

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 14, 2003.

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2003-28 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A.) **Boards and Commissions Work Session.** (Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager.)

B.) **Review of Capital Projects proposed for 2003 Bond Program.** (Presented by Lou Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager.)

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

The "B" Session adjourned at 12:15 P.M.

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2003-28 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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2003-28 Invocation by Father Walter D'Heedene, Sacred Heart Catholic Church.

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2003-28 Pledge of Allegiance to the flag of the United States.

2003-28 PRESENTATION OF PROCLAMATION FOR THE 2003 NATIONAL CONCIERGE ASSOCIATION CONFERENCE DAYS.

Mayor Garza presented a Proclamation to Ms. Sara Ann Kasner, Executive President and Founder of the National Concierge Association (NCA). She spoke to the work of the NCA, and introduced the members of the organization here from throughout the United States. She spoke to the convention being held in San Antonio, with members from across the country in attendance.

2003-28 PRESENTATION OF CITATION TO THE ALAMO BADMINTON CLUB.

Mayor Garza presented a Citation to the members of the Alamo Badminton Club and their Coaches, Mike and Rita Gamez. Mr. Gamez spoke to the recent accomplishments of the Alamo Badminton Club, and the work of the students who participate.

Members of the City Council congratulated the group, and offered best wishes for continued success.

2003-28 PRESENTATION OF PROCLAMATION FOR THE "FIRST DAY CELEBRATION OF EDUCATION."

Mayor Garza presented a Proclamation to Superintendents of local school districts from throughout the San Antonio area declaring August 18, 2003 as "First Day Celebration of Education."

The Superintendents thanked the Mayor and City Council for the recognition.

Members of the Council wished the Superintendents the best of luck for a successful school year. They further spoke to the work of the school districts and the staff who was helping future leaders.

AN ORDINANCE 97980

ACCEPTING THE OFFER FROM Q-STAR TECHNOLOGY, L.L.C., UTILIZING A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY GRANT, TO PROVIDE SURVEILLANCE EQUIPMENT FOR THE CITY OF SAN ANTONIO ENVIRONMENTAL SERVICES DEPARTMENT FOR A TOTAL AMOUNT OF \$34,642.80.

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AN ORDINANCE 97981

ALLOCATING \$400,000.00 FROM 1999 G.O. LIBRARY BOND FUNDS FOR THE PURCHASE OF THE OPENING DAY MATERIALS COLLECTION OF THE JULIA YATES SEMMES BRANCH LIBRARY AT COMANCHE LOOKOUT PARK, WHICH IS IN THE 15000 BLOCK OF JUDSON ROAD, BETWEEN NACOGDOCHES ROAD AND MONTE VERDE IN CITY COUNCIL DISTRICT 10.

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AN ORDINANCE 97982

AUTHORIZING THE USE OF \$524,000.00 OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENOVATE 4,000 SQUARE FEET OF FACILITY SPACE AT BROOKS CITY-BASE FOR THE USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) AS IT'S BIOTERRORISM PREPAREDNESS LABORATORY; AND APPROVING THE ENCUMBRANCE OF THESE GRANT FUNDS PROVIDED THAT CERTAIN CONDITIONS ARE MET.

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AN ORDINANCE 97983

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH BEAT-AIDS, INC. TO PROVIDE SAID CONTRACTOR WITH AN ADDITIONAL \$13,264.00 TO FURNISH SERVICES UNDER THE BROTHA TO BROTHA HIV INTERVENTION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT DURING THE PERIOD MARCH 1, 2003 THROUGH FEBRUARY 29, 2004; REVISING THE BUDGET; AND AUTHORIZING

PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 97308, MARCH 13, 2003.)

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AN ORDINANCE 97984

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL GRANT AWARD TOTALING \$13,870.00 IN CASH ASSISTANCE FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO SUPPORT THE ON-GOING HIV/AIDS PREVENTION AND SURVEILLANCE PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004-FEDERAL ACCOUNT ESTABLISHED IN ORDINANCE NO. 97154, PASSED AND APPROVED FEBRUARY 6, 2003; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NOS. 97154, FEBRUARY 6, 2003; ORDINANCE NO. 97180, FEBRUARY 13, 2003.)

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AN ORDINANCE 97985

AUTHORIZING THE ACCEPTANCE OF A CASH AWARD IN THE AMOUNT OF \$75,000.00 FROM BEXAR COUNTY TO FUND THE RYAN WHITE TITLE I HEALTH EDUCATION/RISK REDUCTION (HERR) PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD JANUARY 1, 2003 THROUGH FEBRUARY 28, 2003; AUTHORIZING THE EXECUTION OF THE RYAN WHITE CARE ACT OF 1990 TITLE I PROGRAM HIV SERVICES MANAGEMENT AGREEMENT WITH BEXAR COUNTY; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 97986

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A CONTRACT CHANGE FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) REDUCING

FUNDS BY \$23,189.00 WHICH WERE PREVIOUSLY PROVIDED FOR THE ON-GOING SEXUALLY TRANSMITTED DISEASE (STD) STAFF SUPPORT PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; AUTHORIZING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; REVISING THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004-FEDERAL ACCOUNT ESTABLISHED IN ORDINANCE NO. 97154, PASSED AND APPROVED FEBRUARY 6, 2003; AND REVISING THE PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 97221, FEBRUARY 20, 2003.)

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AN ORDINANCE 97987

AUTHORIZING THE ACCEPTANCE OF CASH SUPPORT TOTALING \$77,046.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW THE ON-GOING SEXUALLY TRANSMITTED DISEASE (STD) CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH TDH; ESTABLISHING THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004-STATE FUND; ADOPTING A BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004; AND APPROVING A PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 97180, FEBRUARY 13, 2003.)

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AN ORDINANCE 97988

AUTHORIZING THE EXECUTION OF A RENEWAL OPTION CONTRACT WITH CUTTING EDGE COMMUNICATIONS, INC. FOR AN AMOUNT NOT TO EXCEED \$200,000.00 TO PROVIDE MEDIA CONSULTATION AND TARGETED ADVERTISING SERVICES FOR THE RACIAL AND ETHNIC ADULT DISPARITIES IMMUNIZATION INITIATIVE OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD AUGUST 20, 2003 THROUGH APRIL 30, 2004; AND AUTHORIZING PAYMENTS FOR SERVICES. (AMENDS ORDINANCE NO. 96792, NOVEMBER 21, 2002.)

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AN ORDINANCE 97989

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$1,275.00 FROM KELLY USA TO THE CITY OF SAN ANTONIO NEIGHBORHOOD ACTION DEPARTMENT FOR THE PURCHASE OF PAINT AND PAINTING SUPPLIES NECESSARY TO IMPLEMENT THE COMMUNITY SERVICE PROJECTS THROUGH THE NEIGHBORHOOD TARGET SWEEP PROGRAM IN COUNCIL DISTRICTS 4 AND 6; ESTABLISHING A FUND; AND APPROVING A PROGRAM BUDGET.

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AN ORDINANCE 97990

REVISING CITY CODE CHAPTER 36 ("SMOKING"), SECTION 36-1 ("DEFINITIONS"), PARAGRAPH 9 ("ENCLOSED DINING AREA"). (AMENDS CITY CODE CHAPTER 36.)

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AN ORDINANCE 97991

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR AUSTIN HIGHWAY IN CONNECTION WITH THE SIGHTS, TASTE & SOUNDS OF THE AWESOME AUSTIN HWY. TO BE HELD ON SATURDAY, SEPTEMBER 27, 2003 FROM 9:30 A.M. TO 11:30 A.M.

