

2003-32 Minutes of the Regular City Council Meeting of August 7, 2003 were approved.

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2003-32 **CONSENT AGENDA – CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to the events of 9/11, noting it was important to commemorate the tragedies that took place. He spoke to item 13 and the Healthy Start Initiative Project, noting it was controversial.

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2003-32 **CONSENT AGENDA**

Councilman Williams made a motion to approve Agenda Items 8 through 15D, constituting the Consent Agenda, except for Item 13, which was pulled for individual consideration. Councilwoman Radle seconded the motion.

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

AN ORDINANCE 98123

SELECTING K.M. NG AND ASSOCIATES, INC. (SMBE) FOR PROFESSIONAL ELECTRICAL ENGINEERING SERVICES ASSOCIATED WITH THE WESTSIDE YMCA HVAC REPLACEMENT PROJECT LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$26,596.64; AUTHORIZING \$2,700.00 FOR CONSULTANT CONTINGENCY EXPENSES; AUTHORIZING \$3,500.00 FOR ASBESTOS SURVEY; AUTHORIZING \$1,099.36 FOR PRINTING/BID ADVERTISING EXPENSES; APPROPRIATING \$33,896.00 IN FACILITY IMPROVEMENT AND MAINTENANCE PROGRAM (FIMP) FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98124

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$32,000.00 PAYABLE TO BENDER WELLS CLARK DESIGN (SWDBE) FOR ADDITIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE CROWNRIDGE CANYON NATURE AREA IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$37,000.00 FROM 1999 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 97694, MAY 23, 2003; ORDINANCE NO. 97357, MARCH 27, 2003.)

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AN ORDINANCE 98125

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID FROM R.L. JONES, L.P., IN THE AMOUNT OF \$4,171,109.35 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE W.W. WHITE ROAD FROM RIGSBY TO LORD, PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$344,631.21 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$4,515,740.56; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$640,332.25 FOR SEWER AND WATER WORK; AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT OF \$84,465.00 FOR GAS LINE REPLACEMENT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98126

SELECTING 2TEN ARCHITECTS, INC. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE RENOVATIONS TO THE BARBARA JORDAN COMMUNITY CENTER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 2, AND THE BOB & JEANNE BILLA LEARNING & LEADERSHIP DEVELOPMENT CENTER

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 28TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$43,427.70; AUTHORIZING \$5,000.00 FOR REIMBURSABLE EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES FOR A TOTAL AMOUNT OF \$59,427.70; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98127

MODIFYING THE TIME WARNER CABLE FRANCHISE AGREEMENT, WHICH WAS PASSED BY ORDINANCE NO. 49433 AND BECAME EFFECTIVE ON NOVEMBER 7, 1978, IN ORDER TO EXTEND THE TERM OF THE FRANCHISE TO JUNE 30, 2004.

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AN ORDINANCE 98128

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR MACARTHUR HIGH SCHOOL IN CONNECTION WITH THE SPIRIT PARADE TO BE HELD ON WEDNESDAY, OCTOBER 8, 2003 FROM 5:45 P.M. UNTIL 7:00 P.M., SPONSORED BY MACARTHUR HIGH SCHOOL.

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AN ORDINANCE 98129

APPOINTING TERRY BATES (CONSUMER OF HANDICAPPED SERVICES CATEGORY – DISTRICT 2) AND DANIEL RODRIGUEZ (CONSUMER OF HANDICAPPED SERVICES CATEGORY – DISTRICT 4) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 2005.

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AN ORDINANCE 98130

REAPPOINTING WILLIAM A. SAHM (LAYPERSON CATEGORY - DISTRICT 2) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2004.

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AN ORDINANCE 98131

REAPPOINTING HUBERT J. MCVEA (DISTRICT 3) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2005.

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AN ORDINANCE 98132

APPOINTING MARIA ELENA TORRALVA-ALONSO (MAYOR) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2004.

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2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98133

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT IN THE AMOUNT OF \$750,000.00 FROM THE HEALTH RESOURCES & SERVICES ADMINISTRATION (HRSA) FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONTINUE THE HEALTHY START INITIATIVE FOR A THIRD YEAR TO REDUCE THE INCIDENCE OF INFANT MORTALITY AND LOW BIRTH WEIGHT IN BEXAR COUNTY; ESTABLISHING THE PROJECT FUND; ADOPTING THE BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF A SUBCONTRACT WITH OUR LADY OF THE LAKE UNIVERSITY IN CONNECTION WITH THE PROJECT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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

Councilman Hall spoke to the cost allocations, and expressed concern on various expenditures.

Dr. Fernando Guerra, Director of Health, stated this was a federal program that has been in place since 1990 and explained that they qualified in the 3rd round of applications because at the time, there was a trend within certain sectors of the City where infant mortality rates were going up. He spoke to the guidelines being very specific, and paraphrased from a letter they received from the Acting Director of the Division of Perinatal Systems in Women's Health, which was sent in response to a question they specifically raised about the handling of the evaluation component.

Discussion continued between Councilman Hall and Dr. Guerra regarding the fees to professional contractors, salaries and wages, and other indirect costs.

