

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, DECEMBER 9, 2004

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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):

Staff briefing on proposed Sales Tax Initiatives for the May 7, 2005 Special Election. [Presented by Christopher J. Brady, Assistant City Manager, and Frances A. Gonzalez, Assistant City Manager; J. Rolando Bono, Interim City Manager]

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

The City Council recessed its "B" Session at 12:47 P.M. in order to convene in Executive Session for the purpose of:

Deliberate the purchase and value of real property that may be acquired for park or aquifer protection purposes in connection with venue projects proposed at a May 2005 election, pursuant to Section 551.072 (deliberation regarding real property).

The City Council adjourned the Executive Session at 1:28P.M. and reconvened in "B" Session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

The "B" Session adjourned at 1:29 P.M.

The regular meeting was called to order at 1:46 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.

Invocation by Rev. Forrest Jones, District 6, Leon Valley Baptist Church

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza read and presented the following honorariums:

A Proclamation for the San Antonio Small, Minority, Women's, and Business Conference

A Citation to the Churchill High school Band on being chosen to perform at the Rose Bowl.

A Citation to the San Antonio Warriors for winning the Semi-professional National Football Title.

The minutes of the City Council meetings of October 14, 2004 and October 21, 2004 were approved as presented.

2:00 PUBLIC HEARING AND ZONING CASES

Item 4.1A is a proposed Ordinance 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 approximately 14 acres located at 16711 South New Braunfels Avenue in Council District 3, from Public Institutional Land Use to High Density Residential Land Use. Staff's recommendation is for approval. The Planning Commission recommended approval.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Segovia made a motion to deny the proposed land use plan amendment. Councilmember Perez seconded the motion.

After consideration, the motion to deny the proposed land use plan amendment prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Item 4.1B is a proposed Ordinance amending the land use plan contained in the Highlands Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.2049 acres located at 103 Glamis Avenue in Council District 3,

from Medium Density Residential Land Use to Neighborhood Commercial Land Use. Staff's recommendation is for denial. Planning Commission recommended denial.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Segovia made a motion to deny the proposed land use plan amendment. Councilmember Perez seconded the motion.

After consideration, the motion to deny the proposed land use plan amendment prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100040

AMENDING THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 1 ACRE LOCATED AT THE SOUTHWEST CORNER OF IOWA STREET AND S. HACKBERRY STREET IN COUNCIL DISTRICT FROM MEDIUM DENSITY (SINGLE-FAMILY AND MIXED) RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Williams made a motion to approve the proposed land use plan. Councilmember Perez 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

4C) ZONING CASE NUMBER Z2004236: The request of Community Economic Revitalization Agency, Inc., Applicant, for Community Economic Revitalization Agency, Inc., Owner(s), for a change in zoning from "RM-4" Residential Mixed District on Lots 1, 3, 9, and the north 26 feet of Lot 5 and from "RM-4" HS Residential Mixed Historic Significant District on Lot 7 to "NC" Neighborhood Commercial District on Lots 1, 3, 9, and the north 26 feet of Lot 5 and "NC" HS

Neighborhood Commercial Historic Significant District on Lot 7 all located in Block E, NCB 646, 606 Iowa Street. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval contingent upon plan amendment. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Williams made a motion to approve the proposed rezoning case. Councilmember Segovia 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

AN ORDINANCE 100041 .

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, 3, 9, AND THE NORTH 26 FEET OF LOT 5, BLOCK E, NCB 646 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "NC" NEIGHBORHOOD COMMERCIAL DISTRICT.

The City Clerk read the following ordinance:

AN ORDINANCE 100042

AMENDING THE LAND USE PLAN CONTAINED IN THE IH 10 EAST CORRIDOR PERIMETER PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 110 ACRES LOCATED AT INTERSTATE HIGHWAY 10 EAST, FOSTER ROAD AND ST HEDWIG IN COUNCIL DISTRICT 2, FROM COMMUNITY COMMERCIAL, MULTI FAMILY RESIDENTIAL, NEIGHBORHOOD COMMERCIAL, HIKE AND BIKE TRAILS AND PUBLIC/INSTITUTIONAL LAND USES TO MIXED USE LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Williams made a motion to approve the proposed land use plan amendment. Councilmember Perez 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

