

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 12, 2003.**

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2003-24 The City Council convened in an informal "B" Session at 4:00 P.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Staff Presentation on San Antonio Water System Quarterly Report on Water Resources.** (Presented by Ben Gorzell Jr., Public Utilities Supervisor/Assistant Director, Finance Department; Melissa Byrne Vossmer, Assistant City Manager.)
  
- B) **Prioritization of Action Categories in the City Inventory of Services.** (Presented by Lou Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager.)

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. ABSENT: Barrera.

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

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2003-24 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. ABSENT: Barrera.

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2003-24 Invocation by Dr. Walter Starks, Grace Baptist Church.

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2003-24 Pledge of Allegiance to the flag of the United States.



CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH SEVEN TRAILERS FOR A TOTAL AMOUNT OF \$430,993.89.

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AN ORDINANCE 97752

ACCEPTING THE FOLLOWING BIDS: AMERICAN LA FRANCE GULF COAST D/B/A HOUSTON FREIGHT LINER FOR TRUCK PARTS & SERVICE; RDO EQUIPMENT COMPANY, INC. FOR JOHN DEERE INDUSTRIAL PARTS & SERVICE; GARBAGE CART, LTD. D/B/A THE PORTABLE TOILET CO. FOR PORTABLE CHEMICAL TOILETS; DANKO EMERGENCY EQUIPMENT COMPANY, INC. FOR SMEAL 1250 GPM PUMPER TRUCK PARTS & SERVICE; CLOSNER EQUIPMENT COMPANY, INC. FOR ROSCO CONSTRUCTION EQUIPMENT PARTS & SERVICE; AND ANDERSON MACHINERY SAN ANTONIO, INC. FOR NEW HOLLAND CONSTRUCTION EQUIPMENT PARTS & SERVICE ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2003-2004 FOR AN ESTIMATED COST OF \$137,000.00.

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AN ORDINANCE 97753

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND IF APPROVED, THE ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$260,000.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO BE USED TO PROVIDE SALARIES AND ALL SUPPORT COSTS FOR THE OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER.

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AN ORDINANCE 97754

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND IF APPROVED, THE ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$80,000.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR THE ALAMO AREA LIBRARY SYSTEM TO BE USED FOR THE CONTINUATION OF PERSONNEL EXPENSES FOR THE DEPARTMENT

SYSTEMS SUPERVISOR CURRENTLY FUNDED BY THE TECHNICAL ASSISTANCE NEGOTIATED GRANT.

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AN ORDINANCE 97755

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND IF APPROVED, THE ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$716,838.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO BE USED FOR THE PURPOSE OF SUPPORTING GRANT ADMINISTRATION, CONSULTING, NETWORKED RESOURCES, DISADVANTAGED SERVICES, CONTINUING EDUCATION, COLLECTION DEVELOPMENT AND THE PURCHASE OF LIBRARY MATERIALS FOR THE ALAMO AREA LIBRARY SYSTEM.

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AN ORDINANCE 97756

AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF JOSEPHINE TOBIN DRIVE, FRENCH STREET, CRAIG STREET, AND ASHBY STREET IN THE WOODLAWN LAKE PARK AREA IN CITY COUNCIL DISTRICT 7, FROM 5:00 P.M. TO 10:30 P.M. ON FRIDAY, JULY 4, 2003 SO THAT THE CITY OF SAN ANTONIO AND SAN ANTONIO PARKS FOUNDATION MAY CONDUCT THE ANNUAL JULY 4<sup>TH</sup> CELEBRATION IN WOODLAWN LAKE PARK.

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AN ORDINANCE 97757

AUTHORIZING THE TEMPORARY CLOSURE OF VILLAGE DRIVE IN CONNECTION WITH THE MARY MONT HOMEOWNERS ASSOCIATION 4<sup>TH</sup> OF JULY PARADE TO BE HELD ON FRIDAY, JULY 4, 2003.

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AN ORDINANCE 97758

APPOINTING ANGEL MCNEAL (DISTRICT 6) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 2004.

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**2003-24 MEETING OF THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION.**

Mayor Garza recessed the regular meeting at 1:30 P.M. in order to convene the meeting of the Board of Directors of the **STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION**. The following members were present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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

A RESOLUTION  
SIDC-2003-08

AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF APPROXIMATELY \$25,070,000 CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE BONDS, SERIES 2003 (TAXABLE) (PROJECT STARBRIGHT); APPROVING AND AUTHORIZING THE EXECUTION OF AN INDENTURE OF TRUST RELATING TO THE BONDS, INCLUDING THE FIRST SUPPLEMENTAL INDENTURE OF TRUST; APPROVING A BOND PURCHASE AGREEMENT; RATIFYING A PRELIMINARY OFFICIAL STATEMENT AND APPROVING A FINAL OFFICIAL STATEMENT; APPROVING THE CERTAIN MATTERS RELATING TO CREDIT ENHANCEMENT AND RELATED MATTERS; APPROVING AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT; AUTHORIZING AND RATIFYING OTHER ACTIONS OF THE CORPORATION; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

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

Mr. Chris Brady, Assistant City Manger, narrated a slide of presentation regarding the Starbright Industrial Development Contract Revenue Bonds, a copy of which is on file with the papers of this meeting. He explained the history of Starbright Industrial, and stated that it was established to meet the obligations to Toyota regarding the issuance of bonds, acquisition of property, and transfer of this property to Toyota. He stated that the action of the board was to approve the sale of the bonds.

Mr. Milo Nitschke, Director of Finance, emphasized to the Council that it was a good bond sale. He briefed the Council on the schedule of events and what took place, and also discussed the detail of the bonds and sale results.

Mayor Garza acknowledged that this was a big step and a good investment for the community, and added that it was an excellent site. He referenced his and the City Manager's trip to Japan and spoke of the success of the meeting with leaders of Toyota, and indicated that they were excited about the development that was occurring. He thanked all those involved in this component of the agreement.

In response to Councilwoman Radle's question regarding the Applewhite Reservoir, and whether the approval was conditional, Mr. Brady stated that the discussion with the San Antonio Water System (SAWS) was still pending, but noted that this was the next entity that the City needed to resolve regarding issues in relation to the acquisition of the property. He confirmed that staff would be coming back to update Council on this issue.