Dr. Guerra described this program as an outreach to communities that includes visits to young mothers in places where they may spend time. He stated the most effective component built into this program was the "Healthy Families," where they use as a point of entry a young mother who by the age of 21 has had her third child. He stated they are connected to important resources, and in a preventive way, are guided along in the development of their parenting skills. He acknowledged this as a team effort, and described the program as one with enormous potential for trying to address complex circumstances that put young families at risk. He further reiterated that this was a program focused to bring infant mortality rates down.

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, Haass, Garza. **NAYS:** None. **ABSENT:** Perez.

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2003-32 1:30 P.M. PRESENTATIONON – REPORT ON THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

Ms. Teresa Vasquez Romero, Assistant to the Mayor, explained the history and role of the Commission. She then introduced Ms. Mary Briseno, Chairwoman of the Mayor's Commission on the Status of Women.

Ms. Mary Briseno, Chairwoman of the Mayor's Commission on the Status of Women (MCSW), introduced the members of the MCSW from each district. She narrated a slide presentation regarding the history and various initiatives of the Commission, a copy of which was made part of the official papers of this meeting. She stated that when many of them came to the Commission recognizing it was created 30 years ago, they concluded the job wasn't getting done. She cited statistics regarding the challenges women faced in regards to education and economic issues. She spoke to a conference that was held, and expounded on the outcome of that conference. She encouraged the formation of a task group, and noted it was about the collaboration of resources. She expressed appreciation to various volunteers who assisted at the ½ day session recently held.

Judge Catherine Torres Stahl spoke to the many positions she's held in various capacities, including that of a Judge handling juvenile cases. She expounded on the boards and commissions she was a member of, noting the recurring theme they've seen is people wanting a center for women, but acknowledged the budget concerns. She encouraged the Council to address the issues brought forward, and commented there was much more they needed to tap into.

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Mayor Garza thanked the participants of the Commission, and spoke to the importance of the need to understand and address women's issues that affect the community. He spoke to the recommendations identified, and commented that this group has been the most active group since he first was elected as a Councilman, then as Mayor.

Councilman Williams commended his representative for District 2 as well as the entire group for their tireless efforts, and stated he looked forward to implementing their recommendations.

Councilman Perez spoke to the statistics that were included as part of the report, and offered his assistance to the Commission in any of their efforts. He then commended them for their work.

Councilman Castro commended his representative for District 7, as well as the entire group for their efforts. He expressed his eagerness to move forward at a policy level to see what the City could do to try and improve the status of women in San Antonio. He acknowledged he was intrigued by the idea of a clearing house.

Councilwoman Radle expressed appreciation to the Commission for their report, and for their efforts. She spoke to the importance of educational programs. She discussed the issue of self-esteem, and stated it was important to foster women to come forward.

Councilman Hall congratulated the group for their efforts. He referenced the Senior Resource Center, and stated it was a project that the City and County were working together on.

In response to Councilman Hall, Ms. Briseno indicated the Commission could continue to provide leadership to conduct more forums, and stated that in this process, it would sort itself out as to what format would be most beneficial to women.

Councilman Flores congratulated the members of the Commission for their work and efforts. He stated that since 1970, the problems they addressed in their report still existed. He informed them that they could count on his support and advocacy.

Councilman Barrera thanked the Members of the Commission for bringing this information forward. He commended them for their work and efforts, and for collaborating the resources they had.

Councilman Haass stated that as a teacher, he's been able to witness how young girls ages 15 – 18 handle classroom type activities. He spoke to the issue of confidence and self-esteem, and congratulated the Commission for their work and efforts.

Councilman Segovia thanked the Commission for their work and dedication.

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2003-32 ZONING CASES

5A.) CASE NUMBER #Z2003116 C - The request of Haydn Cutler Company, Applicant, for Haydn Cutler Company, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with a conditional use for automotive repair on Lots 17 thru 19, Block 3, NCB 3930, 1125 West Hildebrand Avenue. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

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

Councilman Flores made a motion to approve the proposed rezoning with conditions as listed. Councilman Perez seconded the motion.

Councilman Flores stated he had heard from many of the neighbors, and presented a list of conditions as a result of the input he received.

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

AN ORDINANCE 98134

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 17 THRU 19, BLOCK 3, NCB 3930, 1125 WEST HILDEBRAND AVENUE, FROM "C-2" COMMERCIAL DISTRICT TO "C-2 C" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTOMOTIVE REPAIR ON THE PROPERTY.

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

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

- 1) A six (6) foot solid screen fence along the north property line.
- 2) No ingress or egress to alley north of property.
- 3) All auto repair must be contained within the facility.
- 4) Operating hours shall be from 7 a.m. to 7 p.m.
- 5) No flood light pollution to the residential area.

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.

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5B.) CASE NUMBER #Z2003140 - The request of Salah E. Diab/Seda Consulting Engineers, Inc., Applicant, for Antioch Church (Antioch Missionary Baptist Church), Owner(s), for a change in zoning from "O-2" Office District to "MF-33" Multi-Family District on Lots 4, 5, 12 & 13, Block 10, NCB 1356, southwest corner of Walters Street and Eross Street. 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.

Councilman Williams addressed the implications resulting from the Tax Increment Finance (TIF) Zone.

In response to Councilman Williams, Mr. Andrew Cameron, Director of Housing and Community Development, discussed the intentions of the Antioch project. He stated the CDBG funds were used for the design of the project, and noted the applicant intended to submit an application to apply for TIF funding for the 1st phase. He acknowledged that if the project received the TIF zoning, the City would operate it.

