
INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE
LOCKHILL SELMA FROM WEST AVENUE TO N.W. MILITARY PROJECT,
LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING \$2,100.00 FOR
ENGINEERING CONTINGENCY EXPENSES; FOR AN OVERALL TOTAL OF
\$23,537.48; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97301

SELECTING ARIZPE GROUP, INC. (MBE/DBE) TO PROVIDE PROFESSIONAL
ARCHITECTURAL SERVICES IN CONNECTION WITH THE SKYLIGHT AND
ROOF AT CENTRAL LIBRARY PROJECT, LOCATED AT 600 SOLEDAD IN
COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A PROFESSIONAL
SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$60,000.00;
AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ARCHITECTURAL

CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; FOR AN OVERALL TOTAL OF \$70,800.00 FROM THE LIBRARY GIFT & MEMORIAL FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97302

AUTHORIZING PAYMENT IN THE AMOUNT OF \$175,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2002-ED-0018, CITY OF SAN ANTONIO, TEXAS VS. NATIONAL CONVENIENCE STORES INCORPORATED, ET AL FOR THE FEE SIMPLE ACQUISITION OF ONE PARCEL, PAYMENT OF THE AMOUNT OF \$854.00 FOR COURT COSTS IN CONNECTION WITH THE BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 9; FOR THE TOTAL SUM OF \$175,854.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97303

AUTHORIZING PAYMENT IN THE AMOUNT OF \$78,200.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR DENNIS S. MCGOWAN AND WIFE LUMINA M. MCGOWAN FOR FEE SIMPLE TITLE TO ONE PARCEL (\$77,000.00) AND TITLE FEES (\$1,200.00) IN CONNECTION WITH THE LANARK DRAINAGE #92A, PHASE I PROJECT LOCATED IN COUNCIL DISTRICT 10; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97304

DECLARING THE FAY STREET/ST. JOSEPH: CREIGHTON TO NEW LAREDO HIGHWAY, PART I PROJECT ("PROJECT") TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THIS PROJECT; TO WIT, ALL OR

PORTIONS OF THE PROPERTIES LISTED AS FOLLOWS: BEING 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 1, BEING 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 8, BEING 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 14, BEING A 191.167 SQUARE FOOT TRACT OF LAND OUT OF LOT 31, BEING A 0.014 ACRE OR 622.94 SQUARE FOOT TRACT OF LAND OUT OF LOT S, ALL OUT OF BLOCK 6, NEW CITY BLOCK 8732; BEING A 189.185 SQUARE FOOT TRACT OF LAND OUT OF LOT 29, BLOCK 7, NEW CITY BLOCK 8733; AND ALL BEING OUT OF ARTESIAN GARDENS SUBDIVISION; BEING A 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 12, BEING A 19.94 SQUARE FOOT TRACT OF LAND OUT OF LOT 20, AND BEING A 0.014 ACRE OR 601.26 SQUARE FOOT TRACT OF LAND OUT OF LOT 21, ALL OUT OF BLOCK 4, NEW CITY BLOCK 8900; BEING A 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 20, BLOCK 5, NEW CITY BLOCK 8901; BEING A 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 1, BLOCK 8, NEW CITY BLOCK 8904; BEING A 15.505 SQUARE FOOT TRACT OF LAND OUT OF LOT 11, BLOCK 9, NEW CITY BLOCK 8905, AND ALL BEING OUT OF SOUTH SAN ANTONIO SUBDIVISION; ALL IN SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING FOR A PUBLIC PURPOSE AS PART OF THIS PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS IN THE AMOUNT OF \$54,860.00 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS FOR THE PROJECT INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS 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; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND ESTABLISHING AN EFFECTIVE DATE.

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AN ORDINANCE 97305

AUTHORIZING \$2,000.00 FROM 2001 CERTIFICATES OF OBLIGATION AND THE REIMBURSEMENT OF \$6,000.00 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FOR A TOTAL OF \$8,000.00, PAYABLE TO STEWART TITLE COMPANY OF SAN ANTONIO AS ESCROW AGENT FOR VECTOR PARTNERS V, LTD. FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND (\$7,500.00) AND TITLE FEES (\$500.00) IN CONNECTION WITH THE PLUMNEAR FLOOD AREA PROJECT, LOCATED IN COUNCIL DISTRICT 4; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97306

AUTHORIZING AND CONSENTING TO THE ASSIGNMENT AND AMENDMENT OF LEASE NO. 124096 AUTHORIZED BY ORDINANCE NO. 64698 OF MARCH 12, 1987 AT SAN ANTONIO INTERNATIONAL AIRPORT, FROM FAIRCHILD AIRCRAFT INCORPORATED TO M7 AEROSPACE, L.P. FOR USE OF GROUND SPACE AND BUILDINGS AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING THE AMENDMENT OF LEASE NO. 124096 TO PROVIDE AN ADDITIONAL FIVE YEAR (5) YEAR EXTENSION AND A SIX (6) MONTH OPTION TO PARTIALLY RECAPTURE, TERMINATE, DELETE AND RELEASE CERTAIN PARCELS FROM THE LEASED PREMISES AT SAN ANTONIO INTERNATIONAL AIRPORT. (AMENDS ORDINANCE NO. 64698, MARCH 12, 1987.)

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AN ORDINANCE 97307

AUTHORIZING THE ACCEPTANCE OF AN AMOUNT NOT TO EXCEED \$15,390.00 FROM GLAXOSMITHKLINE PHARMACEUTICALS FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN A FOLLOW-ON INFANRIX® VACCINE STUDY FOR THE PREVENTION OF DIPHTHERIA, TETANUS AND PERTUSSIS IN CHILDREN FROM JANUARY 31, 2003 THROUGH JANUARY 23, 2004; AUTHORIZING THE EXECUTION OF THE INVESTIGATOR AGREEMENT; ESTABLISHING THE PROJECT FUND; ADOPTING THE PROJECT BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 97308

AUTHORIZING THE ACCEPTANCE OF A GRANT NOT TO EXCEED \$64,194.00 FROM THE UNITED STATES CONFERENCE OF MAYORS RESEARCH AND EDUCATION FOUNDATION (COMREF) TO SUPPORT THE BROTHA TO BROTHA HIV INTERVENTION PROJECT OF THE HIV/AIDS PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT DURING THE PERIOD OF MARCH 1, 2003 THROUGH FEBRUARY 29, 2004; AUTHORIZING EXECUTION OF A CONTRACT WITH THE COMREF; ESTABLISHING A FUND; ADOPTING A

BUDGET; APPROVING A PERSONNEL COMPLEMENT; APPROVING THE EXECUTION OF A SUBCONTRACT WITH BEAT-AIDS, INC.; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 97309

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A GRANT IN THE AMOUNT OF \$20,000.00 FROM THE SOUTHWEST TEXAS REGIONAL ADVISORY COUNCIL FOR TRAUMA (STRAC) FOR USE BY THE SAN ANTONIO FIRE DEPARTMENT FOR EMS ELIGIBLE EXPENSES.

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AN ORDINANCE 97310

AUTHORIZING A PORTION OF THE DOWNTOWN AREA TO BE DESIGNATED AS A CLEAN ZONE IN ORDER TO REGULATE CERTAIN COMMERCIAL ACTIVITY WITHIN PUBLIC PROPERTY OR RIGHTS-OF-WAY FROM MARCH 25, 2003 THROUGH APRIL 2, 2003 IN PREPARATION FOR HOSTING THE 2003 NCAA MEN'S SOUTH REGIONAL BASKETBALL TOURNAMENT; DESIGNATING THE GEOGRAPHICAL BOUNDARIES FOR THE CLEAN ZONE; PROVIDING FOR SPECIAL CLEAN ZONE LICENSE PERMITS; AND ESTABLISHING CRIMINAL PENALTIES TO BE IMPOSED FOR VIOLATION OF THIS ORDINANCE WITH A FINE NOT TO EXCEED \$2,000.00.