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AN ORDINANCE 97992

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE AREA OF MILAM PARK IN CONNECTION WITH THE LIGHT THE NIGHT WALK TO BE HELD ON SATURDAY, SEPTEMBER 27, 2003 FROM 5:30 P.M. TO 9:00 P.M.; SPONSORED BY THE LEUKEMIA & LYMPHOMA SOCIETY.

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AN ORDINANCE 97993

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE AREA OF OUR LADY OF THE LAKE UNIVERSITY (OLLU) IN CONNECTION WITH THE 1ST ANNUAL OLLU 5K RUN TO BE HELD ON SATURDAY, OCTOBER 25, 2003 FROM 6:00 A.M. TO 9:30 A.M.

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AN ORDINANCE 97994

APPOINTING LOUIS A. VIDAURRI (DISTRICT 1) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2005.

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AN ORDINANCE 97995

REAPPOINTING MARCY LYNCH (DISTRICT 4) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2005.

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AN ORDINANCE 97996

APPOINTING BETTIE WARD (INSTITUTION CATEGORY - DISTRICT 1) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2004.

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AN ORDINANCE 97997

APPOINTING DEBORAH D. ROBINSON (LAYPERSON CATEGORY - DISTRICT 1) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2005.

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AN ORDINANCE 97998

APPOINTING GEORGE L. ALEJOS (DISTRICT 5) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2005.

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AN ORDINANCE 97999

APPOINTING BRADLEY T. PEEL (MAYOR) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004.

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98000

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE FOLLOWING ITEMS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2003-2004 FOR AN ESTIMATED ANNUAL COST OF \$1,031,800.00: PC DOCS/FULCRUM ENTERPRISE SUITE SOFTWARE MAINTENANCE SERVICES; CONCRETE LEVELING AND STABILIZATION; PERSONAL PROTECTIVE CLOTHING; CLEANING & REPAIR SERVICES; REINFORCING STEEL & WIRE MESH; MAINTENANCE OF HEATING & AIR CONDITIONING SYSTEMS AT BRANCH LIBRARIES; BATTERY CHARGES, CONDITIONERS AND ANALYZERS; DIGITAL CAMERA KITS AND ACCESSORIES; DISPOSABLE MEDICAL EXAMINATION PRODUCTS; AND EROSION BLANKETS AND ACCESSORIES.

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

In response to Councilman Williams regarding the high quantity of items being purchased, Ms. Janie Cantu, Director of Purchasing, clarified that annual contracts are

initiated in the beginning of the fiscal year, and were awarded based on estimated usage forecasted. She confirmed there was no funding expended on these contracts.

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

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2003-28 ZONING CASES

Councilman Hall explained why case number Z2003126C was pulled from the agenda, and spoke to the concerns he had regarding this item. He noted they talked to the City Attorney, and it was determined there was very little they could do, and City Zoning did not matter in this particular case. He cited case law and confirmed they would be in discussion with the Northside Independent School District regarding a bus maintenance transportation facility being built in this area.

4A.) CASE NUMBER #Z2003051 A - The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from I-1, C-2, MF-33, H, HS, HE RIO 3 to "D" Downtown District, H, HS, HE RIO 3 on an area generally bounded by Market Street and Nueva Street and Dolorosa Street on the north, I.H. 37 on the east, Durango on the south and IH-35 on the west. 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 Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, thanked Councilman Hall for pulling the above item mentioned. He stated the zoning cases were important to him. He then spoke to each of the zoning cases on the agenda.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to various zoning cases, and expressed concern on items 4D, 4E and 4K. She cited potential problems with these zoning cases.

Mr. Jack M. Finger, P.O. Box 12048, spoke to various Zoning Cases, citing potential problems. He encouraged the City Council to listen to the citizens.

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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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

AN ORDINANCE 98001

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 AND CLASSIFICATION OF CERTAIN PROPERTY.

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

- All of NCB 13416
- All of NCB 13417
- All of NCB 13608
- All of NCB 102
- All of NCB 13419, save and except Lot 5
- All of NCB 916, save and except the east 128.9 feet of Lot A-2
- All of NCB 13418, save and except Lot 4
- All of NCB 173, save and except the south irregular 47.3 feet of Lot A-15, Lots 6, 7, the north irregular 75 feet of Lot 5, the south 116 feet of Lot 8, the north 347.6 feet of the south 377 feet of Lot 9, and Lots 19 and 20

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:

- Lot 5, NCB 13419
- The east 128.9 feet of Lot A-2, NCB 916

All of NCB 111, save and except Lot 14, the north 110.2 feet of Lot 15, the north 103.3 feet of Lot 17, Lots 26 through 28, Lot A-7, and Lot A-11
The south irregular 47.3 feet of Lot A-15, and Lots 19 and 20, NCB 173

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

Lot 5, NCB 134
Lots A34, A36, and A39, NCB 904

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1 H" INDUSTRIAL HISTORIC DISTRICT, "I-1 H RIO-3" INDUSTRIAL HISTORIC RIVER OVERLAY DISTRICT, "MF-33 H" MULTI-FAMILY HISTORIC DISTRICT, "MF-33 H RIO-3" MULTI-FAMILY HISTORIC RIVER OVERLAY DISTRICT, "C-2 H" COMMERCIAL HISTORIC DISTRICT, "C-2 H RIO-3" COMMERCIAL HISTORIC RIVER OVERLAY DISTRICT, AND "C-2 H HS" COMMERCIAL HISTORIC, HISTORIC SIGNIFICANT DISTRICT, TO "D H" DOWNTOWN HISTORIC DISTRICT, "D H RIO-3" DOWNTOWN HISTORIC RIVER OVERLAY DISTRICT, AND "D H HS" DOWNTOWN HISTORIC, HISTORIC SIGNIFICANT DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

All of NCB 13814, save and except Lot ARB 12F, Block 3

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4B.) CASE NUMBER #Z2003106 - The request of Chuck Christian, Applicant, for United Mortgage Trust, Owner(s), for a change in zoning from "R-6 RIO-2" Residential Single Family River Overlay District to "O-1 RIO-2" Office River Overlay District on Northwest 42 feet of Lots 7 and 8, and Southwest 14.7 feet of Lots 1 and 2, NCB 1003, 212 McLane Street. 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 Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Angie Ruiz, 502 E. Evergreen St., spoke in favor of this zoning case, noting they would like to preserve the neighborhood. She requested that the structure be retained, especially the façade. She spoke to the atmosphere of Tobin Hill, and expressed her hopes of this area becoming historic.

Mr. Jon Thompson, 215 E. Park, outlined the reasons he was in favor of this zoning case, but spoke against the planning process. He expressed appreciation to Councilman Flores for the attention he has given to this issue.

Ms. Kelly Cross, 704 Camden, cited examples of the type of work that she does, and spoke to the amount of money the City has saved due to her work. She acknowledged her work was geared towards helping the elderly. She cited the reasons she chose this house for her office.

Mr. Chuck Christian, 14400 Northbrook, spoke to the reasons he chose this site for Ms. Kelly Cross.

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Councilman Flores stated there was a fundamental problem in any zoning occurring in the Tobin Hill Area because of the neighborhood plan in place that was extremely old. He noted that in the current plan, there was the ability to use this area for mixed use, noting this was open for interpretation. When looking at this particular area, he encouraged staff to protect its integrity.

In response to Councilman Flores with regard to the process utilized, Mr. John Jacks stated they contacted the Planning Department who advised them that this zoning case was consistent with the neighborhood plan. He discussed all the factors that led them to a recommendation for approval. He further confirmed that he was aware of there being two neighborhood advocacy groups who often did not share similar opinions on protection of certain houses.

Councilman Flores suggested that because of the age of the plan, they go through a different planning process when they decide to rezone anything in this area.

Mr. Jacks confirmed he would convey his message to the Planning Department.

