

Ms. Babbitt, Sheriff Lopez and Police Chief Ortiz thanked the Mayor and City Council for helping to bring attention to this very important observance.

Several members of the Council thanked everyone involved in making the public aware of the suffering of citizens in our community who are hurt by crimes. They thanked those who work individually as well as organizations that strive to bring justice for crime victims.

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2003-14 **RECOGNITION OF THE FIESTA COMMISSION.**

Mayor Garza stated that the upcoming Fiesta San Antonio would begin on April 19, 2003 and then invited Ms. Irma Flores, President of The Fiesta San Antonio Commission, to come forward to speak to this exciting time in San Antonio—Fiesta Week.

Ms. Flores introduced other members of the Fiesta San Antonio Commission who were accompanying her and encouraged all the Council to attend their Fiesta kick-off event. She then presented each Council member with mementos of Fiesta Week.

Several members of the Council thanked the Commission for its work and for providing all San Antonians with an opportunity to have a good time.

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2003-14 **PRESENTATION OF PROCLAMATION FOR BUILDING SAFETY WEEK.**

Mayor Garza invited Mr. Florencio Pena, Director of Development Services, and Mr. Michael Clack, Asst. Dir. Field Operations of Development Services, to come forward to accept a Proclamation, proclaiming Building Safety Week 2003 in San Antonio.

Mr. Pena introduced some members of his staff whose jobs involved assuring compliance with the Codes and the safety of our buildings.

Councilman Martin spoke to the very important work that employees in the Development Services Department perform with relation to code enforcement in our community.

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2003-14 **ON A POINT OF PERSONAL PRIVILEGE**

Councilman Schubert spoke to the on-going conflict in Iraq. He spoke to the actions of the military forces and commended them for their work. He further spoke to today's happenings in Baghdad and stated that they signified a great day for America and a great day for the people in Iraq.

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2003-14 Minutes of the regular City Council meetings of March 6 and March 27, 2003 were approved as presented.

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2003-14 **CONSENT AGENDA – CITIZEN COMMENTS**

Mr. Jack Finger, P. O. Box 12048, commended the Marines for their work in Iraq. He also spoke to Item 15, approving a Lease Agreement with Milton Boniuk, M.D. for space at 310 Valley Hi Drive, noting that Dr. Boniuk had not filed an ethics disclosure statement and to Item 22, authorizing payment for the settlement of a lawsuit.

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2003-14 **CONSENT AGENDA**

Councilman Perez made a motion to approve Agenda Items 6 through 24D, constituting the Consent Agenda, except for Item 12, which was pulled for individual consideration. Councilman Carpenter 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, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Castro.

AN ORDINANCE 97420

AUTHORIZING THE PURCHASE OF VIDEO IMAGE VEHICLE DETECTION SYSTEMS FOR THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT

UTILIZING A CONTRACT BETWEEN TEXAS HIGHWAY PRODUCTS, LTD. AND THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A TOTAL COST OF \$78,304.20.

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AN ORDINANCE 97421

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH A DATABASE LICENSE AGREEMENT, BOTTLED WATER, SELF CONTAINED BREATHING APPARATUS REPAIR PARTS & SERVICE, BACK SUPPORT BELTS AND HARRINGTON VALVE REPAIR PARTS ON AN ANNUAL CONTRACT BASIS FOR FY 2003-2004 FOR A TOTAL SUM OF APPROXIMATELY \$415,579.00.

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AN ORDINANCE 97422

AUTHORIZING A 48 MONTH LEASE OF MULTI-FUNCTION PRINTERS FOR THE DEVELOPMENT AND BUSINESS SERVICES CENTER UTILIZING A LEASE AGREEMENT BETWEEN IKON OFFICE SOLUTIONS, INC. AND THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE FOR THE CITY OF SAN ANTONIO PLANNING, DEVELOPMENT SERVICES AND ECONOMIC DEVELOPMENT DEPARTMENTS FOR AN APPROXIMATE COST OF \$148,848.00.

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AN ORDINANCE 97423

ACCEPTING THE LOW QUALIFIED BID OF ARCHITECTURAL GRAPHICS, INC. IN THE AMOUNT OF \$569,301.00 FOR THE SIGNAGE UPGRADE PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$56,930.00 FOR CONSTRUCTION CONTINGENCIES; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97424

SELECTING INDEPENDENT DESIGN TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE NORTHEAST YMCA BUILDING IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 10; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 26TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$4,990.00; AUTHORIZING \$1,000.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR BID ADVERTISING AND PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$6,990.00; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97425

AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$1,500.00 FROM 1999 PARK BOND FUNDS PAYABLE TO K.M. NG AND ASSOCIATES (S/D/MBE) FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE WALKER RANCH HISTORIC LANDMARK PARK IMPROVEMENTS - PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING \$4,935.00 TO THE UNIVERSITY OF TEXAS AT SAN ANTONIO FOR ADDITIONAL ARCHEOLOGICAL SURVEY FEES, FOR A TOTAL SUM OF \$6,435.00; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97426

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH T.R.S. OF SAN ANTONIO, LTD., D/B/A PIECA D'ITALIA FOR APPROXIMATELY 512.5 SQUARE FEET OF RIVERWALK SIDEWALK SPACE IN CITY COUNCIL DISTRICT 1 TO BE USED FOR OUTDOOR DINING PURPOSES FOR ANNUAL RENT OF \$8,533.68 IN YEAR ONE, \$8,742.72 IN YEAR TWO, \$8,951.76 IN YEAR THREE, \$9,185.40 IN YEAR FOUR AND \$9,431.40 IN YEAR FIVE.