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AN ORDINANCE 97311

AUTHORIZING THE EXECUTION OF A SHORT TERM LEASE AGREEMENT WITH NICK'S ENTERPRISE, INC. D/B/A N & D SPORTS COMPANY, AS TENANT, AT A RENT OF \$2,000.00, PLUS A \$1,000.00 REFUNDABLE SECURITY DEPOSIT, FOR THE PERIOD FROM MARCH 25, 2003 THROUGH MARCH 31, 2003 TO USE APPROXIMATELY 600 SQUARE FEET OF GROSS LEASABLE FLOOR AREA DESCRIBED AS SUITE 103A, 600 E. MARKET STREET, WITHIN THE HEMISFAIR PARKING GARAGE, LOCATED IN COUNCIL DISTRICT 1, FOR THE NON-EXCLUSIVE RIGHT TO SELL ONLY OFFICIALLY LICENSED MEN'S

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) SOUTH REGIONAL FINALS MERCHANDISE, IN ACCORDANCE WITH ALL REQUIRED PERMITS SECURED BY TENANT TO OPERATE IN THE LEASED PREMISES.

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AN ORDINANCE 97312

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR THE ALAMODOME FROM 7:00 A.M. TO 9:30 A.M. ON SATURDAY, APRIL 5, 2003 IN CONNECTION WITH THE SUSAN G. KOMEN FOUNDATION'S RACE FOR THE CURE.

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AN ORDINANCE 97313

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF BRAZOS, GUADALUPE, FRIO, COMMERCE AND ALAMO STREETS BETWEEN THE AVENIDA GUADALUPE ASSOCIATION AND ALAMO PLAZA IN CONNECTION WITH THE CESAR CHAVEZ MARCH FOR JUSTICE PARADE SPONSORED BY THE CESAR CHAVEZ COMMITTEE TO BE HELD ON SATURDAY, MARCH 29, 2003 FROM 11:00 A.M. UNTIL 1:30 P.M.

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AN ORDINANCE 97314

APPOINTING DOUG MCMURRY (DISTRICT 9) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2005.

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AN ORDINANCE 97315

REAPPOINTING JULIO RUIZ (LICENSED MECHANICAL TECHNICIAN - OPEN SHOP - DISTRICT 4) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2005.

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97316

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT NOT TO EXCEED \$62,250.00 FROM 2000 PARKING REVENUE BOND FUNDS PAYABLE TO BEATY AND PARTNERS, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PARKING RENOVATION & SIGNAGE CONSTRUCTION PROJECT FOR THE MID-CITY GARAGE LOCATED AT 240 E. HOUSTON, RIVERBEND GARAGE LOCATED AT 210 N. PRESA AND MARINA GARAGE LOCATED AT 850 E. COMMERCE, IN COUNCIL DISTRICT 1; AUTHORIZING \$12,355.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES AND \$1,000.00 FOR ADVERTISING EXPENSES; FOR AN OVERALL TOTAL OF \$75,605.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 94826, NOVEMBER 1, 2001; AMENDS ORDINANCE NO. 96702, NOVEMBER 14, 2002.)

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

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation regarding the parking renovation and signage for the elevators at Mid-City, Riverbend and Marina Parking Garages, a copy of which was made part of the official papers of this meeting.

Councilman Perez noted that the tenants were concerned about the temporary sidewalks impact on their business.

Mr. Wendorf stated that there would be a re-routing of pedestrian traffic, and concurred with Councilman Perez on coordination with the tenants.

Councilman Perez urged Mr. Wendorf to go to the Downtown Alliance to clarify what is going on with this project. He noted that he spoke to Mr. Cris Young about a public piece of art on the west side of the garage.

Mr. Wendorf confirmed that he and Mr. Cris Young talked about it briefly, but it wasn't in the scope of this work. However, he noted that they would look closely and get a report to his office.

Councilman Perez requested a full report soon.

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

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97317

APPROVING A CONTRACT FOR THE ACQUISITION OF APPROXIMATELY 1,838 ACRES OF LAND FOR A PURCHASE PRICE OF NOT TO EXCEED \$16,600,000.00, TO BE USED TO MEET ECONOMIC DEVELOPMENT INCENTIVE OBLIGATIONS RELATING TO THE DEVELOPMENT OF AN AUTOMOTIVE ASSEMBLY PLANT IN THE CITY, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE CHANGES TO THE CONTRACT AND TO EXECUTE THE CONTRACT, AND APPROPRIATING FUNDS, AND AUTHORIZING OTHER ACTIONS, AS NECESSARY; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT (8) VOTES.

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

Mr. Christopher Brady, Assistant City Manager, narrated a slide presentation, a copy of which was made part of the official papers of this meeting, regarding the acquisition of approximately 1,838 acres of land, to be used to meet economic development incentive obligations relating to the development of an automotive assembly plant in the City. He expounded on the land acquisition requirements.

The following citizen(s) appeared to speak:

Mr. Joe McKinney, San Antonio Economic Development Foundation (EDF), said that this was a great example of teamwork and how the City and County could work together to make things happen. He stated that this was a great day for San Antonio, and he thanked the City for its work on this project.

Mr. David McGhee, San Antonio Economic Development Foundation (EDF), thanked the City for their work. He voiced his approval of how supportive the City has been throughout the process. He then thanked the City for their commitment.

Mr. Jack M. Finger, P.O. Box 12048, questioned whether Toyota had specifically requested for the City to pay for this. He spoke to Item #31, and the Southside Initiative, and the housing project involved. He referenced the back-up documents. He further spoke to the Tree Ordinance, and its relation to developers.

Mr. A.J. Rodriguez, Greater S.A. Chamber of Commerce, stated that it was important to encourage the business community to support and facilitate Toyota's move. He expressed his appreciation to the City for their commitment to Toyota.

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Mayor Garza thanked all financial institutions participating in this initiative. He thanked EDF, and concluded that this was an important step in the process.

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

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97318

APPROVING THE SUBMISSION OF THE LOCAL WORKFORCE DEVELOPMENT BOARD INTEGRATED PLAN MODIFICATION TO THE STATE OF TEXAS BY THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR FISCAL YEAR 2003-2004.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Ms. Francis Gonzales, Assistant to the City Manager, introduced Mr. Alan Miller of the Alamo Workforce Development Center.

Mr. Alan Miller narrated a slide presentation regarding the 2003/2004 local workforce board integrated plan modification, a copy of which was made part of the official papers of this meeting. He spoke to the money set aside for training funds, and to the projected budget reductions, and how they would work diligently with the clients they serve. He acknowledged that they would work closely with Toyota. He confirmed that the plan is due on April 4, 2003, and informed the Council that they might be back with additional modifications.

Councilman Sanders spoke to the economic growth of the City. He spoke to Project RIO, and how it has served as a helping hand for ex-offenders. He confirmed that he spoke to the legal department in regards to establishing a threshold on the time limits that ex-offenders could apply for permitting. He expressed his approval of the seminars and the jobs that would be expanded. He spoke of the frustrations of those who lost their job, and their transition to a new job. He further spoke to the influx of Japanese Americans and the migrating of folks who would be coming to town, and the competition that would be involved. He encouraged the workforce to take this seriously. He urged everyone to come together to make this dream a reality, and hoped to move forward expeditiously.

Councilman Barrera thanked Mr. Miller for the presentation. He spoke to the lay-offs and closing of plants, and the changes in the needs of the workforce.

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

— — —
2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97319

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE BONDS, SERIES 2003" IN THE PRINCIPAL AMOUNT OF \$34,000,000; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER

DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

* * * *

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

Mr. Alex Hinojosa, narrated a slide presentation regarding the debt issuance for the financing of the 2003 capital improvement program, a copy of which was made part of the official papers of this meeting. He spoke to the funding of the program, the subordinate lien bond issue, and debt transactions. He expounded on the Interest Rate hedge agreement, and the Junior Lien Water System Revenue Bonds, and the costs of issuance.