4D) ZONING CASE NUMBER Z2004247: The request of Kaufman & Associates, Inc., Applicant, for Rosillo Creek Development Ltd., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2" Commercial District on 2.220 acres out of NCB 12867 and from "MH" Manufactured Housing District to "C-2" Commercial District on 1.423 acres out of NCB 12867 and from "MH" Manufactured Housing District to "R-5" Residential Single-Family District on 62.602 acres out of 12867 and from "BP" Business Park District to "R-5" Residential Single-Family District on 32.784 acres out of NCB 17332 and NCB 17992 and from "BP" Business Park District to "C-2" Commercial District on 3.337 acres out of NCB 17323 and NCB 17992 and from "C-3" General Commercial District to "R-5" Residential Single-Family District on 2.010 acres out of NCB 17992 and from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 426.693 acres out NCB 12867, NCB 17332, NCB 17992 and NCB 35098 and from "C-3" General Commercial District to "MF-33" Multi-Family District on 7.522 acres out of NCB 17993 and 35098 and from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on 27.311 acres out of NCB 17992, NCB 17993 and NCB 35098 and from "R-6" Residential Single-Family District to "C-2" Commercial District on 2.715 acres out of NCB 17992 on Southwest corner of IH-10 and Foster Road. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval contingent upon plan amendment. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Williams made a motion to approve the proposed rezoning case. Councilmember Perez 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

AN ORDINANCE 100043

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 2.220 ACRES OUT OF NCB 12867 AND FROM "MH" MANUFACTURED HOUSING DISTRICT TO "C-2" COMMERCIAL DISTRICT ON

1.423 ACRES OUT OF NCB 12867 AND FROM "MH" MANUFACTURED HOUSING DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 62.602 ACRES OUT OF 12867 AND FROM "BP" BUSINESS PARK DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 32.784 ACRES OUT OF NCB 17332 AND NCB 17992 AND FROM "BP" BUSINESS PARK DISTRICT TO "C-2" COMMERCIAL DISTRICT ON 3.337 ACRES OUT OF NCB 17323 AND NCB 17992 AND FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 2.010 ACRES OUT OF NCB 17992 AND FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 426.693 ACRES OUT NCB 12867, NCB 17332, NCB 17992 AND NCB 35098 AND FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT ON 7.522 ACRES OUT OF NCB 17993 AND 35098 AND FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT ON 27.311 ACRES OUT OF NCB 17992, NCB 17993 AND NCB 35098 AND FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT ON 2.715 ACRES OUT OF NCB 17992 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

The City Clerk read the following ordinance:

AN ORDINANCE 100044

AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 4.162 ACRES LOCATED APPROXIMATELY 4,200 FEET SOUTHWEST OF THE INTERSECTION OF SOUTH ZARZAMORA STREET AND S.E. LOOP 410 IN COUNCIL DISTRICT 3, FROM AGRICULTURE AND LIGHT INDUSTRY LAND USE TO URBAN LIVING LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Segovia made a motion to approve the proposed land use plan amendment. Councilmember Perez seconded the motion.

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

4E) ZONING CASE NUMBER Z2004179: The request of Earl & Associates, P. C., Applicant, for Hunters Pond, L. L. P., Owner(s), for a change in zoning from "R-4" Residential Single-Family District, "R-20" Residential Single-Family District and "MI-1" Mixed Light Industrial District to "UD" Urban Development District on 92.4 acres out of CB 4286, 4286B and 4005, on property generally located west of South Zarzamora Street and south of I.H. 410 South. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval contingent upon plan amendment. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

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

AN ORDINANCE 100045

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 92.4 ACRES OUT OF CB 4286, 4286B AND 4005 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT TO "UD" URBAN DEVELOPMENT DISTRICT.

The City Clerk read the following ordinance:

AN ORDINANCE 100046

AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 30 ACRES LOCATED AT 1816 E. CHAVANEUX ROAD IN COUNCIL DISTRICT 3, FROM AGRICULTURE LAND USE TO URBAN LIVING LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

The following citizens appeared to speak on the above noted item:

Mr. Jim Meyer, 5539 Cool Valley
Repres. For applicant
Mr. Noel Martinez, 10214 Renova
Ms. Jeannette Martinez, 10214 Renova
Mr. Ralph Ortiz, 706 Vickers
Mr. Jose Melendez, 1630 Sanco
Mr. Isidro Solis, 9223 Garnett
Mr. Domingo Ramirez, 10210 Renova
Mr. Ernesto Martinez, 10210 Renova

Councilmember Segovia made a motion to approve the proposed land use plan amendment. Councilmember Perez seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100047

AMENDING THE LAND USE PLAN CONTAINED IN THE SOUTHSIDE INITIATIVE COMMUNITY PLAN, KNOWN AS CITY SOUTH, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 29.5 ACRES OF LAND LOCATED ON CHAVANEUX ROAD APPROXIMATELY 3,225 FEET EAST OF ROOSEVELT AVENUE AND SOUTHWEST LOOP 410 IN COUNCIL DISTRICT 3, FROM AGRICULTURE LAND USE TO URBAN LIVING LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Segovia made a motion to approve the proposed land use plan amendment. Councilmember Perez seconded the motion.