As they looked into the acquisition of this land, Councilman Williams asked if it was critical to have an alternative plan in case they are not able to acquire the land.

Mr. Brady responded by stating that they already had an option contract to purchase, and all that they were doing was identifying a tract to make sure it lined up with Toyota's needs for the railroad.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Mayor Garza adjourned the meeting of the Board Directors of the City of San Antonio, Texas Starbright Industrial Development Corporation, and reconvened the regular session of the City Council meeting at 1:39 P.M.

2003-24 The Clerk read the following Ordinance:

AN ORDINANCE 97759

APPROVING THE ISSUANCE, SALE AND DELIVERY OF APPROXIMATELY \$25,070,000 CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE BONDS, SERIES 2003 (TAXABLE) (PROJECT STARBRIGHT); APPROVING THE FORM, TERMS, AND SUBSTANCE OF A RESOLUTION OF THE CORPORATION RELATING TO ITS CONTRACT REVENUE BONDS, SERIES 2003 (TAXABLE) (STARBRIGHT PROJECT); APPROVING THE USE OF FINANCIAL INFORMATION IN A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

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2003-24 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2003-24-26

A RESOLUTION ESTABLISHING STANDING COMMITTEES OF THE CITY COUNCIL; APPOINTING MEMBERS OF THE CITY COUNCIL TO THOSE COMMITTEES, TO BE MEMBERS OF OTHER BOARDS AND COMMISSIONS, AND TO SERVE AS LIAISONS ON BEHALF OF THE CITY COUNCIL FOR THE

MILITARY AND VARIOUS EVENTS; AND ADOPTING CERTAIN RULES AND PROCEDURES FOR SCHEDULING AND CONSIDERATION OF ITEMS AT CITY COUNCIL AND COMMITTEE MEETINGS.

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Councilman Castro made a motion to approve the proposed Resolution. Councilman Hall seconded the motion.

Mayor Garza spoke to the Council Committee appointments, a copy of which is on file with the papers of this meeting. He spoke to the importance of these Committees, and the responsibility of the Chairs and the coordination of the meetings. He spoke to the input of the Council Committee Chairs, and added there would be other assignments that would be ongoing. He then outlined each of the Committee assignments.

Councilman Schubert suggested adding Councilman Williams to Brook Army Medical Center.

Mayor Garza concurred with Councilman Schubert, and confirmed this appointment.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

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2003-24 The Clerk read the following Ordinance:

AN ORDINANCE 97760

AN ORDINANCE REPEALING CERTAIN CODE PROVISIONS RELATING TO SCHEDULING OF CITY COUNCIL AGENDA ITEMS BY WRITTEN DIRECTION OF SIX MEMBERS OF THE CITY COUNCIL.

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

Mayor Garza indicated that this was being done at the advice of the City Attorney, regarding memorandums submitted by Council members for items to be considered on a Council agenda. He stated that the six-signature memo process would now be known as "Council Consideration Requests," which would still require at least six members of the City Council to concur. He noted this Ordinance would articulate and identify which specific requests would require this type of form, and cited examples. He acknowledged that this was an update of the policy.

The following citizens appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, stated that he had been gone for 5 weeks, and spoke to the reason that he was in jail. He spoke to Item 17 and noted that there were no back up documents. He also spoke to Item 19 and the Land Use Plan, and spoke to the Planning Commission's recommendation of denial.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

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2003-24 The Clerk read the following Ordinance:

AN ORDINANCE 97761

AUTHORIZING AND CONSENTING TO THE ASSIGNMENT AND AMENDMENT OF A PROFESSIONAL SERVICES CONTRACT FROM KIEHL HENDRICKSON GROUP TO SABRE AIRLINES SOLUTIONS, INC. IN ORDER TO CONTINUE ONGOING DISCUSSIONS WITH AIR CARRIERS AND FACILITATE ADDITIONAL COMMUNITY OUTREACH MEETINGS IN CONNECTION WITH THE AIR SERVICE DEVELOPMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR AN AMOUNT NOT TO EXCEED \$67,780.00; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93412, FEBRUARY 8, 2001).

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

Mr. Kevin Dolliole, Director of the Aviation Department, narrated a slide presentation regarding the amendment and assignment of the City's current Professional Services Contract with Kiehl Hendrickson Group to Sabre Airlines Solutions, Inc., a copy of which was made part of the official papers of this meeting. He discussed the background of the San Antonio Air Service Development Program, and its objectives. He further spoke to the Aviation Industry Strategic Plan.

Mayor Garza questioned whether the consultants were going out there and meeting with the airlines, and if they were in constant dialogue with new flight opportunities. He cited a recent newspaper article regarding a company that had purchased new airplanes for flights and routes, and asked what kind of resource the consultants were in regards to something of this nature.

Mr. Dolliole spoke to the relationships developed in the industry over the years, and confirmed that the consultant they were working with was in the airline industry a long time before moving to the consulting practice. He spoke to the expertise and knowledge of this consulting firm, with respect to the different air carriers. He confirmed the City was being represented at an Air Service Development Conference, which included over 600 air carriers being brought together for this summit.

Mayor Garza acknowledged that chasing the latest opportunities was a full time job, especially with the challenges in the airline service, but stated there was a pay-off to this investment. He referenced the Regional Summit, and acknowledged it as a good opportunity to get input from other elected officials and leaders from across South Texas. He spoke to the positive feedback he had heard, and commended the Reach for the Sky Task Force members.

In response to Councilman Perez' question as to the make-up of the staff, and whether there was a marketing staff, Mr. Dolliole confirmed that they had marketing capabilities, and that they did have an individual assigned to the task of air service development. He spoke to the necessity of soliciting outside help for the long-term development of expertise in assisting the Aviation Department's marketing staff. He explained the relationships and opportunities that staff could follow on were being created.

In response to Councilman Perez' request for more information regarding the Incentive Program, Mr. Dolliole described the program as seed money given to assist an aircraft carrier in marketing the particular route that they are going to establish. He acknowledged that they are budgeting \$200,000 for this type of activity, and confirmed they were in the 2<sup>nd</sup> year of the program.

