

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 22, 2003.**

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2003-20 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following item(s):

- A) **Staff Presentation on the Incentive Toolkit.** (Presented by Jelynn LeBlanc Burley, 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 11:18 A.M.

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2003-20 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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2003-20 Invocation by Reverend Jose L. Palos, La Trinidad United Methodist Church.

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2003-20 Pledge of Allegiance to the flag of the United States.



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2003-20 Minutes of the Regular City Council Meetings of April 17 and April 24,  
2003 were approved.

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2003-20 **CONSENT AGENDA**

Councilman Sanders made a motion to approve Agenda Items 9 through 16G,  
constituting the Consent Agenda. 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 97636

ACCEPTING THE SOLE SOURCE OFFER FROM WORLD BOOK EDUCATIONAL  
PRODUCTS/WORLD BOOK, INC. TO PROVIDE THE CITY OF SAN ANTONIO  
LIBRARY DEPARTMENT WITH FORTY-TWO WORLD BOOK ENCYCLOPEDIA  
SETS FOR A TOTAL AMOUNT OF \$32,088.00.

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AN ORDINANCE 97637

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF  
SAN ANTONIO WITH BACK SUPPORT BELTS, D.W.V. PIPE & FITTINGS,  
CATERPILLAR EARTHMOVING, CONSTRUCTION & PAVING EQUIPMENT  
PARTS AND SERVICE, AND SPORT BAGS ON AN ANNUAL CONTRACT BASIS  
FOR FISCAL YEAR 2003-2004 FOR A TOTAL OF APPROXIMATELY \$175,000.00.

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AN ORDINANCE 97638

TERMINATING THE EXISTING LICENSE AGREEMENT APPROVED BY ORDINANCE NO. 60738 ON MAY 23, 1985 AND ORDINANCE NO. 72070, DATED AUGUST 9, 1990; AND GRANTING A LICENSE AGREEMENT TO ALAMO HOTELS, INC. FOR THE CONTINUED USE OF AVENUE E AND EAST HOUSTON STREET PUBLIC RIGHTS OF WAY FOR AN EXISTING BASEMENT AT THE ABUTTING EMILY MORGAN HOTEL LOCATED AT 705 EAST HOUSTON STREET, IN NCB 424, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00. (AMENDS ORDINANCE NOS. 60738, MAY 23, 1985; ORDINANCE NO. 72070, AUGUST 9, 1990)

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AN ORDINANCE 97639

AUTHORIZING THE SECOND ONE-YEAR EXTENSION OF THE EXISTING CONTRACT WITH TEXAS CLOSED CAPTIONING TO PROVIDE CLOSED CAPTIONING SERVICES TO THE CITY OF SAN ANTONIO, WHICH WAS APPROVED BY ORDINANCE NO. 93919 ON MAY 10, 2001, AND FIRST EXTENDED BY ORDINANCE NO. 95798 ON MAY 23, 2002. (AMENDS ORDINANCE NOS. 95798, MAY 23, 2002; ORDINANCE NO. 93919, MAY 10, 2001.)

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AN ORDINANCE 97640

AUTHORIZING THE SETTLEMENT OF THE LAWSUIT STYLED *CITY OF SAN ANTONIO V. PASEO DEL RIO JOINT VENTURE NO. 1 AND ZUNI, INC. D/B/A ZUNI GRILL*, CONCERNING A DISPUTE ABOUT OWNERSHIP OF PROPERTY ON THE RIVER WALK; APPROVING THE RULE 11 SETTLEMENT AGREEMENT SPECIFYING THE TERMS OF THE SETTLEMENT; AUTHORIZING THE EXECUTION OF LEASE AGREEMENT WITH THE DEFENDANT BUSINESS FOR TERMS OF TWENTY-FIVE YEARS AND APPROXIMATE TOTAL ANNUAL RENT FOR ALL THE APPROVED LEASES BEGINNING AT \$7,694.00.

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AN ORDINANCE 97641

AUTHORIZING THE CARRY FORWARD OF 2001 HEAD START FUNDS IN THE AMOUNT OF \$275,580.00 FOR THE OPERATION OF THE 2002 HEAD START-EARLY CHILD CARE PROGRAM; ADOPTING A REVISED HEAD START PROGRAM BUDGET REFLECTING SAID ADDITIONAL FUNDS; AND AUTHORIZING THE REIMBURSEMENT OF ELIGIBLE EXPENDITURES TO PARENT/CHILD, INCORPORATED, OPERATOR OF SAID PROGRAM IN CONNECTION HEREWITH. (AMENDS ORDINANCE 95248, JANUARY 31, 2002.)

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AN ORDINANCE 97642

AUTHORIZING THE EXECUTION OF DELEGATE AGENCY AGREEMENTS WITH TEN (10) COMMUNITY BASED ORGANIZATIONS TO OPERATE TWENTY-THREE (23) OF THE SUMMER RECREATION SITES AND SITE AGREEMENTS WITH LOCAL SCHOOL DISTRICTS IN CONNECTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 2003 SUMMER RECREATION PROGRAM FOR A TOTAL OF \$100,000.00; AND AUTHORIZING PAYMENT TO THE ORGANIZATIONS FOR SERVICES PROVIDED UNDER SAID CONTRACTS.

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AN ORDINANCE 97643

REAPPOINTING ISAAC G. HODGES (REAL ESTATE/BUILDING INDUSTRY CATEGORY - DISTRICT 2) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 2004.

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AN ORDINANCE 97644

REAPPOINTING JO LONG WILLIAMS (DISTRICT 2) TO THE CLEAN-UP CITY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 2005.

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AN ORDINANCE 97645

REAPPOINTING BENJAMIN F. YOUNGBLOOD, III (DISTRICT 8) AND AUGUST S. JOHNSON (DISTRICT 2) TO THE ETHICS REVIEW BOARD FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY 21, 2005.

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AN ORDINANCE 97646

REAPPOINTING LILLIE HARRIS (DISTRICT 2) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2005.

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AN ORDINANCE 97647

REAPPOINTING MARGARET GALVAN (DISTRICT 4) AS TRUSTEE TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2006.

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AN ORDINANCE 97648

APPOINTING WALLACE POPE (DISTRICT 2) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2004.

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AN ORDINANCE 97649

REAPPOINTING GILBERT KISSLING (DISTRICT 1) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004.

2003-20 MEETING OF THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION.

Mayor Garza recessed the regular meeting at 1:34 P.M. in order to convene the meeting of the Board of Directors of the **STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION**. The following members were present: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

At this point, it was noted that there were no minutes of the Corporation to approve.

Acting City Clerk Yolanda Ledesma then read the following Resolution of the Board:

A RESOLUTION  
SIDC NO. 2003-05

APPROVING THE PROJECT STARBRIGHT AGREEMENT BY AND AMONG THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION, CITY, TOYOTA MOTOR MANUFACTURING NORTH AMERICA, INC., THE STATE OF TEXAS, BEXAR COUNTY, TEXAS, TEXAS DEPARTMENT OF TRANSPORTATION, TEXAS WORKFORCE COMMISSION, ALAMO WORKFORCE DEVELOPMENT, INC., TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, SAN ANTONIO WATER SYSTEM, CITY PUBLIC SERVICE, SAN ANTONIO ECONOMIC DEVELOPMENT FOUNDATION, GREATER KELLY DEVELOPMENT AUTHORITY, SOUTHWEST INDEPENDENT SCHOOL DISTRICT, BEXAR METROPOLITAN WATER DISTRICT, AND BEXAR COUNTY RAIL DISTRICT, TO FACILITATE THE ESTABLISHMENT OF A MANUFACTURING AND ASSEMBLY FACILITY FOR MOTOR VEHICLES AND AUTOMOTIVE PARTS AND COMPONENTS AND THE PUBLIC PURPOSES OF DEVELOPING AND DIVERSIFYING THE ECONOMY OF THE CITY AND REDUCING UNEMPLOYMENT AND UNDER EMPLOYMENT IN THE CITY, AND AUTHORIZING THE EXECUTIVE DIRECTOR TO MAKE NON-SUBSTANTIVE CHANGES TO THE PROJECT STARBRIGHT AGREEMENT (SUCH AS FILLING IN DATES, CORRECTING TYPOGRAPHICAL ERRORS, INSERTING ADDRESS INFORMATION, AND THE LIKE) AND TO EXECUTE THE PROJECT STARBRIGHT AGREEMENT, AND AUTHORIZING OTHER ACTIONS, AS NECESSARY.