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

4F and 4G) ZONING CASE NUMBER Z2004240: The request of Earl & Associates, Applicant, for Peter Marshall and Cosmo Guido, Owner(s), for a change in zoning from "FR" Farm and Ranch District to "UD" Urban Development District on Tract A and B, NCB 11039; P-48 and P-50A, CB 4283. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval (pending Zoning Commission hearing on December 7, 2004). (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

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

AN ORDINANCE 100048

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 TRACT A AND B, NCB 11039; P-48 AND P-50A, CB 4283 FROM "FR" FARM AND RANCH DISTRICT TO "UD" URBAN DEVELOPMENT DISTRICT.

The City Clerk read the following ordinance:

AN ORDINANCE 100049

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 APPROXIMATELY 1 ACRE LOCATED ON THE NORTHWESTERN CORNER OF 1735 COMMERCIAL AVENUE IN COUNCIL DISTRICT 4, FROM LOW DENSITY RESIDENTIAL LAND USE TO GENERAL COMMERCIAL LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Perez made a motion to approve the proposed land use plan amendment. Councilmember Segovia seconded the motion.

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

4H) ZONING CASE NUMBER Z2004229 C: The request of 1735 Commercial Land Trust, Applicant, for Southwestern Bell Telephone Company, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "C-1" C Commercial District with conditional use for repossession services on Lots 1, 2, 3, and 4, Block 3, NCB 7645, 1735 Commercial Avenue. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval contingent upon plan amendment and with the following conditions: 1) No more than 15 vehicles currently licensed and in operating condition on site at any given time for storage; and 2) 30 day storage limitation. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Perez made a motion to approve the proposed rezoning case with conditions. Councilmember Segovia seconded the motion.

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

AN ORDINANCE 100050

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, 2, 3, AND 4, BLOCK 3, NCB 7645 FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-1" C COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR REPOSSESSION SERVICES.

Item 4.11 is a proposed Ordinance amending the land use plan contained in the Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 2.38 acres located at 8900 New Guilbeau Road in Council District 7, from Single Family Residential Land Use to Medium Density Residential Land Use. Staff's recommendation is for approval. The Planning Commission recommended approval.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Castro made a motion to continue the proposed land use plan amendment to the meeting of January 13, 2005. Councilmember Haass seconded the motion.

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

Item 4.11 was continued to the meeting of January 13, 2005.

4I) ZONING CASE NUMBER Z2004186 S: The request of Wilma Lulia La Croix, Applicant, for Wilma Lulia La Croix, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "RM-6" S Residential Mixed District with a specific use authorization for assisted living services on Lot 1, Block 8, NCB 19179, 8900 New Guilbeau Road. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended approval contingent upon plan amendment. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Castro made a motion to continue the proposed rezoning case to the meeting of January 13, 2005. Councilmember Haass seconded the motion.

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

Zoning case Z2004186 S was continued to the meeting of January 13, 2005.

The City Clerk read the following ordinance:

AN ORDINANCE 100051

AMENDING THE LAND USE PLAN CONTAINED IN THE HUEBNER/LEON CREEK COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 17.1 ACRES LOCATED AT 5886 AND 5908 BABCOCK ROAD IN COUNCIL DISTRICT 7, FROM HIGH

DENSITY RESIDENTIAL LAND USE TO REGIONAL COMMERCIAL LAND USE AND 8.05 ACRES LOCATED AT 5886 AND 5908 BABCOCK ROAD, FROM MIXED USE LAND USE TO REGIONAL COMMERCIAL LAND USE.

Mr. Emil Moncivais, Director, Planning Department, explained the proposed land use plan amendment.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

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

4J) ZONING CASE NUMBER Z2004254: The request of H.E.B. Grocery Co., L. P. c/o Todd Piland, Applicant, for C. V. Wogenstahl and Rita J. Black Family Trust; Rita J. Busick, Trustee, Owner(s), for a change in zoning from PUD "O-1" Office Planned Unit Development District and "MF-33" Multi-Family District to "C-3" General Commercial District on 25.150 acres out of NCB 14653, 5908 and 5886 Babcock Road. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended (pending Zoning Commission hearing on December 7, 2004). (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Barrera seconded the motion.

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

AN ORDINANCE 100052

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 25.150 ACRES OUT OF NCB 14653 FROM PUD "O-1" OFFICE PLANNED UNIT DEVELOPMENT DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4K) ZONING CASE NUMBER Z2004244: The request of City of San Antonio, Historic Preservation Officer, Applicant, for Rio Perla Properties, L. P., Owner(s), for a change in zoning to designate Historic Significance on 0.9145 acres out of NCB 14164, 312 Pearl Parkway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Flores made a motion to approve the proposed rezoning case. Councilmember Hall seconded the motion.

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

AN ORDINANCE 100053

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 0.9145 ACRES OUT OF NCB 14164 FOR A CHANGE IN ZONING TO DESIGNATE HISTORIC SIGNIFICANCE.