The following citizen(s) appeared to speak:

Mr. Charles English cited the reasons he was against this rezoning. He expressed concern that they were taking public funds that could be used for streets and drainage. He addressed his concerns regarding the competition involved in CDBG funding. He urged

Council to do a traffic study and meet with the surrounding community affected by this zoning case.

Mr. Faris Hodge, Jr., 140 Dora, voiced his approval of this zoning case. He spoke to the lack of gymnasiums in the area, noting he'd rather have money spent on gyms. He informed the Council about the need for a gym and recreation center in the Kenwood area, indicating that if it helps get even 100 people off the street, it would be worth it. He spoke to the traffic in the area, and cited the need for traffic lights.

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Councilwoman Radle concurred with Mr. Faris Hodge, noting she'd rather build gymnasiums. She questioned if there was a need to do a traffic impact analysis.

In response to Councilwoman Radle, Mr. Jacks noted a traffic impact analysis was not required at this level of zoning.

Councilman Hall addressed the comments made by Mr. English, and stated that Antioch had really been known as the central Black church, whose members were doing good things while trying to pull young people off the streets. Although he resided in a different side of town, he acknowledged he attended this church quite a bit for various functions and activities they hold. He expressed his belief that traffic wouldn't be an issue, and voiced his 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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

AN ORDINANCE 98135

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, 12 & 13, BLOCK 10, NCB 1356, SOUTHWEST CORNER OF WALTERS STREET AND EROSS STREET, FROM "O-2" OFFICE DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

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5C.) CASE NUMBER #Z2003147 - The request of D F G G of Texas, Ltd., Applicant, for D F G G of Texas, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District and "R-6" Residential Single-Family District to "R-4" Residential Single-Family District (93.03 acres) and "MF-33" Multi-Family District (23.40 acres) on 116.43 acres out of NCB 17730, 6600 Block of Woodlake Parkway. 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 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, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

AN ORDINANCE 98136

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 116.43 ACRES OUT OF NCB 17730, 6600 BLOCK OF WOODLAKE PARKWAY, FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT (93.03 ACRES) AND "MF-33" MULTI-FAMILY DISTRICT (23.40 ACRES) ON THE PROPERTY.

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5D.) CASE NUMBER #Z2003141 - The request of Earl & Brown, P. C., Applicant, for S. A. Republic Properties, Ltd., Owner(s), for a change in zoning from "I-

1" General Industrial District to "PUD RM-4" Planned Unit Development Residential Mixed District (Tract 1- 42.507 acre); "MF-33" Multi-Family District (Tract 4- 6.747 acre); "C-3" Commercial District (Tract 2- 8.425 acre & Tract 3- 1.333 acre) & "C-2" Commercial District (Tract 5 - 1.278 acre) on 60.29 acres out of NCB 10847, 4100 Block of South W.W. White 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 continue this rezoning case until the City Council meeting of September 25, 2003. Councilman Perez seconded the motion.

After consideration, the motion to continue this case until September 25, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

Zoning Case #Z2003141 was continued to the Council meeting of September 25, 2003.

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5E.) CASE NUMBER #Z2003142 - The request of Thomas Phillips and Harry Urey, Applicant, for Thomas Phillips and Harry Urey, Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District and "DR" Development Reserve District to "MF-25" Multi-Family District on 16.069 acres of land out of NCB 16622, approximately 500 feet northwest of the intersection of I.H. 37 and Blue Wing Road. Staff's recommendation was for denial.

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 continue this rezoning case until the City Council meeting of October 9, 2003. Councilman Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Ken Brown indicated this was a case in the South Side Initiative area in which they had asked for a waiver. He respectfully requested for staff's support for an MF-25. He

confirmed they had been working on this project for over a year. He stated the building plans had to be approved by December; otherwise, they'd lose the bonds.

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Mr. Rod Sanchez, Assistant Director of Development Services, explained this particular zoning case was part of the area-wide rezoning, so by continuing the case, they would have to pull it off of the large area-wide rezoning, and the property would no longer be considered for a rural development district, but for an MF-33.

Mr. Emil Moncivais, Director of Planning, confirmed they had been working with the property owner, and urged the owner to go to the Planning Commission to recommend a change, in terms of land use, to rural living, but confirmed the Planning Commission has recommended against that. He explained that in the rural living, they would be able to do Multifamily Housing. He recommended for the Council to deny the case, so that they could amend the plan, and bring back the zoning case for rural development.

Councilman Segovia recommended denial, and informed Mr. Moncivais that he'd like to sit with him and the applicant to work the situation out.

If the case is denied, Councilman Hall questioned whether they could bring the item back on September 25, 2003.

Councilman Castro questioned whether a continuance was needed to reconsider a zoning case.

Mr. Moncivais confirmed there could not be 2 zoning cases at the same time.

In response to Councilman Hall on whether this action would meet his needs on this zoning case, Mr. Brown expressed concern about the case being denied, citing the possibility of a prohibition in the Code regarding bringing back zoning cases so quickly. He suggested for Council to table the item, adding that if it's approved, he would withdraw the case.

Mr. Moncivais confirmed they would have to bring the case back after September 25, 2003.

Councilwoman Radle questioned if there would be a fee posed on the applicant, in which Mr. Moncivais replied no.

Councilman Segovia reiterated his motion to continue to October 9, 2003.