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

Mr. Christopher Brady, Assistant City Manager, spoke to the collaborative efforts of the private and public sectors and the teamwork it took to make the project a reality. He then narrated a slide presentation on Agenda Items 17B and 18 in which he spoke to the sequence of events that led to this agreement and provided a corporate profile of Toyota (a copy of the presentation is filed with the papers of this meeting). He stated that Toyota, based in Toyota City, Japan, was the third largest automaker in the world and the fourth largest in North America. He pointed out that Toyota's first car produced in North America was in 1986 and its operation has grown to four vehicle assembly plants in North America employing 32,000 employees. He spoke to Toyota's projected economic impact to the City and San Antonio's commitment to Toyota, including, but not limited to, site acquisition, site preparation, zoning, and Empowerment Zone Designation. Also, he spoke of the creation of the Starbright Industrial Development Corporation and the City's financial commitment. He further explained the City's sources of funds, Toyota's estimated financing and the support and commitment by the Economic Development Administration, the State of Texas, the County and School District. Mr. Brady then stated that the City would next sell bonds to finance the land acquisition, submit a grant application to EDA, and amend its EZ agreement with HUD. He added that SAWS would convey 600 acres to the City/Industrial Development Corporation (IDC), IDC will acquire the project site and transfer it to Toyota, and Toyota will begin site preparation in the fall of 2003.

Mr. Brady thanked the Mayor, City Council, members of Team Toyota and many other individuals from the state, county, city and private sector that worked to make this project a success. He stated that Toyota was a great corporation to work with, was very professional and was attuned to local needs and local concerns. He noted that he was looking forward to a successful partnership.

The following citizen(s) appeared to speak:

Mr. Jim Weisman, representing Toyota, thanked everyone who played a role in bringing Toyota to San Antonio and asked that the City Council give its approval of this Ordinance. He stated that he was aware that this was the biggest economic development deal that had occurred in the City in a long time and he pledged that Toyota would do its best to assure that it turned out to be a good investment for the City. He spoke to the project as a having a significant economic impact to the City with a projected 18% return on the investment.

Mayor Garza noted that this was a partnership among the state, county and City and thanked everyone for their respective roles in the success of this endeavor.

Judge Nelson Wolff noted the positive impact that this would have on the Southside Initiative and stated that the initiative was a key component of the program. He spoke to the outstanding partnership that was formed and to this being a victory for all concerned.

Mr. Chuck Bridgeman, a representative from the Greater Chamber of Commerce, spoke to the importance of expressing support for Toyota. He read from a letter written by Mr. Joseph Krier, Chamber President and CEO, in which he stated that the Chamber would continue to support the efforts of the City and Council in this endeavor.

Ms. Jackie Gorman, also representing the Greater Chamber, noted that many south side businesses were excited about having a new neighbor like Toyota. She expressed appreciation to the Council for their work and stated that this would be a key to opening doors for more balanced growth in the City.

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Mayor Garza stated that this was a good agreement that would positively affect the community. He spoke to the benefits of Toyota locating in San Antonio. He further stated that, in his opinion, fifty years from now aerial maps of the City would show that the south side had been transformed because of this opportunity.

After discussion, 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.

Mayor Garza adjourned the meeting of the Board of Directors of the City of San Antonio, Texas Starbright Industrial Development Corporation, and reconvened the regular session of the City Council meeting at 2:12 P.M.

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2003-20      The Clerk read the following Ordinance:

AN ORDINANCE 97650

APPROVING THE PROJECT STARBRIGHT AGREEMENT BY AND AMONG THE CITY, CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION, TOYOTA MOTOR MANUFACTURING NORTH AMERICA, INC., THE STATE OF TEXAS, BEXAR COUNTY, TEXAS, TEXAS DEPARTMENT OF TRANSPORTATION, TEXAS WORKFORCE COMMISSION, ALAMO WORKFORCE DEVELOPMENT, INC., TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT, TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, SAN ANTONIO WATER SYSTEM, CITY PUBLIC SERVICE, SAN ANTONIO ECONOMIC DEVELOPMENT FOUNDATION, GREATER KELLY DEVELOPMENT AUTHORITY, SOUTHWEST INDEPENDENT SCHOOL DISTRICT, BEXAR METROPOLITAN WATER DISTRICT, AND BEXAR COUNTY RAIL DISTRICT TO FACILITATE THE ESTABLISHMENT OF A MANUFACTURING AND ASSEMBLY FACILITY FOR MOTOR VEHICLES AND AUTOMOTIVE PARTS AND COMPONENTS IN ORDER TO ADVANCE THE PUBLIC PURPOSES OF DEVELOPING AND DIVERSIFYING THE ECONOMY OF THE CITY AND REDUCING UNEMPLOYMENT AND UNDER EMPLOYMENT IN THE CITY, AND AUTHORIZING THE CITY MANAGER TO MAKE NON-SUBSTANTIVE CHANGES TO THE PROJECT STARBRIGHT AGREEMENT (SUCH AS FILLING IN DATES, CORRECTING TYPOGRAPHICAL ERRORS, INSERTING ADDRESS INFORMATION, AND THE LIKE) AND TO EXECUTE THE PROJECT STARBRIGHT AGREEMENT, AND AUTHORIZING OTHER ACTIONS, AS NECESSARY; EFFECTIVELY IMMEDIATELY IF PASSED BY AT LEAST EIGHT (8) VOTES.

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



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

AN ORDINANCE 97651

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-1" INDUSTRIAL DISTRICT TO "D" DOWNTOWN DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 795  
ALL OF NCB 787, SAVE AND EXCEPT LOTS 1, 2, A-2, A-9, AND A-17, BLOCK 7  
ALL OF NCB 790  
ALL OF NCB 785, SAVE AND EXCEPT LOTS 7 AND 8, BLOCK 3  
ALL OF NCB 789  
ALL OF NCB 796  
ALL OF NCB 799  
ALL OF NCB 807  
ALL OF NCB 172  
ALL OF NCB 121  
ALL OF NCB 103  
ALL OF NCB 158  
ALL OF NCB 119  
ALL OF NCB 149  
LOT 2, BLOCK 1, NCB 16821  
ALL OF NCB 132, SAVE AND EXCEPT LOTS 5 THOROUGH 9, 11 (ARB A8), AND 12 THROUGH 14  
ALL OF NCB 113  
ALL OF NCB 419  
ALL OF NCB 420  
ALL OF NCB 413  
ALL OF NCB 414  
ALL OF NCB 418, SAVE AND EXCEPT LOT 7, BLOCK 16  
ALL OF NCB 417

ALL OF NCB 415, SAVE AND EXCEPT LOTS A-7, A-8, A-9, P-100, P-101, AND P-102, BLOCK 18  
LOT 1, NCB 13813  
ALL OF NCB 871  
ALL OF NCB 14129  
ALL OF NCB 167  
ALL OF NCB 153  
ALL OF NCB 421  
ALL OF NCB 425, SAVE AND EXCEPT LOTS 5, 7, 9, 11, 13, 15, AND 16, BLOCK 23  
THE NORTH IRREGULAR 27.04 FEET OF LOT 4, BLOCK 22, NCB 424  
ALL OF NCB 426  
ALL OF NCB 551  
LOT 39A, NCB 554  
LOTS 1 AND 10, BLOCK 42, NCB 555

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 RIO 3" INDUSTRIAL RIVER OVERLAY DISTRICT TO "D RIO 3" DOWNTOWN RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 800  
ALL OF NCB 912  
ALL OF NCB 180, SAVE AND EXCEPT LOTS 9 THROUGH 12, 15, THE NORTH 50 FEET OF LOT 13, THE SOUTH 69 FEET OF LOT 16, AND ALL OF LOT 19  
ALL OF NCB 801, SAVE AND EXCEPT LOT 12, BLOCK 26  
ALL OF NCB 802  
ALL OF NCB 411  
ALL OF NCB 400  
ALL OF NCB 401  
ALL OF NCB 410  
ALL OF NCB 412, SAVE AND EXCEPT LOTS 1 THROUGH 4, 13, AND 14  
ALL OF NCB 141  
ALL OF NCB 910  
ALL OF NCB 911  
ALL OF NCB 139, SAVE AND EXCEPT LOT 15  
ALL OF NCB 140  
ALL OF NCB 154  
ALL OF NCB 128  
ALL OF NCB 120  
ALL OF NCB 146, SAVE AND EXCEPT LOTS 4 AND 5