4L) ZONING CASE NUMBER Z2004225: The request of Heather Drake, Applicant, for J. H. Uptmore & Associates, Inc., Owner(s), for a change in zoning from "C-3R" Commercial District Restricted Alcohol Sales and "I-1" General Industrial to "MF-33" Multi-Family District on 6.94 acres out of NCB 14058, southeast of Highway 90 between Roland Avenue and Hampton Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Williams made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

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

AN ORDINANCE 100054

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 6.94 ACRES OUT OF NCB 14058 FROM "C-3R" COMMERCIAL DISTRICT RESTRICTED ALCOHOL SALES AND "I-1" GENERAL INDUSTRIAL TO "MF-33" MULTI-FAMILY DISTRICT.

4M) ZONING CASE NUMBER Z2004226: The request of Heather Drake, Applicant, for J. H. Uptmore & Associates, Inc., Owner(s), for a change in zoning from "C-3" Commercial District to "MF-33" Multi-Family District on Lot 1, Block 1, NCB 14057, northwest of Highway 90 between Westfall Avenue and Roland Avenue. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Williams made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

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

AN ORDINANCE 100055

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 14057 FROM "C-3" COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

4N) ZONING CASE NUMBER Z2004089 C: The request of Domingo P. Maldonado, Jr., Applicant, for Domingo P. Maldonado, Jr., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6" C Residential Single-Family District with conditional use for a multi-family complex not to exceed 25 buildings and 50 units on Lot 300B, Block 30, NCB 11129, 200 Buchanan Boulevard.

Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Segovia made a motion to approve the proposed rezoning case. Councilmember 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, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro.

AN ORDINANCE 100056

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 300B, BLOCK 30, NCB 11129 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE FOR A MULTI-FAMILY COMPLEX NOT TO EXCEED 25 BUILDINGS AND 50 UNITS.

40) ZONING CASE NUMBER Z2004148-2: The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch District and "MI-1" Mixed Light Industrial District as per exhibit on P-1B, P-1C, P-1D, P-2A, P-2E, P-14, CB 4187; P-1D, P-2H, P-7, CB 4188; P-2, CB 4189; P-2B, P-12, P-12D, P-12E, P-12F, CB 4180; P-7, CB 4181; P-183D, CB 4012; Tracts A3, A4, A5, A6, B4, B5, B6, CB 4013, City South Project. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 3)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak on the above noted item:

Mr. Chris Weber, 901 IH 10 W. #165
Mr. Ernest Chacon, 2600 W. Jett
Mr. Ken Brown, Brooks City Base

Councilmember Segovia made a motion to approve the proposed rezoning case.
Councilmember Perez seconded the motion.

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

AN ORDINANCE 100057

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-1B, P-1C, P-1D, P-2A, P-2E, P-14, CB 4187; P-1D, P-2H, P-7, CB 4188; P-2, CB 4189; P-2B, P-12, P-12D, P-12E, P-12F, CB 4180; P-7, CB 4181; P-183D, CB 4012; TRACTS A3, A4, A5, A6, B4, B5, B6, CB 4013 FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "FR" FARM AND RANCH DISTRICT AND "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT.

4P) ZONING CASE NUMBER Z2004246: The request of JLC Development Co., Applicant, for James Johnson, Jr., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-5" Residential Single Family District on 7.084 acres out of NCB 15247, southeast corner of Ray Ellison Boulevard and Five Palms Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Perez made a motion to approve the proposed rezoning case.
Councilmember Segovia seconded the motion.

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

AN ORDINANCE 100058

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 7.084 ACRES OUT OF NCB 15247 FROM "R-6"

RESIDENTIAL SINGLE FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT.

4Q) ZONING CASE NUMBER Z2004233 C: The request of Joel R. Valencia (JRV Steel Fabricators), Applicant, for Aurora R. Valencia, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-2NA" C Commercial District, Nonalcoholic Sales with a conditional use for outside storage of materials on Lot 49 and Lot 50, Block 15, NCB 8996, 247 Hobart Street. Staff's recommendation was for approval. Zoning Commission has recommended approval with the following conditions: 1) A Type B buffer (15 feet) as stated in Article V, Division 3, Section 35-510 shall be maintained, adjacent to the residential zoning; and 2) Outdoor storage areas shall be screened from the public street view and adjacent residence to a height of at least six feet (6') as stated in Article V, Division 6, Section 35-525. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Barrera made a motion to approve the proposed rezoning case. Councilmember Segovia seconded the motion.

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

AN ORDINANCE 100059

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 49 AND LOT 50, BLOCK 15, NCB 8996 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA" C COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR OUTSIDE STORAGE OF MATERIALS.