On a point of clarification, Councilman Schubert questioned whether an item that is tabled could be brought off the table without it being on the agenda.

Andrew Martin, City Attorney, explained tabling an item was for one meeting, and suggested it not be used as a means to postpone an item for a specific date.

After consideration, the motion to continue this case until October 9, 2003, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

Zoning Case #Z2003142 was continued to the Council meeting of October 9, 2003.

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5F.) 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)

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

Councilman Perez made a motion to continue this rezoning case until the City Council meeting of October 9, 2003. Councilman Flores seconded the motion.

After consideration, the motion to continue this case until October 9, 2003, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

Zoning Case #Z2003099 was continued to the Council meeting of October 9, 2003.

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5G.) CASE NUMBER #Z2003127 C - The request of Gina Gaedke, Trustee, Applicant, for Frio Ranch Trust, R. Hardee, Trustee, Owner(s), for a change in

zoning from "C-2" Commercial District to "C-2NA C" Commercial Nonalcoholic Sales District with conditional use for automobile/truck sales and repair on Lot 44, Block 19, NCB 12672, 8700 Block of IH 35. 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 Flores 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, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

AN ORDINANCE 98137

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 44, BLOCK 19, NCB 12672, 8700 BLOCK OF IH 35, FROM "C-2" COMMERCIAL DISTRICT TO "C-2NA C" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH CONDITIONAL USE FOR AUTOMOBILE/TRUCK SALES AND REPAIR ON THE PROPERTY.

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5H.) CASE NUMBER# Z2003125 C A - The request of City of San Antonio, Applicant, for Porfirio and Minerva Juarez, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "R-6" Residential Single-Family District on Lots 11 and 12, Block 7, NCB 8863, 359 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 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, Haass, Garza. **NAYS:** None. **ABSENT:** Williams.

AN ORDINANCE 98138

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 11 AND 12, BLOCK 7, NCB 8863, 359 NORTH SAN JOAQUIN, FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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5I.) 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 "PUD R-6" Planned Unit Development Residential Single-Family District on 92.34 acre tract of land out of NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 6)

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

Councilman Barrera made a motion to continue this rezoning case until the City Council meeting of September 25, 2003. Councilman Flores seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, voiced his approval that the two groups were getting together to work the situation out. He spoke to the high number of citizens opposed to this zoning case, and urged Council to listen to the citizenry.

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After consideration, the motion to continue this case until September 25, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2002258 was continued to the Council meeting of September 25, 2003.

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5J.) CASE NUMBER #Z2003139 - The request of Louis Arredondo, Applicant, for Louis Arredondo, Owner(s), for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on Lots 23 through 26, Block 6, NCB 8129, 847 South General McMullen Street. 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 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, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98139

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 23 THROUGH 26, BLOCK 6, NCB 8129, 847

SOUTH GENERAL MCMULLEN STREET, FROM "C-2 NA" COMMERCIAL
NONALCOHOLIC SALES DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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5K.) CASE NUMBER #Z2003136 - The request of A. S. M. Ferdous, DBA Investment Ideas, L. L. C., Applicant, for A. S. M. Ferdous, DBA Investment Ideas, L. L. C., Owner(s), for a change in zoning from "O-2" Office District & "NP-10" Neighborhood Preservation District to "R-6" Residential Single-Family District on Lot P-12C 2.618, P-15G 0.583, P-140 2.535 & P-214 3.748, NCB 15005, 15000 Block of Heath Road. 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 continue this rezoning case until the City Council meeting of September 25, 2003. Councilman Perez seconded the motion.

After consideration, the motion to continue this case until September 25, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2003136 was continued to the Council meeting of September 25, 2003.

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5L.) 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 December 4, 2003. Councilman Perez seconded the motion.

After consideration, the motion to continue this case until December 4, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2003089 was continued to the Council meeting of December 4, 2003.

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5M.) 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" General 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 December 4, 2003. Councilman Perez seconded the motion.

After consideration, the motion to continue this case until December 4, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Zoning Case #Z2003090 was continued to the Council meeting of December 4, 2003.

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5N.) CASE NUMBER #Z2003143 - The request of Eva Jo Willett, Applicant, for Eva Jo Willett, Owner(s), for a change in zoning from "R-6" Residential

Single-Family District to "RM-6" Residential Mixed District on Lot 4 and the southeast irregular 22.02 feet of Lot 3, Block 16, NCB 14726, 12107 Orsinger Lane. 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 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, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 98140

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 4 AND THE SOUTHEAST IRREGULAR 22.02 FEET OF LOT 3, BLOCK 16, NCB 14726, 12107 ORSINGER LANE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-6" RESIDENTIAL MIXED DISTRICT.

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50.) CASE NUMBER #Z2003146 - The request of Gabriel Q. Velasquez, Applicant, for LIG Investments, LLC, Owner(s), for a change in zoning from "C-3R" General Commercial District, Restrictive Alcoholic Sales to "C-2" Commercial District on Lot 59, Block 1, NCB 14701, 5895 Babcock 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 Ordinance. 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.

(See Page 26 for reconsideration of this agenda item.)