LOTS 8 THROUGH 12, THE NORTH IRREGULAR PARTS OF LOTS 13 THROUGH 16, LOT 17 AND PARCEL 100, NCB 101  
ALL OF NCB 109  
ALL OF NCB 107  
ALL OF NCB 986  
THE SOUTH IRREGULAR 64.3 FEET OF LOT 35A, NCB 118  
ALL OF NCB 161  
ALL OF NCB 157  
ALL OF NCB 108  
ALL OF NCB 156, SAVE AND EXCEPT LOT 7 AND THE NORTH 18 FEET OF A-11  
ALL OF NCB 160  
ALL OF NCB 159  
LOTS 26 THROUGH 32, NCB 106  
THE EASTERN 32.2 FEET OF LOT 20, AND LOTS 2 THROUGH 9 AND THE WEST 3.6 FEET OF THE ALLEY, NCB 116  
ALL OF NCB 430  
ALL OF NCB 409  
ALL OF NCB 402  
ALL OF NCB 408  
ALL OF NCB 407, SAVE AND EXCEPT LOTS 1 THROUGH 4, 6, A4, 15 AND THE WESTERN 44.84 FEET OF LOT 5, BLOCK 17  
ALL OF NCB 403  
ALL OF NCB 404  
ALL OF NCB 405  
ALL OF NCB 416, SAVE AND EXCEPT LOTS A-13, A-6, A-7, A-8, A-9, AND LOT 20, BLOCK 23  
ALL OF NCB 148, SAVE AND EXCEPT LOTS 1 THROUGH 6, 6.5, 11, 12, 20, 21 AND THE SOUTHWEST 2.29 FEET OF THE EAST 44.9 FEET OF LOT 8  
ALL OF NCB 872  
ALL OF NCB 13812  
ALL OF NCB 1010  
ALL OF NCB 429, SAVE AND EXCEPT LOT 13, BLOCK 19

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 HS RIO 3" INDUSTRIAL HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT TO "D HS RIO 3" DOWNTOWN HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS 9 THROUGH 12, 15, THE NORTH 50 FEET OF LOT 13, THE SOUTH 69 FEET OF LOT 16, AND ALL OF LOT 19, NCB 180

LOTS 1 THROUGH 4, 13, AND 14, NCB 412  
ALL OF NCB 133  
ALL OF NCB 909  
ALL OF NCB 864  
ALL OF NCB 101, SAVE AND EXCEPT LOTS 8 THROUGH 12, THE NORTH  
IRREGULAR PARTS OF LOTS 13 THROUGH 16, LOT 17 AND PARCEL 100  
ALL OF NCB 100, SAVE AND EXCEPT LOT 24  
ALL OF NCB 118, SAVE AND EXCEPT LOT 32A, THE SOUTH IRREGULAR 64.3  
FEET OF LOT 35A, THE NORTH IRREGULAR TRIANGLE OF LOT 29C, THE  
NORTH IRREGULAR 150 FEET OF LOTS 30A, AND 31A, LOT 28, THE SOUTH  
120.8 FEET OF LOT A29, AND THE EAST TRIANGLE OF LOT 29  
ALL OF NCB 125  
ALL OF NCB 14014  
ALL OF NCB 130  
ALL OF NCB 114  
ALL OF NCB 14015  
ALL OF NCB 14016  
ALL OF NCB 142  
ALL OF NCB 124  
ALL OF NCB 907  
LOT 7 AND THE NORTH 18 FEET OF A-11, NCB 156  
LOTS 33 AND 34, NCB 106  
ALL OF NCB 116, SAVE AND EXCEPT LOTS 2 THROUGH 9 AND THE WEST 3.6  
FEET OF THE ALLEY, AND THE EAST 32.2 FEET OF LOT 20  
LOTS 1 THROUGH 4, 6, A4, 15 AND THE WESTERN 44.84 FEET OF LOT 5,  
BLOCK 17, NCB 407  
LOT 21 AND THE SOUTHWEST 2.29 FEET OF THE EAST 44.9 FEET OF LOT 8,  
NCB 148

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "M-33"  
MULTI-FAMILY DISTRICT TO "D" DOWNTOWN DISTRICT ON THE  
PROPERTY LISTED AS FOLLOWS:**

LOTS 2 AND 3, BLOCK 4, NCB 784

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33"  
MULTI-FAMILY DISTRICT TO "I-1" INDUSTRIAL DISTRICT TO "D"  
DOWNTOWN DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 788  
LOT 2, NCB 13813

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 HS" INDUSTRIAL HISTORIC SIGNIFICANT DISTRICT TO "D HS" DOWNTOWN HISTORIC SIGNIFICANT DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 122  
ALL OF NCB 865  
ALL OF NCB 765  
ALL OF NCB 123  
ALL OF NCB 110  
LOT 24, NCB 100  
LOT 7, BLOCK 16, NCB 418  
LOTS A-7, A-8, A-9, P-100, P-101, AND P-102, BLOCK 18, NCB 415

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-2" COMMERCIAL DISTRICT TO "D" DOWNTOWN DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 786

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 HS RIO 3" INDUSTRIAL HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT AND "D RIO 3" DOWNTOWN RIVER OVERLAY DISTRICT TO "D HS RIO 3" DOWNTOWN HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT AND "D RIO 3" DOWNTOWN RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOT 13, BLOCK 14, NCB 403

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 H RIO 3" INDUSTRIAL HISTORIC RIVER OVERLAY DISTRICT TO "D H RIO 3" DOWNTOWN HISTORIC RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS A-6, A-7, A-8, A-9, AND ALL OF LOT 20, BLOCK 23, NCB 416  
LOTS 1 THROUGH 6, 6.5, AND 20, NCB 148  
ALL OF NCB 914  
ALL OF NCB 151  
ALL OF NCB 145  
ALL OF NCB 423

ALL OF NCB 106, SAVE AND EXCEPT LOTS 26 THROUGH 34  
LOTS 4 AND 5, NCB 146

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 HS RIO 3" INDUSTRIAL HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT AND "I-1 RIO 3" INDUSTRIAL RIVER OVERLAY DISTRICT TO "D HS RIO 3" DOWNTOWN HISTORIC SIGNIFICANT RIVER OVERLAY DISTRICT AND "D RIO 3" DOWNTOWN RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS 11 AND 12, NCB 148

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 HS RIO 3" INDUSTRIAL HISTORIC RIVER OVERLAY DISTRICT AND "I-1 RIO 3" INDUSTRIAL RIVER OVERLAY DISTRICT TO "D HS RIO 3" DOWNTOWN HISTORIC RIVER OVERLAY DISTRICT AND "D RIO 3" DOWNTOWN RIVER OVERLAY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 143

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 H" INDUSTRIAL HISTORIC DISTRICT TO "D H" DOWNTOWN HISTORIC DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 422

LOTS 5, 7, 9, 11, 13, 15, AND 16, BLOCK 23, NCB 425

ALL OF NCB 552, SAVE AND EXCEPT LOTS P-100, A1, A2, AND A3

ALL OF NCB 424, SAVE AND EXCEPT LOT P-100, THE NORTH IRREGULAR 27.04 FEET OF LOT 4, AND

THE NORTHEAST IRREGULAR 44.83 FEET OF LOT 7 AND THE SOUTHEAST IRREGULAR 10 FEET OF LOT 4, BLOCK 22

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT AND "I-1 HS" INDUSTRIAL HISTORIC SIGNIFICANT DISTRICT TO "D" DOWNTOWN DISTRICT AND "D HS" DOWNTOWN HISTORIC SIGNIFICANT DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOT 13, BLOCK 19, NCB 429

LOT P-100, BLOCK 22, NCB 424

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 H" INDUSTRIAL HISTORIC DISTRICT AND "I-1 H VP-1" INDUSTRIAL HISTORIC VIEWSHED PROTECTION DISTRICT TO "D H" DOWNTOWN HISTORIC DISTRICT AND "D H VP-1" DOWNTOWN HISTORIC VIEWSHED PROTECTION DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 115