Councilman Perez questioned how prevalent this program was compared to other airports, in which Mr. Dolliole confirmed the industry has become more competitive, but each airport varied.

In response to Councilman Perez' question regarding how realistic it was to have to do this given the downturn in the industry, Mr. Dolliole explained that the competition is now in a limited market with limited resources, which he stated drove their need to get their name out more.

Discussion continued between Councilman Flores and Mr. Dolliole regarding the Regional Summit.

Mr. Dolliole spoke to the Aviation Facility Strategic Plan, and acknowledged that they have identified and are developing additional acreage area and providing for opportunities of development in the east side of the airport that will support additional air cargo activity.

Councilman Perez informed Mr. Dolliole that he wanted to be briefed on the airports Master Plan and its vision.

Councilman Williams requested a briefing on slide 5, and asked if the results of the KH Group Study suggestions were based on a long-term perspective, and whether the Airport was adequate, or if it reflected the need to start looking into a new airport.

In response to Councilman Williams' comments, Mr. Dolliole noted that in the past 3½ to 4 years, a number of complex studies and evaluations have been completed, one being the noise study which dug deeply into compatibility of the Airport and the environment it surrounds. He expounded on the recommendations, and confirmed that an outgrowth of this study would be starting soon, which would take a closer look at land uses. He noted that it would take dedication to ensure compatible uses around the airport. He acknowledged that he would like to go into more detail on noise study, followed by discussion on air service.

Councilman Castro confirmed this issue had been visited in May and stated that at that time, he requested a comparative analysis with other cities.

Mr. Dolliole confirmed the analysis would be provided soon.

Councilman Haass spoke of his meeting with Mr. Dolliole, and noted that it was an opportunity to take a closer look at what the airport is going through. He acknowledged

that he had walked away encouraged with what he saw. He spoke to the lack of non-stop flights, and questioned what they could do to secure these flights in the future.

Mr. Dolliole stated that it was through efforts like this that they would have to stay aggressive in continuing dialogue with potential carriers. He spoke of attempts to stay focused on the strongest and best opportunities. He stated that it was more of a continual effort on the part of staff to keep the airlines totally abreast and fully up to speed on the potential that these events drive.

Councilman Schubert questioned the 2<sup>nd</sup> extension of the contract, and asked Mr. Dolliole if he envisioned not using an outside contract. He cited other cities paying varying amounts to keep and retain service. He noted that although there was a need for non-stop service, it was absolutely vital to look at comparable airports. He acknowledged that this would be valuable to make a determination.

Mayor Garza stated that he was convinced that the airport was a major economic development tool. He referenced his trip to Japan, and spoke of the benefits of having a high quality airport. He stated that he was confident that they have the facility to make the airport look first class. He further discussed the quality of life benefits that the airport brings.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez, Barrera.

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2003-24 The Clerk read the following Ordinance:

AN ORDINANCE 97762

AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTH CENTRAL SAN ANTONIO COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 42,323 SQUARE FOOT TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF PLEASANTON ROAD AND EAST GERALD FROM LOW-DENSITY RESIDENTIAL USE TO OFFICE/LIGHT COMMERCIAL USE. (AMENDS ORDINANCE NO. 90309, AUGUST 19, 1999.)

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

Mr. Emil Moncivais, Director of Planning, spoke to amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City. He expounded on the background and analysis, and the significance of the Master Plan component, a copy of which was made part of the official papers of this meeting.

Councilman Flores expressed concern about the Planning Commission's recommendation of denial.

Mr. Moncivais discussed the reason behind the Planning Commission's recommendation, which he stated was because of the size of the property.

In response to Councilman Flores' question regarding the background of the community outreach, Mr. Moncivais confirmed that they sent notice to the original planning team. He explained who received the notices by mail, and noted that they did not receive much feedback from the community.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

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2003-23      **TRAVEL AUTHORIZATION - Granted:**

Confirmation of Travel Authorization for Councilman Enrique M. Barrera, District 6, who traveled to the Canary Islands from Monday, June 9, 2003 through Wednesday, June 18, 2003 to attend the official presentation of the tile mural for the Plaza de San Antonio in Santa Cruz de Tenerife by the students of Randolph Field Middle School and to establish contacts for the Food, Wine and Cultural Festival in San Antonio for the Year 2004 with future business possibilities.

Councilman Flores made a motion to approve the proposed Travel Authorization. Councilman Castro seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

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2003-24      ZONING CASES

5A.)                    CASE NUMBER #Z2003094 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for UU Housing Assistance Corporation, Owner(s), for a change in zoning from "C-1" to "C-1 HS" Historic Significant to designate Historic Significance on Lot 11, Block 10, NCB 372, 215 West Poplar. 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 Flores made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Castro.

AN ORDINANCE 97763

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 11, BLOCK 10, NCB 372, 215 WEST POPLAR, FROM "C-1" TO "C-1 HS" HISTORIC SIGNIFICANT TO DESIGNATE HISTORIC SIGNIFICANCE ON THE PROPERTY.

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5B.)                    CASE NUMBER #Z2003095 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for UU Housing Assistance Corporation, Owner(s), for a change in zoning from "C-1" to "C-1 HS" Historic Significant to

designate Historic Significance East 25 feet of Lot 9, all of Lot 10, and west 35 feet of Lot 11, Block 10, NCB 372, 221 West Poplar,. 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 Flores made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Castro.

#### AN ORDINANCE 97764

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 EAST 25 FEET OF LOT 9, ALL OF LOT 10, AND WEST 35 FEET OF LOT 11, BLOCK 10, NCB 372, 221 WEST POPLAR, FROM "C-1" TO "C-1 HS" HISTORIC SIGNIFICANT TO DESIGNATE HISTORIC SIGNIFICANCE ON THE PROPERTY.

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5C.) CASE NUMBER #Z2003096 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Melissa C. Miller, Owner(s), for a change in zoning from "MF-33" to "MF-33 HS" Historic Significant on the property to designate Historic Significance on north 139.44 feet of Lot 7, Block 4, NCB 1731, 326 East Dewey Place. 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 Flores made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

The following citizens appeared to speak:

Ms. Melissa Miller urged the Council to consider this house historic. She spoke to the history of the house, and the improvements she plans to make.