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5P.) CASE NUMBER #Z2003151 - The request of City of San Antonio, Applicant, for Multiple owners, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-20" Residential Single Family District on the north irregular 180 feet of Lot 7, NCB 34780 A; the south irregular 118 feet of Lot 7 and the southeast irregular 442 feet of Lot 8, NCB 34780 A; the west irregular 485 feet of Lot 8, NCB 34780 A; Lot 10, NCB 34780 A, located on Old Camp Bullis Road near I.H. 10 West. 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 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 98141

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 NORTH IRREGULAR 180 FEET OF LOT 7, NCB 34780 A; THE SOUTH IRREGULAR 118 FEET OF LOT 7 AND THE SOUTHEAST IRREGULAR 442 FEET OF LOT 8, NCB 34780 A; THE WEST IRREGULAR 485

FEET OF LOT 8, NCB 34780 A; LOT 10, NCB 34780 A, LOCATED ON OLD CAMP BULLIS ROAD NEAR I.H. 10 WEST, FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-20" RESIDENTIAL SINGLE FAMILY DISTRICT ON THE PROPERTY.

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5Q.) CASE NUMBER #Z2003152 - The request of City of San Antonio, Applicant, for Emanuel Church Inc., Owner(s), for a change in zoning from: "MF-33" Multi-Family District to "R-4" Residential Single-Family District on Lots 7 and 8, Block 10, NCB 13705, 3255 Rock Creek Run. 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 Flores seconded the motion.

The following citizen(s) appeared to speak:

Ms. June Kachtik thanked Councilman Hall and his staff for their dedication and willingness to work with the community.

* * * *

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 98142

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 7 AND 8, BLOCK 10, NCB 13705, 3255 ROCK

CREEK RUN, FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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2003-32 **At this time, a motion was made to reconsider item 5-O.**

At this time, Councilman Hall asked that they reconsider Zoning Case #50. Councilman Perez seconded the motion.

The motion, to reconsider this Item, prevailed by the following vote: **AYES:** Flores, Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia.

Mr. John Jacks, Land Development Services, re-read the proposed rezoning case.

Councilman Hall addressed the language on the agenda.

The following citizen(s) appeared to speak:

Gabriel O. Velasquez, applicant, confirmed he had agreed to a C-2, which he stated actually serves the purpose of what he was looking for.

* * * *

Councilman Hall made a motion to approve this proposed rezoning, and concluded that the proposed re-zoning case be changed to C-2. 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, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia.

AN ORDINANCE 98143

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 59, BLOCK 1, NCB 14701, 5895 BABCOCK ROAD, FROM "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "C-2" COMMERCIAL DISTRICT.

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2003-32 **LIBRARY BOARD PRESENTATION OF THE FY 2004 LIBRARY PROPOSED BUDGET.**

Mr. Don Counts, Chairman of the Library Board of Trustees, spoke to the reallocation of money to the library system. He spoke to the significance of the centennial celebration of the library. He indicated 9,000 citizens visit the library each day, and compared the visits made to the library by the citizenry to other large events that take place in the City. Due to the increase in the number of visits to the library, he spoke to the increase in usage of the library resources, resulting in an increase in the budget for the library system. He expounded on the services provided by the library, and upcoming projects with regard to new library branches. He informed Council that the San Antonio Public Library System lags behind other libraries in other cities, and cited the overall ratings of the City's library system in comparison with other libraries across the nation. He spoke to the importance of an educated workforce, and urged Council to commit to fully funding all current and future library facilities, and concluded that the library was an investment in the City's future growth and economic development.

Mayor Garza thanked Mr. Counts for the presentation, and stated the work of the library was of great importance to the community. He acknowledged that throughout the budget work sessions, the library continued to be a top priority in the community. He spoke to the important work of the Library Board, adding that it was exceptional given the size of the library system.

Councilman Hall congratulated Mr. Counts and the Library staff, and acknowledged the library as one of his top priorities when he came into office. He referenced the possibility of connecting libraries and parks together, and commended the work of the Library Board.

Councilman Castro thanked the Library Board for their work and efforts, and spoke to the enhancement of the City's investment to the library system. He spoke to the issues

brought up in the presentation, and questioned the status and timeline of the search for a director.

Mr. Counts informed the Council they would actively engage in finding a replacement for the Director at the end of the year. In the meantime, he stated the library had a very capable Acting Director.

In response to Councilman Segovia regarding whether the search for a Director had already begun, Mr. Counts reiterated that they would begin the search at the end of the year.

Councilman Barrera thanked Mr. Counts for the presentation. He stated the library played a role in the development of literacy, and spoke to the role that the library system plays in the workforce. He indicated he looked forward to working to make sure the City comes close to what the national average for expenditures per capita is, in regards to amount of material.

Councilman Haass thanked Mr. Counts for the presentation and for his service, noting it hadn't been easy. He spoke to the library being built in District 10, and encouraged his colleagues to attend the grand opening to see what future libraries should look like in San Antonio.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to a problem regarding the lack of filters in the computer systems at the library. He expressed the need for more mobile libraries, and offered his suggestions on how the City could save money. He encouraged the Council to be creative on budgetary issues, and suggested for the Council to close the San Pedro Library, since the main Library downtown was only 1 mile away.

* * * *

Councilwoman Radle requested for Mr. Counts to address the issue of filters in the library.

In response to Councilwoman Radle, Mr. Counts explained that there was a federal law that mandated libraries who accepted federal dollars to require filters for all computers, but noted they didn't accept these federal dollars. As a result, the library was not mandated to provide such filters. However, he confirmed they left this up to the parents,

and acknowledged that the computers were being monitored at all times. He stated their role was to provide information and resources for the community.