4R) ZONING CASE NUMBER Z2004234: The request of Charles Martin Wender, Applicant, for Westover Hills Development Partners, Owner(s), for a change in zoning from "C-3" Commercial District to "MF-33" Multi-Family District on 24.13 acres out of NCB 17642, southeast corner of W. Military Drive and Rogers Road extended. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

AN ORDINANCE 100060

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 24.13 ACRES OUT OF NCB 17642 FROM "C-3" COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

4S) ZONING CASE NUMBER Z2004248: The request of Dynamic Landhold, L.P., Applicant, for Dynamic Landhold, L. P., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" Commercial District on 0.36 acres out of NCB 34400, approximately 500 feet north of the northwest corner of West Loop 1604 north and West Military Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

AN ORDINANCE 100061

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 0.36 ACRES OUT OF NCB 34400 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" COMMERCIAL DISTRICT.

4T) ZONING CASE NUMBER Z2004249: The request of Hogan Real Estate Services, Applicant, for Commonwealth SA - Apartments, LLC, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on 11.94 acres of NCB 15329, 8330 Potranco Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

AN ORDINANCE 100062

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 11.94 ACRES OF NCB 15329 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

4U) ZONING CASE NUMBER Z2004251: The request of Kaufman & Associates, Inc., Applicant, for Frank Nalasco, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "O-1" Office District on 0.5618 acre of Lot B, NCB 11511, 1009 Bandera Road. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Castro made a motion to continue the proposed rezoning case to the meeting of January 13, 2005. Councilmember Perez seconded the motion.

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

Zoning case Z2004251 was continued to the meeting of January 13, 2005.

4V) ZONING CASE NUMBER Z2004099: The request of Royal Properties, Applicant, for Roy Barrera, Owner(s), for a change in zoning from "C-3" ERZD General Commercial Edwards Recharge Zone District to "MF-33" ERZD Multi-Family Edwards Recharge Zone District on 4.455 acres out of NCB 14865, the west side of Babcock Road approximately 215 feet north of West Hausman Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to continue the proposed rezoning case for 60 days. Councilmember Williams seconded the motion.

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

Zoning case Z2004099 was continued for 60 days.

4W) ZONING CASE NUMBER Z2004127 C: The request of Pettit, Christopher John, Applicant, for Pettit, Christopher John, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6" C Residential Single-Family District with a conditional use for a law office on Lot 4, Block 10, NCB 14720, 4118 Honeycomb Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval with the following conditions: 1) There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure; 2) No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; 3) Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.; 4) No additional parking shall be allowed in the front of the house other than what the existing driveway accommodates; and 5) A four (4) foot wrought iron fence be erected along the front yard setback. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizens appeared to speak:

Mr. Habib Erkan, 111 Soledad
Ms. Jo Beth McLeod, 11902 Rustic Ln.
Ms. Esther Garcia, 11643 Vance Jackson

Mr. Chris Pettit, 11902 Rustic Ln.
Mr. David Earl, 111 Soledad

Councilmember Hall made a motion to deny the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion to deny the proposed rezoning case prevailed by the following vote: **AYES:** Perez, Barrera, Castro, Hall, Haass, Garza. **NAYS:** Williams. **ABSENT:** Flores, Segovia, Radle, Schubert.

Zoning Case Z2004127 C was denied.

4X) ZONING CASE NUMBER Z2004252: The request of Zelzer Corporation, Applicant, for Zelzer Corporation, Owner(s), for a change in zoning from "R-6" Residential Single-Family Hill Country Gateway Corridor District (GC-1) to "MF-33" Multi-Family Hill Country Gateway Corridor District (GC-1) on 5.020 acre tract of land out of NCB 34760, 20025 IH 10 West. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

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

AN ORDINANCE 100063

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 5.020 ACRE TRACT OF LAND OUT OF NCB 34760 FROM "R-6" RESIDENTIAL SINGLE-FAMILY HILL COUNTRY GATEWAY CORRIDOR DISTRICT (GC-1) TO "MF-33" MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR DISTRICT (GC-1).

4Y) ZONING CASE NUMBER Z2004259: The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning to establish

Neighborhood Conservation District 4 (NCD-4) Overlay on property generally bound by Wurzbach Parkway on the northwest, Lockhill-Selma Road on the northeast, Dreamland on the southeast and the Union Pacific Railroad right-of-way on the southwest. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to continue the proposed rezoning case for 60 days. Councilmember Williams seconded the motion.

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

Zoning case Z2004259 was continued for 60 days.

4Z) **ZONING CASE NUMBER Z2004079:** The request of JCJ - Stone Oak, Ltd., Applicant, for JCJ- Stone Oak, Ltd., Owner(s), for a change in zoning from "C-3" ERZD General Commercial Edwards Recharge Zone District to "MF-25" ERZD Multi-Family Edwards Recharge Zone District on 15.644 acres out of NCB 19218, 20000 Block of Stone Oak Parkway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Schubert made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** Radle, Castro. **ABSENT:** Flores.