Mr. Rod Sanchez, Assistant Director of Development Services, noted that the zoning it currently had would remain in place until Council rezones it again. He further noted the other option would be an R6-C with a conditional use. If pursued, he stated they would have to continue the case for 2 weeks.

Ms. Kelly Cross, applicant, rejected both options, noting she didn't understand why there were any impediments on her owning this piece of real estate. She cited an article quoting Mr. & Mrs. Jon Thompson, in which they are welcoming attorneys to come in and re-do the houses in the area. She further acknowledged she had no plans for moving out of the home.

Councilman Flores noted that there wasn't a question about the validity of her business, but questions in the long term planning due to its historic consideration.

Ms. Cross stated she couldn't fathom changing the façade to anything else, noting it was almost impossible to change what it is. She stated she didn't have the finances to do anything else to the home.

Councilman Flores recommended approval with the condition that the outside of the home remain the same to retain its character.

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

AN ORDINANCE 98002

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 NORTHWEST 42 FEET OF LOTS 7 AND 8, AND SOUTHWEST 14.7 FEET OF LOTS 1 AND 2, NCB 1003, 212 MCLANE STREET, FROM "R-6 RIO-2" RESIDENTIAL SINGLE FAMILY RIVER OVERLAY DISTRICT TO "O-1 RIO-2" OFFICE RIVER OVERLAY DISTRICT.

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2003-28 At this time, reference was made to Item #10.

The Clerk read the following Ordinance:

AN ORDINANCE 98003

NAMING THE PARKS AND RECREATION DEPARTMENT COMMUNITY CENTER IN RAINBOW HILLS PARK IN CITY COUNCIL DISTRICT 4 THE "JEAN YATES COMMUNITY CENTER."

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

Councilman Perez stated this was a park that is currently being constructed, and would be ready in the next couple of months. He spoke to the extensive process utilized in naming this park.

The following citizen(s) appeared to speak:

Mr. Fred Magee, Rainbow Hills Area Neighborhood Association, introduced the family members of Jean Yates.

Ms. Ida Yates, daughter of the late Jean Yates, noted her mother was a long time resident of the community. She spoke to her wishes of leaving a legacy for her children and grandchildren. She urged Council to approve this Ordinance.

Ms. Tammy Rodriguez, granddaughter of Jean Yates, stated this would be an honor to her memory. She stated she worked hard in improving her neighborhood, and was very well known in her neighborhood.

Ms. Mary Kathy Luna, President of the Rainbow Hills Neighborhood Association, spoke to the work of Jean Yates, and acknowledged she was well known throughout the neighborhood. She expounded on her contributions, and expressed appreciation for Council's consideration.

Mr. Fred Magee, Rainbow Hills Area Neighborhood Association, cited her work in the community, noting this was a great honor.

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Mayor Garza thanked Councilmen Perez and all of the family members of Jean Yates in attendance at the Council Meeting. He confirmed he had an opportunity to meet her briefly, and naming this park after her was an opportunity to carry her name.

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

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2003-28 On a point of clarification, Councilman Hall referenced his earlier comments made about the removal of case number Z2003126C, and confirmed that the bus facility would be built and a permit was given. He expressed concern about the location, but noted the item was pulled because the City Zoning would not apply.

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2003-28 At this time, reference was made to Case Number 4C.

4C.) CASE NUMBER #Z2003069 - The request of COIL CDC, Applicant, for Huntleigh Park Baptist Church, Air Today Inc., Owner(s), for a change in zoning from "R-5" Residential Single-Family Development and "R-6 S" Residential Single-Family Development to "RM-4" Residential Mixed District on 6.217 acres out of NCB 10615, on the northwest corner of Hollyspring Drive and Whispering Creek. 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 Schubert seconded the motion.

The following citizens appeared to speak:

Mr. Don Weng spoke to the cost of rental rates skyrocketing, and noted it was time to develop housing for people with disabilities. He spoke to the people who would be moving into this area.

Ms. Bea Hernandez, 1500 Wurzbach, stated the disabled needed a home and secure environment. She spoke in favor of this zoning, and encouraged everyone to understand and assist each other.

Mr. John Chaplain stated that because of the services COIL has provided, he has been able to live on his own for 10 years. He spoke to the education he has received, noting that without the services of COIL, he would not be financially independent.

Ms. Mary Alton, 4634 Kay Ann, resident of Huntleigh Park, confirmed she was not opposed to this development. She acknowledged she had little knowledge of COIL, but noted she still approved of the proposed development.

Mr. John Sampson stated he has been working with the disabled population for the last 12 years. He stated that just because the disabled have problems with mobility, they should not be sequestered with people with Alzheimer's. He cited other projects COIL has worked on.

Mr. Chris Dumas, 12940 Country Parkway, Vickery and Associates, spoke to the issue of traffic in relation to this development. He stated that the special needs people who need special housing have special needs for transportation.

Pastor Michael Lawrence Weden, Pastor of Hope Lutheran Church, stated they felt strongly that the property would be an asset to the community. He acknowledged that most special needs housing is built in an isolated area where they cannot interact with anyone else.

Mr. Art Tabler voiced his approval of his project.

Ms. Madelyn Bowen, COIL CDC, cited various letters who voiced approval of this project. She confirmed they would not exceed 50 units. She spoke to the long-term maintenance and noted COIL CDC promised to have representation from the community. She stated one of the alternate locations was near a plant, and another location was near the expressway. She urged Council to approve this zoning case.

Ms. Gertie Williams, 4722 Old Coach Lane, stated the position of the Huntleigh Park residents had not changed, and noted their decision was based upon the current zoning. She stated their opposition had nothing to do with being against the disabled and elderly,

but their concerns dealt with congestion, traffic, and safety. She spoke to the density problem, noting they only had 3 entrances to the community. She urged Council to maintain the current residency.

Mr. Tom Gaffney, 715 St. Johns, cited a letter from the School District, which referenced the capacity of the schools. He objected to this project, and cited the reasons they were against this development. He urged the City to build a park there instead, and urged Council to adhere to good planning.

Ms. Chris Wilcox, 4602 Argonne, spoke to the notification that was sent regarding this project. She acknowledged they are only trying to preserve their neighborhood. She urged Council not to approve this zoning change.

Mr. Randolph Reed, 4626 Old Coach Lane, spoke in opposition to this zoning, and noted the present zoning is why he moved to this area. He stated he felt the land could be used for something else. He cited the reasons he was against the rezoning, and spoke to the increased number of residents in the area if this facility is built.

Mr. Bobbie Goodloe, 4619 Lavendar Lane, spoke in opposition to this re-zoning, and spoke to the history of the area she lives in. She spoke to a situation in which she had to take care of her disabled brother. She cited the reasons she was against this rezoning, and spoke of the issue of VIA Trans. She urged Council to deny this zoning.

Mr. Bruce Muller, 4603 Arsonne Dr., addressed an article in the newspaper, and rejected their stance. He disputed the claims in the article, and stated they did not have anything against the disabled or senior citizens. He spoke to the issue of traffic, noting it was horrendous.

Ms. Pam Riley, 4718 Belinda Lee, resident of Huntleigh Park for 30 years, stated that if the approval occurs, she would have to relocate. She spoke to the congestion in the area, and stated she was not against the disabled.

Mr. Lloyd Barnes, 4610 Kay Ann, stated the residents in the Huntleigh Park area were against this rezoning. He noted the majority of the residents were elderly, sick and disabled, and cited the reasons they were against this development. He urged Council to consider their pleas and vote against this rezoning on the basis that the land was not suitable for the proposed project.