— — —
2003-32 **INDIVIDUAL ITEMS - CITIZEN COMMENTS.**

Mr. Jack M. Finger, P.O. Box 12048, questioned why the library did not provide filters in their computer system. He then spoke to various items on the consent agenda, and urged Council to take a closer look at item 19, to see whether the proposed baggage screening system would really be effective.

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98144

APPROVING THE APPOINTMENTS OF DR. BENNIE J. WILSON AND DENISE L. POWERS TO THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2004 AND DECEMBER 31, 2005, RESPECTIVELY, FOR THE PURPOSE OF FILLING VACANCIES IN THE HIGHER EDUCATION CATEGORY AND IN THE CATEGORY OF PRIVATE SECTOR SMALL/FOR PROFIT BUSINESS.

* * * *

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

Ms. Dianne Quaglia, Special Projects Office, spoke to the appointments of the Alamo Workforce Development Board. She spoke to the work of the Board, and expounded on the meeting held August 27th in which they reviewed applicants who were willing to fill the vacancies. She discussed the categories of the appointments, and conceded they had to be balanced by geography. She discussed the current vacancies and the recommending candidates. She confirmed the area rural judges had approved both nominees.

Councilman Barrera acknowledged he was not there for the interviews with the candidates, but noted he concurred fully with the recommendations of the board.

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, Garza. **NAYS:** None. **ABSENT:** Segovia, Perez, Haass.

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98145

APPROVING THE ANNUAL OPERATING BUDGET FOR THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR FISCAL YEAR 2003-2004 IN THE TOTAL AMOUNT OF \$4,022,500.00.

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

Mr. Alan Miller, Executive Vice President of the Alamo Workforce Development Board, narrated a slide presentation outlining the mission, vision and commitments of the board, a copy of which was made part of the official papers of this meeting. He further discussed the funding sources, and cited major contracts. He then expounded on the board's strategic parameters, and long-term ends.

Mayor Garza thanked Mr. Miller for the presentation, and concurred there were still challenges, but noted the recent successes had demonstrated the progress of the board. He spoke to the importance of focusing on job efforts now more than ever, with the challenges the economy is facing, and with the recent announcement of a Toyota plant.

In response to Councilwoman Radle, Mr. Miller confirmed they indirectly had a funding mechanism with Project Quest, and added that the majority of their funding goes through the Workforce Center system. He stated they encouraged Project Quest to send clients over through the Workforce Center System, and described this as a blended effort.

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, Garza. **NAYS:** None. **ABSENT:** Perez, Haass.

2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98146

CREATING A JOINT CITY-COUNTY CITIZENS BOND OVERSIGHT COMMISSION TO SERVE CITY COUNCIL AND THE COUNTY COMMISSIONERS COURT IN AN ADVISORY CAPACITY ON ISSUES AFFECTING CAPITAL IMPROVEMENT PROJECTS; AND APPOINTING TEN MEMBERS, FOR TERMS OF TWO YEARS; AS REQUESTED BY MAYOR EDWARD D. GARZA.

* * * *

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

Mr. Tom Wendorf, Director of Public Works, spoke to the establishment of a joint City-County Citizens Bond Oversight Committee, a copy of which was made part of the official papers of this meeting. He discussed the goals and tasks of the committee, as well as the structure of the committee. He expounded on the nominees and policy analysis, and concluded with discussion regarding the fiscal impact.

The following citizen(s) appeared to speak:

Ms. Brenda Vickery Johnson commended the Mayor and City Council for supporting the creation of this commission.

* * * *

The Mayor acknowledged they would be waiting for the County's appointee, and stated he looked forward to a successful election in November.

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, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98147

AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE TRANSPORTATION SECURITY ADMINISTRATION AND THE CITY OF SAN ANTONIO WHICH OUTLINES THE RESPONSIBILITIES OF EACH PARTY IN THE INSTALLATION OF AN IN-LINE BAGGAGE SCREENING SYSTEM IN CONJUNCTION WITH IMPROVEMENTS INCLUDED AS PART OF THE TERMINAL EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

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

Mr. Kevin Dolliole, Director of Aviation, spoke to the execution of a memorandum of agreement with the transportation security administration in support of a letter of intent, a copy of which was made part of the official papers of this meeting. He explained the letter of intent was for their fiscal participation in the new baggage conveyance system improvements at the San Antonio International Airport. He further expounded on what the memorandum of agreement outlined.

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, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

— — —

2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98148

APPROVING THE CITY OF SAN ANTONIO INVESTMENT POLICY IN ACCORDANCE WITH THE TEXAS PUBLIC FUNDS INVESTMENT ACT, AS AMENDED; AND DESIGNATING CERTAIN EMPLOYEES AS INVESTMENT OFFICERS FOR THE CITY OF SAN ANTONIO.

* * * *

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

Mr. Milo Nitshke, Director of Finance, spoke to the purpose of the City's investment policy. He cited the Texas Public Funds Investment Act, and expounded on the objectives of the Investment Policy.

In response to Councilman Perez, Mr. Nitshke discussed the role of the committee, and confirmed there had never been a member of the Council on the committee.

Councilman Perez stated that in his own personal point of view, it made sense to include a member of the Council. He referenced his experiences as an employee in Laredo, and how the members of the Council were involved in various committees. He then stated he would be willing to serve on the board.