Mr. Ben Gorzell, Assistant Director of Finance, expounded on the slide presentation of Mr. Hinojosa, and spoke to the summary of the two transactions and how this Ordinance would approve a "Q" authorization without interest rates. He spoke of the market conditions, and how they are continuously changing. He spoke to the economics of the transaction, and made reference to the rates. He referenced the current agreement the City had with San Antonio Water System (SAWS), and the new chilled water and steam plant. He acknowledged this Ordinance would give them the ability to look at the variable rate financing. He stressed the importance of continuing discussion with SAWS, and concluded by stating that they would place an item on the March 27th Council Meeting agenda to determine the best route to go.

The following citizen(s) appeared to speak:

Mr. Alan Bacon spoke in opposition to Item 4C. He stated that a City could not reimburse itself. He spoke to an invoice of City Manager Terry Brechtel, and noted that he would fine the City for failure to pay this invoice.

Mr. Jack M. Finger, P.O. Box 12048, concurred with Mr. Bacon, and encouraged the City Attorney to offer opinions on the issue. He stated that this issue was regarding money for water projects. He made reference to the back-up documents of this item, and questioned why the City was spending so much money. He spoke to the increase of rate bills, and

questioned the City's position on this issue. He added that the City was always spending money on treatment plants.

* * * *

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

— — —
2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97320

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF CITY OF SAN ANTONIO, TEXAS WATER SYSTEM SUBORDINATE LIEN REVENUE AND REFUNDING BONDS, SERIES 2003-A AND 2003-B IN THE AGGREGATE PRINCIPAL AMOUNT OF \$122,500,000; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A SUBORDINATE LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM AND THE PURCHASE OF BOND INSURANCE; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, REMARKETING AGREEMENTS, PURCHASE CONTRACTS, A STANDBY BOND PURCHASE AGREEMENT, AN INTEREST RATE HEDGE AGREEMENT, A REIMBURSEMENT AND INDEMNITY AGREEMENT, AND AN ESCROW AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

* * * *

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

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

— — —
2003-10 The Clerk read the following Resolution:

A RESOLUTION
NO. 2003-10-10

RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENTS TO THE CITY'S WATER UTILITY SYSTEM FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO.

* * * *

Councilman Perez made a motion to approve the proposed Resolution. Councilman Martin seconded the motion.

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

— — —
2003-10 ZONING CASES

5A.) CASE NUMBER #Z2002259 - The request of City of San Antonio, Applicant, for Michele P. Moran Rogers, Owner(s), for a change in zoning to designate Historic Significance on Lot 4, Block 8, NCB 1730, 219 East Locust. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

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

Councilman Perez made a motion to approve the proposed rezoning. Councilman Sanders seconded the motion.

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

AN ORDINANCE 97321

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 4, BLOCK 8, NCB 1730, 219 EAST LOCUST, TO DESIGNATE HISTORIC SIGNIFICANCE.

* * * *

5B.) CASE NUMBER #Z2003006 - The request of Brian J Lujan, Applicant, for Brian J Lujan, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on Lots 13G and 14G, NCB 10758, 2048 and 2056 S. W. W. White. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

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

Councilman Sanders made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

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

AN ORDINANCE 97322

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 13G AND 14G, NCB 10758, 2048 AND 2056 S. W. W. WHITE, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

* * * *

5C.) CASE NUMBER #Z2003012 - The request of Ruben Bravo, Applicant, for Alfredo C Limon, Owner(s), for a change in zoning from "C-2 NA" Commercial Non-Alcoholic Sales District to "R-4" Residential Single-Family District on Lots 21 through 24, Block 7, New City Block 7890, 1046 Stonewall. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

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

Councilman Martin made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

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

AN ORDINANCE 97323

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 21 THROUGH 24, BLOCK 7, NCB 7890, 1046 STONEWALL AVENUE, FROM "C-2 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

* * * *

5D.) CASE NUMBER #Z2003013 - The request of Rick Clarke, Applicant, for Basil Taher, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "O-1" Office District on Lot 32, Block 3, NCB 11189, 315 Palo Alto Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

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

Councilman Martin made a motion to approve the proposed rezoning. Councilman Sanders seconded the motion.

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

AN ORDINANCE 97324

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 32, BLOCK 3, NCB 11189, 315 PALO ALTO ROAD, FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

5E.) CASE NUMBER #Z2003016 S - The request of Louise E. Galm, Estate, Applicant, for Harold F. Galm, Jr., Executor, Owner(s), for a change in zoning from "C-3 NA" Commercial Non-alcoholic Sales District to "C-3 NA S" Commercial Non-Alcoholic Sales District with a specific use authorization for a mini-storage facility exceeding 2.5 acres on Parcel 106, NCB 15880, save and except the southeast 50 feet, 9580 Potranco Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

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

Councilman Martin made a motion to continue this rezoning case until the City Council meeting of March 27, 2003. Councilwoman Herrera seconded the motion.

The following citizen(s) appeared to speak:

Ms. Nancy Englebert, 10486 Pine Glade, representing the Heritage Neighborhood Association, requested a continuance. She stated that they had an opportunity to meet with other storage spaces.

* * * *

After consideration, the motion to continue this case until March 27, 2003, prevailed by the following vote: **AYES:** Sanders, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Perez, Moorhouse, Carpenter.

Zoning Case #Z2003016 S was continued to the Council meeting of March 27, 2003.

— — —

5F.) CASE NUMBER #Z2002214 - The request of City of San Antonio, Applicant, for Multiple property owners, for a change in zoning from "MF-33" Multi-Family District, "C-2" Commercial District, "I-1" General Industrial District, "I-2" Heavy Industrial District to "R-4" Residential Single Family District, as per exhibit map on an area generally bounded by N. and S. San Jacinto to the west, W. Poplar to the north, Comal and N. San Marcos to the east, and W. Durango to the south. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 5)

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

Councilwoman Herrera made a motion to approve the proposed rezoning. Councilman Martin seconded the motion.

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

AN ORDINANCE 97325

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

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 2118, BLOCK 8, THE SOUTH 109.8 FEET OF LOT 13, LOTS 14, 15, LOTS 17 THROUGH 22, AND LOT 24

NCB 2183, BLOCK 1, LOTS 23 AND 24

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

ALL OF NCB 2151, SAVE AND EXCEPT LOT 8

NCB 2152, BLOCK 6, LOTS 15 THROUGH 20

NCB 2154, BLOCK 4, LOTS 4 THROUGH 7, LOTS 13 THROUGH 18, LOTS 21 THROUGH 24

NCB 2180, BLOCK 2, LOTS 1 THROUGH 11, THE SOUTH 110 FEET OF THE WEST 27 FEET OF LOT 13 AND THE WEST 6 FEET OF LOT 14, THE EAST 50 FEET OF LOT 14 AND THE WEST 13 FEET OF THE NORTH 74.8 FEET OF LOT 15, LOTS 16 AND 17, LOTS 1A THROUGH 10A, LOTS 20 THROUGH 24, AND LOTS A22 THROUGH A24.

NCB 2183, BLOCK 1, LOTS 1 THROUGH 7, THE WEST 41.67 FEET OF THE EAST 83.34 FEET AND THE WEST 41.67 FEET OF LOTS A AND B, LOTS C AND D, LOTS F THROUGH H, LOTS 22 AND 23.

NCB 2210, BLOCK 3, LOTS 10 AND 12, LOTS 22 THROUGH 24 SAVE AND EXCEPT THE SOUTH 32.5 FEET OF THE NORTH 67 FEET OF LOT 23 AND THE SOUTH 29 FEET OF THE NORTH 67 FEET OF LOT 24.

NCB 2230, BLOCK 3, LOTS 3 AND 4

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 2183, BLOCK 1, THE NORTH 104.3 FEET OF LOT 13, LOTS 14 THROUGH 21,

NCB 2210, BLOCK 3, LOTS 1 THROUGH 3, LOTS 6 AND 7, LOT 13, LOTS 15 THROUGH 19, AND THE NORTH 84.9 FEET OF LOT 20.