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Councilman Williams cited the prayer of Father Denehee who gave the invocation at the beginning of the meeting, noting he was there to represent the underprivileged. He

acknowledged the concerns of the Huntleigh Neighborhood Association, noting they came with a dialogue full of their concerns and frustrations. He stated this request was to build a very unique form of affordable housing. He referenced the time spent with a previous member of the Zoning Commission, in which he questioned why he voted against this project. He further acknowledged he asked Drew Cameron to give him a profile, which showed there were 11 senior citizen housing homes in his district, and none of them had this unique component that this housing gives. He spoke to the neighborhood meetings, noting the Neighborhood Association voted 32 – 2, but confirmed there were others on the other side who have given him their opinions as well. He spoke to the concerns of the residents who spoke against this rezoning, and suggested to the Neighborhood Association that they work together with the leaders to establish a master plan that would keep and avoid this type of development in the future. He reiterated his motion for approval.

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

AN ORDINANCE 98004

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 6.217 ACRES OUT OF NCB 10615, ON THE NORTHWEST CORNER OF HOLLYSPRING DRIVE AND WHISPERING CREEK, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DEVELOPMENT AND "R-6 S" RESIDENTIAL SINGLE-FAMILY DEVELOPMENT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

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4D.) CASE NUMBER #Z2003102 S - The request of Leonard J. Gittinger, Jr., Applicant, for Leonard J. Gittinger, Jr., Owner(s), for a change in zoning from "H C-2" Historic Commercial District to "H C-3 NA S" Historic Commercial Non-Alcoholic Sales District with a specific use authorization for a Roofing Contractor Facility on Lots 4, 5, 6, 7, 8, 9 and 10, Block 3, NCB 1371, 1901 East Houston Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval with the following condition: Fabrication shall be limited to sheet metal only. (Council District 2)

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

Councilman Williams made a motion for approval with the condition that fabrication be limited to sheet metal. He stated that he would give his approval for the proposed rezoning with the stipulation that these conditions be met. 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, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

AN ORDINANCE 98805

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 4, 5, 6, 7, 8, 9 AND 10, BLOCK 3, NCB 1371, 1901 EAST HOUSTON STREET, FROM "H C-2" HISTORIC COMMERCIAL DISTRICT TO "H C-3 NA S" HISTORIC COMMERCIAL NON-ALCOHOLIC SALES DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A ROOFING CONTRACTOR FACILITY ON THE PROPERTY.

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4E.) CASE NUMBER #Z2003110 - The request of Charles J. Wilson, Applicant, for Rohmann Services, Inc. Brooks, AFB, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-1" Commercial District on Lot 9, Block 1, NCB 10768 and South 12 feet of the east 132 feet of Lot 11, Block 1, NCB 10768, 319 Sinclair 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 Flores 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, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

AN ORDINANCE 98006

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 9, BLOCK 1, NCB 10768 AND SOUTH 12 FEET OF THE EAST 132 FEET OF LOT 11, BLOCK 1, NCB 10768, 319 SINCLAIR ROAD, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" COMMERCIAL DISTRICT.

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4F.) CASE NUMBER #Z2003108 - The request of Alejandro & Olga Gonzalez, Applicant, for Alejandro & Olga Gonzalez, Owner(s), for a change in zoning from "C-2" Commercial District to "R-5" Residential Single-Family District on Lot 18 and the west 21 feet of Lot 19, Block 22, NCB 3197, 1536 Kayton. 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 Flores seconded the motion.

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

AN ORDINANCE 98007

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 18 AND THE WEST 21 FEET OF LOT 19, BLOCK 22, NCB 3197, 1536 KAYTON, FROM "C-2" COMMERCIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4G.) CASE NUMBER #Z2003099 - The request of Bitterblue Inc., Applicant, for Barrett, Thurman Sr. and Jr., Owner(s), for a change in zoning from "R-5" Residential Single-Family District and "R-6" Residential Single-Family District to "RM-5" Residential Mixed District on 69.35 acre tract of land out of NCB 11186, West Hutchins Place (extension). Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Councilman Perez made a motion to continue this rezoning case until the City Council meeting of September 11, 2003. Councilman Flores seconded the motion.

After consideration, the motion to continue this case until September 11, 2003, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Williams, Haass.

Zoning Case #Z2003099 was continued to the Council meeting of September 11, 2003.

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4H.) CASE NUMBER #Z2003113 - The request of Gabriel Q. Velasquez, Applicant, for Steve Patel, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-3 R" Commercial District, Restrictive Alcoholic Sales on 0.275 acres out of Lot A8, Block 3, NCB 7933, 3840 Nogalitos 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 Perez seconded the motion.

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

AN ORDINANCE 98008

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.275 ACRES OUT OF LOT A8, BLOCK 3, NCB 7933, 3840 NOGALITOS STREET, FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3 R" COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES ON THE PROPERTY.

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4I.) CASE NUMBER #Z2003114 - The request of Ana Lucila Palacios, Applicant, for Ana Lucila Palacios, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "O-1" Office District on Lot 31, NCB 6797, 1315 Northwest 24th 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 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98009

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 31, NCB 6797, 1315 NORTHWEST 24TH STREET, FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT ON THE PROPERTY.

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4J.) CASE NUMBER #Z2003125 C - The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from "MF-33" Multi-Family District, "C-2 NA" Commercial Nonalcoholic Sales District and "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "R-6 C" Residential Single-Family District with a conditional use for a Duplex, and "R-6 C" Residential Single-Family District with a conditional use for an eight (8) unit apartment building, "R-6 C" Residential Single-Family District with a conditional use for a nine (9) unit apartment building, "R-6 C" Residential Single-Family District with a conditional use for twelve (12) unit apartment complex on an area bound by Culebra Street to the north, San Joaquin to the east, Commerce Street to the south, and 36th Street and Esmerelda to the west. 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 Barrera seconded the motion.

The following citizens appeared to speak:

Mr. Richard Garcia, 227 Tesia, noted Councilwoman Radle had been very supportive and helpful. He urged Council to support this zoning case without any exceptions.

Mr. Art Delgado, 327 Precious, President of the Memorial Heights Neighborhood Association, spoke to a meeting they held with Councilwoman Radle and others. He acknowledged he went out and talked to others and questioned their stance on this issue. He urged Council to respect the wishes of the community.

Ms. Martha Arezola, 3607 Rivas, stated she was for this rezoning, but against the building of the duplexes. She expressed concern about the graffiti and gang activity in the area.

Mr. Richard Juarez, 9158 Park Trail, acknowledged the property at 159 San Joaquin had been in the family for many years. He urged Council to add the conditional use. He invited his mother, Minerva Juarez, to explain those reasons.

Ms. Minerva Juarez, 803 S. San Bernardo, cited the reasons they wanted to convert that property, and noted she wanted this unit for her family.

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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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

AN ORDINANCE 98010

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 AND CLASIFICAITON OF CERTAIN PROPERTY.

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THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

All of NCB 12589

All of NCB 12590

All of NCB 8637, save and except Tract B, Lots 1 through 3, and the west 75 feet of Lots 4 and 5, Block 3

All of NCB 8636, save and except Lots 3 through 6, 32 and 33, Block 2

Lots 4 through 15, 17A, 17B, 36, and 43 through 45, Block 1, NCB 8635
Lots 14 through 23, Block 2, NCB 7470
All of NCB 7442
All of NCB 7475
Lots 14 through 18, Block 1, NCB 7469
All of NCB 7472
All of NCB 7473
All of NCB 7476
All of NCB 8309, save and except Lots 1 through 7, Block 21
All of NCB 8310
All of NCB 7477
All of NCB 7478
All of NCB 7479
All of NCB 7480, save and except Lots 1 and 6, Block 12
All of NCB 8862
All of NCB 7481, save and except Lot 21, Block 13
All of NCB 7484
All of NCB 7485
All of NCB 8863, save and except Lots 11 and 12, Block 7
All of NCB 7486
All of NCB 7483, save and except Lot 2, Block 15
All of NCB 7482, save and except Lots 5 and 6, Block 14
All of NCB 8638, save and except Lot 1 and Lots 55 through 64, Block 4
All of NCB 8639, save and except Lot 14, Block 5
All of NCB 8248, save and except the west 304 feet of the south 46.7 feet of Lot 7 and
the west 308.25 feet of Lot 8, Block 2
All of NCB 8874, save and except Lots 4 through 6, Block 18
All of NCB 8251, save and except the east 276.11 feet of the north 71.75 of Lot 8, Block
1, Lots 4 through 22, Block 2
All of NCB 14378
All of NCB 14195
All of NCB 14194
All of NCB 13669
All of NCB 13670
All of NCB 13671
All of NCB 13458, save and except Lot 24, Block 3
All of NCB 13457
All of NCB 13456, save and except Lot 23, Block 1
All of NCB 8194
All of NCB 8193
All of NCB 8192, save and except Lots 1, 2, 21, and 22, Block 2
All of NCB 8191, save and except Lots 1, 2, 21, and 22, Block 1