Councilman Hall concurred with Councilman Perez, and spoke to the importance of involving local firms, minority firms and women-owned firms.

Discussion continued between Councilman Hall and Mr. Nitshke regarding the amount of money spent.

Mr. Nitshke confirmed the Texas Municipal Retirement System controlled the pension fund for the City of San Antonio.

In response to Councilman Hall, Mr. Nitshke confirmed what their investment strategy was, and described what funds were being used long term as well as short term.

In response to Councilman Flores, Mr. Nitshke described the make-up of the committee.

Councilman Flores made a motion to add Councilmembers Perez and Hall to the Investment Committee. Councilman Perez seconded the motion.

Councilwoman Radle requested for a more detailed report on the investment.

The amendment to the motion as presented by Councilman Flores was approved by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

The main motion, as amended, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98149

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY AMENDING ARTICLE III TO ALLOW TRANSFER OF FLEX DISTRICT STANDARDS BETWEEN ADJACENT FLEX DISTRICTS.

* * * *

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

Mr. Emil Moncivais, Director of Planning, spoke to the proposed amendments to Article III of the Unified Development Code, pertaining to flex zoning districts, a copy of which was made part of the official papers of this meeting. He discussed the background of the Southside Initiative Community Plan, and the actions of the Council regarding the “interdistrict transfer” provision. He expounded on the criteria of interdistrict transfers, and discussed the policy analysis.

In response to Councilman Perez, Mr. Moncivais expounded on the criteria necessary for interdistrict transfers.

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, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98150

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO APPROVE THE TERMS AND CONDITIONS OF AN AMENDMENT, EFFECTIVE SEPTEMBER 18, 2003 THROUGH SEPTEMBER 18, 2004, TO THE FORENSIC SCIENCE SERVICES AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY FOR CRIME LAB SERVICES THE COUNTY PROVIDES TO THE SAN ANTONIO POLICE DEPARTMENT, WHICH WILL ACCEPT THE REVISED FEE SCHEDULE FOR THE CURRENT TERM AND ALLOW FOR THE FUTURE REVISIONS OF THE FEE SCHEDULE WITHOUT CITY COUNCIL APPROVAL, PROVIDED THE REVISION RESULTS IN LESS THAN A FIVE PERCENT (5%) CHANGE IN THE TOTAL ANNUAL FEES OWED TO THE COUNTY IN THE FISCAL YEAR IN WHICH THE REVISED FEE SCHEDULE WOULD BECOME EFFECTIVE.

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

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation regarding the Forensic Science Services Interlocal Agreement, a copy of which was made part of the official papers of this meeting. He expounded on the 5-year interlocal agreement with Bexar County to provide the San Antonio Police Department with crime lab services, and noted the City Auditor had reviewed the Crime Lab agreement for potential cost savings. He explained that her findings showed adequate accounting procedures were in place, but a formal time tracking system was lacking. He then discussed the financial impact.

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

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

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98151

AUTHORIZING THE EXECUTION OF A RENEWAL AND EXTENSION OF LEASE AGREEMENT (INCORPORATING AMENDMENTS TO LEASE AGREEMENT) FOR THE CONTINUED RENTAL OF 947 SQUARE FEET OF OFFICE SPACE AT 900 ISOM, SUITE # 102 FOR USE AS A DISTRICT 9 CONSTITUENT OFFICE, FROM SEPTEMBER 14, 2003 THROUGH SEPTEMBER 30, 2005, AT A RENTAL OF \$ 1,262.67 PER MONTH, WITH A RIGHT TO A SECOND RENEWAL FOR TWO ADDITIONAL YEARS, AT A RENTAL TO BE NEGOTIATED, SUBJECT TO CITY COUNCIL APPROVAL; AS REQUESTED BY COUNCILMAN CARROLL W. SCHUBERT, DISTRICT 9.

* * * *

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

— — —
2003-32 The Clerk read the following Ordinance:

AN ORDINANCE 98152

AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$1,210,000.00 FOR UNIX SERVERS AND ACCEPTING THE BID OF COMMERCIAL DATA SYSTEMS, INC., TO PROVIDE THE CITY OF SAN ANTONIO WITH HARDWARE AND SOFTWARE AND MAINTENANCE ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2003-2004 REQUIRED FOR THE ENTERPRISE RESOURCE MANAGEMENT PROJECT IMPLEMENTATION.

* * * *

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

Mr. Troy Elliot, ERM Director, narrated a slide presentation regarding the purchase of UNIX equipment in support of the ERM project, a copy of which was made part of the official papers of this meeting. He expounded on the negotiated terms, and the UNIX

server upgrade. He detailed the proposed hardware acquisition plan and hardware purchases, and concluded with the validation process.

Mayor Garza spoke to the meeting held by the Governance Committee, in which they discussed recommendations. He acknowledged representation from Mercury Interactive at this meeting, who discussed the hardware system as it relates to the network infrastructure.

In response to Mayor Garza, a representative from Mercury Interactive confirmed they would be testing all applications relative to the network that is currently running, and expounded on the specific process that would be utilized. He noted the City Auditor had to identify what was important to the City entity as far as what business processes to test.

Ms. Pat Majors, City Auditor, spoke to a package she prepared that contained various business scenarios. She cited the analysis in the report, and expounded on the printing strategy as well as various other components of the report. She acknowledged she was supportive of what they were doing.