ALL OF NCB 7579, SAVE AND EXCEPT LOTS 13 AND 14

ALL OF NCB 7580, SAVE AND EXCEPT LOTS 12 THROUGH 17

NCB 2230, BLOCK 3, LOTS 5 THROUGH 11, LOT 13

ALL OF NCB 2371, SAVE AND EXCEPT LOTS 5, 6, 11, 12, AND THE SOUTH 62.1 FEET OF LOTS 23

ALL OF NCB 2349

ALL OF NCB 2347

NCB 2348

NCB 2341, BLOCK 8, LOTS 7 THROUGH 12

NCB 2591, BLOCK 8, LOTS 9 THROUGH 12

NCB 2342, BLOCK 7, LOTS 7 THROUGH 11

NCB 2303, BLOCK 3, LOTS 8, 10 THROUGH 12, AND THE SOUTH 38 FEET OF LOT 7

NCB 2302, BLOCK 4, LOTS 7 THROUGH 11

ALL OF NCB 2270

ALL OF NCB 2269, SAVE AND EXCEPT LOT 6

ALL OF NCB 2263

ALL OF NCB 2264, SAVE AND EXCEPT LOTS 2, 15, AND 16

NCB 2234, BLOCK 1, THE SOUTH 101.2 FEET OF LOT 7, LOTS 8 THROUGH 10,
14 THROUGH 19,

NCB 2233, BLOCK 2, LOTS 7 THROUGH 13

* * * *

— — —

5G.) CASE NUMBER #Z2002258 - The request of City of San Antonio, Applicant, for WOH Holdings Inc. c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 PUD" Residential Single-Family Planned Unit Development District on 92.34 acre tract of land out NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 6)

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

Councilman Barrera made a motion to continue this rezoning case until the City Council meeting of April 10, 2003. Councilman Sanders seconded the motion.

After consideration, the motion to continue this case until April 10, 2003, prevailed by the following vote: **AYES:** Sanders, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Moorhouse.

Zoning Case #Z2002258 was continued to the Council meeting of April 10, 2003.

— — —

5H.) CASE NUMBER #Z2002271 - The request of Jerry Arredondo, Applicant, for Gary D. Skinner, Owner(s), for a change in zoning from "R-5" Single-Family Residence District to "MF-25" Multi-Family District on Lots 237, 238, 239, 240 and 241, Block E, New City Block 11549, 700 Block of Oak Knoll Drive. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 7)

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

Councilman Castro made a motion to continue this rezoning case until the City Council meeting of April 10, 2003. Councilman Martin seconded the motion.

After consideration, the motion to continue this case until April 10, 2003, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

Zoning Case #Z2002271 was continued to the Council meeting of April 10, 2003.

— — —

5I.) CASE NUMBER #Z2003002 - The request of The Francis Law Firm, Applicant, for B & M Real Estate, Ltd., Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with conditional approval for a billiard and pool parlor with food and alcohol on .7889 acres out of NCB 15046, the 6400 block of Loop 410. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

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

Councilman Castro made a motion to approve the proposed rezoning. Councilwoman Conner seconded the motion.

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

AN ORDINANCE 97326

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 .7889 ACRES OUT OF NCB 15046, THE 6400 BLOCK OF LOOP 410, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 C" COMMERCIAL

DISTRICT WITH CONDITIONAL APPROVAL FOR A BILLIARD AND POOL PARLOR WITH FOOD AND ALCOHOL ON THE PROPERTY.

* * * *

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

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

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

SECTION 5: This ordinance is not severable.

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5J.) CASE NUMBER #Z2003014 S - The request of August Partners, Inc., Applicant, for USAA Real Estate Company, Owner(s), for a change in zoning from "C-3" Commercial District to "C-3 S" Commercial District with specific use authorization for the development of self-service storage facilities on property exceeding 2.5 acres on 4.206 acres out of Lot 4, Block 2, NCB 14864, 10639 Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

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

Councilwoman Conner made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

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

AN ORDINANCE 97327

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 4.206 ACRES OUT OF LOT 4, BLOCK 2, NCB 14864, 10639 HUEBNER ROAD, FROM "C-3" COMMERCIAL DISTRICT TO "C-3 S" COMMERCIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR THE DEVELOPMENT OF SELF-SERVICE STORAGE FACILITIES ON PROPERTY EXCEEDING 2.5 ACRES.

* * * *

Field notes describing the above mentioned tract are attached hereto and incorporated herein for all purposes:

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

SECTION 3: The City Council approves this Special Use Permit so long as the following conditions are met:

1. That all on-site lighting shall be directed onto the subject site.

SECTION 4: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 - 491.

SECTION 5: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6: This ordinance is not severable.

* * * *

5K.) CASE NUMBER #Z2003017 - The request of La Hacienda de Salud, LTD. - Dr. Arnulfo T. Carrasco, Applicant, for La Hacienda de Salud, LTD., Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 PUD" Commercial Planned Unit Development District on 5.048 acres out of Lot 2, Block 3, NCB 17171, on the north side of the 4700 block of Hamilton Wolfe, west of Cinnamon Creek/Ewing Halsell. Staff's recommendation was for approval.

Zoning Commission has recommended approval. Council District 8)

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

Councilwoman Conner made a motion to approve the proposed rezoning. Councilwoman Moorhouse seconded the motion.

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

AN ORDINANCE 97328

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 5.048 ACRES OUT OF LOT 2, BLOCK 3, NCB 17171, ON THE NORTH SIDE OF THE 4700 BLOCK OF HAMILTON WOLFE, WEST OF CINNAMON CREEK/EWING HALSELL, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 PUD" COMMERCIAL PLANNED UNIT DEVELOPMENT DISTRICT.

* * * *

5L.) CASE NUMBER #Z2002254 - The request of J.S. Developments, Inc. - Katherine Soliz, Applicant, for Multiple Property Owners, for a change in zoning from "R-5" Residential Single-Family District to "MF-33" Multi-Family District, "R-4" Residential Single-Family District on "R-5" to "R-4", Lots 2 and 3, Block 11, NCB 11727; Lots 1 thru 5, Block 14, NCB 11730; Lots 1 and 3, Block 18, NCB 11734; Lots 2

and 3, Block 19, NCB 11735; Lots 8 thru 14, Block 26, NCB 11742; Lot 1, 2 and 10, Block 29, NCB 11745; the northeast 62.5 feet of Lot 1, Block 33, NCB 11749; Lot 9, Block 10, NCB 11726; Lot 16, Block 13, NCB 11729; Lots 6 and 8, Block 16, NCB 11732; Lot 5, Block 17, NCB 11733 "R-5" to "MF-33" Lots 10 thru 12, Block 10, NCB 11726; Lots 4, 5, 9, 10, 13 thru 15, Block 13, NCB 11729; Lots 4, 5, 9 thru 13, the northeast 62.5 feet of Lots 2 and 3, Block 16, NCB 11732; Lot 4, Block 17, NCB 11733, area bounded by Baltic Dr. to the north, Anchor Dr. to the west, Larkspur Dr. to the east, & Lisbon Dr. to the south. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

Councilman Schubert made a motion to approve the proposed rezoning. Councilman Carpenter seconded the motion.

The following citizens appeared to speak:

Ms. Kathy Soliz thanked Councilman Schubert and his staff for their work on this project.

Mr. John Revenbauch concurred with Ms. Solis, and spoke to the hard work of all involved.

* * * *

Councilman Schubert thanked Ms. Solis and Mr. Revenbauch for their work on the project, and noted that this was a good example of what happens when developers work together with the community.