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After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Perez, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia, Radle, Barrera, Castro.

AN ORDINANCE 97765

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 NORTH 139.44 FEET OF LOT 7, BLOCK 4, NCB 1731, 326 EAST DEWEY PLACE, TO DESIGNATE HISTORIC SIGNIFICANCE FROM "MF-33" TO "MF-33 HS" HISTORIC SIGNIFICANT ON THE PROPERTY.

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5D.) CASE NUMBER #Z2003070 - The request of Riteplace Management Inc., Applicant, for Dial Eisenhauer, L.P., Owner(s), for a change in zoning from "C-3" Commercial District to "C-3 S" Commercial District with specific use authorization for a mini-storage facility over 2.5 acres on 1.209 acres out of NCB 16927, 6120 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 Williams made a motion to approve the proposed rezoning. Councilman Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle, Barrera, Castro.

AN ORDINANCE 97766

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 1.209 ACRES OUT OF NCB 16927, 6120 WALZEM ROAD, FROM "C-3" COMMERCIAL DISTRICT TO "C-3 S" COMMERCIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE FACILITY OVER 2.5 ACRES ON THE PROPERTY.

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5E.) CASE NUMBER #Z2003084 - The request of Nestor Lopez, Applicant, for Francisco Zerrato, Owner(s), for a change in zoning from "C-2 NA" Commercial District Non-Alcoholic Sales to "C-2 NA C" Commercial Nonalcoholic Sales District with conditional use authorization for auto sales and repair on Lot 1, Block 9, NCB 1509, 402 S. New Braunfels. Staff's recommendation was for denial of requested "C-3".

Zoning Commission has recommended denial of requested "C-3". (Council District 2)

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

Councilman Williams made a motion to continue this rezoning case until the City Council meeting of June 26, 2003. Councilman Perez seconded the motion.

After consideration, the motion to continue this case until June 26, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Castro.

Zoning Case #Z2003084 was continued to the Council meeting of June 26, 2003.

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5F.) CASE NUMBER #Z2003072 - The request of Susan M. Guerra, Applicant, for Harlandale Presbyterian Church, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1" Commercial District Non-Alcoholic Sales on Lot 1, Lot 2 and Lot 3, NCB 7774, 1630 Pleasanton Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval of "C 1" Commercial District pending City Council approval on the Plan Amendment. (Council District 3)

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Castro.

#### AN ORDINANCE 97767

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, LOT 2 AND LOT 3, NCB 7774, 1630 PLEASANTON ROAD, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" COMMERCIAL DISTRICT ON THE PROPERTY.

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5G.) CASE NUMBER #Z2003075 - The request of Jesse G. Tober, Applicant, for Jesse G. Tober, Owner(s), for a change in zoning from "C-2 NA" Commercial Non-Alcoholic Sales District to "R-6" Residential Single-Family District on a 0.353 acre tract of land out of Block 31, NCB 11130, 100 block of West Buchanan Boulevard. 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.

Councilman Segovia made a motion to approve the proposed rezoning. Councilman Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Castro.

AN ORDINANCE 97768

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 0.353 ACRE TRACT OF LAND OUT OF BLOCK 31, NCB 11130, 100 BLOCK OF WEST BUCHANAN BOULEVARD, FROM "C-2 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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5H.) CASE NUMBER #Z2003079 - The request of B & M Real Estate, Ltd., Applicant, for B & M Real Estate, Ltd., Owner(s), for a change in zoning from "C-3 NA" Commercial Non-alcoholic Sales District to "C-3" Commercial District on Lot 90C and Lot 91, NCB 9310, 1322 and 1324 Southwest Military Drive. 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.

Councilman Segovia made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Castro.

AN ORDINANCE 97769

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 90C AND LOT 91, NCB 9310, 1322 AND 1324 SOUTHWEST MILITARY DRIVE, FROM "C-3 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "C-3" COMMERCIAL DISTRICT.

\* \* \* \*

5I.) CASE NUMBER #Z2003093 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Ernest F. Geigenmiller, Jr., Owner(s), for a change in zoning from "HR-6 RIO" to "HR-6 HS RIO-6" Historic Significant to designate Historic Significance on Lot 2A, Block 4, NCB 10923, 8635 Old Corpus Christi 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.

Councilman Segovia made a motion to approve the proposed rezoning. Councilman Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera.

AN ORDINANCE 97770

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 2A, BLOCK 4, NCB 10923, 8635 OLD CORPUS

CHRISTI ROAD, TO DESIGNATE HISTORIC SIGNIFICANCE FROM "HR-6 RIO"  
TO "HR-6 HS RIO-6" HISTORIC SIGNIFICANT ON THE PROPERTY.

\* \* \* \*

5J.) CASE NUMBER #Z2003062 - The request of Pedro Galvan, Applicant, for Pedro Galvan, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 17, Block 47, NCB 8937, 1017 Fenfield. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 4)

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

Councilman Perez briefed the Council on this issue, which he stated was regarding the applicant having a tractor-trailer in a residential area, which was his only means of income.

The following citizens appeared to speak:

Mr. Pedro Galvan, applicant, spoke on the issue and stated that he couldn't park his truck on his property. He spoke to the problem of heavy noise in that area, which has resulted in broken windows. He urged the Council to change the zoning.

\* \* \* \*

Councilman Perez voiced his position, and confirmed that he would be voting for denial, but urged staff to address this issue. He cited an example while he was employed in Laredo, Texas, and noted that there were paved lots that allowed for this type of activity to take place. He reiterated this was a difficult situation.

Councilwoman Radle noted that in essence, if Mr. Galvan couldn't park his trailer there, he would lose his business. She questioned why they had to decide this immediately, and discussed the possibility of taking more time to look for an alternative.

Mr. Galvan confirmed that until recently, he had parked his truck there for 7 years.

Councilwoman Radle suggested looking into this matter further, and noted this was a drastic decision.

Mayor Garza expounded on the current policy as it relates to this specific case, and noted that they couldn't make a special case on one particular property.

Mr. Rod Sanchez, Development Services, stated that Mr. Galvan was out of compliance, and noted that even if they continued the case to look into it, he would still not be allowed to park his truck there and they could still cite him based on the current code.