LOTS P-100, A1, A2, AND A3, NCB 552

ALL OF NCB 165, SAVE AND EXCEPT LOTS 12 THROUGH 16, 23 THROUGH 29, 27A, ARB 25A AND ARB 25B

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT, "I-1 HS" INDUSTRIAL HISTORIC SIGNIFICANT DISTRICT, AND "I-1 H" INDUSTRIAL HISTORIC DISTRICT TO "D" DOWNTOWN DISTRICT, "D HS" DOWNTOWN HISTORIC SIGNIFICANT DISTRICT, AND "D H" DOWNTOWN HISTORIC DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

THE NORTHEAST IRREGULAR 44.83 FEET OF LOT 7 AND THE SOUTHEAST IRREGULAR 10 FEET OF LOT 4, BLOCK 22, NCB 424

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT AND "I-1 VP-1" INDUSTRIAL VIEWSHED PROTECTION DISTRICT TO "D" DOWNTOWN DISTRICT AND "D VP-1" DOWNTOWN VIEWSHED PROTECTION DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS 12, 13, 15, AND 16, NCB 165

LOTS 1, 2, A9, A12, AND ARB A11, NCB 164

LOTS D, AND THE NORTH IRREGULAR 150 FEET OF LOT 3, BLOCK 54, NCB 553

ALL OF NCB 554, SAVE AND EXCEPT LOT 30 AND LOT 39A

LOT 2, BLOCK 42, NCB 555

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 VP-1" INDUSTRIAL VIEWSHED PROTECTION DISTRICT TO "D VP-1" DOWNTOWN VIEWSHED PROTECTION DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS 14, 27 (27A AND 27B), 28, AND 29, NCB 165

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ALL OF NCB 164, SAVE AND EXCEPT LOTS 1, 2, A9, A12, AND ARB A11  
ALL OF NCB 553, SAVE AND EXCEPT LOTS 1, D, AND THE NORTH  
IRREGULAR 150 FEET OF LOT 3, BLOCK 54  
ALL OF NCB 866  
LOT 30, NCB 554

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 H  
VP-1" INDUSTRIAL HISTORIC VIEWSHED PROTECTION DISTRICT TO "D  
H VP-1" DOWNTOWN HISTORIC VIEWSHED PROTECTION DISTRICT ON  
THE PROPERTY LISTED AS FOLLOWS:**

LOTS 23 THROUGH 26, ARB 25A AND ARB 25B, NCB 165  
LOT 1, BLOCK 54, NCB 553

\* \* \* \*

— — —

4B.) CASE NUMBER #Z2003032 C S - The request of Jesse R. Diaz and Romeo Garcia, Applicant, for Jesse R. Diaz and Romeo Garcia, Owner(s), for a change in zoning from "C-1S" Commercial District with a specific use authorization for an athletic field to "C-2 C S" Commercial District with a conditional use for an outdoor flea market; and specific use authorization for an athletic field on 3.0366 acres of land out of a 7.2731 acre tract of land located on New City Block 10782, 3667 Roland Avenue. 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 Carpenter seconded the motion.

The following citizen(s) appeared to speak:

In response to a question by Councilman Sanders, Mr. Jim Rodriguez, representing the owner, spoke to the location of the flea market and to parking accommodations.

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

AN ORDINANCE 97652

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 BEING 3.0366 ACRES OF LAND OUT OF A 7.2731 ACRE TRACT OF LAND LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS OUT OF THE MARIA G. DE ALANIZ SURVEY NO. 20, ABSTRACT NO. 22, NEW CITY BLOCK 10782, 3667 ROLAND AVENUE, FROM "C-1S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A ATHLETIC FIELD TO "C-2 C S" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN OUTDOOR FLEA MARKET; AND SPECIFIC USE AUTHORIZATION FOR AN ATHLETIC FIELD ON THE PROPERTY.

\* \* \* \*

— — —

4C.) CASE NUMBER #Z2003083 - The request of Pulte Homes of Texas, Inc., Applicant, for Shane Road Partners, L.P., a Texas Limited Partnership, Thomas P. Groce, Vice President, Owner(s), for a change in zoning from "DR" Development Reserve to "MPCD" Master Planned Community District on 122.12 acres out of NCB 10916, south of Shane Road & West of Southon 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 Sanders seconded the motion.

The following citizen(s) appeared to speak:

Mr. Andrew Guerrero, representing the applicant, explained that his client had reached an agreement with the neighborhood association. He stated that the major points of the agreement were two access points out to Shane Road, single-family homes fronting onto Shane Road and relocation of a day care center from its proposed location. He added that the property would include 669 single-family homes and two commercial areas on Southton Road.

Mr. George Garcia, McCreless Meadows Neighborhood Association, presented a letter to Councilwoman Moorhouse in which the association expressed its gratitude to Pulte Homes and raised some issues that the association still had.

Councilwoman Moorhouse read a part of the letter for the record, a copy of which is filed with the papers of this meeting. She then thanked the neighborhood for taking the time to meet with everyone to resolve outstanding issues.

Mr. Tim Stewart spoke to details of the project. He added that if a demand existed for larger homes, Pulte Homes would take that into consideration.

Mr. James L. Fisher noted that larger, higher-end homes are needed on the south side for individuals who need large homes but want to remain in that part of the City. He stated that the area did not need higher density but lower density with larger homes.

Mr. Jesse F. Jenkins spoke in favor of larger lots and low density for the area. He stated that plans were to zone the major portion of his property for larger homes.

\* \* \* \*

Councilwoman Moorhouse thanked members of the neighborhood association for working on this project. She noted that everyone was in agreement on this project and that it is important that large homes be built on the southside. She further noted the importance of giving citizens a choice.

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

#### AN ORDINANCE 97653

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304,

OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY DESIGNATED AS 122.12 ACRES OUT OF NCB 10916, SOUTH OF SHANE ROAD & WEST OF SOUTHON ROAD.

\* \* \* \*

(Mayor Garza returned to the meeting and presided.)

4D.) CASE NUMBER #Z2003021 B C - The request of City of San Antonio, Applicant, for Sergio M. Garcia and Enfrocina Garcia, Owner(s), for a change in zoning from: "MF-33" Multi-Family District and "I-1" Industrial District to "R-6 C" Residential Single-Family District with a conditional use to allow a weight-loss clinic on Lot 16, Block 5, NCB 9255, 643 Blue Ridge Street, on the north side of Blue Ridge Street east of North General McMullen. 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. Councilman Barrera seconded the motion.

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

#### AN ORDINANCE 97654

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 16, BLOCK 5, NCB 9255, 643 BLUE RIDGE STREET, ON THE NORTH SIDE OF BLUE RIDGE STREET EAST OF NORTH GENERAL MCMULLEN, FROM "MF-33" MULTI-FAMILY DISTRICT AND "I-1" INDUSTRIAL DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT

WITH A CONDITIONAL USE TO ALLOW A WEIGHT-LOSS CLINIC 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.

\* \* \* \*

— — —  
4E.) CASE NUMBER #Z2003052 - The request of James B. Manley, P.C., Applicant, for James Manley, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 2, NCB 34730, 23611 Cielo Vista Drive. 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. Councilman Perez seconded the motion.

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

AN ORDINANCE 97655

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 2, NCB 34730, 23611 CIELO VISTA DRIVE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

\* \* \* \*

— — —

4F.) CASE NUMBER #Z2003077 - The request of City of San Antonio, Applicant, for multiple owners for a change in zoning to apply to the Hill Country Gateway Corridor District, (GC-1) in addition to existing base zoning parcels whose southern boundary is UTSA Blvd, extending 1000 feet east and west of IH-10 Right of Way to the northern most boundary of the city limits. 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. Councilman Perez seconded the motion.

Councilwoman Conner spoke to this being the first gateway corridor. She noted the gateway would be an entrance corridor and spoke in support of its passage.