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

AN ORDINANCE 97329

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33"

MULTI-FAMILY DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT
ON THE PROPERTY LISTED AS FOLLOWS:

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"R-5" TO "R-4"

LOTS 2 AND 3, BLOCK 11, NCB 11727; LOTS 1 THRU 5, BLOCK 14, NCB 11730;
LOTS 1 AND 3, BLOCK 18, NCB 11734; LOTS 2 AND 3, BLOCK 19, NCB 11735;
LOTS 8 THRU 14, BLOCK 26, NCB 11742; LOT 1, 2 AND 10, BLOCK 29, NCB
11745; THE NORTHEAST 62.5 FEET OF LOT 1, BLOCK 33, NCB 11749; LOT 9,
BLOCK 10, NCB 11726; LOT 16, BLOCK 13, NCB 11729; LOTS 6 AND 8, BLOCK
16, NCB 11732; LOT 5, BLOCK 17, NCB 11733

"R-5" TO "MF-33"

LOTS 10 THRU 12, BLOCK 10, NCB 11726; LOTS 4, 5, 9, 10, 13 THRU 15, BLOCK
13, NCB 11729;

"R-5" TO "RM-4"

LOTS 4, 5, 9 THRU 13, THE NORTHEAST 62.5 FEET OF LOTS 2 AND 3, BLOCK
16, NCB 11732; LOT 4, BLOCK 17, NCB 11733.

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5M.) CASE NUMBER #Z2003010 - The request of Judson-Overlook
Joint Venture, Ltd., Applicant, for Benny Steinhauser and Hartman Associates, Inc.,
Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "R-4"
Residential Single-Family District on Lot P-6, P-6B, P-6C, P-6D, & P-6E, NCB 17810,
14040 Judson Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 10)

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

Councilman Carpenter made a motion to approve the proposed rezoning. Councilman
Schubert seconded the motion.

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

AN ORDINANCE 97330

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY AS FOLLOWS:

29.97 ACRES OUT OF THE JOSE O. CARRION SURVEY NO. 278, ABSTRACT 141, NCB 13810 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS LOT P-6, P-6B, P-6C, P-6D, & P-6E, NCB 17810, 14040 JUDSON ROAD.

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2003-10 STAFF PRESENTATION ON URBAN LAND INSTITUTE (ULI).

Ms. Jelyne Burley, Assistant City Manager, explained to the City Council what Mr. Emil Moncivais would be discussing.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Urban Land Institute (ULI) Report of the Southside Balanced Growth Initiative, a copy of which was made part of the official papers of this meeting. He spoke to the purpose of this report, and expounded on the City's Advisory Services Agreement with ULI, and the reasons entailed to it. He referenced the Market strategies, and the guiding principles for the Southside Initiative. He spoke to the deliverables, and the next steps that would be involved in this initiative.

Mayor Garza thanked him for the presentation. He spoke to the interviews ULI held, and how this was certainly a dynamic approach for the Southside. He stated that he was optimistic that they are putting together a solid foundation for quality growth. He acknowledged the discussion with school districts, which he added was critical to building a dynamic community. He stated that this would give them a starting point by which they could get community input. He spoke to the significant responsibility of accomplishing this in 180 days. He acknowledged that a few local firms had contacted him and others who were willing to work on a pro bono basis, which he stated could also

bring their design expertise as well. He expressed his approval of this project, and noted that this was a good foundation to build upon. He thanked the Council for their leadership, and further thanked Councilman Martin and Councilwoman Moorhouse, since their districts have been affected by this plan. He confirmed that they would be coordinating dates for public work sessions in the next coming weeks.

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97331

SELECTING CARTER & BURGESS, INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES TO UPDATE THE 1995 DOWNTOWN PARKING DEMAND STUDY INCLUDING EVALUATIONS OF PARKING DEMANDS IN THE DOWNTOWN AND MEDICAL CENTER AREA AND THE DEVELOPMENT OF A TRAFFIC MODEL FOR THE MEDICAL CENTER AREA; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$390,000.00; AUTHORIZING \$10,000.00 FOR THE PURCHASE OF EQUIPMENT; FOR AN OVERALL TOTAL OF \$400,000.00 TO BE PAID FROM CERTIFICATES OF OBLIGATION AS FOLLOWS: \$250,000.00 FROM TRAFFIC MODEL PROJECT; \$100,000.00 FROM PARKING OPERATING REVENUE FUND BALANCE; AND \$50,000.00 FROM MUNICIPAL FACILITIES IMPROVEMENTS PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Perez seconded the motion.

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation regarding the San Antonio Downtown and Medical Center parking demand and traffic modeling study, a copy of which was made part of the official papers of this meeting. He expounded on the policy analysis, and the financial impact.

Mayor Garza requested more information on the parking demand analysis.

Mr. Wendorf noted that the parking demand study looked at the demand out there for new development, and the opportunities to merge these new items together.

In response to Mayor Garza's question as to how they came up with the budget of \$400,000, Mr. Wendorf stated that they looked at their man-hour loading and the work it would take to get the job done. He noted that they also looked at what parts the City could staff, and how they could narrow done.

A representative from Carter & Burgess, Inc., spoke to some of the projects that they had worked on, how they looked at this project, and what model they used. He acknowledged that this was the type of things that they did for downtown traffic. He confirmed the Medical Center project was a little different, but that they had done similar parking demand studies in Houston.

Mayor Garza spoke to the historic center of the Downtown area, and the growth demands of Market Square, and questioned what they would be doing in regards to this aspect.

The representative confirmed that they would be using all the sources that have been gathered. He acknowledged that they would be looking at planning studies, and stressed the importance of looking at how to incorporate a residential area.

Mr. Wendorf stated that the development would be complete in about nine months.

Mayor Garza encouraged Mr. Wendorf to re-look at the timeline. He expressed concern about the project taking nine months, and noted that this may be too long. He stressed the importance of making sure that the timeline accomplished their goals.

Councilwoman Conner acknowledged that the Medical Center is made up of hospitals, and emphasized that they are putting out a million dollars a year because the traffic is so bad.

Mr. Wendorf referenced a map of the Medical Center area, and acknowledged that they are moving out with this quickly and it would be up for the Council's consideration in the next couple of weeks. He stated that the model would help them determine what direction they would need to take, and noted that they would be working together to get the information quickly. He stated that it was a simulation model that they could take and show the public how things would work. He acknowledged the goal is to have this so that they could show the impact of what an improvement at one intersection will have on others.

Councilman Castro thanked Mr. Wendorf for the explanations. He stated that \$400,000 for a study could sound like a very expensive price tag. He then requested to hear the components of the analysis that would take up a lot of time.

Mr. Wendorf stated that they were doing this for traffic problems, and explained how knowing where to place appropriate improvements would apply limited infrastructure

resources. He spoke to data collection, and the different forms. He spoke to the importance of the projected use levels from different businesses, and how much parking they have today.

The representative stated that there was a communicative side. He acknowledged that it was expensive, and that time was needed to get an accurate model. He spoke to the costs of services.

Mayor Garza voiced his eagerness to move on this, and stated that it needed to get done as soon as possible.

Mr. Wendorf confirmed that they would have a traffic model of the Medical Center that they would be able to update. He noted that it would be a live model, and concluded by stating that it would have a good payoff,

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

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97332

AMENDING CHAPTER 21 AND CHAPTER 35 OF THE CITY CODE OF SAN ANTONIO, TEXAS BY ADDING OR AMENDING VARIOUS SECTIONS RELATING TO TREE PRESERVATION AND THE PREVENTION AND CONTROL OF OAK WILT DISEASE; REQUIRING LICENSING OF TREE MAINTENANCE PROFESSIONALS; AND PROVIDING FOR PENALTIES.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

Mr. Florencio Pena, Director of Development Services, narrated a slide presentation, regarding the proposal for the revised tree preservation Ordinance, a copy of which was made part of the official papers of this meeting. He spoke to the background of the

Ordinance, and the changes from the current Ordinance and the items that have not changed. He expounded on the cost analysis, as well as on the clarifications. He spoke to the Ordinance fees, and the fee changes. He then presented a matrix that summarized the Planning Commission's recommendations, staff's recommendations and the proposed Ordinance. The matrix was made part of the official papers of this meeting.

(Mayor Garza returned to the meeting and presided.)