AN ORDINANCE 100064

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 15.644 ACRES OUT OF NCB 19218 FROM "C-3" ERZD

GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "MF-25"
ERZD MULTI-FAMILY EDWARDS RECHARGE ZONE DISTRICT.

4AA) ZONING CASE NUMBER Z2004235 C: The request of Charles Coben, Applicant, for Charles Coben, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2" C Commercial District with conditional use for a self service storage facility on 0.166 acres out of NCB 16959, 14058 Nacogdoches Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

AN ORDINANCE 100065

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 0.166 ACRES OUT OF NCB 16959 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" C COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A SELF SERVICE STORAGE FACILITY.

3:00 P.M. PUBLIC HEARING AND ORDINANCE

Mayor Garza declared the public hearing to be open.

Ms. Melissa Vossmer, Assistant City Manager, narrated a slide presentation on the proposed monthly storm water fee increase, a copy of which is on file with the Office of the City Clerk. She outlined information on how the proceeds of the fee would be utilized such as to pay for the regional flood control improvement projects or the debt service on bonds to fund regional flood control improvement projects. She further presented background information, a monthly rate structure by tiers in the various categories, and the regional flood control projects.

Mr. Tom Wendorf, Director of Public Works, further spoke to the selection criteria for City of San Antonio projects and the Bexar Regional Watershed Management Program, the proposed bond projects for regional flood control, the regional flood control projects inflation impact and the estimated project start date. He further amplified on the fiscal impact, coordination efforts and staff's recommendation.

The following citizens appeared to speak on the above noted item:

Mr. Faris Hodge, 140 Dora
Mr. Nazarite Ruben Flores Perez, 627 Hearne
Mr. Jim Koch, 8214 Evert
Mr. Jody Sherrill, NRNA

Mayor Garza declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 100066

INCREASING THE MONTHLY STORM WATER FEE BY 19.5% ACROSS ALL CUSTOMER CLASSIFICATIONS AND TIERS AS FOLLOWS: FOR RESIDENTIAL CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 4,999 SQUARE FEET FROM \$2.33 TO \$2.78; AND (TIER 2) LOT SIZE OF 5,000 OR MORE SQUARE FEET FROM \$3.08 TO \$3.68. FOR MULTIFAMILY CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$5.18 TO \$6.19; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$16.21 TO \$19.37; AND (TIER 3) LOT SIZE OF 44,000 TO 131,999 SQUARE FEET FROM \$49.15 TO \$58.73; AND (TIER 4) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$233.88 TO \$279.49. FOR COMMERCIAL/GENERAL CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$13.26 TO \$15.85; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$36.28 TO \$43.35; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$65.02 TO \$77.70; AND (TIER 4) LOT SIZE OF 87,000 TO 131,999 SQUARE FEET FROM \$112.06 TO \$133.91; AND (TIER 5) LOT SIZE OF 132,000 OR MORE SQUARE FEET FROM \$247.59 TO \$295.87. FOR PUBLIC CUSTOMERS – (TIER 1) LOT SIZE OF ZERO TO 21,999 SQUARE FEET FROM \$13.14 TO \$15.70; AND (TIER 2) LOT SIZE OF 22,000 TO 43,999 SQUARE FEET FROM \$35.93 TO \$42.94; AND (TIER 3) LOT SIZE OF 44,000 TO 86,999 SQUARE FEET FROM \$64.90 TO \$77.56; AND (TIER 4) LOT SIZE OF 87,000 OR MORE SQUARE FEET FROM \$109.72 TO \$131.12; AND AMENDING THE FY 2005 STORM WATER OPERATING FUND BUDGET AND THE FY 2005-2010 CAPITAL BUDGET ACCORDINGLY.

Councilmember Haass made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

Councilman Segovia made a motion for amendment 1 to include Project 11. Councilman Perez seconded the motion.

After consideration, the motion on the amendment prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100067

AUTHORIZING THE SELECTION, NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT TO HIRE AN EXECUTIVE SEARCH FIRM TO ASSIST IN HIRING A CITY MANAGER. (ARCUS)

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

The following citizen appeared to speak:

Mr. Jack Finger, P.O. Box 12048, spoke to Proposition 13 and the monies allocated to the Symphony.

Mayor Garza spoke to the presentations made to the City Council by the various search firms, noting that each had demonstrated good qualifications. He then asked Council members to make their nominations for any of the firms.

Councilman Haass made a motion to nominate the Arcus Group. Councilman Williams seconded the motion.

Councilman Hall made a motion to nominate the Mercer Group. Councilman Perez seconded the motion.