All of NCB 8250, save and except Lots 9, 10, 24, through 26, 30, 37 through 46, Block 3
All of NCB 8323, save and except Lots 10 through 12, Block 4
All of NCB 8875, save and except Lots 29, 32 through 40, Block 19
All of NCB 16073

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX ON THE PROPERTY LISTED AS FOLLOWS:

Lots 34, 35, 41 and 42, Block 1, NCB 8635
Lots 1 and 6, Block 12, NCB 7480
Lot 21, Block 13, NCB 7481
Lot 1, Block 4, NCB 8638
Lots 4 through 6, Block 18, NCB 8874
NCB 8250, Block 3, Lot 30

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR AN EIGHT (8) UNIT APARTMENT COMPLEX ON THE PROPERTY LISTED AS FOLLOWS:

NCB 8251, Block 1, the east 276.11 feet of the north 71.75 of Lot 8

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A NINE (9) UNIT APARTMENT BUILDING ON THE PROPERTY LISTED AS FOLLOWS:

Lots 5 and 6, Block 14, NCB 7482

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A TWELVE (12) UNIT APARTMENT COMPLEX ON THE PROPERTY LISTED AS FOLLOWS:

The west 304 feet of the south 46.7 feet of Lot 7 and the west 308.25 feet of Lot 8, Block 2, NCB 8248

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

All of NCB 8642

All of NCB 8641, save and except Lots 12 through 17, 30, 31, and 33, Block 7

NCB 8251, Block 2, Lots 4 through 22

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

All of NCB 8635, save and except Lots 1 through 15, 17A, 17B, 34 through 36, and 41 through 45

Lots 55 through 64, Block 4, NCB 8638

All of NCB 8325

All of NCB 8326

All of NCB 8327, save and except Lots 73 through 78 and Lots 1 through 3, Block 4

All of NCB 8328, save and except Lots 4 through 12, Block 4

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 8192, Block 2, Lots 21 and 22.

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

NCB 8327, Block 4, Lots 73 through 78

NCB 8328, Block 4, Lots 7 through 12

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 8323, Block 4, Lot 10

NCB 8192, Block 2, Lot 2

NCB 8191, Block 1, Lot 2

NCB 13456, Block 1, Lot 23

NCB 8250, Block 3, the east 126.75 feet of the north 376.49 feet of the south 383 feet of Lot 24

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-2 NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

NCB 8250, Block 3, Lot 54

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4K.) CASE NUMBER #Z2002258 - The request of City of San Antonio, Applicant, for WOH Holdings INC c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 PUD" Residential Single-Family Planned Unit Development District on 92.34 acre tract of land out NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 6)

Councilman Barrera made a motion to continue this rezoning case until the City Council meeting of September 11, 2003. Councilman Williams seconded the motion.

After consideration, the motion to continue this case until September 11, 2003, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Radle, Schubert.

Zoning Case #Z2002258 was continued to the Council meeting of September 11, 2003.

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4L.) CASE NUMBER #Z2003119 - The request of Medallion, Ltd., Applicant, for Medallion, Ltd., Owner(s), for a change in zoning from "C-3" Commercial District to "PUD R-5," Planned Unit Development Residential Single-Family District on 2.434 acres of NCB 18820, 18820 Block of Culebra 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 Barrera made a motion to approve the proposed rezoning. Councilman Castro 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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Radle, Schubert.

AN ORDINANCE 98011

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 2.434 ACRES OF NCB 18820, 18820 BLOCK OF CULEBRA ROAD, FROM "C-3" COMMERCIAL DISTRICT TO "PUD R-5," PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4M.) CASE NUMBER #Z2003058 C - The request of Larry Cannon, Applicant, for Larry and Margaret Cannon, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 NA C" Commercial Non-Alcoholic Sales District with a conditional use for an Auto Sales Lot on Parcel 37B, Parcel 80 and Parcel 89, NCB 14618, 6540 Eckhert Road. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 7)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case had been removed by the applicant.

Councilman Castro noted the homeowners association did meet with neighbors.

Zoning Case Z2003058C was withdrawn by the applicant.

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4N.) CASE NUMBER #Z2003068 C - 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-1 C" Commercial District with a conditional use for an Auto Repair Shop 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 August 28, 2003. Councilman Hall seconded the motion.

After consideration, the motion to continue this case until August 28, 2003, prevailed by the following vote: **AYES:** Williams, Perez, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Radle, Schubert.

Zoning Case #Z2003068 C was continued to the Council meeting of August 28, 2003.

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4O.) CASE NUMBER #Z2003098 C - The request of Karina Asencio, Applicant, for Karina Asencio and Ronnie Torres, 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 Group Day-Care Home on Lot 9, Block 10, NCB 19052, 9834 Charline Lane. 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:** Williams, Perez, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Radle, Schubert.

AN ORDINANCE 98012

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 9, BLOCK 10, NCB 19052, 9834 CHARLINE LANE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6 C" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A GROUP DAY-CARE HOME.

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4P.) CASE NUMBER #Z2003089 - The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 15, Parcel 63 and a portion of Parcel 64, Block 5, NCB 14705, Northwest side of Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

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

Councilman Hall made a motion to continue this rezoning case until the City Council meeting of September 11, 2003. Councilman Barrera seconded the motion.

After consideration, the motion to continue this case until September 11, 2003, prevailed by the following vote: **AYES:** Williams, Perez, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Radle, Schubert.

Zoning Case #Z2003089 was continued to the Council meeting of September 11, 2003.

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4Q.) CASE NUMBER #Z2003090 - The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District (22.44 acres)

and "C-3R" Commercial District, Restrictive Alcoholic Sales (3.47 acres) on 25.91 acres of land out of Block 2, NCB 14864, North of Huebner Road., south of Prue Road and west of the proposed New Prue 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 continue this rezoning case until the City Council meeting of September 11, 2003. Councilman Barrera seconded the motion.

After consideration, the motion to continue this case until September 11, 2003, prevailed by the following vote: **AYES:** Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia.

Zoning Case #Z2003090 was continued to the Council meeting of September 11, 2003.

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4R.) CASE NUMBER #Z2003080 - The request of Traditional Value Homes, Ltd. C/o C. Benjamin McCaleb, Applicant, for Traditional Value Homes, Ltd., Owner(s), for a change in zoning from "C-2NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District, "O-2 ERZD" Office Edwards Recharge Zone District, and "C-1 ERZD PUD" Light Commercial Edwards Recharge Zone District, Planned Unit Development to "RM-5 ERZD-PUD" Residential Mixed Edwards Recharge Zone District, Planned Unit Development on P-5, P-12, and P-1C, NCB 18350, on Bitters Road between Huebner and Blanco. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 9)

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

Councilman Schubert made a motion for approval, and explained why the Zoning Commission had initially recommended denial. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Mary Steel stated some of the neighbors were for and some against, and therefore was an unusual situation. She stated they worked hard to come up with a solution to make many people happy.