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AN ORDINANCE 97427

RESCINDING THE LICENSE AGREEMENTS APPROVED BY ORDINANCE NO. 61887, PASSED ON NOVEMBER 25, 1985, AND ORDINANCE NO. 62468, PASSED ON MARCH 13, 1986, WITH THE FAIRMOUNT HOTEL COMPANY AND AUTHORIZING A LICENSE AGREEMENT WITH PATRIOT AMERICAN HOSPITALITY PARTNERSHIP, L.P. FOR THE USE OF PUBLIC RIGHT OF WAY FOR TWO (2) EXISTING PORCHES AND FOUR (4) EXISTING AREAWAYS AT THE SOUTHWEST CORNER OF ALAMO AND NUEVA STREETS AND AN EXISTING PORTE COCHERE ON ALAMO STREET, AT THE FAIRMOUNT HOTEL LOCATED AT 401 SOUTH ALAMO, WITHIN NEW CITY BLOCK 155, FOR A TOTAL LICENSE FEE OF \$12,139.00 FOR A TEN (10) YEAR TERM.

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AN ORDINANCE 97428

APPROVING A LEASE AGREEMENT WITH MILTON BONIUK, M.D. OF SAN ANTONIO, TEXAS FOR 1,530 SQUARE FEET OF OFFICE SPACE AT 310 VALLEY HI DRIVE, SPACE #107, BY THE YOUTH SERVICES DIVISION OF COMMUNITY INITIATIVES DEPARTMENT, FOR A THIRTEEN MONTH TERM BEGINNING APRIL 1, 2003 AND ENDING APRIL 30, 2004 AT A BASE MONTHLY RENTAL RATE OF \$850.00 FOR THE TERM OF THE LEASE AGREEMENT; AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING THE PAYMENT OF THE MONTHLY LEASE RENTAL AND UTILITIES.

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AN ORDINANCE 97429

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT AND PERMANENT ELECTRIC TRANSMISSION AND DISTRIBUTION LINES EASEMENT AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS OVER, ACROSS, UPON, AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY FOR THE LEON CREEK TO PLEASANTON PROJECT, ALSO KNOWN AS THE LEON CREEK - PLEASANTON 138 KV TRANSMISSION LINE REBUILD PROJECT; SUCH EASEMENT, AND OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS

BEING LOCATED ON THE FOLLOWING DESCRIBED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS:

BEING TRACT 9, CONTAINING 5.00 ACRES IN THE HELEN JOHNSON SUBDIVISION, BEXAR COUNTY, TEXAS ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 2222, PAGE 54 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND BEING OUT OF THE DIONICIO MARTINEZ SURVEY NO. 1, ABSTRACT NO. 9, COUNTY BLOCK 4012, BEXAR COUNTY, TEXAS.

FOR THE PUBLIC PURPOSES OF THE CONSTRUCTION, RECONSTRUCTION, REFURBISHMENT, OPERATION, AND MAINTENANCE OF THE LEON CREEK TO PLEASANTON ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, TOGETHER WITH ALL NECESSARY OR DESIRABLE APPURTENANCES THERETO, AND A COMMUNICATION SYSTEM FOR THE CITY OF SAN ANTONIO ELECTRIC AND GAS SYSTEM; AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH NEEDED TEMPORARY AND PERMANENT EASEMENTS AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; AND RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES ACTING FOR THE CITY OF SAN ANTONIO, BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, TO ACQUIRE SUCH EASEMENTS AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE NECESSARY PROPERTY RIGHTS; AND DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 97430

AUTHORIZING THE ACCEPTANCE OF \$10,500.00 FROM THE UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY, ON BEHALF OF THE ALAMO AREA COMMUNITY INFORMATION SYSTEM TO SUPPORT COMMUNITY

TECHNOLOGY CENTERS ESTABLISHED AT CITY-OPERATED LEARNING AND LEADERSHIP DEVELOPMENT CENTERS; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING AN AMENDED BUDGET FOR SAID PROGRAM.

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AN ORDINANCE 97431

AUTHORIZING THE EXECUTION OF A HOUSING ASSISTANCE PAYMENTS CONTRACT WITH THE SAN ANTONIO HOUSING AUTHORITY IN AN AMOUNT NOT TO EXCEED \$288,573.00 FOR CONTINUATION OF THE DWYER CENTER SINGLE ROOM OCCUPANCY PROGRAM FOR THE TERM OF SEPTEMBER 17, 2002 TO SEPTEMBER 16, 2003.