On a roll call vote, the Arcus Group received the majority votes.

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

4:00 P.M. PUBLIC HEARING AND ORDINANCES

Mayor Garza declared the public hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation on the Maxim Reinvestment Zone, the Tax Phase-In Agreement with Maxim Integrated Products, Inc., and the Incentive Fund Grant Agreement, a copy of which is on file with the Office of the City Clerk. He outlined background information on the previous semiconductor employers in San Antonio, and the new proposed company Maxim who is anticipating employing 500 people at the newly acquired former Philips facility. He spoke to the requested incentives by Maxim, project information noting the average annual wages, benefits package, and policy analysis. He further outlined the fiscal impact to the City and City Public Service as well as to other taxing entities.

(Mayor Garza was obliged to leave the meeting at 5:20 P.M. Mayor Pro Tem Flores presided.)

The following citizen(s) appeared to speak on the above noted item:

Mr. Faris Hodge, 140 Dora
Mr. Nazarite Ruben Flores Perez, 627 Hearne
Mr. Jack M. Finger, P.O. Box 12048

Mayor Pro Tem Flores declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 100068

DESIGNATING THE *MAXIM REINVESTMENT ZONE* CONSISTING OF 178.5 ACRES LOCATED AT 9651 WESTOVER HILLS BOULEVARD.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100069

APPROVING TERMS AND CONDITIONS AND AUTHORIZING EXECUTION OF A TAX PHASE-IN AGREEMENT WITH MAXIM INTEGRATED PRODUCTS, INC. ("MAXIM") TO EXEMPT 100% OF AD VALOREM TAXES FOR 10 YEARS ON PERSONAL PROPERTY IMPROVEMENTS OF \$50 MILLION; AND APPROVING AN EXCEPTION TO THE TAX PHASE-IN GUIDELINES TO ALLOW FOR A 10 YEAR VERSUS A SIX (6) YEAR TERM OF THE AGREEMENT.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember 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, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100070

APPROVING TERMS AND CONDITIONS AND AUTHORIZING EXECUTION OF AN INCENTIVE FUND GRANT AGREEMENT WITH MAXIM INTEGRATED PRODUCTS, INC. PROVIDING UP TO \$1,500,000 FROM THE ECONOMIC DEVELOPMENT INCENTIVE FUND FOR CUSTOMIZED JOB TRAINING; APPROVING EXCEPTIONS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember 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, Perez, Radle, Barrera, Castro, Schubert, Haass. **NAYS:** None. **ABSENT:** Hall, Garza.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100071

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$13,500,000.00 TO PROVIDE FINANCING FOR THE CONSTRUCTION OF THE ROSEMONT AT PLEASANTON APARTMENTS PROJECT LOCATED AT 9900 MOURSUND ROAD IN COUNCIL DISTRICT 3; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

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

CITIZENS TO BE HEARD

Ms. Trisha Sutherland spoke in regard to Human Rights Day.

Mr. Jim Koch, 8214 Evert, addressed the power lines that need to be placed further out.

Mr. Carlos Guadarrama, 300 Miles Org., addressed issues regarding the homeless.

Mr. Mark Guerrero, SEIU, spoke to the consultation ordinance and the opportunity to have a voice with management. He then presented the petitions on behalf of SEIU.

Mr. Richard Pena also addressed the consultation ordinance.

City Clerk Leticia Vacek clarified that the petitions would be reflected as officially received on Friday, December 10, 2004 by having each petition date and time stamped in the Office of the City Clerk on the following day.

Mr. Bob Martin spoke to the tax freeze for senior citizens and urged the City Council to implement Proposition 13.

Mr. Joe Perez, 1502 Holbrook #6, addressed the process for the Council minutes.

Ms. Julie Iris Oldham addressed various community concerns.

Mr. John Buckman expressed concern on the animal care service issues.

Mr. Basil Segura, 300 Mile Org., addressed the issues of shelters for the homeless, and urged City Council to support efforts to assist the homeless.

Ms. Maria Segura, 300 Mile Org., also addressed the homeless issue.

CONSENT AGENDA ITEM CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100072

DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF TWO (2) TRACTS OF CITY-OWNED REAL PROPERTY DESCRIBED AS LOTS 15 AND 16, BLOCK 2, NCB 1494, LOCATED AT THE INTERSECTION OF DAKOTA AND S. NEW BRAUNFELS STREETS TO THE BEXAR COUNTY TEACHERS FEDERAL CREDIT UNION, LOCATED IN COUNCIL DISTRICT 2, FOR THE SEALED BID AMOUNT OF \$100.00, PLUS \$1,040.00 TO SATISFY EXISTING CODE COMPLIANCE LIENS, FOR THE TOTAL CONSIDERATION OF \$1,140.00, TO FACILITATE THE CONSTRUCTION OF A BANK FACILITY CONSISTENT WITH THE CITY'S URBAN RENEWAL PLAN.