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

AN ORDINANCE 97656

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 DR, C-1, C-2, C-2 ERZD, C-3, C-3 NA, C-3 R ERZD, C-3 NA, C-3 PUD ERZD, C-3 ERZD, O-2, C-2 R, C-3 C, C-3 R, ED, ED ERZD, QD S ERZD, I-1 ERZD, I-1, R-6, R-20, MH, R-6 ERZD, R-6, R-6 PUD TO (DR, C-1, C-2, C-2 ERZD, C-3, C-3 NA, C-3 R ERZD, C-3 NA, C-3 PUD ERZD, C-3 ERZD, O-2, C-2 R, C-3 C, C-3 R, ED, ED ERZD, QD S ERZD, I-1 ERZD, I-1, R-6, R-20, MH, R-6 ERZD, R-6, R-6 PUD) HILL COUNTRY GATEWAY CORRIDOR DISTRICT, (GC-1) ON THE PROPERTY LISTED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF INTERSTATE HIGHWAY 10 AND UTSA BOULEVARD;

THENCE, WEST FOLLOWING THE CENTERLINE OF UTSA BOULEVARD TO A POINT 1000 FEET WEST OF THE WEST RIGHT OF WAY OF INTERSTATE HIGHWAY 10;

THENCE, MEANDERING NORTH FOLLOWING A LINE LOCATED AT A DISTANCE OF 1000 FEET FROM THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 TO A POINT LOCATED ON THE CITY LIMIT LINE OF THE CITY OF SAN ANTONIO;

THENCE, FOLLOWING THE CITY LIMIT LINE EAST TO A PONT 1000 FEET EAST OF THE EAST RIGHT OF WAY OF INTERSTATE HIGHWAY 10;

THENCE, MEANDERING SOUTH FOLLOWING A LINE LOCATED AT A DISTANCE OF 1000 FEET FROM THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10 TO THE CENTERLINE OF UTSA BOULEVARD;

THENCE, TO THE POINT OF BEGINNING.

\* \* \* \*

4G.) CASE NUMBER #Z2003086 - The request of Kathleen T. Whitehead, Applicant, for George Gordiany and Rosie Marie Gordiany, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 C " Residential Single-Family District with a conditional use for a law office on Lot 1, Block E, NCB 12112, 9326 Oakledge. 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 Perez seconded the motion.

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

#### AN ORDINANCE 97657

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK E, NCB 12112, 9326 OAKLEDGE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6 C " RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A LAW OFFICE 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: The City Council approves this Special Use Permit so long as the following conditions are met:

1. A six (6) foot tall wooden privacy fence is to be built along the entire length of the back property at 9318 Oak Ledge.
2. Access to and egress from the re-zoned property will be from Nacogdoches Road, as opposed to using the Oak Ledge Street entrance, with the exception of the owners and employees at the re-zoned property, who may use the Oak Ledge entrance.
3. One sign advertising the business will be permitted, to be no larger than 4 x 4 feet in size.
4. No paving will be done on the property that will affect drainage to the immediately adjoining properties.

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.

\* \* \* \*

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2003-20      EXECUTIVE SESSION

The City Council recessed its regular session at 2:45 P.M. in order to convene in Executive Session for the purpose of:

- A) Deliberation and consideration of the annual performance evaluation of City Manager Terry M. Brechtel, pursuant to Texas Government Code Section 551.074.
- C) Discuss legal issues relating to the status of the Right-of-Way Use Agreement Negotiations with Grey Forest Utilities, pursuant to Texas Government Code Section 551.072 (deliberations involving real property).

Item B, being a discussion on legal issues relating to Allstars, PT's, Sugar's, XTC, Jane Roe I and Jane Roe II v. City of San Antonio, and Item D., a discussion on land acquisition, economic development negotiations, incentives offered, and related legal

issues concerning a decision by Toyota Manufacturing North America, Inc. to build and operate a manufacturing facility in San Antonio, were not taken up at this time.

The City Council adjourned the Executive Session at 3:00 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.

— — —

**2003-20 PUBLIC HEARING AND ORDINANCES: CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF A 20-FOOT WIDE ALLEY LOCATED BETWEEN CLAMP AND OPPENHEIMER AVENUES.**

Mayor Garza declared the Public Hearing to be open.

Mr. Mark Webb, Assistant Director, Asset Management, narrated a slide presentation in which he discussed the request by Manual and Julia Moreno, et al to close, vacate and abandon an unimproved portion of a 20-foot wide alley (a copy of the presentation is filed with the papers of this meeting). He noted that all abutting owners were agreeable with the closure and the owners had agreed to comply with all conditions imposed. The subject property would be incorporated into their property to remedy existing encroachments over the alley. It was noted that the Planning Commission had recommended approval.

The following citizen(s) appeared to speak:

Ms. Clara Valdez, 203 W. Vestal, requested more information on the process used to close the alley and spoke on her mother's behalf against passage of this Ordinance.

\* \* \* \*

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

The Clerk then read the following Ordinance:

AN ORDINANCE 97658

CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF A 20-FOOT WIDE ALLEY LOCATED BETWEEN CLAMP AND OPPENHEIMER AVENUES WITHIN NEW CITY BLOCK 9408, BLOCK 133, ADJACENT TO LOTS 3, 4, 5 AND 6, AS REQUESTED BY THE PETITIONERS, MANUEL AND JULIA MORENO, ET AL., AND ACCEPTING THE CONSIDERATION OF \$1,304.50, WHICH IS EQUAL TO A SEVENTY FIVE PERCENT REDUCTION, IN LIEU OF THE STANDARD TWENTY FIVE PERCENT REDUCTION IN THE AVERAGE APPRAISED VALUES OF LAND IN THE VICINITY OF THIS CLOSURE, AS RECOMMENDED BY CITY STAFF.

\* \* \* \*

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

— — —  
2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97659

CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF LOU MELL ROAD (FORMERLY BACON ROAD) PUBLIC RIGHT OF WAY LOCATED NORTH OF N. LOOP 1604 WEST, IN NEW CITY BLOCK 14852, AS REQUESTED BY THE PETITIONER, MARTIN MARIETTA MATERIALS SOUTHWEST, LTD., FOR THE TOTAL CONSIDERATION OF \$42,597.00.

\* \* \* \*

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

Mr. Mark Webb, Assistant Director, Asset Management Department, narrated a slide presentation on the proposed closure of a portion of Lou Mell Road which was petitioned by Martin Marietta Materials, Ltd. (a copy of the presentation is filed with the papers of this meeting). Mr. Webb reported that the petitioner wanted to incorporate the proposed closure with his abutting commercial property in order to enhance public safety by preventing the general public from inadvertently entering a potentially hazardous quarry operation. He added that the petitioner would dedicate a 100' diameter cul-de-sac turn around at the end of the remaining portion of Lou Mell Road. He noted that the City would collect \$42,597.00 from the proposed closure and the Planning Commission recommended approval.

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

— — —  
2003-20

**CITIZENS TO BE HEARD**

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, referred to comments he had made at the previous week's City Council meeting. He also spoke to the proposed No Smoking ordinance, to his knowledge of research performed with animals and smoke and a conversation he had with a mortician about the dangers of smoke. He suggested the City get more information on the dangers of smoke from the County.

\* \* \* \*

**MR. CHARLES ENGLISH**

Mr. Charles English, Jefferson Heights Association, spoke on several subjects, including a request for an early voting location on the corner of WW White Road and Rigsby in the Handy Andy Center. He expressed concern that citizens do not receive responses from City officials and to the method of electing officials. He stated that neighborhoods needed to be better represented when certain issues were being considered.

\* \* \* \*

**MS. MARIA DOMINGUEZ**

Ms. Maria Dominguez spoke to a sewer backup in the downtown area. She noted that if the sewer problems were not addressed they would hurt the tourist trade. She also spoke to integrity and conflict of interest and to her concern on how committees are formed.

\* \* \* \*

**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, read from recent news headlines on issues concerning the City of San Antonio, including Council budget items, Toyota that would add to pollution, City workers calling for better medical leaves, electric bills, lobbyists, police union, police searches, and appraisals, among other items.

— — —  
2003-20 Acting City Clerk Ledesma read a proposed ordinance adopting various amendments and revisions to the City of San Antonio Ethics Code as requested by the City Council Governance Committee, the Mayor's Committee on Integrity and Trust in Local Government and the Ethics Review Board.

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

City Attorney Andrew Martin recommended that this item be postponed for one week to resolve some issues that had been raised.

Councilman Perez then offered a substitute motion to postpone consideration of this ordinance for one week. Councilwoman Moorhouse seconded the motion.

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

The main motion, as substituted, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Herrera.

Agenda Item 19, being the proposed amendments and revisions to the City of San Antonio Ethics Code was postponed for one week.

— — —  
2003-20 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2003-20-22

NOMINATING BOEING AEROSPACE OPERATIONS, INC. TO THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT AS A STATE ENTERPRISE ZONE PROJECT WITHIN THE SAN ANTONIO EMPOWERMENT ZONE.