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AN ORDINANCE 97432

AUTHORIZING THE EXECUTION OF LICENSE AGREEMENTS WITH BIDDERS FOR THEIR USE OF CITY KITCHENS TO PROVIDE MEAL SAMPLES AS PART OF THE EVALUATION PROCESS OF THE COMPREHENSIVE NUTRITION PROJECT (CNP) BEST VALUE BID.

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AN ORDINANCE 97433

NAMING A TRAILHEAD LOCATED WITHIN THE LEON CREEK GREENWAY ON BABCOCK ROAD IN CITY COUNCIL DISTRICT 8 THE "BUDDY CALK TRAILHEAD."

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AN ORDINANCE 97434

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$15,000.00 FROM COURTESY ASSOCIATES AT THE REQUEST OF THE NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES (NIEHS) TO SUPPORT THE COMMUNITY ENVIRONMENTAL HEALTH EDUCATION

PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) DURING THE PERIOD FEBRUARY 20, 2003 THROUGH FEBRUARY 19, 2004; ESTABLISHING A FUND; ADOPTING A BUDGET; AND AUTHORIZING RELATED PAYMENTS.

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AN ORDINANCE 97435

AUTHORIZING PAYMENT IN THE AMOUNT OF \$325,000.00 FOR THE FULL AND FINAL SETTLEMENT OF THE LAWSUIT STYLED JEFF KAPCHE V. CITY OF SAN ANTONIO, CAUSE NO. SA-CA-1215-EP, UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS.

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AN ORDINANCE 97436

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR WOODLAWN LAKE IN CONNECTION WITH THE EARTH DAY 5K FUN RUN TO BE HELD ON SATURDAY, APRIL 19, 2003 FROM 7:00 A.M. UNTIL 8:30 A.M.

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AN ORDINANCE 97437

APPOINTING CHERYL DIANNE SHAW (CONSUMER CATEGORY - DISTRICT 9) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2004.

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AN ORDINANCE 97438

APPOINTING BETH EBY (MAYOR) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2004.

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AN ORDINANCE 97439

APPOINTING DORA RAMOS (DISTRICT 5) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2004.

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AN ORDINANCE 97440

APPOINTING ALFRED P. ROCHA (DISTRICT 5) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 2004.

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2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97441

RATIFYING THE EXECUTION OF TWO CONTRACTS WITH H. KARP COMPANY IN THE AMOUNT OF \$42,160.00 AND \$63,620.00 TO PROVIDE THE CITY WITH EMERGENCY REPAIRS TO SIXTEEN (16) CITY-OWNED HOUSES IN CONNECTION WITH THE CITY'S HOUSING ASSET RECOVERY PROGRAM (HARP); AUTHORIZING CONSTRUCTION CONTINGENCIES IN THE AMOUNTS OF \$1,000.00 AND \$9,000.00 RESPECTIVELY, AND PROVIDING FOR PAYMENT.

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

Mr. David D. Garza, Director, Neighborhood Action Department, made a presentation on the sixteen single-family dwellings located in the inner city that would be rehabilitated and sold to residents in our City. He provided a status report on this project and stated that the City was looking for a 10% return on its investment. He further advised the Council about a Housing Fair scheduled for Sunday, April 13th in conjunction with Springview and the Fanny Mae Foundation to make residents aware of these homes. He

added that many of these homes had been moved from the area of the Martinez flood and some were donated by HEB.

Councilman Perez stated that he wanted to highlight the progress of this project and spoke to the Housing Fair as being a positive activity. He commended Mr. Garza for his work on the project.

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.

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2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97442

APPOINTING ROBERT J. DAVIS (CLERGY CATEGORY - DISTRICT 2) TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2005.

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

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

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2003-14 **NOMINATIONS FOR THE METROPOLITAN TRANSIT AUTHORITY.**

Ms. Yolanda Ledesma, Acting City Clerk presented the nominations for the Metropolitan Transit Authority brought forward from April 3, 2003 "B" Session which included Ms. Nancy Englebert, District 4; Mr. Martin Bartlett, District 3; and Ms. Laurie (Annie) Gruenbeck, District 3.

Councilman Martin made a motion to approve the proposed Ordinance appointing Ms. Nancy Englebert to serve on the Metropolitan Transit Authority. Councilwoman Moorhouse seconded the motion.

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

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AN ORDINANCE 97443

APPOINTING NANCY ENGLEBERT (DISTRICT 4) TO THE METROPOLITAN TRANSIT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2004.

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2003-14 NOMINATIONS FOR THE CITIZENS ADVISORY ACTION BOARD.

Ms. Yolanda Ledesma, Acting City Clerk presented the nominations for the Citizens Advisory Action Board brought forward from April 3, 2003 "B" Session which included Ms. Laura Zuniga, Council as a Whole; Mr. James Devlin, Council as a Whole; and Mr. Lawrence Schoenfeld, Council as a Whole.

Councilman Perez made a motion to approve the proposed Ordinance appointing Ms. Laura Zuniga to serve on the Citizens Advisory Action Board. Councilman Castro seconded the motion.

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

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AN ORDINANCE 97444

APPOINTING LAURA ZUNIGA (COUNCIL AS A WHOLE) TO THE CITIZENS ADVISORY ACTION BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2004.