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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, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia.

AN ORDINANCE 98013

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 P-5, P-12, AND P-1C, NCB 18350, ON BITTERS ROAD BETWEEN HUEBNER AND BLANCO, FROM "C-2NA ERZD" COMMERCIAL NONALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT, "O-2 ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT, AND "C-1 ERZD PUD" LIGHT COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT, PLANNED UNIT DEVELOPMENT TO "RM-5 ERZD-PUD" RESIDENTIAL MIXED EDWARDS RECHARGE ZONE DISTRICT, PLANNED UNIT DEVELOPMENT ON THE PROPERTY.

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4S.) CASE NUMBER #Z2003118 S - The request of Tracy Tommack, DVM, Applicant, for Steinreal Corporation, Owner(s), for a change in zoning from "C-3 ERZD" Commercial District Edwards Recharge Zone District to "C-3 S ERZD" Commercial District with special use authorization for a Veterinary Hospital - Small Animal (No Outside Runs, Pens and Paddocks Permitted) Edwards Recharge Zone District on the southeast 130.34 feet of Lot 131, Block 4, NCB 16125, 2250 Thousand Oaks, Suite 100 - 102. 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.

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

AN ORDINANCE 98014

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 SOUTHEAST 130.34 FEET OF LOT 131, BLOCK 4, NCB 16125, 2250 THOUSAND OAKS, SUITE 100 - 102, FROM "C-3 ERZD" COMMERCIAL DISTRICT EDWARDS RECHARGE ZONE DISTRICT TO "C-3 S ERZD" COMMERCIAL DISTRICT WITH SPECIAL USE AUTHORIZATION FOR A VETERINARY HOSPITAL - SMALL ANIMAL (NO OUTSIDE RUNS, PENS AND PADDOCKS PERMITTED) EDWARDS RECHARGE ZONE DISTRICT.

* * * *

SECTION 2: The City Council finds as follows: (a). Such use will not be contrary to the public interest. (b). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (c). 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. (d). 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. (e). The use will not adversely affect the public health, safety and welfare.

SECTION 3: The City Council approves this Special Use Permit provided that the building shall comply with all requirements of the City of San Antonio Noise Ordinance.

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.

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4T.) CASE NUMBER #Z2003104 - The request of D. Scott Dye, P. E., Applicant, for Enrique & Norma Alonso, Clyde B. Goldsmith, Marcella Vazquez, and HOMA, Inc., Owner(s), for a change in zoning from "R-6 PUD" Residential Single-Family Planned Unit Development District to "RM-4 PUD" Residential Mixed Planned Unit Development District on Lots 1 and 10, Block M, NCB 15715, East side of Anacacho Road between Edgemont and Hereford Streets. 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 Flores 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98015

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 10, BLOCK M, NCB 15715, EAST SIDE OF ANACACHO ROAD BETWEEN EDGEMONT AND HEREFORD STREETS, FROM "R-6 PUD" RESIDENTIAL SINGLE-FAMILY PLANNED UNIT DEVELOPMENT DISTRICT TO "RM-4 PUD" RESIDENTIAL MIXED PLANNED UNIT DEVELOPMENT DISTRICT.

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4U.) CASE NUMBER #Z2003112 - The request of Sage Western Company, Applicant, for Sage Western Company, Owner(s), for a change in zoning from "R-6" Residential-Single Family District to "R-5" Residential-Single Family District on 10.539 acres out of NCB 15724, 12971 Judson Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 10)

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

Councilman Haass made a motion to approve the proposed rezoning. Councilman Flores 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98016

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 10.539 ACRES OUT OF NCB 15724, 12971 JUDSON ROAD, FROM "R-6" RESIDENTIAL-SINGLE FAMILY DISTRICT TO "R-5" RESIDENTIAL-SINGLE FAMILY DISTRICT.

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4V.) CASE NUMBER #Z2003120 - The request of City of San Antonio, Historic Preservation Office, Applicant, for Harry S. Affleck, Jr. and Ethel Affleck Johnson, Owner(s), for a change in zoning to designate Historic Significance at 0.0156 acres out of Lot 20, Block 5, NCB 13993, 9501 - 9505 Perrin Beitel Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 10)

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

Councilman Haass 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98017

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.0156 ACRES OUT OF LOT 20, BLOCK 5, NCB 13993, 9501 - 9505 PERRIN BEITEL ROAD, TO DESIGNATE HISTORIC SIGNIFICANCE.

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4W.) CASE NUMBER #Z2003121 - The request of City of San Antonio, Historic Preservation Office, Applicant, for Berlee Lumber Co., Inc., Owner(s), for a change in zoning to designate Historic Significance on Lot 35, NCB 12116, 4101 Swan's Landing. Staff's recommendation was for approval.

Zoning Commission has recommended approval of a smaller one-acre tract, which includes the house. (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.

Councilwoman went back to 4J, noting the unit that was being rezoned was to label it what it already was. She acknowledged she was an advocate of affordable housing, again affirming this was a renaming.

(At this point mayor Garza was obliged to leave the meeting, and Councilman Barrera presided.)

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

AN ORDINANCE 98018

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 35, NCB 12116, 4101 SWAN'S LANDING, TO DESIGNATE PROPERTY "HS" HISTORIC SIGNIFICANCE.

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2003-28 **PRESENTATION OF THE FY 2003-2004 PROPOSED BUDGET.**

City Manager Terry Brechtel presented the budget for the fiscal year 2003-2004, a copy of which was made part of the official papers of this meeting. She thanked everyone involved in the process, including the Council. She spoke to the many long hours they worked throughout the year, and thanked all the Staff, department heads and the management team for their work as well. She discussed in detail the various aspects of the budget, including the inventory of City services, and ranking of action categories. She presented an overview of the consolidated budget, and expounded on the available resources of the FY2004 proposed general fund. She discussed the proposed redirections and the general fund mandates, and provided examples. She then elaborated on the budget objectives that were accomplished.

Mayor Garza thanked all the Management and Staff, noting the hardest work was yet to come.

The following citizen(s) appeared to speak:

Mr. Leon Thomas, UHIA, commended the City Manager for her eloquent presentation. He spoke to his attempts to get a meeting with the City Manager and the Mayor. He referenced problems that started with the flood plain administrator, and encouraged the Council to have plans come to fruition. He voiced his concerns regarding no money being put out for the Martin Luther King Park.

Mr. Guillermo Vasquez spoke to the jobs and the work performed by City employees, and cited a report that was done regarding their pay, and expounded on the results of that study. He stated recently hired City employees were earning more across the board than

senior employees, whom he stated are still earning just a living wage after many years of service. He spoke to the salaries made in the same position in various other cities. He encouraged the Council to improve the pay system. He urged Council to create a committee that could at look long term pay and efficiency of services.

Mr. Faris Hodge, Jr., 140 Dora, noted that the 2% raise the City Manager was proposing for City employees wasn't enough. He alleged the Council was discriminating against the City employees. He voiced his opposition in the Police Department purchasing more cars. He cited various monies that were spent by the City.

Ms. Maria Dominguez spoke to the issue of conflict of interest. She addressed the services provided by the City, noting the most important service was safety.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, stated he was speaking on behalf of the City employees, and voiced his concern on the benefits of the employees. He spoke to those just beginning employment with the City, and how their pay has caught up to those who have been here longer. He encouraged Council to modify the current pay system.

Ms. Shirley Evans, 3110 N.W. Loop 410, spoke against Police Officers getting a pay raise. She spoke of an incident that occurred with one police officer, and read a letter that cited the details of the incident, a copy of which was made part of the official papers of this meeting.