Councilman Perez clarified for Mr. Galvan that there was no zoning fix that would allow him to park his truck there.

Mr. Sanchez recommended that the Council not re-zone because it was a residential area.

Mr. Chris Brady, Assistant to the City Manager, explained to the Council that delays wouldn't help them, and confirmed Mr. Galvan was out of compliance. He concurred with Councilman Perez on the idea of coming up with a paved lot, and confirmed that they would diligently work on that, but noted that they may not come up with a solution for the problem. He stated that they would be glad to sit down with Mr. Galvan to explore ideas.

Councilman Perez amended his motion for conditional denial then made a motion to continue this rezoning case until the City Council meeting of June 26, 2003. Councilman Flores seconded the motion.

Councilman Schubert stated that having Council do a conditional denial would potentially be trying to dictate what other departments could do, and confirmed that he would not support his amendment.

Councilman Perez stated that while this is an active case, Code Compliance has placed a hold on citing until further notice.

After consideration, the motion to continue this case until June 26, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case #Z2003062 was continued to the Council meeting of June 26, 2003.

5K.) CASE NUMBER #Z2003076CS - The request of Artistic Builders, Inc., Applicant, for Ruben Sandoval, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 NA CS" Commercial Non-Alcoholic Sales District with a conditional and specific use authorization for a Mini- Storage Facility over 2.5 acres on Lot P-10C, NCB 15850. 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 Perez made a motion to approve the proposed rezoning. Councilman Haass seconded the motion.

The following citizens appeared to speak:

Mr. Alfred Rosa spoke on behalf of the developer, Mr. Ruben Sandoval, who will be working on this project. He spoke to the meeting they had with the Heritage Neighborhood Association, and expounded on the conditions imposed. He added that it was a pleasure working with Ms. Nancy Englebert and the Heritage Neighborhood Association, and urged Council to give approval.

Mr. Nancy Englebert, President of the Heritage Neighborhood Association, spoke in favor of the proposed zoning. She spoke to the discussions they had with the owner of this project, and noted that the owner confirmed there would be some oak trees, in which she expressed appreciation for.

Ms. Lee Buettner, 10334 Old Farm Rd., confirmed that they had met several times, and commented that she wished every developer were like this. She read a note in favor of the project, and the conditions placed on this project. She urged all developers to treat people right, and spoke in favor of this project.

\* \* \* \*

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Schubert.

AN ORDINANCE 97771

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT P-10C, NCB 15850, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 NA CS" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT WITH A CONDITIONAL AND SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE FACILITY OVER 2.5 ACRES ON THE PROPERTY.

\* \* \* \*

— — —  
5L.) CASE NUMBER #Z2003021 D - The request of City of San Antonio, Applicant, for St. Theresa Rodriguez, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "R-5" Single-Family Residential District on Lots 75 and 76, Block 5, NCB 8861, 474 North San Joaquin. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 5)

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

Councilwoman Radle made a motion to continue this rezoning case until the City Council meeting of June 26, 2003. Councilman Haass seconded the motion.

After consideration, the motion to continue this case until June 26, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case #Z2003021 D was continued to the Council meeting of June 26, 2003.

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5M.) CASE NUMBER #Z2003061C - The request of Jorge A. and Elida De La Fuente, Applicant, for Jorge A. and Elida DeLa Fuente, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "R-4 C" Residential Single-

Family District with a conditional use for a Beauty Salon on Lot 10, Block 55, NCB 3655, 4319 West Martin Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 5)

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

Councilwoman Radle made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

#### AN ORDINANCE 97772

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, BLOCK 55, NCB 3655, 4319 WEST MARTIN STREET, FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A BEAUTY SALON 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.

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.

3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 8:00 p.m.

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.

\* \* \* \*

— — —  
5N.) 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 Castro made a motion to continue this rezoning case until the City Council meeting of June 26, 2003. Councilman Haass seconded the motion.

After consideration, the motion to continue this case until June 26, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case #Z2002258 was continued to the Council meeting of June 26, 2003.

— — —  
5O.) CASE NUMBER #Z2003048 - The request of Bill Fowler, Applicant, for M.D.M. Partnership, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2 S" Commercial District with a specific use

authorization for a car wash facility on Lot 8, Block 1, NCB 34392C, 10,000 Block of Potranco Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

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

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

The following citizens appeared to speak:

Ms. Nancy Englebert, 10486 Pine Glade, representing the Heritage Neighborhood Association, spoke in favor of this Ordinance, and spoke to the meeting they had regarding this development. She thanked Mr. Chris Martinez of the Zoning Commission.

Ms. Lee Buettner, 10334 Old Farm Rd., spoke to the Heritage Neighborhood Association's approval of this project, and the conditions placed on it.

Mr. Bill Fowler stated that they were proposing a state of the art car wash, and confirmed that they would be installing a system for use of recycled water.

Mr. Darryl McCurty spoke in favor of the change, and commented that the plans appeared to be well thought out. He stated that this would increase traffic, which would result in increased purchases in the surrounding businesses.

\* \* \* \*

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Hall.

#### AN ORDINANCE 97773

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 8, BLOCK 1, NCB 34392C, 10,000 BLOCK OF POTRANCO ROAD, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO

"C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CAR WASH FACILITY 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.) Daytime attendant on duty.
- 2.) Security camera with night monitor.
- 3.) 24-hour recycling of water.
- 4.) Earthtone colors on all structures and fences, etc.
- 5.) Owner will plant Oak trees on subject property.
- 6.) Zoning will revert back to original classification if property is sold.

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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5P.) CASE NUMBER #Z2003059 C S - The request of Cobprop Properties Inc., Applicant, for Charles Coben, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2 NA C S" Commercial Non-Alcoholic Sales District with a conditional use and a specific use authorization for a mini-storage facility

exceeding 2.5 acres on Lot 3, Block 2, NCB 17417, Garden Brook and Horal Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

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

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

The following citizens appeared to speak:

Ms. Nancy Englebert, 10486 Pine Glade, representing the Heritage Neighborhood Association, thanked Mr. Chris Martinez and Councilman Perez for their work on this project.

Ms. Lee Buettner, 10334 Old Farm Rd., read the conditions for approval of this project.