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2003-14 Item 25D being a proposed ordinance appointing ten members to the Air Transportation Advisory Commission for staggered terms of office. [Nominees: Edward Carrola (Aviation Industry Category - Mayor); Richard Kelley (Aviation Industry Category - Mayor/District 8); Edward A. Benson (Aviation Industry Category - Mayor); Marsha Hendler (Travel & Tourism Category - Mayor); Siegfried Richter (Travel & Tourism Category - Mayor); Marco Barros (Community Representative Category - District 6); Mary Briseno (Community Representative Category - Mayor); Richard Green II (Community Representative Category - Mayor); Al Sturchio (Community Representative Category - District 6); Manuel Fuentes (Community Representative Category - District 3); Loren Wood (Business Category - Mayor); Mark Tafolla (Business Category - Mayor); and Timothy Tuggey (Business Category - Mayor)], was pulled from consideration.

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2003-14 **NOMINATIONS FOR THE NOISE ABATEMENT COMMITTEE.**

Ms. Yolanda Ledesma, Acting City Clerk presented the nominations for the Noise Abatement Advisory Committee, noting the nominees had been interviewed at the "B" Session held on April 3, 2003.

Councilman Schubert made a motion to approve the proposed Ordinance appointing Mr. Gerald Jewell and re-appointing Mr. Orlin Kolm and Mr. Gary Pape to serve on the Noise Abatement Advisory Committee. Councilman Carpenter seconded the motion.

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

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AN ORDINANCE 97445

APPOINTING GERALD JEWELL (NEIGHBORHOOD ASSOCIATION CATEGORY - DISTRICT 10) FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2005 AND REAPPOINTING ORLINE KOLM (NEIGHBORHOOD ASSOCIATION CATEGORY - DISTRICT 9) AND GARY PAPE (AVIATION INDUSTRY - DISTRICT 9) FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 15, 2004 TO THE NOISE ABATEMENT ADVISORY COMMITTEE.

2003-14 ZONING CASES

4A.) CASE NUMBER #Z2002272 - The request of Jerry Arredondo, Applicant, for Jesus M. and Olga V. Raygoza, Owner(s), for a change in zoning from "R-5" Single-Family Residential District to "C-2 NA" Commercial Non-Alcoholic Sales District on Lot 20, Block 6, NCB 9194, 302 West Hermosa Drive. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 1)

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

The following citizen(s) appeared to speak:

Mr. Andy Guerrero, representing the applicant, stated that a retail furniture store with imports from Mexico was being proposed for the property. He added that the project would be oriented to San Pedro Avenue, not Hermosa Street.

Mrs. Olga Raygoza, owner, spoke to the many improvements that she and her husband had made to the property and to the type of business that would be operated at the address. She added that the neighbors had signed a petition supporting her request for C2 NA zoning

Ms. Margie Torres, 319 W. Wildwood, representing the Olmos Park Terrace Neighborhood Association, spoke to her opposition to the rezoning citing possible increased traffic into the neighborhood.

Mr. Albert Eng, representing the Office of State Representative Mike Villarreal, spoke to their opposition to this rezoning request stating it went against the land use development

element of the North Central Neighborhoods Community Plans. He asked the Council to vote against this request.

Ms. Betty Eckert, 233 W. Wildwood, spoke in opposition to the rezoning citing the North Central Neighborhoods Community Plan which stated that no business encroachment would be allowed within residential areas. She added that granting this rezoning would go against the land use designation of the Neighborhood Plan and the City Master Plan. She asked that Council oppose this zoning in order to retain a neighborly-oriented atmosphere. She submitted a petition (which is on file with the papers of this meeting) signed by residents asking the Council to oppose this rezoning.

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

Mr. Jack Finger, P. O. Box 12048, asked that the Council vote against the rezoning. He spoke to the number of residents who had responded "no" when asked to state their preference on this zoning request.

Ms. Esther De Leon spoke about the proposed business and to the condition of the house before the present owners had taken possession. She also spoke to the businesses that already exist in the area.

Mr. Juan Ramirez, 603 Clower, spoke to the type of business that the Raygozas were planning to establish and to the amount of money that they had invested to improve the property.

Mr. Andy Guerrero spoke to the zoning of nearby properties along San Pedro Avenue and noted that there already was some community intrusion in the area.

Mr. Jerry Arredondo, the applicant, noted that the Edison Neighborhood Association had written a letter of support for the proposed rezoning (which is filed with the papers of this meeting) and spoke to the positive impact of this zoning for the neighborhood.

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In response to questions by Councilman Perez, Mr. John Jacks, Land Development Services, stated that the Planning Department had reviewed the neighborhood plan and made a recommendation for denial based on the area map that indicated the area was residential. Mr. Rod Sanchez, Asst. Director of Development Services, stated that a traffic impact analysis had not been made in this case because the peak hour trips in the

area did not go over 100 trips per hour. He added that a business of this small scale would not trigger an analysis requirement.

Councilman Perez stated that he normally was against the rezoning of residential properties to commercial use but, in this instance, he intended to allow the zoning with the issuance of a Special Use Permit as protection to the area should the business not survive

Councilman Perez made a motion to continue this rezoning case until the City Council meeting of April 24, 2003. Councilman Martin seconded the motion.