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Mayor Garza noted this was the first step of the budget process, and informed the Council they would have additional opportunities to address and work with the budget. He spoke to the work sessions, and how they have been able to make improvements. He thanked department heads and employees for cutting corners, and emphasized the importance of senior citizens and our youth. He spoke to the work of City employees, noting they were on the front line and therefore, important to value the work they do. In return, he noted the employees should strive for higher quality performance and do more for the City. He stated they would continue to work on this issue. He briefly touched on economic development, which he stated would be focused on because of Toyota. He stated there was an opportunity to take a bold step and develop a stronger strategy than what has come up in the past.

Councilman Williams thanked the City Manager and her team for their work on the budget. He encouraged them to look at the budget process, and suggested they consider briefings four times a year instead of one. He expounded on slide 23, and spoke to the issue of overtime. He spoke to Patrol availability and SAFFE officers, stating he did not

want to push them out of the job. He spoke to slide 29, and encouraged a mandate for parks. He spoke to the maintenance of Salado Creek. He encouraged the Council to address issues of economic development, as well as the classification and pay system used for City employees.

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

Councilman Flores expressed concern on how the revenue gets spent, noting it was the citizens' fund. He further noted they could possibly do something different with this money. He addressed a few areas of particular concern, one being the Convention and Visitors Bureau and the advertising budget. He thanked the City Manager and staff for their work.

Councilman Perez suggested the work sessions be televised due to the importance of the budget document they put together. He further added this was a major policy document, and therefore important for the citizenry to understand the complexities they will be dealing with. He stated many of the questions people might have could be answered during deliberation. He acknowledged he would be asking a lot of questions, noting he would be getting into it quite extensively.

Councilman Hall expressed appreciation to staff for their work and efforts. He focused on some of his initiatives, while noting the cuts they proposed seemed fair. He requested for an itemized breakdown of one-time funds. He addressed the issue of a pay raise for City employees, while comparing the 2% proposed raise with the Fire and Police departments. He expressed his ideas on how they could address this issue.

Councilwoman Radle thanked staff for their work and long hours on the budget. She expressed concern on the issue of hunger and homelessness, and cited the efforts of the Hunger and Homeless Task Force. She noted this was a complex issue, and therefore looked forward to reviewing the information. She further expressed concern on the issue of pay raises for City employees. She acknowledged she would be asking many questions throughout the budget process.

Councilman Segovia thanked staff for their hard work and dedication, noting it was not easy shuffling numbers. He expressed his eagerness to work on the budget process.

Councilman Schubert acknowledged this was the 3rd budget session he's been through. He spoke to the budget shortfall, and the relation to the CPS revenue. He stated that last year's budget was more difficult. He expressed concern that this year's budget was not done well, noting tough decisions were avoided.

Councilman Castro thanked the City Manager and staff for their work. He acknowledged this was his third budget, noting that each year, they have dealt with making cuts to be able to balance the budget. He acknowledged there were items that concerned him. He referenced the tax rate, noting that although there was not a tax increase, the citizenry still ends up paying more. He spoke to a superior level of basic City services. He referenced the priorities of the Council, adding that it was important to support City employees, and invest in them. He then concurred with Councilman Radle's comments regarding hunger and homelessness.

Councilman Haass thanked everyone involved in the budget process, noting they completed a monumental task. He expressed his belief that they will come up with a budget that will make sense to the community.

Councilman Barrera thanked staff and all those involved in the process, and expressed his eagerness to begin working on the budget. He encouraged all new City Council members to get involved and learn more about the process.

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98019

SETTING THE FOLLOWING DATES, TIMES, AND PLACE FOR THE FIRST AND SECOND PUBLIC HEARINGS ON THE PROPOSED BUDGET FOR FY 2003-2004: TUESDAY, SEPTEMBER 2, 2003, 7:00 P.M., AND THURSDAY, SEPTEMBER 18, 2003, 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA; AND SETTING THURSDAY, SEPTEMBER 4, 2003, 3:00 P.M. IN THE CITY COUNCIL CHAMBERS AS THE DATE AND TIME FOR A PUBLIC HEARING ON THE PROPOSED TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 2003 AND ENDING DECEMBER 31, 2003.

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

Mr. Lou Lendman, Director of Management and Budget, stated this ordinance would set the dates for the public hearings for the budget process. He noted the first hearing would take place on September 2, with a tax rate hearing being held on September 4. He acknowledged the second public hearing would be held on September 18.

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

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98020

ORDERING A BOND ELECTION TO BE HELD JOINTLY WITH BEXAR COUNTY AND THE NORTH EAST INDEPENDENT SCHOOL DISTRICT ON THE 4TH DAY OF NOVEMBER, 2003, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ON A PROPOSED BOND ISSUE FOR STREETS AND PEDESTRIAN IMPROVEMENTS, DRAINAGE IMPROVEMENTS, LIBRARY IMPROVEMENTS, PARKS AND RECREATION IMPROVEMENTS, AND PUBLIC HEALTH AND SAFETY IMPROVEMENTS; MAKING PROVISIONS FOR THE HOLDING OF THIS ELECTION; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Tom Wendorf, Director of Public Works, spoke to the Bond Election to be held jointly with Bexar County and the NEISD on November 4, 2003. He narrated a slide presentation regarding the Bond Program Schedule, a copy of which was made part of the official papers of this meeting. He also discussed in depth the proposed 2003 Bond projects, and expounded on the Storm Water Revenue Bond Projects.

Mr. Malcolm Matthews, Director of Parks and Recreation, spoke to improvements of the various park facilities.

Mr. Wendorf discussed various slides regarding safety improvements. He discussed the Emergency Operations Center and informed the Council on the dates of voting.

The following citizen(s) appeared to speak:

Mr. Leon Thomas, 1206 Picardie Dr., spoke to the work of the Flood Control Committee, and encouraged for a maintenance program to be set up. He urged the citizens to vote no to this bond package. He referenced his inability to get a meeting with staff to discuss this issue. He further noted there was not a real investment in the Eastside.

Mr. Bob Resmussen thanked Council for their support, and the money they are showing on the bond program. He stated they would leverage the money in a way that would benefit San Antonio. He encouraged the Council to look at KellyUSA as an opportunity for the City.

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Councilman Hall spoke to the different propositions, noting the animal care facility might be a controversial issue, which could have a negative effect on the remaining 3 items.

In response to Councilman Williams' request for more information on level II work, Mr. Wendorf noted level II was the detailed cost estimate process, which he explained was when they go out and visit the site with the consultant to do a record check to see what kind of blue blazer request they've had. He acknowledged this was a detailed visit. He added that at level II also includes tree preservation. He confirmed this process was contracted out, and they review the product of their work and efforts.

Councilman Williams questioned if there was a penalty placed on contractors for miscalculations of project costs that creates a burden on the City. Mr. Wendorf confirmed the City was responsible for that cost, noting the best explanation was that they are in this project trying to avoid unexpected costs. He affirmed the consultants have been told many times that they need to be diligent in these level II estimates.

City Manager Terry Brechtel stated they embraced the concept of an oversite committee, noting that the better job they do informing the citizens about the projects, the better perception citizens will have. She stated it was important to educate the citizenry about these bond programs. She further referenced the tax rate component.

Councilman Williams requested for a listing of the park projects done in his district. Mr. Matthews confirmed he would provide him with a copy.

In response to Councilman Perez, City Manager Brechtel noted they would prepare a bond brochure that would detail all of the projects, and that will include the proposition language.

Mr. Wendorf concurred with Councilwoman Radle's request about adding the words "and associated street improvements." She further suggested that they refer to it as the

03 – 08 Bond Implementation, so that the citizens will know it will take a certain length of time. She further questioned if Salado Creek was being cared for in any other projects.