\* \* \* \*

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

#### AN ORDINANCE 97774

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 3, BLOCK 2, NCB 17417, GARDEN BROOK AND HORAL DRIVE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 NA C S" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE AND A SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE FACILITY EXCEEDING 2.5 ACRES 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.) The sides and back of property will have a masonry privacy fence.
- 2.) The front of the property will have a wrought-iron fence and entry gate.
- 3.) No storage unit doors visible from any public street, including Horal Drive.
- 4.) Earthtone colors to be used on outside of buildings and fences.
- 5.) Owner will plant Oak trees.
- 6.) Outside lighting shall not disturb residential areas.
- 7.) Hours of operation shall be between 8 a.m. and 8 p.m.

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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5Q.) CASE NUMBER #Z2003064 - The request of Max T. Martinez, Applicant, for Max T. Martinez, Owner(s), for a change in zoning from "R-4" Residential Single-Family Residence District to "RM-4" Residential Mixed District on Lots 12, 13, 14, 15, 16, 17, 18 and 19, Block 21, NCB 8206, 4609 West Durango Boulevard. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

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

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

The following citizens appeared to speak:

Mr. Ray Garcia thanked the Council for approving this project.

\* \* \* \*

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

AN ORDINANCE 97775

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 12, 13, 14, 15, 16, 17, 18 AND 19, BLOCK 21, NCB 8206, 4609 WEST DURANGO BOULEVARD, FROM "R-4" RESIDENTIAL SINGLE-FAMILY RESIDENCE DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT ON THE PROPERTY.

\* \* \* \*

— — —  
5R.) CASE NUMBER #Z2003068 - The request of Martin Gutierrez, Applicant, for Martin Gutierrez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on Lot P-22, NCB 17929, 8537 Bandera Road. 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 June 26, 2003. Councilman Hall seconded the motion.

After consideration, the motion to continue this case until June 26, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case #Z2003068 was continued to the Council meeting of June 26, 2003.

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5S.) CASE NUMBER #Z2003078 - The request of Mary Frances Hand, Applicant, for Mary Frances Hand, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on Lot P-74B, NCB 15008, west of the Intersection of Coral Springs & Heath Circle. 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 approve the proposed rezoning. Councilman Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

AN ORDINANCE 97776

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT P-74B, NCB 15008, WEST OF THE INTERSECTION OF CORAL SPRINGS & HEATH CIRCLE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY.

\* \* \* \*

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5T.) CASE NUMBER #Z2003081 - The request of Earl & Brown, P.C., Applicant, for TWC Associates, Owner(s), for a change in zoning from "C-3 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD S" Commercial Edwards

Recharge Zone District with a specific use authorization for an automobile dealership over the ERZD on 15.89 acres out of Lot 6, NCB 14865, 8231 Hausman Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval with conditions. (Council District 8)

Mr. John Jacks noted that the applicant had withdrawn his application, and therefore no action was necessary.

Zoning Case Z2003081 was withdrawn by the applicant.

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5U.) CASE NUMBER #Z2003082 - The request of Kaufman & Associates, Inc., Applicant, for Koontz/McCombs 1, Ltd., Owner(s), for a change in zoning from: "C-3" Commercial District to "MF-25" Multi-Family District to 17.45 acres out of NCB 15825 and "MF-33" Multi-Family District on 15.09 acres out of Lot 26, Block 9, NCB 15825 on UTSA Blvd and IH 10. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 8)

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

Councilman Hall 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:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

#### AN ORDINANCE 97777

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 17.45 ACRES OUT OF NCB 15825, UTSA BLVD AND IH 10, FROM "C-3" COMMERCIAL DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT; 15.09 ACRES OUT OF LOT 26, BLOCK 9, NCB 15825, FROM "C-3"

COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT ON THE PROPERTY.

\* \* \* \*

5V.) CASE NUMBER #Z2003085 - The request of Fencecrete America, Inc., Applicant, for Fencecrete America, Inc., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Parcel P-13A NCB 14848 and a 2.914 acre tract, 15089 Tradesman 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.

Councilman Hall made a motion to approve the proposed rezoning. Councilwoman Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

AN ORDINANCE 97778

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 PARCEL P-13A NCB 14848 AND A 2.914 ACRE TRACT, 15089 TRADESMAN DRIVE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT ON THE PROPERTY.

\* \* \* \*

5W.) CASE NUMBER #Z2003087 - The request of Earl & Brown, P.C. on behalf of Centex Homes, Applicant, for Nick McFadin & Casseb Family Partnership, Owner(s), for a change in zoning from "I-1" General Industrial District, "C-2" Commercial District, "C-3R" Commercial District, Restrictive Alcoholic Sales, and "MF-33" Multi-Family District to "R-4" Residential Single-Family District on 113.6572 acres out of NCB 14861, 5912 Hausman Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

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

Councilman Hall made a motion to approve the proposed rezoning. Councilman Segovia seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

#### AN ORDINANCE 97779

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 113.6572 ACRES OUT OF NCB 14861, 5912 HAUSMAN ROAD, FROM "I-1" GENERAL INDUSTRIAL DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-3R" COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES, AND "MF-33" MULTI-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY.

\* \* \* \*

5X.) CASE NUMBER #Z2003092 - The request of City of San Antonio, Historic Preservation Officer, Applicant, for Financial Resources Inc., Owner(s), for a change in zoning to designate Historic Significance from "C-3" to "C-3 HS" Historic Significance on Parcel 18, Parcel 18A and Parcel 18B, NCB 34732, 24059 Old Fredericksburg Road, 24116 and 24152 Highway 87 North. 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.

Councilman Hall made a motion to approve the proposed rezoning. Councilman Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

AN ORDINANCE 97780

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 PARCEL 18, PARCEL 18A AND PARCEL 18B, NCB 34732, 24059 OLD FREDERICKSBURG ROAD, 24116 AND 24152 HIGHWAY 87 NORTH, FROM "C-3" TO "C-3 HS" HISTORIC SIGNIFICANT TO DESIGNATE HISTORIC SIGNIFICANCE ON THE PROPERTY.