After consideration, the motion to continue this case until April 24, 2003, prevailed by the following vote: **AYES:** Perez, Sanders, Martin, Herrera, Barrera, Castro, Conner, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Schubert, Garza.

Zoning Case #Z2002272 was continued to the Council meeting of April 24, 2003.

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4B.) CASE NUMBER #Z2003026 - The request of Mary M Carroll, Applicant, for Mary M. Carroll, Owner(s), for a change in zoning from "C-2" Commercial District to "R-4" Residential Single-Family District on Lots 5 and 6, Block 58, NCB 1586, 117 Aransas Avenue. 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, Conner, Carpenter. **NAYS:** None. **ABSENT:** Moorhouse, Schubert, Garza.

AN ORDINANCE 97446

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 5 AND 6, BLOCK 58, NCB 1586, 117 ARANSAS AVENUE, FROM "C-2" COMMERCIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4C.) CASE NUMBER #Z2003038 - The request of AAMA Bentley Place Apartments, Inc., Applicant, for AAMA Bentley Place Apartments, Inc., Owner(s), for a change in zoning from "C-3" Commercial District to "MF-33" Multi-Family District on 1.246 acres out of NCB 15894, Southern part of Bently Drive and Walzem Road. 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. Councilman Martin seconded the motion.

In response to a question by Councilman Sanders, a representative for AAMA Bentley Place Apartments, Inc stated that he did not have a design of the proposed apartment complex. Ms. Sandra Williams, Executive Director of the Alamo Area Mutual Housing Association, stated that the apartment complex would house 208 units and that 80% of the units would be classified as affordable and 20% would be at market rate.

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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, Carpenter. **NAYS:** None. **ABSENT:** Perez, Moorhouse, Schubert, Garza.

AN ORDINANCE 97447

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.246 ACRES OUT OF NCB 15894, SOUTHERN PART

OF BENTLY DRIVE AND WALZEM ROAD, FROM "C-3" COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

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4D.) CASE NUMBER #Z2003027 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Brooks Development Authority, Juvencio Lopez, Owner(s), for a change in zoning to designate Historic Significance on Building 671, Hangar 9, Brooks City Base, 8081 Inner Circle Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

Councilwoman Moorhouse 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, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Carpenter. **NAYS:** None. **ABSENT:** Perez, Schubert, Garza.

AN ORDINANCE 97448

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 BUILDING 671, HANGAR 9, BROOKS CITY BASE, 8081 INNER CIRCLE ROAD, TO DESIGNATE HISTORIC SIGNIFICANCE.

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4E.) CASE NUMBER #Z2003028 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Brooks Development Authority, Juvencio

Lopez, Owner(s), for a change in zoning to designate as a Historic District on a 15 acre tract of land in the northwest corner of Brooks City Base. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

Councilwoman Moorhouse 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, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Carpenter. **NAYS:** None. **ABSENT:** Perez, Schubert, Garza.

AN ORDINANCE 97449

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS A 15-ACRE TRACT OF LAND IN THE NORTHWEST CORNER OF BROOKS CITY BASE, TO DESIGNATE AS A HISTORIC DISTRICT.

* * * *

THE REZONING AND RECLASSIFICATION OF PROPERTY TO DESIGNATE AS A HISTORIC DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES ON SIDNEY BROOKS AND JERNIGAN ROAD;

THENCE, FOLLOWING THE CENTERLINE OF JERNIGAN ROAD NORTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF GEORGE SHAFER;

THENCE, FOLLOWING THE CENTERLINE OF GEORGE SHAFER NORTHEAST TO ITS INTERSECTION WITH THE CENTERLINE OF KENNEDY CIRCLE;

THENCE, FOLLOWING THE CENTERLINE OF KENNEDY CIRCLE IN AN ARC NORTH AND EAST TO ITS INTERSECTION WITH THE CENTERLINE OF DAVE ERWIN DRIVE;

THENCE, FOLLOWING THE CENTERLINE OF DAVE ERWIN DRIVE TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 30 FEET NORTH OF THE NORTHERN FACADE OF BUILDING 185;

THENCE, FOLLOWING THE LINE PARALLEL TO AND 30 FEET NORTH OF THE NORTHERN FACADE OF BUILDING 185 SOUTHEAST TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 30 FEET EAST OF THE EASTERN FACADE OF BUILDING 185;

THENCE, FOLLOWING THE LINE PARALLEL TO AND 30 FEET EAST OF THE EASTERN FACADE OF BUILDING 185 SOUTHWEST TO ITS INTERSECTION WITH THE CENTERLINE OF SIDNEY BROOKS;

THENCE, FOLLOWING THE CENTERLINE OF SIDNEY BROOKS NORTHWEST TO THE POINT OF BEGINNING.

* * * *

SECTION 2: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 491.

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

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4F.) CASE NUMBER #Z2003029 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Brooks Development Authority, Juvenio Lopez, Owner(s), for a change in zoning to designate Historic Significance on Building 538, Brooks City Base. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

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

AN ORDINANCE 97450

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 BUILDING 538, BROOKS CITY BASE, TO DESIGNATE HISTORIC SIGNIFICANCE.