Mayor Garza indicated that he would not ask Council for a motion until after they heard from the citizens who had signed up to speak on this item. He stated that there were a number of areas that the Council needed to work on, and noted that they would continue to work on these areas for the next two weeks. Aside from this, Mayor Garza confirmed that they would adopt an Ordinance today, with the amendments included. The proposed amendments made by Mayor Garza were made part of the official papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Mark Granados, stated that his company had spent a considerable amount of money on development around the Loop 410 area. He expressed concern on the proposed Ordinance, and stated that if it is passed, they could not continue with their development. He stated that this Ordinance would not allow for smart growth and urban revitalization. He spoke to his company's desire to be contributors, and further spoke to the land that they had given the City because it was more beneficial to keep the land in private hands than to share it with the public. He agreed that trees need to be protected, but urged Council to develop an alternative to allow for development within Loop 410.

Mr. Allen Townsend thanked the Mayor for his work on this Ordinance. He stated that this Ordinance was long time coming, and noted that San Antonio can be beautiful, especially since they were very close to having a perfect tree Ordinance. He commended the Council for the action that they were about to take. In terms of developers, he emphasized the importance of imagination.

Mr. Manuel Mier, 104 Rolling Green, stated that he was a singer and a songwriter. He made reference to a recent newspaper article, and stated that it sparked his interest because of his love for trees. He added that a park without trees is no park for anybody, and a city without trees would be a city built in the desert. He then played and sang a song for Council entitled "San Antonio – A City of Trees."

Ms. Rachel Cywinski, Highland Park Neighborhood Association, explained to Council that people consistently preferred a house with trees. She stated that in her neighborhood, they have two blocks that are underdeveloped. She further stated that bulldozing trees is not revitalization of community. She then spoke to the discrimination of humming birds, and their need for small trees.

Ms. Mary Esther Escobedo, representing the King William Neighborhood Association, stated that the Association voted unanimously to urge City Council to strengthen the tree Ordinance. She explained to the Council that tourism is affected by a city's ambiance, and that trees were instrumental and helped in this capacity.

Mr. Tony Garza stated that it was cheaper to cut trees down than to save them. He expressed his disappointment that it had come to where they are now with this tree Ordinance. He spoke to the City Council's responsibility to protect the environment. He stated that allowing developers to destroy trees is foolish planning, and applying a fee to destroy a tree is not enough, but rather, they should be fined. He emphasized the importance of having strict enforcements. He urged Council to stand with the people, and to rise up and protect trees.

Ms. Susan Hughes, resident of District 5 and Chair of the Open Space Advisory Board, spoke in favor of a strengthened ordinance for the protection of trees. She spoke to trees having a profound economic impact, and added that conserving trees was a conservative choice.

Ms. Kathleen Trenchard referenced an ad by a realtor who had subdivisions all over the City. She spoke to the importance of trees, and how they were a basic human need. She noted that natural beauty is what makes living in a city bearable. She stated that San Antonio's reputation was riding on whether the Council could pass this Ordinance. She expressed appreciation to Mr. Richard Alles for what he has done for the City of San Antonio.

A representative from the Greater San Antonio Builders Association stated that in his twenty-one (21) years of doing business with the City, he has never seen a breach of faith. He noted that this was a gross representation of a compromise. He urged Council to do the right thing.

Mr. Ed Barrer stated that the tree Ordinance should apply to every citizen of San Antonio. He further stated that it was the duty of homeowners to maintain their trees.

Mr. Rick Montelongo spoke to the financial impact on home ownership if this Ordinance is passed as recommended by staff. He stated that the City of San Antonio has done a remarkable job in providing affordable housing, but was concerned that this could become a distant dream because of this unnecessary Ordinance. He stated that if this Ordinance is passed, the cost for mitigating trees would affect homebuyers and those who barely make it. He agreed with those in favor of the Ordinance that trees and preservation of trees is an important quality of life, but what was more important was the ability and the right to an affordable home.

Mr. John Freezenhunt urged the citizens to be involved in the discussions of this Ordinance.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, referenced a prophet from the Bible, Isaiah, and noted that the life of a tree would be parallel to the life of a person. He spoke to bulldozers destroying trees, and referenced biblical verses in relation to trees.

Ms. Abbie Cotrell spoke of a time when City Leaders worked to develop a river bend. She commended Mayor Garza for his patience and attention to his issue, and voiced her support for a healthy tree ordinance. She stated that trees provide clean air, shade, and lower the cooling bills of our summer, as well as intercept flood water and absorb noise. She stated that the quietest neighborhood in the City was one probably with many trees.

Ms. Marlys Dietrick, Smart Growth San Antonio, spoke to the shading of trees, and stated that her organization supported the staff's proposal. She referenced the Environmental Protection Agency's tree planting regulations, and spoke to the benefits of trees. She made reference to the air quality benefits and parking lot shading requirements.

Mr. Mark Peterson spoke to the relation of urban forest and property value. He stated that it was imperative to maximize quality of life. He added that complexity guarantees excellence. He acknowledged that he has advised for tree ordinances for 20 years, and stated that a good ordinance must be flexible and enforceable. He encouraged staff to withdraw permits immediately.

Ms. Loretta Van Coppenolle stated that she shouldn't have to plead for a strong tree ordinance. She noted that developers did not want a strong tree ordinance, and further noted that developers' ability to make housing more affordable does not have anything to do with trees. She stated that the real reason that developers were against the tree ordinance was to exercise their power. She encouraged Council's support for this Ordinance.

Ms. Mary Wallace, 4040 Broadway, urged Council to support the strongest tree ordinance, and applauded the Mayor's efforts to strengthen the current Ordinance. She encouraged the City's leadership to be proactive in protecting a rapidly diminishing tree quality, since trees are a quality of life issue. She urged Council to vote for a strong tree Ordinance.

Mr. Barbara Clark spoke to the oak trees surrounding the perimeter of her house, and how this has impacted her low utility bills. She thanked Mr. Sitterle for leaving those trees there. She expressed her hopes of others buying brand new homes with many trees.

Mr. Mike Phillips spoke to weakening amendments in relation to flooding and drainage problems, and other problems that trees fight. He noted that lobbyists and developers would benefit from a weak tree ordinance. He commented that families have been waiting for 10 years for a strong tree ordinance.

Ms. Nancy Englebert, 10486 Pine Glade, representing the Heritage Neighborhood Association, spoke of a fund in her neighborhood that was aimed at the benefit of trees. She spoke to the importance of trees for birds, and questioned why a developer would build a house without a tree. She urged developers to give people the rights to develop trees. She then spoke of an incident in which they destroyed trees in her neighborhood.

Ms. Lee Buettner, 10334 Old Farm Rd., commended those who were preserving trees, and challenged the developers to find a solution instead of being part of the problem. She stated that they could make money and at the same time save trees. She spoke to how quickly the City has gone from a beautiful wooded area to nothing. She spoke to the area she lived off near Potranco Road, and how she hears the heavy traffic overnight. She then spoke of the problems that they now experience because of the limited trees that they have.

Mr. Robert Hunt, Real Estate Developer, 100 N.E. Loop 410, applauded the Council for their efforts in working towards developing a mutually accepted tree ordinance, but said that there was a flaw. He spoke of Toyota coming to town, and described the negative impact that the tree Ordinance would have on their current development.

Mr. Ross Laughead commended the Mayor for his work on this Ordinance, and encouraged Council to approve the Mayor's proposal. He further encouraged Council to look at the economics of the issue, and stated that preservation costs developers more. He stated that it was important to have a mandatory ordinance. He then asked everyone to remember Mr. Nani Falcone and the works he had done for the community on this effort.

Representatives from the Real Estate Council of San Antonio commended the Mayor for his work, and agreed that many speakers proved their point on this issue. However, a representative stated that most didn't understand the requirements that realtors have. They expressed their support of a stronger ordinance, but stated that it could be designed better. They further expressed concern about having the Ordinance approved today, since they felt that City staff would be making a recommendation without any real insight.

Mr. Larry Himer stated that his business would probably increase because of this Ordinance. He urged Council to keep the Ordinance as simple as possible.