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5Y.) CASE NUMBER #Z200307 - The request of Guy Floyd, Applicant, for Guy Floyd, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "RM-4 PUD" Planned Unit Development Residential Mixed Use District on 3.997 acres out of Lot 7, NCB 13832, 354 Heimer 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. Councilman Flores seconded the motion.

The following citizens appeared to speak:

Mr. Guy Floyd confirmed that the issues had been resolved, and that they were going to build an entrance.

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After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Hall.

AN ORDINANCE 97781

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 3.997 ACRES OUT OF LOT 7, NCB 13832, 354 HEIMER ROAD, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-4 PUD" PLANNED UNIT DEVELOPMENT RESIDENTIAL MIXED USE DISTRICT.

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5Z.) CASE NUMBER #Z2003074 S - The request of Doyle T. Walsh Pearl Properties, Inc., Applicant, for J.G. Geis Jr. and Diana Geis Vandel, Owner(s), for a change in zoning from "C-1" Commercial District and "MF-33" Multi-Family District to "C-2 S" Commercial District with a specific use authorization for an Athletic Training Facility on Lot 27, NCB 11961, 8227 Broadway. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Hall.

AN ORDINANCE 97782

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 27, NCB 11961, 8227 BROADWAY, FROM "C-1" COMMERCIAL DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR AN ATHLETIC TRAINING FACILITY ON THE PROPERTY.

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5AA.) CASE NUMBER #Z2003066 - The request of Rolf P. and Maribeth Hutfeldt, Applicant, for James Martin Autrey, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 NA C" Commercial District Non-Alcoholic Sales with conditional use for a Self-Service Car Wash on the east 190.58 feet of the south 204 Feet of Parcel 6A, NCB 16582, 15707 Nacogdoches Rd. 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 Haass made a motion to approve the proposed rezoning. Councilman Schubert seconded the motion.

The following citizens appeared to speak:

Mr. Ted Mayor noted that he was there for the applicant, and would answer any questions that the Council had.

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After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Hall.

AN ORDINANCE 97783

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 EAST 190.58 FEET OF THE SOUTH 204 FEET OF PARCEL 6A, NCB 16582, 15707 NACOGDOCHES RD., FROM "C-2" COMMERCIAL DISTRICT TO "C-2 NA C" COMMERCIAL DISTRICT NON-ALCOHOLIC SALES WITH CONDITIONAL USE FOR A SELF-SERVICE CAR WASH ON THE PROPERTY.

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2003-24      **PRESENTATION OF THE JOINT COUNTY/CITY COMMISSION ON ELDERLY AFFAIRS.**

Mayor Garza stated that the Joint County/City Commission on Elderly Affairs was given a specific charge to look at the day to day issues of the elderly in the community. He thanked all those involved for their time and recommendations.

Mr. Henry Ross briefed the Council on the history of the Commission, and confirmed that the Commission was here to make the presentation. He then introduced Mr. Bob Ross.

Mr. Bob Ross welcomed the New Council, and noted that the Commission at its last meeting adopted a Resolution supporting a smoking ban. He thanked the members of the Joint County/City Commission on Elderly Affairs, and spoke of their work and the time spent on this report. He spoke to the first meeting they had, and the meetings thereafter. He narrated a slide presentation regarding the report on senior issues, a copy of which was made part of the official papers of this meeting. He discussed the public feedback and the information they gathered, and the importance of having a joint city/county commission office on elderly affairs to adequately address the future needs of a growing elderly population. He recognized Mr. David Caulkins, and thanked him for

his work. He further thanked the Mayor and Judge Nelson Wolff for spearheading this effort.

Mayor Garza thanked him for bringing this issue to his attention. He stated that he understood his recommendations, and noted they were creative and realistic. He urged the Economic and Human Development Council Committee to come up with implementation for the recommendations being presented.

Councilman Castro thanked Mr. Ross for his great service and recognized Mr. George Griffith, and commended the group for the job they had done. He confirmed that the Council voted elderly issues as third on the priority list. He spoke to the importance of fitting this into the budget.

Councilman Hall thanked Mr. Ross for his presentation. He spoke to elderly affairs in District 8 being a significant issue. He stated that he has pushed elderly affairs up on his agenda. He confirmed that he had heard loud and clear that the elderly didn't know where to go for services. He also confirmed he would be pushing for a location for a clearing-house.

Councilman Flores congratulated and thanked Mr. Ross for his work on the commission. He stated it was important that the elected representatives go out to the community and evaluate what the needs of the seniors are.

Councilman Williams thanked Mr. Ross, and expressed appreciation for his work, as well as to the members of the Commission. He stated that he felt empowered to comprehend and get a better understanding of the issues affecting the elderly. He expressed his interest in working with Mr. Ross in the future.

Councilman Haass noted there was a lot of work that was placed into this report. He spoke of a facility addressing the needs of the public, and complimented the nutrition centers of District 10. He also spoke of the possibility of a senior center to fully address the needs of the seniors.

Councilman Schubert thanked Mr. Ross for his work on the report, and asked if he had been able to analyze how many seniors had home computers, and if this was a way to provide access.

Mr. Ross responded by stating that this was an area that needed to be investigated, but noted also that even if they did have a computer, they would not be able to access information easily. He spoke of the efforts of United Way in preparing a 2-1-1 help line, and noted that the Alamo Area Council of Governments (AACOG) would be handling

the senior component; however he confirmed that this hadn't been established. He urged the City and County to get involved in this process.

In response to Councilman Schubert's question regarding the transportation issue, and if seniors felt comfortable in riding the VIA Bus, Mr. Ross described the various transportation programs. He stated their concern was door to door service, which is not yet available. He urged the Council, through their appointing power, to get VIA on board and to advise them that there are senior issues that need to be addressed.

Councilman Schubert referenced the \$60,000 exemption the City gave, and asked Mr. Ross if they took into consideration the income level of the seniors.

Councilman Segovia voiced his support for all the issues brought to the table, especially those related to crime and safety.

In response to Councilman Perez' questions regarding the ranking that the survey yielded and context of nutrition, Mr. Ross elaborated on the Meals on Wheels program that helps home-bound elderly. He requested increased funding for programs such as this. He explained the Nutrition program had several components, and stated they needed more sites and development of the Meals on Wheels program.