\* \* \* \*

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

Mr. Ramiro Cavazos, Director, Economic Development Department, narrated a slide presentation on the consideration of a Resolution nominating Boeing Aerospace Operations, Inc. as a State Enterprise Project to the Texas Economic Development Department (a copy of the presentation is filed with the papers of this meeting). He spoke to the program as an economic development incentive that promotes business location and expansion in distressed areas. He explained the three Enterprise Zones (the West-Southwest, Eastside, and Southside), the EZ program, and the active San Antonio State EZ projects. He further spoke about the background on the Boeing request for nomination as an EZ project, the project location and background, the facility and the policy analysis. It was noted that the company would also be eligible for federal Empowerment Zone benefits and that there would be no direct financial impact to the City.

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

2003-20 PUBLIC HEARING AND ORDINANCE: ON THE NO SMOKING INITIATIVE.

Mayor Garza declared the Public Hearing to be open.

Mayor Garza noted that he had released a draft on a smoking ban ordinance and that this would be one of several public hearings that would be held to afford citizens an opportunity to provide their input as the Council moved forward with this issue.

Dr. Fernando A. Guerra, Director, San Antonio Metropolitan Health Department, narrated a slide presentation regarding the proposal to further regulate smoking in San Antonio (a copy of the presentation is filed with the papers of this meeting). Dr. Guerra spoke to the current ordinance that was enacted in 1986 and amended in 1992 and 1996. He presented a comparison in various categories between local ordinances (present and proposed) and those of other Texas cities, such as, Austin, Dallas, El Paso and Houston. Among some of the categories that were discussed were city facilities, all enclosed public places, bars, health care facilities, public transportation facilities, private residences and restaurants.

The following citizens spoke in favor of the No Smoking Initiative:

San Antonio Smoke Free Coalition

Ms. Vicki Carr

Mr. Cody Summers

Mr. Phil Huny

Ms. Cindy Stylecki

Mr. Louis Beldon

Ms. Viola Mendoza

Ms. Amy Jaspersen

Mr. Tim Wagner

Mr. Nazarite Ruben Flores Perez

Ms. Linda Aguilar

Mr. Charles English

Ms. Deborah Long

Ms. Rose Delgado

Ms. Diane Fey

Ms. Susan Mossberger

Mr. John Bockout

Ms. Martha Weiss

Ms. Catherine Matteson

Ms. Meaghan Galloway

Mr. Geoff Weiss  
Mr. Bill Molina  
Mr. Milo Colton  
Mr. Faris Hodge, Jr.  
Ms. Julie Iris Oldham  
Ms. Rachel Cywinski  
Ms. Carrie Waterman  
Ms. Kate Mathis  
Ms. Melody Bottlmann

The following citizens spoke against new regulations, for freedom of choice and in favor of keeping the present ordinance:

Mr. Dale Wood  
The Greater San Antonio Chamber of Commerce  
Mr. Justin Hathaway  
Mr. Tony R. Garza  
Mr. Louis Barrios  
Ms. Minerva Nadler  
Mr. Bob Wilson  
Mr. Walker Wood  
Ms. Lindsay Shelton  
Mr. Amos J. Jones  
Mr. Will Southerland  
Mr. Egon R. Tausch  
Ms. Diana Potthast.

\* \* \* \*

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

— — —  
2003-20      The Regular Meeting of the City Council resumed at 8:30 P.M.

— — —  
2003-20      The Clerk read the following Ordinance:

AN ORDINANCE 97660

AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY TO ESTABLISH A UNIFIED SET OF PLATTING STANDARDS AND PROCEDURES FOR THE APPROVAL OF PLATS IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY.

\* \* \* \*

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

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

Mr. Florencio Pena, Director, Development Services, narrated a slide presentation in which he spoke to the inter-local agreement for plat review standards and procedures (a copy of the presentation is filed with the papers of this meeting). Mr. Pena noted that the 77<sup>th</sup> Texas Legislature had approved HB 1445 related to plats in ETJs, including four implementation options. He further noted that the March 2002 agreement in which the city and county agreed to pursue Option 4 states that the City-County interlocal agreement may (1) establish one office to accept plat applications, fees and to provide the applicant one response indicating approval or denial; and (2) establish consolidated and consistent regulations to review plats. He further spoke to the UDC review process and to the renewal agreement.

In response to a question by Councilwoman Conner, Mr. Pena spoke to the interlocal agreement and noted that it could be amended at a later date. He added that the no restrictive standard will continue to apply and that this would not delay the process for individuals getting their plats.

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

— — —  
2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97661

AUTHORIZING THE CITY MANAGER TO NEGOTIATE TERMS AND CONDITIONS FOR AN AMENDMENT TO THE OPERATING AGENCY AGREEMENT WITH THE BROOKS DEVELOPMENT AUTHORITY ("BDA") ENTERED INTO PURSUANT TO ORDINANCE 97284 FOR THE PURPOSE OF PROVIDING FOR THE ESTABLISHMENT OF A BDA OFFICE INDEPENDENT OF THE CITY; AUTHORIZING THE EXECUTION OF SAID AMENDMENT ONCE NEGOTIATED AND THE TRANSFER OF THE BROOKS CITY-BASE OFFICE ("BCBO") PERSONNEL AND ASSOCIATED BUDGET FOR THE FISCAL YEAR 2003 TO THE BDA. (AMENDS ORDINANCE NO. 97284, MARCH 6, 2003.)

\* \* \* \*

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

Mr. Lou Lendman, Director, Management and Budget, narrated a slide presentation in which he spoke to the Brooks Development Authority (BDA) staffing, the background of the Brooks City-Base Office, and the proposed amendment which would add the management/personnel component to the contract (a copy of the presentation is filed with the papers of this meeting). He stated that the City staff would negotiate the amendment's terms with the BDA and spoke to BDA's responsibility to determine the appropriate means to transfer current Brooks City-Base Office personnel to BDA. He further spoke to the FY 2003 funding for the five authorized positions and the elimination of the five positions in the Brooks City-Base Office.

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

— — —  
2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97662

ADOPTING SELF-MONITORING STANDARDS FOR THE CITY OF SAN ANTONIO'S KID QUEST SUMMER RECREATION PROGRAM AS PER THE

REQUIREMENTS OF TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES REGULATION 42.041 (A) (14), AS PERMITTED FOR MUNICIPALITIES IN LIEU OF CHILD CARE LICENSING.

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

(Mayor Garza returned to the meeting and presided.)

Mr. Malcolm Matthews, Director, Parks and Recreation, narrated a slide presentation in which he spoke to the Summer "Kid Quest Program" Self Monitoring Standards (a copy of the presentation is filed with the papers of this meeting). He stated that for the summer of 2003, 44 elementary and middle school sites would participate in the program for kids 6 – 14 years of age. He spoke to the role of the Texas Department of Protective & Regulatory Services and its requirements that all school age programs be licensed and self monitored. The self-monitoring standards were presented and compared to the "Kid Quest" standards, which would meet the goals of the Better Jobs Initiative.

In response to a question by Councilman Schubert regarding personnel standards, Mr. Matthews explained staff required qualifications.

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

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

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97663

AUTHORIZING THE EXECUTION OF DELEGATE AGENCY AGREEMENTS IN CONNECTION WITH THE 2002 CONTINUUM OF CARE HOMELESS ASSISTANCE SUPPORTIVE HOUSING PROGRAM WITH THE FOLLOWING ORGANIZATIONS IN THE FOLLOWING AMOUNTS: AMERICAN GI FORUM (PERMANENT HOUSING), \$788,052.00; SETON HOME, \$218,900.00; THE AMERICAN GI FORUM (TRANSITIONAL HOUSING), \$410,000.00; THE SALVATION ARMY, \$399,268.00; FAMILY VIOLENCE PREVENTION SERVICES (COMMUNITY BASED COUNSELING), \$380,450.00; AMERICAN GI FORUM (VETERAN'S INTEGRATION), \$688,336.00; JEWISH FAMILY AND CHILDREN'S SERVICES, \$205,000.00; FAMILY VIOLENCE PREVENTION SERVICES (COMMUNITY BASED COUNSELING EXPANSION), \$174,660.00; FAMILY VIOLENCE PREVENTION SERVICES (LIFE SKILLS), \$119,969.00; ST. MARY'S UNIVERSITY, \$226,955.00; AND HOPE ACTION CARE, \$144,373.00; AND UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY IN AN AMOUNT UP TO \$395,070.00; AND AUTHORIZING A BUDGET FOR THE 2002 SUPPORTIVE HOUSING PROGRAM.