Mr. Steven Hannel made reference to revenue analysis. He spoke to the increase of fees and questioned single-family projects. He then spoke to a tree survey made back in 1999,

and stated that the former ordinance was not a weak ordinance. He noted that the Planning Commission approves 900 lots a year.

Representatives of the San Antonio Board of Realtors spoke of the 4000+ realtors in town. They stated that their members liked trees, which helps them sell houses and commercial properties, but expressed concern about a number of matters. They expressed their belief that throughout the process, what is getting axed and massacred is the tree preservation ordinance. A representative detailed a video regarding the passage of the current tree preservation ordinance, and pointed out that not one example on the video met the requirements of the tree preservation ordinance. They spoke to the outcry concerning trees, but expressed belief that the current tree Ordinance did protect trees. They spoke to all the trees planted by settlers, and other property owners long before a tree preservation ordinance, and noted that homebuilders and commercial developers only build and develop what their customers are willing to buy or pay for, and builders know trees provide additional value. He spoke to homebuilders paying for this regulation, and added that middle income families and the poor would be hurt the most, since they were the least able to afford a home. They urged Council to approve an ordinance with new regulations.

Mr. Buck Benson spoke to existing tree credits, and urged Council to support a strong tree ordinance.

Mr. Jody Sherrill, urged Council to support the Ordinance and any amendments that would strengthen the Ordinance. She expressed her belief that no one has considered the cost of leaving the existing trees up. She spoke to water quality and quantity, and questioned what would be done if there were no trees left.

Mr. Greg Pasztor spoke to the Mayor's reference of various trees. He stated that he was there to represent his daughter. He felt that the City still needed to strengthen the tree Ordinance, and a lot of work still needed to be done. He spoke to the importance of trees and their purpose. He noted that a public policy that lists all the species of trees would be cumbersome.

Mr. Brain Henckel spoke to the importance of tree preservation. He urged Council to increase protection.

Mr. Doug Lipscomb stated that the City would benefit from a healthy tree ordinance, and he urged Council to adopt this Ordinance.

Ms. Jill Souter, President of the Conservation Society, said that it was time to vote for a strengthened tree ordinance. She stated that the results were significantly better than the alternatives, and noted that the amendments proposed by the Mayor would strengthen the Ordinance. She urged Council to focus on tree credits and route protection. She thanked

Councilwoman Conner and the staff for moving on this Ordinance, and concluded by stating that the time has come to raise the bar in San Antonio.

Mr. Larry Clark stated that many compromises have been made, and every citizen in San Antonio has an opinion on this. He spoke to a livable City with trees, and felt that this was a type of Ordinance that would attract new businesses. He stated that they could no longer afford a cavalier attitude concerning the environment, and further noted that this Ordinance should be about preserving trees, but felt that this Ordinance was more about mitigating. He stated that this Ordinance was an opportunity for Council to bring the environment up to good standards.

Mr. David Klar urged Council to vote in favor of this Ordinance, and encouraged them to support improvements that would protect the trees. By voting yes, he said San Antonio would reap economic benefits. He stated that the current Ordinance was one of the weakest in the nation.

Ms. Lynn Huntress described who compromised the Citizens' Tree Coalition. She urged Council to support the Ordinance.

Mr. Tony Wood read a poem to the Council entitled "Trees." He urged Council to support a strong tree Ordinance.

Ms. Jennifer Westerman applauded the Mayor's efforts on this task. She narrated a slide presentation regarding trees and urged Council to support the Ordinance and the Mayor's amendments.

Mr. Richard Alles thanked the Mayor and Council for their support. He expounded on the differences between the current Ordinance and the Mayor's compromised proposal. He urged Council to support a strong tree ordinance, and urged that easements not be exempt. He expressed his concern on root protection and the need for balance. He pointed out the enormous flexibility the Ordinance has. He stated that there were a lot of incentives built into the Unified Development Code.

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Mayor Garza thanked all the groups involved, and thanked Councilwoman Conner for her work. He noted that the previous Mayor spent a lot of time on this issue. He expressed his appreciation of the passion of the community, and spoke to the job the Council had of establishing good public policy. He further acknowledged that he allowed the process to unfold. He spoke to a meeting that was held in order to gain perspective and compromise on this issue, and spoke to the process being very inclusive. He spoke to the importance of this adoption, and its significance because so many people have spent countless hours on this issue. He noted that they would continue to listen, and spoke to

the word "grandfathered," and how this was the biggest loss. He stated many citizens have been aggressive in preserving trees. He then referenced the comments of those who mentioned Mr. Nani Falcone, and noted that had he been here today, he would've been at this meeting. He acknowledged that this was an outstanding issue to resolve. He spoke to the concerns on implementation and its enforcement. He expressed his belief that they have made progress, but it might be too late in many examples. He stated he was hopeful that what would be done today would strengthen the tree Ordinance.

Councilman Perez made a motion to approve the proposed Ordinance with amendments. Councilwoman Moorhouse seconded the motion.

Councilwoman Moorhouse proposed a friendly amendment to add a representative from the Leon Creek Foundation, to serve with the Director of Public Works, City Arborist and Director of Development Services as stated in paragraph 35-325G of 100 year Flood Plain.

On a point of clarification, Councilman Schubert questioned if staff recommendations were included in the Mayor's motion.

Mayor Garza explained that what was on the floor was to approve staff's recommendations and the amendments.

Councilwoman Conner stated that it had been a long process, and spoke to the many people involved in the process. She stated that this would not be a consensus document, and explained that there were two different sides. She noted that there were occasions in which they would have to make decisions some may not like. She voiced her hopes of being able to work out issues.

In response to Councilman Carpenter's question as to whether those with existing tree credits would be able to use them in the future, City Attorney Martin indicated that it was his understanding that they could.

Discussion ensued between Ms. Debbie Reid, City Arborist, and Councilman Schubert as to whether or not the City had a listing of approved methods with regards to Section 1 of the tree warranty.

At the request of Councilman Schubert, Mr. Pena spoke to the fee charges for recording tree warranties, and confirmed that they would be recorded at the County Clerk's Office. He urged Council to charge the same fee that the County does.

In response to Councilman Schubert's question regarding the 5-year warranty and if there was a fee for a release, City Attorney Martin informed Council that it was up to them to determine that fee through an ordinance.

Discussion then ensued between City Attorney Martin and Councilman Schubert as to what would happen if someone didn't get a release.

Mr. Pena addressed the calculation of fees and the process used.

City Manager Terry Brechtel confirmed that staff was working with the Mayor's Office and that the positions would be advertised immediately. She explained that they needed to make sure that they understood the intent of the Mayor's amendments as they move forward.

Councilman Schubert stated that he wanted everyone to understand that this Ordinance would be substantially stronger, and that there was no requirement they go back to address changes.

Mayor Garza confirmed that it would be up to this body to bring those issues back to the table.

Councilman Schubert stated that it has been his experience that it was better to deal with issues while they were on the table. He further spoke to the complaints he had heard regarding permits, and stated to Ms. Brechtel that if continued, they would be re-visiting the issue.

Mayor Garza concurred that there were issues, and noted that every aspect of the ordinance had to be looked at.

Councilman Castro commended Mayor Garza for his leadership, and thanked Councilwoman Conner for dedicating so much to this issue. He stated that it was important to preserve trees, and noted the debate has been on the methodology. He noted that there was a real history to it, and indicated it should've been revisited three years ago. He noted their goal has been to strike a balance to preserve the beauty of San Antonio. He acknowledged San Antonio needed to get more serious in preserving trees.

In response to Councilman Castro's question regarding the root protection zone in grading, Ms. Reid stated that there were construction methods used to protect trees, as well as to safeguard the foundation. She noted that there were times trees couldn't be saved, but for the most part, the requirements of 50% preservation have been achieved.

Discussion ensued between Ms. Reid and Councilman Castro regarding the issue of grandfathering, and Mr. Emil Moncivais, Director of Planning, also provided information regarding statistics in the last 3 years.