Mr. Wendorf noted they have creekway projects, and this part of the creek would have a linear trail system. He further noted they did natural creekway maintenance on a response basis, typically after a flood event, noting they did not have the resources to do planned maintenance.

In response to Councilman Williams, City Manager Brechtel confirmed they contract with the County for a number of services, which was structured around operating costs of providing services. When the renewal process comes up for the Animal Care Contract, she acknowledged they could talk to the County about a cost and share proposal.

Councilman Williams informed the Mayor and Council that a meeting had been confirmed for September 19th with the County Judge, and encouraged the City Manager to participate.

In response to Councilman Hall regarding the South Texas Medical Center Alliance, Ms. Brechtel noted her understanding of their commitment to the cost was \$1 million per year, and they have placed an assessment on the property owners and businesses in the area. She spoke to the bond program, and referenced their discussion at “B” Session.

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

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98021

AUTHORIZING THE ACCEPTANCE OF AN AIRPORT IMPROVEMENT GRANT, WHEN OFFERED, IN THE AMOUNT OF \$6,231,628.00 FROM THE FEDERAL AVIATION ADMINISTRATION IN SUPPORT OF FOUR NEW PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT NAMELY THE TERMINAL SECURITY ENHANCEMENTS, RECONSTRUCTION OF PERIMETER ROAD, SKY PLACE DRAINAGE AND PHASE 2 AND 3 OF THE ENVIRONMENTAL IMPACT STATEMENT.

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

Mr. Kevin Dolliole, Director of Aviation, spoke to the Air Improvement Program Grant for the San Antonio International Airport, a copy of which was made part of the official papers of this meeting. He expounded on the terminal security enhancements project, and the perimeter road which would allow access to all areas of the airport

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

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98022

AUTHORIZING THE ACCEPTANCE OF AN AIRPORT IMPROVEMENT GRANT, WHEN OFFERED, IN THE AMOUNT OF \$4,220,000.00 FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE RESIDENTIAL ACOUSTICAL TREATMENT PROGRAM FOR SAN ANTONIO INTERNATIONAL AIRPORT.

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Councilman Flores made a motion to approve the proposed Ordinance. Councilman Williams seconded the motion.

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

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98023

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 43.2 ACRE TRACT OF LAND LOCATED NORTHWEST OF AND EXTENDING APPROXIMATELY 1,700 FEET TO THE WEST OF THE INTERSECTION OF GOLIAD ROAD AND S.E. MILITARY DRIVE FROM MEDIUM-DENSITY RESIDENTIAL AND HIGH-DENSITY RESIDENTIAL USE TO GENERAL COMMERCIAL USE.

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

Mr. Emil Moncivais, Director of Planning, spoke to the master plan amendment 03004 of the South Central San Antonio Community Plan, a copy of which was made part of the official papers of this meeting. He spoke to the boundaries and the significance of the Master Plan component. He further discussed the evaluation criteria and the goals of the plan.

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

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2003-28 The Clerk read the following Ordinance:

AN ORDINANCE 98024

RATIFYING THE SUBMISSION OF A \$1,600,000.00, FOUR (4) YEAR GRANT APPLICATION TO THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA), WHICH, IF AWARDED, WILL INCREASE THE NUMBER OF SERVICE PROVIDERS IN THE POLICE DEPARTMENT'S VICTIMS ADVOCACY PROGRAM, THEREBY INCREASING AND IMPROVING SERVICES TO CHILDREN TRAUMATIZED BY DOMESTIC VIOLENCE.

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

Chief Albert Ortiz, Police Department, spoke to the Children Under-Reported Bystanders to Violence (CURB) Grant, a copy of which was made a part of the official papers of this meeting. He gave a historical overview of the Victims Advocacy, and discussed its mission, goals and structure. He expounded on the purpose of the grant, and the goals they hope to accomplish.

Councilman Castro complimented the Chief and his staff for the work applied to receive this grant, and the importance of tackling domestic violence.

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

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2003-28 ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman Williams recognized Lisa Juarez, Secretary for District 3, and Ron Wright, a member of his staff who both worked together on an incident they encountered. He complimented their work in solving the problem, and commended them for their due diligence.

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2003-28 CITIZENS TO BE HEARD

MS. RACHEL CYWINSKI

Ms. Rachel Cywinski, President of Highland Park Neighborhood Association, spoke to the vacant fire station located at 2903 New Braunfels Ave South. She noted the Fire Department wanted to continue to use the building, but expressed concern that it was not being maintained. She then noted they received a letter indicating it was not known when it would be auctioned off.

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HIGHLAND PARK NEIGHBORHOOD ASSOCIATION

Ms. Cecilia Guajardo and Mr. Lloyd LeBlanc, members of the Highland Park Neighborhood Association, spoke in opposition to the auction. They pleaded to Council to keep this building clean.

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MS. CARROLL TWEE

Ms. Carroll Twee, 2735 Woodline, stated she was a rescue mom, and noted breed people know exactly what to look for because they know their breed. She noted their motivation stemmed from their love for the animal. She stated rescue groups should be allowed into these shelters. She urged council to work together to come up with a solution.

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MS. MARY BETH DUERLER

Ms. Mary Beth Duerler, Responsible Pet Owners Alliance, spoke to the work of the Responsible Pet Owners Alliance. She discussed how they evolved, and noted the question as why they couldn't work with the Humane Society or the Animal Defense League. She outlined a letter presented for the record, a copy of which was made part of the official papers of this meeting.

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MS. BONNIE REED

Ms. Bonnie Reed spoke to the issue of breed specific rescuers, noting they knew their breed very well. She cited the specific goals of breed specific rescuers, and how they are able to take care of medical issues. She acknowledged they did not get paid, and stated they always take their dogs back.

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MR. BENNIE CANALES

Mr. Bennie Canales, President of the San Antonio Taxis, discussed the problems at the Airport regarding their inability to get fares. He invited the Mayor and Council to go to the airport and observe their situation.

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MR. CRUZ CHAVIRA

Mr. Cruz Chavira, taxi driver, presented a petition to the Council, signed by taxi drivers. He spoke to the common parking area at the airport, which levels the playing field. He disagreed with the possibility of eliminating a common lot, noting the City had permitted 450 cabs for airport services. He spoke to the fee the City collects, and expounded on the comments of Mr. Bennie Canales. He proposed for a 20-year study on their industry, and urged Council to help them out.

City Manager Terry Brechtel confirmed the Aviation Director had been visiting with them. She stated they were aware of their concerns, and acknowledged they would continue to talk.

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MR. ALLYNID BUNTEN

Mr. Allynid Buntten, Breed Rescue, spoke to various concerns on animal care and rescue.

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MR. JOSE PEREZ

Mr. Jose Perez addressed Councilman Williams regarding a sidewalk on Rittiman Road. He stated they have tried to convince him that the City had nothing to do with the sidewalk, but noted someone had to approve the plans for the developer. He wanted to know how this sidewalk was paid for. He spoke to an incident involving the death of a 13 year old girl which he alleges was a result of the sidewalk not being built correctly.

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MS. P. J. WRIGHT

Ms. P. J. Wright, Golf Adv. Committee, spoke to the golf courses in the community, and noted they had information that would help them make decisions on this issue. She stated they had reviewed, in depth, the finances and operations. She spoke to the perception of golf courses, and encouraged Council to call on them so they could be involved in the budget process.

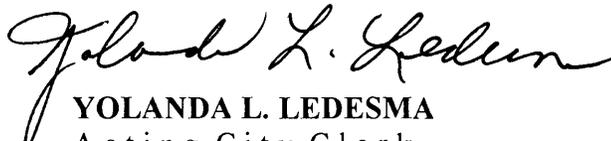
— — —
2003-28 There being no further business to come before City Council, the meeting was adjourned at 8:30 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest



YOLANDA L. LEDESMA
Acting City Clerk