* * * *

4G.) CASE NUMBER #Z2003030 - The request of Angela Marie Sanders, Applicant, for Angela Marie Sanders, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2 P NA" Commercial Non-Alcoholic Sales District on Lot 10, Lot 11, and Lot 12, Block 6, NCB 7800, 5305, 5311 and 5319 South Flores Street. 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 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, Carpenter. **NAYS:** None. **ABSENT:** Perez, Schubert, Garza.

AN ORDINANCE 97451

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 10, LOT 11, AND LOT 12, BLOCK 6, NCB 7800,

5305, 5311 AND 5319 SOUTH FLORES STREET, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 P NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT.

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4H.) 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 of 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 stated that both sides had agreed to continue this case to allow more time for consideration. He made a motion to continue this rezoning case until the City Council meeting of May 8, 2003. Councilman Martin seconded the motion.

After consideration, the motion to continue this case until May 8, 2003, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Garza.

Zoning Case #Z2002258 was continued to the Council meeting of May 8, 2003.

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4I.) 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, NCB 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 24, 2003 as the project had been altered and further consideration was needed. Councilman Martin seconded the motion.

After consideration, the motion to continue this case until April 24, 2003, prevailed by the following vote: **AYES:** Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Sanders, Garza.

Zoning Case #Z2002271 was continued but direction was revised later in the meeting. See page 28 for the final outcome of this zoning case.

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4J.) CASE NUMBER #Z2003008 - The request of Brad Galo, ABG Development, Ltd, Applicant, for Brad Galo, ABG Development, Ltd, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" Commercial District on 0.92 acres out of NCB 13732, 14800 Block of Jones Maltsberger Road. 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. Councilwoman Moorhouse seconded the motion.

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

AN ORDINANCE 97452

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.92 ACRES OUT OF NCB 13732, 14800 BLOCK OF JONES MALTSBERGER ROAD, FROM "C-2" COMMERCIAL DISTRICT TO "C-3" COMMERCIAL DISTRICT.

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4K.) CASE NUMBER #Z2003031 - The request of Paul Bishop, Applicant, for Maverick Oil Company, Inc., Owner(s), for a change in zoning from "BP" Business Park and "I-1" General Industrial District to "RM-4" Residential Mixed District on 6.506 acres out of NCB 15678, 11000 Wetmore Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

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

In response to a question by Councilman Schubert, Paul Bishop, the applicant, stated that the issue of utilities had been resolved and they would be installed underground.

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

AN ORDINANCE 97453

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 6.506 ACRES OUT OF NCB 15678, 11000 WETMORE RD, FROM "BP" BUSINESS PARK AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

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4L.) CASE NUMBER #Z2003034 - The request of Roy Rosin/Joel Johnson, Applicant, for Placid Investments Attn: Dale Kane, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "O-1" Office District on Lot 60, Block 20, NCB 17726, Northwest corner of Classen Road and Knollcreek. 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. Councilwoman Moorhouse seconded the motion.

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

AN ORDINANCE 97454

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 60, BLOCK 20, NCB 17726, NORTHWEST CORNER OF CLASSEN ROAD AND KNOLLCREEK, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

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2003-14 **CORRECTION TO AGENDA ITEM 4G**

Councilwoman Moorhouse noted that, for the record, Zoning Case 4G on today's agenda was identified as being located in District 4 but it should have been listed as being in District 3.

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(Mayor Garza returned to the meeting and presided.)

— — —
2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97455

AUTHORIZING THE EXECUTION OF A TEN (10) YEAR LICENSE AGREEMENT WITH THE SAN ANTONIO CONSERVATION SOCIETY FOR THEIR ANNUAL "A NIGHT IN OLD SAN ANTONIO" EVENT IN LA VILLITA IN CONJUNCTION WITH FIESTA.

* * * *

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

Mr. Malcolm Matthews, Director, Parks and Recreation Department, narrated a slide presentation on the license agreement with Night in Old San Antonio (NIOA) for the years 2003-2012 (a copy of which presentation is filed with the papers of this meeting). The presentation included the history of NIOA, including their payment and contract history, payment summary, attendance records, terms of the license agreement, and proposed City revenues.

Councilwoman Conner commended the San Antonio Conservation Society for its work and reiterated, from the agreement, some of the monies that this event generates.

In response to questions from Councilman Schubert, Mr. Matthews spoke to the reason for diverting portions of NIOA revenue funds from the City's General Fund to a specific Historic Preservation Account to be used for La Villita, HemisFair Park and city-wide historic preservation for City facilities.

Councilman Schubert reiterated Mr. Matthews' comments stating that the public needed to understand that these monies were being "locked" into specific uses and that there may be other projects that would not be able to be funded. He further expressed his concern in designating monies for specific projects.

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

- B) Discuss legal issues relating to Robert Milam v. City of San Antonio, SA-01-CA-1123-EP, and Robert Milam v. G. Escobedo, R. Coronado, R. Land, No. 2000-CI-17517; 150th Judicial District, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 4:45 P.M. and reconvened in regular session, at which time Mayor Garza stated that the City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

— — —

2003-14 At this point, Councilwoman Moorhouse made a motion to postpone for one week Item #27, being an ordinance supporting a license agreement with the Dallas Cowboys Football Club to hold its 2003 Training Camp at the Alamodome from the approximate dates of July 24, 2003 through August 20, 2003. Councilman Castro seconded the motion.