\* \* \* \*

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

Mr. Dennis J. Campa, Director, Community Initiatives, narrated a slide presentation on the 2002 Supportive Housing Program (a copy of the presentation is filed with the papers of this meeting). He stated that the purpose of the Ordinance was to authorize the execution of delegate agency contracts for the 2002 Supportive Housing Program (SHP), authorize a budget for the SHP and authorize a contract with United Way of San Antonio and Bexar County. He spoke to the SHP grant's background, funding history, and named the SHP 2002 Delegate Agencies. He further noted that each delegate agency would have accountability measures in place, such as performance measures, monthly Contract Monitoring Reports, annual site reviews, and annual progress reports to HUD each contract year.

In response to questions by Councilman Sanders regarding the location of the American GI Forums Transitional Housing and whether only veterans will be served, Mr. Campa stated that the location was still being negotiated and that the facility would only serve veterans.

(Mayor Garza returned to the meeting and presided.)

In response to a question by Councilman Schubert, Mr. Campa explained how the monies would be expended for the American GI Forum – Permanent Program.

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

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

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97664

RATIFYING THE FISCAL YEAR 2002-2003 PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION (WARM) PLAN WHICH IS PROJECTED TO PROVIDE APPROXIMATELY \$190,000.00 IN UTILITY ASSISTANCE TO ELIGIBLE CITY PUBLIC SERVICE RATEPAYERS AND AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND CITY PUBLIC SERVICE (CPS) TO IMPLEMENT SUCH PLAN.

\* \* \* \*

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

Mr. Dennis J. Campa, Director, Community Initiatives, narrated a slide presentation in which he discussed the Utility Assistance Partnership – Project WARM and REAP (a copy of the presentation is filed with the papers of this meeting). He noted that the purpose of Items 25A and 25B were to ratify the FY 2003 Project Winter Assistance Relief Mobilization Plan (Project WARM) and adopt a budget and to authorize the execution of an agreement between the City and the Residential Energy Assistance Partnership, Inc. (REAP). He provided background information on both programs, their finances and noted that they were established to provide utility assistance year-round to low income CPS ratepayers. He further spoke to the eligibility requirements for both programs, the service capacity and future programs, i.e. Project Cool 2003.

In response to a question by Councilman Sanders, Mr. Campa stated that Project WARM had served 836 individuals thus far.

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

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97665

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO (CITY) AND THE RESIDENTIAL ENERGY ASSISTANCE PARTNERSHIP (REAP), INC. TO PROVIDE A MINIMUM OF \$384,000.00 IN UTILITY ASSISTANCE TO ELIGIBLE CITY PUBLIC SERVICE (CPS) RATEPAYERS IN BEXAR COUNTY (COUNTY) IN CALENDAR YEAR (CY) 2003.

\* \* \* \*

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

(Mayor Garza returned to the meeting and presided.)

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

— — —  
2003-20 The Clerk read a proposed Ordinance approving revisions to the Tax Increment Reinvestment Zone Guidelines.

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

Ms. Jelynn LeBlanc Burley, Assistant City Manager, stated that staff was present to receive direction on the proposed changes to the Tax Increment Reinvestment Zone (TIRZ) guidelines.

Mayor Garza stated that he was requesting that consideration of this proposed ordinance be postponed for one week and brought back to "A" session. He added that there had been much discussion on the guidelines and he had circulated a memorandum to the City Council with a list of amendments he would like to propose (a copy of this memorandum is filed with the papers of this meeting). He further stated that he would like to give staff direction to analyze and put together an implementation assessment on the amendments 30 days from next Thursday. He also stated that he would like to see the provisions on the Edwards Aquifer Recharge Zone identified separately so that the Council could look at other incentives that were currently being utilized over the recharge zone and have some consistency perhaps on the language. He stated he wanted to address that, as well as part of the amendments to be brought back after the 30-day review process.

As a point of clarification on the amendments, Mayor Garza addressed the traditional neighborhoods design features as they related to the guidelines. He stated that he would like the Unified Development Code definition or to look at the new urbanist SmartCode provisions or a lot of other resources that were available, and that they become the goal of the guidelines. He stated that it needed to be negotiated and reviewed on a case by case basis and that he wanted to be as flexible as possible while pushing for Traditional Neighborhood (TND) standards. He also spoke to the voluntary annexations that address areas of the City of San Antonio within the City limits or other voluntary annexation areas and his intent that every part of the City be covered in a zone as outlined in the memorandum.

He further spoke to Aquifer issues. He also outlined a 30-day review by City staff after a completed application was submitted but noted that this was not to be a complete review only a presentation or communication to Council that a completed TIF had been submitted. He added that with the number of proposed TIFs that had been submitted, it was not his intent that those go back to the first step. However, he added that as they were brought forth in the next 30 days, the staff would inspect these amendments, and that the Council would look at those only from the standpoint of how they were applicable to the amendments that Council would adopt.

Mayor Garza clarified the exclusion of the Aquifer provision from next week's vote. He stated that he would like to see staff use his suggested guidelines as a framework with the 30-day limit and come back with options for the new Council to consider.

Councilman Perez stated that at the recent Urban Affairs meeting there had been much discussion on policies regarding TIFs in the City. He noted that the discussions and directions had to do with delaying many of the items for consideration by the new Council. He added that for those TIFs that were ready to be presented, they did not want to impede the work that had been done by City staff and applicants.

Councilman Perez then offered a substitute motion to move consideration of TIFs for the May 29, 2003's City Council "A" session, to exclude any references in the original memo having to do with issues over the Edwards Recharge Zone for consideration at a later date, for the pending 9 TIFs to be considered by the new Council, that the revised TIF application guidelines be applied to those pending TIFs but not as a new process. He added that there would not be a mandate or requirement of a certain ratio but rather reviewed under the new guidelines and the goals sought for those TIFs, and that during the negotiation process that an increase to the maximization of traditional neighborhood developments be considered, that direction be given to allow the Neighborhood Action Department to continue to manage the TIFs, and that the guidelines be applied for all the City of San Antonio. He further included the 30-day time line for consideration of the Edwards Recharge Zone issue. Councilman Martin seconded the motion.

Councilman Perez then thanked everyone on the Urban Affairs Committee for the work that had been done on this issue as well as other housing issues. He mentioned to City Manager Brechtel that the housing staff needed to be commended for working very hard with the Council and other entities. He stated that he saw this as a very good start for a lot of good positive growth and asked for support of his motion.

Mayor Garza noted that these issues had been discussed for a long period of time. He spoke to the public perception on the use of incentives and to the lobbyists. He added that cities across the country are doing TIFs and stated that guidelines would be more important as the Council moved forward. He mentioned that City staff had been working with the Bexar County delegation who had shown an interest in incentives and TIFs and added that there were a number of pending issues that had been involved with the timeline of TIFs.

Councilman Castro thanked the staff for working on the guidelines and spoke to questions that should be addressed before considering this Ordinance.

Mayor Garza explained the reasons for moving forward for consideration of some of these items next week.

In response to a question by Councilman Martin, Ms. Burley clarified why the TND aspect would not be a mandate but a goal. She spoke to the existing applications and noted that the direction the Council had given would assist the staff in their review. She further spoke to meeting the 30-day timeline.

In response to a question by Councilman Martin, Ms. Burley stated that all applications followed the City's provisions and an application fee was paid. She stated that they would advise applicants of the proposed Council action, give them time to review the guidelines that were being proposed, make adjustments in their applications and then bring them back to Council.

Councilwoman Conner stated that in terms of public policy the Council didn't make casual decisions. She further stated that the Council tries to establish good public policy in terms of the issue. She noted that it would take a lot of work for staff to get this together and one size would not fit all. She added that the delay would help with work on the Edward's Recharge Zone.

Councilman Sanders stated that TIFs were established for blighted and disadvantaged areas and he wanted to make sure that TIFs would not go outside the loop. He further stated that a formula was needed to make sure that the City would not make it more attractive to go outside the Loop.

The substitute motion to postpone this item, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Herrera, Carpenter.