Councilman Perez indicated he didn't understand some of the terminology on the report, but stated he wanted to make sure the system does what they want it to do, as well as handle a tremendous workload.

In response to Councilman Perez, Mr. Elliott expounded on slide 6 which discussed the proposed hardware acquisition plan, and further spoke to the possibility of bringing a live demo, perhaps during a "B" session, so the Council could see what the systems entailed.

Discussion continued between Councilman Williams and Mr. Elliott regarding the savings, in terms of upgrade.

In response to Councilman Williams regarding best case and worst case scenarios with the system, the representative from Mercury Interactive indicated he did not want to make assumptions, and stated he could not validate a modeling process.

In response to Councilman Williams regarding whether he was comfortable with the approach of Mercury Interactive, Mr. Gary Moeller, Information Services Department Director, confirmed that he was.

Councilman Schubert spoke to the concerns of the Council, and reiterated to Mr. Moeller that he wanted to be sure they were comfortable with the process.

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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2003-32

CITIZENS TO BE HEARD

MR. ROBERT JALNOS

Mr. Robert Jalnos spoke to an e-mail sent to all Councilmembers and to the City Manager regarding a meeting held by the Plumbing Appeals and Advisory Board, in which discussion took place about an upcoming conference. He confirmed they had dialogue regarding who should attend the conference, then read a resolution in which the entire Committee was requesting for the Chief Plumbing Inspector to attend, and discussed the rationale behind their decision.

Mr. Florencio Pena, Director of Development Services, confirmed they would be sending a representative, Mr. Gonzalo Rios, who he stated is a capable inspector.

Mr. Jalnos concurred that Mr. Rios was a capable inspector, but with minimal experience about the issues at hand. He again suggested they send the Chief Plumbing Inspector.

Mayor Garza acknowledged he didn't know enough about the issue, but suggested that if there were strong enough feelings, things needed to get sorted out.

Mr. Jalnos noted that the conference was two weeks away, and it was very important to send a representative every year.

Councilman Flores requested for more information about this issue from Mr. Pena.

Ms. Terry Brechtel, City Manager, spoke of the duties of Mr. Pena, which included making various decisions as a department head, such as deciding who to send to the Conference.

Councilman Perez acknowledged he was not a plumbing expert, but concurred with Ms. Brechtel, and stated they needed to provide the Director with the opportunity to make the decision on whom to send to the conference.

Councilman Hall stated he understood the points being made, but noted that when an entire board comes to them with their concerns, it should not be taken lightly.

In response to Mayor Garza, Mr. Pena cited the reasons he chose Mr. Rios to attend the conference.

Councilman Castro echoed the sentiments of Councilman Hall.

Mr. Jalnos noted there were other issues, as well as personal matters, and spoke to a conversation he had with Mr. Pena.

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MR. GEORGE ALEJOS

Mr. George Alejos, a member of LULAC, addressed issues regarding the Nimitz Apartments. He read a letter addressed to the owner of the apartment complex, a copy of which was made part of the official papers of this meeting, and spoke of a temporary restraining order against him and LULAC.

Councilman Flores thanked Mr. Alejos, and acknowledged that he did receive his phone calls. He confirmed he would continue to keep an eye on the situation.

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MS. MARY VARGAS

Ms. Mary Vargas, resident of Nimitz Apartments, spoke to the substandard housing at the complex, and noted that certain residents have special needs that are not being met, such as the home bound residents. She expressed concern that many of the residents were not being treated equally.

Mayor Garza indicated he would be asking Councilman Segovia to address this issue.

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MR. NAZIRITE RUBEN FLORES PEREZ

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, cited a biblical verse. He urged Council to approve a 4% raise for city employees who make less than \$50,000. He also informed the Council that he was getting ready to write a book.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the problem of car thefts, and addressed the problem with 8-liners. He cited various newspaper articles relating to various City issues.

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MS. GUILLERMO VASQUEZ

MS. Guillermo Vasquez, SEICU, stated 9/11 was a date in history that was tough to think about. He spoke to the loss of the unions at the World Trade Center on this date, and spoke to their work. He thanked the Mayor and City Manager for their role in making San Antonio a safe and great City, and also thanked them for listening and deliberating regarding the concerns of City employees. He urged Council to consider freezing the pay raise of those making more than \$50,000, and commended the Council for their attempts to fix the broken pay plan. He cited those organizations who were supportive of a City pay raise.

Councilman Hall thanked the group for their professionalism, noting they have been wonderful to work with. He stated he understood their limits, and acknowledged their due diligence.

(Mayor Garza was obliged to leave the meeting, Mayor Pro Tem Schubert presided.)

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2003-32 "B" SESSION - BUDGET WORK SESSION.

At 6:56 P.M., Mayor Pro Tem Schubert convened in the Budget Work Session.

The Budget Work Session comprised of the following departments:

(Mayor Garza returned to the meeting and presided.)

- Employee Benefits
- Library
- Neighborhoods/Housing
- Code Compliance
- Neighborhood Action
- Planning
- Housing & Community Development

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2003-32 There being no further business to come before the City Council, the meeting was adjourned at 12:11 A.M.

A P P R O V E D

EDWARD D. GARZA
M A Y O R

Attest:

YOLANDA L. LEDESMA
Acting City Clerk