The following citizen(s) appeared to speak:

Ms. Rachel Cywinski, P. O. Box 90747, spoke to some of Austin's bad experiences when the Dallas Cowboys held their training camp there at St. Edwards University. She then stated that City staff had advised her that there had been an advisory issued by Homeland Security that necessitated that the handicapped access entrance to City Hall be kept locked. She stated that she had called Washington, D.C. and had been informed by a representative from Homeland Security that no such advisory had been issued. She further stated that the City could be fined for denying handicapped persons access to City Hall.

Ms. Leticia Vela, 615 W. Lynwood Avenue, spoke against this proposed ordinance citing the many citizens in San Antonio who need basic services. She added that the monies to be used to bring the Dallas Cowboys to San Antonio would be better spent providing these basic services.

Mr. Jack Finger, P. O. Box 12048, spoke to the Dallas Cowboys' record and against using City monies to negotiate bringing the Dallas Cowboys' training camp to San Antonio.

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After discussion, the motion, to postpone for one week, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

Consideration of Item 27 was postponed for one week.

— — —
2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97456

GRANTING A WAIVER OF THE INTERIM DEVELOPMENT CONTROLS ADOPTED ON FEBRUARY 6, 2003 BY ORDINANCE 97173 TO SHANE ROAD PARTNERS, L.P. AND PULTE HOMES OF TEXAS, L.P., AS SUCH INTERIM CONTROLS APPLY TO ZONING AND PLATTING FOR HERITAGE OAKS SUBDIVISION, PLAT NUMBER 000363, HERITAGE OAKS.

* * * *

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

Mr. Florencio Pena, Director, Development Services, narrated a slide presentation on the petition for waiver of interim development controls in the Limited Purpose Annexation area for Plat Number 000363, Heritage Oaks, southwest of Loop 410 and Southton Road.

He spoke to the background of interim development controls, waiver criteria, developer's agreement, and requirements for granting of a waiver, a copy of which is on file with the papers of this meeting.

Mayor Garza thanked the developer and all others involved in this project for working with his office to make this a great addition to San Antonio's neighborhoods.

Councilwoman Moorhouse made a motion to amend the proposed Ordinance to state that the waiver of the interim development controls was conditional upon the sale of the property to Pulte Homes only. Councilman Sanders seconded the motion.

In response to a question by Councilman Schubert, City Attorney Martin stated that, on this type of request, it was within the Council's authority to limit the sale of the property to only one group.

The amendment to the motion as presented by Councilwoman Moorhouse was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, 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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2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97457

AUTHORIZING PAYMENT TO TICOR TITLE COMPANY IN THE AMOUNT OF \$500,450.00 AS ESCROW AGENT FOR FEE SIMPLE PURCHASE OF A 83.717-ACRE TRACT OF LAND SITUATED BETWEEN THE WINDGATE RANCH AND HIGHWAY 211 IN NORTHWEST BEXAR COUNTY, TEXAS, UNDER THE AUSPICES OF THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT; ACCEPTING BY DONATION AT 6.987-ACRE TRACT OF LAND SITUATED IN MEDINA COUNTY; AUTHORIZING PAYMENT OF \$5,000.00 TO THE TRUST FOR PUBLIC LAND FOR ITS SERVICES IN NEGOTIATING, INVESTIGATING AND PURCHASING SAID PROPERTY; AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE CONTRACT TO ACCOMPLISH SAID PURCHASE.

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

Ms. Susan Valis Crane, Special Project Manager, narrated a slide presentation in which she spoke to the tract of land acquired for the Edwards Aquifer Land Acquisition and Park Expansion Program and acceptance of a land donation in Medina County, a copy of which is on file with the papers of this meeting. She spoke to the status of acquisitions, particulars on this tract of land, and acquisition costs.

Ms. Crane showed the Council a short video on a track of land that had just been recently purchased known as the Salado Creekway Project.

Councilwoman Conner spoke to the importance of almost 5,000 acres of land over the Edwards Aquifer Recharge Zone being protected under this program.

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

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2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97458

RATIFYING THE SUBMISSION OF A PROPOSAL AND TECHNICAL SUBMISSIONS TO THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) IN CONNECTION WITH THE 2002 CONTINUUM OF CARE HOMELESS ASSISTANCE SUPPORTIVE HOUSING PROGRAM (SHP); AUTHORIZING THE ACCEPTANCE OF A MULTI-YEAR GRANT IN AN AMOUNT UP TO \$4,533,729.00 IN CONNECTION WITH SAID PROPOSAL; AND AUTHORIZING THE EXECUTION OF GRANT AGREEMENTS WITH HUD FOR SERVICES TO BE PROVIDED BY VARIOUS AGENCIES.

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

Mr. Dennis J. Campa, Director, Community Initiatives, narrated a slide presentation in which he spoke to the purpose and background of the Ordinance, the funding history, proposed action, and accountability measures, a copy of which is on file with the papers of this meeting.