The main motion, as substituted, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Herrera, Carpenter.

Agenda Item 28 was tabled for one week.

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97666

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE SEGAL COMPANY (EASTERN STATES), INC. TO PROVIDE ACTUARIAL SERVICES

RELATED TO THE FIRE AND POLICE RETIREE HEALTH CARE FUND, AUTHORIZING AND APPROVING THE TERMS AND CONDITIONS OF THE AGREEMENT; AUTHORIZING PAYMENT IN THE AMOUNT OF \$30,000.00 FOR AN ACTUARIAL STUDY; AND AUTHORIZING THE PROVISION OF CONTINGENT ADDITIONAL SERVICES, AT THE SOLE DISCRETION OF THE CITY, IN AN AMOUNT NOT TO EXCEED \$20,000.00.

\* \* \* \*

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

Mr. Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director of Finance, narrated a slide presentation on the agreement that provides actuarial services on the Fire and Police Health Care Fund (a copy of the presentation is filed with the papers of this meeting). He noted that the Ordinance would authorize execution of a professional service agreement with the Segal Company to provide actuarial services and provided background information on the request. He spoke to the company being an international firm, with over 2,500 clients including large public sector clients, such as Los Angeles Police Retirement, California School Employees' Association and the Texas Municipal Retirement System. He pointed out the agreement terms of the contract and the financial impact to the City. He further noted that the agreement would be done in coordination with the City and Fire and Police Associations.

In response to Councilman Schubert, Mr. Gorzell stated that the City would seek assistance from the Fire and Police Associations so that each entity would pay one-third of the cost associated with funding this item.

In response to a question by Councilwoman Moorhouse, Mr. Gorzell stated that both the Fire and Police are in favor of this agreement.

Councilwoman Moorhouse made it a part of the record that everyone on the Council be given a copy of the completed report.

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

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97667

AUTHORIZING A 25-YEAR LICENSE AGREEMENT WITH GREY FOREST UTILITIES (GFU), A GAS UTILITY OWNED BY THE CITY OF GREY FOREST, TO ALLOW GFU TO USE THE CITY'S PUBLIC RIGHTS OF WAY TO OPERATE A GAS DISTRIBUTION SYSTEM WITHIN THE LICENSED AREA; AND PROVIDING THAT CONSIDERATION OF THREE PERCENT (3%) OF GROSS REVENUES DERIVED FROM GFU'S SYSTEM WITHIN THE LICENSED AREA BE PAID TO THE CITY OF SAN ANTONIO.

\* \* \* \*

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

Mr. Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director of Finance, narrated a slide presentation on the proposed final license with Grey Forest Utilities (a copy of the presentation is filed with the papers of this meeting). He gave an overview of the gas utility owned by the City of Grey Forest and noted that the gas system was established in 1967. He stated that both cities had come to an agreement for a 25-year license agreement to allow Grey Forest to continue to use San Antonio right of way. He spoke to key terms of the license including future annexations in the area and any other additions to the licensed area. He further noted that the 25-year license would compensate the City for past and future use, provide management framework and resolve a long-standing dispute.

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

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2003-20 The Clerk read the following Ordinance:

AN ORDINANCE 97668

AUTHORIZING ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$1,000.00 FROM DISTRICT 5, \$1,000.00 FROM DISTRICT 6, \$2,500.00 FROM DISTRICT 7, \$2,500.00 FROM DISTRICT 8, \$1,000.00 FROM DISTRICT 9 AND \$1,000.00 FROM DISTRICT 10, FOR A TOAL AMOUNT OF \$9,000.00, IN SUPPORT OF THE PUBLIC LIBRARY SUMMER READING PROGRAM; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

\* \* \* \*

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

Mr. Dennis J. Campa, Director, Community Initiatives, narrated a slide presentation in which he spoke to the Human Development Services Fund Support for the Summer Reading Program (a copy of the presentation is filed with the papers of this meeting). He noted that Councilman Castro had expressed his commitment to the program by allocating some monies for its support and had encouraged other Council members to do the same. He provided information on the program's operation between June 2 and July 26 and spoke to incentives that would be provided to participants as they completed each achievement level. He further stated that the program would target two age groups 0 – 12 years and 12 – 18 years and that this year the program would be made available to 46 Kid Quest Summer Program sites. He then provided information on the Parks and Recreation Department's Summer Kid Quest Program and stated that the San Antonio Public Library hoped to encourage 30,000 children and youth to participate in the 2003 Summer Reading Program.

Councilman Castro spoke in support of the Ordinance and urged other Council members to give it favorable consideration.

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

2003-20 The Clerk read a proposed ordinance authorizing the allocation and expenditure of \$60,000.00 in Council District 8 Human Development Services Funds and the reallocation of \$15,000.00 in Fiscal Year 2001 Council District 8 Northwest YMCA Information and Development Center One-Time Project Funds, for a total amount of \$75,000.00, in support of "Collections and Acquisitions" for the San Antonio Public Library Branch located on Hausman Road; as requested by Councilwoman Bonnie Conner, District 8.

Councilwoman Conner noted that the \$15,000 re-allocation was to be removed from this Ordinance.

Mr. Dennis J. Campa, Director, Community Initiatives, narrated a slide presentation in which he spoke to the Human Development Services Fund Library Department, City Council District 8 Library and noted the re-allocation of \$15,000 from FY 2001 Council District 8 One-Time Project Funds (later removed from the Ordinance) (a copy of the presentation is filed with the papers of this meeting). He provided background information, including District 8's commitment to support collections and acquisitions for the new branch library in District 8. He spoke to program information and the services the branch would provide and the items to be purchased by the funds.

The Clerk then read the following Ordinance:

AN ORDINANCE 97669

AUTHORIZING THE ALLOCATION AND EXPENDITURE OF \$60,000.00 IN COUNCIL DISTRICT 8 HUMAN DEVELOPMENT SERVICES FUNDS IN SUPPORT OF "COLLECTIONS AND ACQUISITIONS" FOR THE SAN ANTONIO PUBLIC LIBRARY BRANCH LOCATED ON HAUSMAN ROAD; AS REQUESTED BY COUNCILWOMAN BONNIE CONNER, DISTRICT 8.

\* \* \* \*

Councilman Perez made a motion to approve the proposed Ordinance with the necessary adjustments as indicated by Councilwoman Conner. 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, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Herrera, Carpenter.

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2003-20      **BUDGET OPEN HOUSE PRESENTATION**

At this time, Mayor Garza convened a Budget Open House whose purpose was to solicit citizen input on the question “What Is A Basic City Service or a Priority City Function?”.

Mr. Louis A. Lendman, Director, Management & Budget, stated that two open house sessions would be held to receive input on the City’s inventory of City services and the comments received would be used to set service priorities for the FY 2004 budget. He further stated that the public input would be used as a budget priority. He then introduced Ms. Rubena Jackson, who would serve as facilitator.

Ms. Jackson asked those wishing to speak stay focused and limit their comments to basic City services or priority City functions.

Some of the issues that were presented for consideration were quality early childhood education, children’s resources and referrals, childcare delivery system, support of the arts programs (e.g. Symphony), neighborhood revitalization, and infrastructure maintenance (e.g. streets, drainage, sidewalks). Other services included the City Master Plan Policies, community buildings and neighborhood planning, emergency food and shelter program, comprehensive nutrition program, homelessness programs (e.g. Emergency Shelter Grant), health inspections, recycling programs, police services, solid waste collection, public utilities and park police.

The following individuals/organizations provided input:

- Family Service Association
- Mr. Marion Sokol
- Ms. Ana O’Conner De Hoyos
- Mr. Craig Sorgi
- Mr. Guillermo Vazquez
- Ms. Cathy Castillo
- Ms. Lisa P. Woodard
- Mr. Charles English
- Mr. Eric Cooper
- Mr. Faris Hodge, Jr.
- Ms. Mary Piccione.

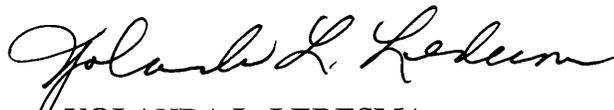
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2003-20 There being no further business to come before the City Council, the meeting was adjourned at 10:42 P.M.

A P P R O V E D



EDWARD D. GARZA  
M A Y O R

Attest:



YOLANDA L. LEDESMA  
Acting City Clerk