Councilman Castro noted the activity has picked up. He indicated he was glad to see a stronger tree ordinance, and he felt that they were making a good decision today. He

acknowledged that strengthening this Ordinance was consistent with Mr. Nani Falcone's spirit of preservation and neighborhood activism. He stated that as a policymaker, they are not always mediators, and will not always completely go in one direction with an issue. He expressed his hopes that they were making San Antonio beautiful for many years to come.

Councilman Martin commended Mayor Garza and Councilwoman Conner for their work on this, and further commended Mr. Sam Luna, the District 4 representative of the Planning Commission. He stated that Mr. Luna resonated the voices of District 4, and of the people of San Antonio. He also thanked Dr. Felix Almaraz, whom he stated provided a copy of the work of the founding fathers who worked on this ordinance back in 1829. He noted the importance of looking at development, and referenced two businesses who worked to preserve shade in front of their businesses. He further acknowledged that affordable housing was possible with a little creativeness. He stated that this was healthy development and the right thing to do.

Councilwoman Conner clarified that the tree warranty was something important for developers. She also urged staff, due to complexity of issue, to go over the drafts and amendments to be sure everything was correct.

Councilman Perez thanked the Mayor and Councilwoman Conner for their work, and acknowledged he would be supporting the Mayor's amendments.

Councilwoman Herrera thanked everyone responsible for this Ordinance, and spoke to the citizens' comments. She concurred with Councilman Martin on the issue of affordable housing.

Councilwoman Moorhouse thanked everyone who worked on this, and spoke to the input received from homebuilders and contractors. She explained that it was important to get information from both issues in order to come up with a healthy decision. She questioned whether the City had filed the Phase II Stormwater Management Plan that was due on March 10th, and if not, had requested an extension.

City Manager Brechtel indicated that they would be checking with Mr. Tom Wendorf, Director of Public Works, on whether the City had filed.

Councilman Sanders questioned the Mayor's timetable, and asked when they would be back with further amendments.

Mayor Garza stated that it would be from 1 – 2 weeks, or as soon as possible.

Councilman Sanders acknowledged that he had worked on drought management, and stated that he was supportive of the environmental controls needed, especially in flood

plain areas. He confirmed that he would be addressing the questions that he had when the issue was returned back for discussion.

Councilman Barrera thanked everyone who spoke, which he stated shows how passionate the citizens are. He confirmed that he would be supporting the Mayor's amendments.

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

The main motion, as amended, 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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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97333

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH THE SAN ANTONIO FOOD BANK, INC. (SAFB) INCREASING THE AMOUNT OF THE CONTRACT BY \$9,086.00 FOR THE PROVISION OF FOOD IN CONNECTION WITH SAFB'S HEALTHY OPTIONS PROGRAM FOR THE ELDERLY; AUTHORIZING THE ALLOCATION AND EXPENDITURE OF COUNCIL DISTRICT 7 HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$9,086.00 IN CONNECTION THEREWITH; AND REVISING THE BUDGET. (AMENDS ORDINANCE NO. 97088, JANUARY 23, 2003.)

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation regarding the execution of a contract amendment with the San Antonio Food Bank, Inc., a copy of which was made part of the official papers of this meeting. He expounded on the details of the program.

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

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2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97334

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SUSAN G. KOMEN BREAST CANCER FOUNDATION SAN ANTONIO AFFILIATE IN THE AMOUNT OF \$3,600.00 FOR THE PURCHASE OF COMPUTER EQUIPMENT, COMPUTER SOFTWARE, EDUCATIONAL MATERIALS AND RELATED EXPENSES IN SUPPORT OF ITS OUTREACH ACTIVITIES; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$1,000.00 FROM DISTRICT 6, \$500.00 FROM DISTRICT 1, \$500.00 FROM DISTRICT 4, \$200.00 FROM DISTRICT 5, \$500.00 FROM DISTRICT 7, \$200.00 FROM DISTRICT 8, \$500.00 FROM DISTRICT 9, AND \$200.00 FROM DISTRICT 10, IN CONNECTION THEREWITH; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation regarding the allocation and expenditure of Human Development Services Funds from various Council Districts, a copy of which was made part of the official papers of this meeting. He expounded on the Foundation and its establishment here in San Antonio.

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

— — —
2003-10 The Clerk read the following Ordinance:

AN ORDINANCE 97335

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA) IN THE AMOUNT OF \$4,750.00 FOR THE PURCHASE OF VIDEOS, SUPPLIES AND PROMOTIONAL MATERIALS IN

CONNECTION WITH UTSA'S SHAKESPEARE IN THE BARRIO PROJECT WHICH PROMOTES LITERACY AND LITERACY APPRECIATION AMONG SAN ANTONIO YOUTH; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$2,000.00 FROM DISTRICT 1, \$1,000.00 FROM DISTRICT 4, \$500.00 FROM DISTRICT 5, \$500.00 FROM DISTRICT 6, \$250.00 FROM DISTRICT 7, \$250.00 FROM DISTRICT 8, AND \$250.00 FROM DISTRICT 10 IN CONNECTION THEREWITH; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance with additional Human Development Funds from the following districts: District 4 - \$1,000; District 5 - \$500; District 6 - \$500; District 7 - \$250; District 8 - \$250; District 10 - \$250. Councilman Martin seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation regarding the allocation, and expenditure of Human Development Services Funds from various Council Districts, and the authorization the execution of a contract with the University of Texas at San Antonio for the Shakespeare in the Barrio project, a copy of which was made part of the official papers of this meeting.

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

— — —
2003-10 The Clerk read the following Resolution:

A RESOLUTION
NO. 2003-10-11

AUTHORIZING THE PLANNING DIRECTOR TO UNDERTAKE LAND USE AND OTHER BACKGROUND STUDIES NECESSARY TO RECOMMEND TO THE CITY COUNCIL A CORRIDOR DISTRICT ALONG INTERSTATE HIGHWAY 35 NORTH IN CITY COUNCIL DISTRICT 2 AND CITY COUNCIL DISTRICT 10 PURSUANT TO SECTION 35-339.01 OF THE UNIFIED DEVELOPMENT CODE.

* * * *

Councilman Perez made a motion to approve the proposed Resolution. Councilwoman Moorhouse seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the request for a resolution to initiate the IH 35-north corridor project, a copy of which is on file with the papers of this meeting.

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

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2003-10

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke in favor of the tree ordinance that was passed, and further spoke to the benefits of trees. He referenced a biblical figure. He then gave his remaining time to Mr. Faris Hodge, Jr., 140 Dora Street.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke against a proposed increase in taxes.

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MS. RACHEL CYWINSKI

Ms. Rachel Cywinski, representing Highland Park Neighborhood Association, spoke to the problems disabled people face in San Antonio. She spoke against the disability access being locked during the time of heightened awareness, and not allowing disabled

people entrance to City Hall. She stated that people had the right to go to City Hall.

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MS. KAY HENDRICKS

Ms. Kay Hendricks spoke of an incident that occurred that resulted in her company losing a considerable amount of customers. She stated that the Ground Transportation Unit (GTU) harassed them, and they ultimately lost their contract. She alleges that Yellow Cab has had a huge influence on what GTU was doing to her company. She noted that they are receiving calls from their clientele, but GTU is not identifying themselves properly. She voiced her concerns to the Council that she felt GTU was trying to shut them down.

When asked by Mayor Garza as to what they would like for the City to do, Ms. Hendricks stated that they wanted the Council to get GTU off her company's back, because they have had a negative impact on their business.

Councilman Martin noted that this issue initially had something to do with minor violations that had been addressed. He requested for Council to conduct an inquiry.

Councilwoman Conner requested to have Deputy Police Chief Tyrone Powers conduct a meeting between the groups in question.

Councilman Sanders stated that he had watched the process, and noted that some of the things they have been talking about needed to be looked at.

The group gave an example of one of the citations that was given to them.

Mayor Garza noted the Quality of Life Committee would take a look into the issue at hand.

2003-10 There being no further business to come before the City Council, the meeting was adjourned at 8:26 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



YOLANDA L. LEDESMA
Acting City Clerk