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

2003-14 The Clerk read the following Ordinance:

AN ORDINANCE 97459

ALLOCATING \$400,000.00 FROM 1999 G.O. LIBRARY BOND FUNDS FOR THE PURCHASE OF THE OPENING DAY MATERIALS COLLECTION OF THE MYSTIC PARK BRANCH LIBRARY, LOCATED IN THE 8700 BLOCK OF MYSTIC PARK, BETWEEN GUILBEAU ROAD AND BANDERA ROAD IN COUNCIL DISTRICT 7.

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Councilman Schubert made a motion to approve the proposed Ordinance. Councilwoman Herrera seconded the motion.

Councilman Castro thanked Library Director Laura Isenstein, Mayor Garza and Councilwoman Conner for the work that had been done to assure that the Mystic Park Branch Library became a reality.

Councilwoman Conner spoke to her pleasure at seeing this library completed.

Mayor Garza commended the community for coming together to see this project through to fruition.

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.

2003-14 **CITY MANAGER'S REPORT**

City Manager Terry Brechtel stated that there were two items that needed to be reported to the Council.

Mr. Dennis Campa provided information on the Human Development Services Fund Mid-year Update. His report included the purpose of the Fund, its background, impact on the Volunteer Income Tax Assistance, VITA, expenditures by population, by public purpose, total number of investments, and accountability system (a copy of which is filed with the papers of this meeting).

Mr. Jim Campbell, External Relations Director, provided a legislative update that reflected the activities in the last two weeks of the State Initiatives Program, 78th Legislature. He spoke to major bills being considered, testimonies presented by the Mayor, Councilwoman Moorhouse and members of the staff, significant actions, and early successes. (A copy of his slide presentation is filed with the papers of this meeting.)

In response to questions by several Councilmembers, Mr. Campbell spoke to the status of various bills.

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2003-14

CITIZENS TO BE HEARD

MR. JAIME P. MARTINEZ

Mr. Jaime P. Martinez, UFW, AFL-CIO, read from an open letter to the community (a copy of which is filed with the papers of this meeting) in which he spoke to the struggle for employees' right to organize a union at the Adam's Mark Hotel and Resort, to the firing of Mr. Abel Arriaga, Leader of the United Farm Works volunteer organizing committee and to a hearing scheduled for May 22, 2003 before a government administrative law judge. Mr. Martinez asked every City official to help hotel workers in San Antonio by writing a letter to the general manager of the Adam's Mark asking him to immediately reinstate Mr. Arriaga to his former job.

A brief discussion ensued between Councilman Martin and Mr. Martinez on the circumstances of Mr. Arriaga's dismissal.

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MR. ABEL ARRIAGA

Mr. Abel Arriaga, UFW, AFL-CIO, spoke to his efforts to help employees unionize at the Adam's Mark Hotel and reiterated Mr. Martinez' request for the Council to express its support by writing to the general manager of the hotel, asking for his reinstatement.

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MS. NINFA CARDENAS

Ms. Ninfa Cardenas, 1101 San Francisco, spoke to a recent problem she had encountered with Code Compliance relative to some food she had disposed of and to subsequent citations that she had been given for various code violations.

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MR. RICHARD ALLES

Mr. Richard Alles, Citizens Tree Coalition, provided a slide presentation in which he spoke to the root protection zone issue on residential development. He further expressed the Coalition's concerns that the development industry did not want root protection at all. He offered a proposal for the root protection zone.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke in favor of a strong tree ordinance and read passages from scripture related to trees. He also spoke to the SEIU Union, Local 1967, whose representatives were making promises to get people to sign up with them.

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MR. HAROLD JUNG

Mr. Harold Jung, Citizens Tree Coalition, spoke of his opposition to the City spending monies to bring the Dallas Cowboys to San Antonio stating that he felt the City could use the money on more prudent investments. He also narrated a slide presentation in which he spoke to the root protection zone and the prevention of flooding.

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MS. MICHELE PETTY

Ms. Michele Petty, San Antonio Global Renaissance Alliance, provided a cost benefit analysis on bringing the Dallas Cowboys to San Antonio for training camp, adding it was a misuse of tax money. She also requested that the Council not approve the Worth Industries deal stating that it was not good to encourage development over the Edwards Recharge Zone. She then offered a slide presentation on the tree ordinance, citing that it

needs to call for a 50% residential protection of trees and 100% heritage tree protection. She urged the City Council to pass the strongest tree protection ordinance in Texas.

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MR. JERRY MORRISEY

Mr. Jerry Morrissey, Sierra Club, continued the slide presentation and spoke to developers wanting to exempt large areas from preserving trees. He spoke of few trees being left in some neighborhoods. He noted that exemptions work against preservation goals and new developments are stripping the land. He asked Council to find incentives to save trees on property that had been grandfathered.

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MS. JULIE IRIS OLDHAM

Ms. Julie Iris Oldham spoke of the City providing a forum where City Council candidates can debate and to hosting a homeless convention in the Henry B. Gonzalez Convention Center.

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2003-14 There being no further business to come before the Council, the meeting was adjourned at 6:20 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