Councilwoman Radle thanked the committee for their work and for their presentation.

Mr. Ross thanked the City Manager for her enthusiastic support.

The following citizens appeared to speak:

Ms. Ida Kenny, Elderly Affairs, stated that she was commissioned by Judge Nelson Wolff to work with Mr. Ross in setting up this commission, and expounded on its importance. She referenced House Bill 2292. She spoke to an increase in the elderly population, and the incident of disability with age, and cited statistics regarding seniors throughout the state of Texas. She also commended Mr. Ross for his work.

Ms. Connie Sonnen, Elderly Affairs, stated that she wasn't on the Joint Commission, but noted that she was speaking as an advocate for the elderly. She concurred with Mr. Ross regarding the importance of having an Office of Elderly Affairs, noting that it would help the Council know exactly what the elderly are going through.

Ms. Julie Iris Oldham, P.O. Box 40263, welcomed the new Council and spoke of her familiarity of the districts. She emphasized that senior citizens played an important role in



**MS. RACHEL CYWINSKI**

Ms. Rachel Cywinski, President of the Highland Park Neighborhood Association, spoke of the concerns expressed by many of the members of her neighborhood association regarding a public hearing that was held in February with administrators of the Parks and Recreation Department. She expressed concern of the City balancing the budget on the backs of the Parks and Recreation Department. She urged Council to consider whether it's more cost effective to help someone before they get into trouble, or afterwards.

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**MR. GUILLERMO VASQUEZ**

Mr. Guillermo Vasquez spoke to the issue of pay for City employees, and that of the San Antonio Police Department. He noted the comparisons of both, and emphasized that many citizens believed public safety was a top priority. He spoke to City employees losing their longevity stipend, but yet still existed in the Police Department. He urged Council to abolish the "step system" used. He also urged Council to listen to the voices of City employees.

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**MS. JULIE IRIS OLDHAM**

Ms. Julie Iris Oldham, P.O. Box 40263, spoke of the problem that she has in not receiving a call back from those she leaves a message for. She commended Ms. Vivian Mangold in District 7, and stated that she expected good things from the new Council. She also urged the Council to do something about Code Compliance Department.

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**MR. CHARLES ENGLISH**

Mr. Charles English spoke to the Mayor's visit to his neighborhood during his bid for Mayor. He urged him to work with the Jefferson Heights Neighborhood Association. He spoke against CPS building a coal plant, and urged Council to listen to the voices of the constituents, and asked them to look into cleaner sources of energy. He spoke to the upcoming Neighborhood Sweep, and the Springview Apartments.

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**MR. EUGINIO RODRIGUEZ**

Mr Euginio Rodriguez spoke to the Edwards Aquifer recharge zone, and spoke to the intense research that he worked on regarding contamination, and narrated a slide presentation on water quality, a copy of which was made part of the official papers of this meeting.

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**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, stated that he attended a City Public Service (CPS) Board meeting last month, but noted they had no agenda. He referenced the Bike Patrol, and spoke to utility payments being too high. He also spoke to the problem of drinking and driving, and spoke in favor of a total smoking ban.

There being no further citizens signed to speak at Citizens to be Heard, the City Council recessed its regular session at 5:10 P.M., reconvening at 5:30 P.M.

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2003-24      **PUBLIC HEARING: ON THE NO SMOKING INITIATIVE.**

Mayor Garza declared the Public Hearing to be open.

Dr. Fernando Guerra, Director of Health, narrated a slide presentation regarding the proposal to further regulate smoking in San Antonio, a copy of which was made part of the official papers of this meeting. He discussed the background and history of the current ordinance, and spoke to the first public hearing held on May 22, 2003. He further expounded on the Smoking Ordinances in other Texas Cities.

The following citizen(s) spoke in favor of the No Smoking Initiative:

The Smoke Free San Antonio Coalition  
Ms. Amy Jasperson  
Dr. Rolando Saenz

Ms. Martha Weiss  
Ms. Debra Long  
Ms. Morgan Lozano  
Ms. Rachel Cywinski  
Mr. Paul McIntyre  
Mr. Nazarite Ruben Flores Perez  
Mr. George Windrow  
Mr. Ralph Alonzo  
Ms. Cindy Stzelecki  
Ms. Amy Marshall  
Ms. Carrie Waterman  
Ms. Diane Fey  
Mr. Anthony Jones  
Mr. Nick Calzoncit  
Mr. Mario Pugo  
Mr. Milo Colton  
Ms. Catherine Matteson  
Dr. Geoffrey Weiss  
Dr. Phil Hwang  
Dr. Shannon Marquez  
Mr. Mark Barrera  
Ms. Julie Iris Oldham  
Ms. Bonnie Precious  
Mr. Bill Molina  
Mr. Jimmy Tucker  
Mr. Faris Hodge, Jr.  
Ms. Tammy Maywald  
Mr. Frank Jacobs  
Mr. Jack M. Finger  
Ms. Gladys Thompson

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

Mr. Duane Wilson  
Mr. Amos Jones  
Ms. Wanda Jones  
Ms. Sabrina Meadows  
Ms. Minerva Nadler  
Ms. Pat Hutcherson

Mr. Louis Barrios  
Dr. Joe Lewis  
Mr. Bob Wilson  
Mr. Dale Wood  
Mr. Roger Barrera  
Mr. Darren Pickering  
Mr. Zachary Anderson  
Mr. Will Southerland  
Mr. Richard Egan  
Mr. Jason McClean  
Ms. Diane Pottis  
Ms. Lindsay Shelton  
Mr. Tracey Bagley  
Mr. Paul Holmes  
Mr. Edgar Carlson  
Mr. Mark Lewis  
Mr. Michael Bueno  
Mr. Kris Keller.

Mr. Ed Johnson spoke neither for or against, but spoke to a machine which he stated was a solution to the problem of second hand smoke in restaurants.

\* \* \* \*

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

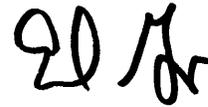
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2003-24 There being no further business to come before the City Council, the meeting was adjourned at 9:30 p.m.

A P P R O V E D



EDWARD D. GARZA  
M A Y O R

Attest.



YOLANDA L. LEDESMA  
Acting City Clerk