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

Ms. Rebecca Waldman, Director of Asset Management presented information on the subject properties.

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

EXECUTIVE SESSION

The City Council recessed its regular session at 6:47 P.M. in order to convene in Executive Session for the purpose of:

Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney). Deliberate the offer of financial or other incentives related to economic development negotiations with a business prospect the City Council seeks to have locate in or near San Antonio, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 8:30 P.M. and reconvened in regular session, at which time Mayor Pro Tem Flores stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

6:00 P.M. PUBLIC HEARING AND ORDINANCE

Mayor Pro Tem Flores declared the public hearing to be open.

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation on the Tax Increment Reinvestment Zone Designations, a copy of which is on file with the papers of this meeting. He presented background information on the purpose and use of the tax increment financing, data on each of the projects at Brooks City-Base, Mission Creek and Hallie Heights, their fiscal impact, and steps to follow with each.

The following citizen(s) appeared to speak on the above noted item:

Mr. Faris Hodge, 140 Dora

Councilman Perez declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 100073

DESIGNATING THE BROOKS CITY-BASE DEVELOPMENT PROJECT AREA LOCATED IN CITY COUNCIL DISTRICT 3, BORDERING SOUTH NEW BRAUNFELS AVENUE AND S.E. MILITARY DRIVE TO THE NORTH, I-37 TO THE EAST, SOUTH PRESA STREET AND OLD CORPUS CHRISTI ROAD TO THE WEST, AND DAVE ERWIN DRIVE AND S.E. LOOP 410 TO THE SOUTH AS A TAX INCREMENT REINVESTMENT ZONE (“ZONE”); DESCRIBING THE

BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE FOR THE ZONE; NAMING THE ZONE "REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF SAN ANTONIO, TEXAS"; ESTABLISHING A TAX INCREMENT FUND; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember Williams 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100074

DESIGNATING THE MISSION CREEK DEVELOPMENT PROJECT AREA LOCATED IN CITY COUNCIL DISTRICT 3, BORDERING BROOKS-CITY BASE TO THE NORTH, TEXAS A&M ENGINEERING SERVICE ON SOUTH PRESA TO THE EAST, VACANT LAND TO THE WEST AND VACANT INDUSTRIAL LAND TO THE SOUTH AS A TAX INCREMENT REINVESTMENT ZONE ("ZONE"; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE FOR THE ZONE; NAMING THE ZONE "REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF SAN ANTONIO, TEXAS"; ESTABLISHING A TAX INCREMENT FUND; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember Williams 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Item 8C being a proposed Ordinance designating the Rainbow Hills Development Project area located in City Council District 4, bordering Horal Street to the west, Marbach Rd. to the north, Loop 410 to the east and Lackland Hills Subdivision (Unit 6) to the south as a Tax Increment Reinvestment Zone ("Zone"); describing the boundaries of the Zone;

creating a board of directors for the Zone; providing for an effective date and a termination date for the Zone; naming the Zone “Reinvestment Zone Number Eighteen, City of San Antonio, Texas”; establishing a tax increment fund; and containing other provisions related thereto was pulled from the agenda to be considered at the December 16, 2004 meeting.

The City Clerk read the following ordinance:

AN ORDINANCE 100075

DESIGNATING THE HALLIE HEIGHTS DEVELOPMENT PROJECT AREA LOCATED IN CITY COUNCIL DISTRICT 4, BORDERING SUN VALLEY ELEMENTARY SCHOOL TO THE NORTH, S.W. LOOP 410 TO THE EAST, LACKLAND SUBDIVISION UNIT 40 TO THE WEST, AND RAY ELLISON BOULEVARD TO THE SOUTH AS A TAX INCREMENT REINVESTMENT ZONE (“ZONE”); DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE FOR THE ZONE; NAMING THE ZONE “REINVESTMENT ZONE NUMBER NINETEEN, CITY OF SAN ANTONIO, TEXAS”; ESTABLISHING A TAX INCREMENT FUND; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Councilmember Williams made a motion to approve the proposed Ordinance. Councilmember Segovia 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

CONSENT AGENDA – CITIZENS’ COMMENTS

Items 30 and 43G were addressed individually from the consent agenda. Councilmember Segovia made a motion to approve the remaining Items 9 through 43J. Councilmember Williams seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack Finger, P.O. Box 12048, spoke to items 2 (Ceremonials), 3 (Minutes), 16 (Salado Creek Hike and Bike MPO Project), 25 (City projects), and 26 (Legal services fees for City projects).

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

AN ORDINANCE 100076

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY CUSTOM SALES & SERVICE, INC. (WBE) TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH A CONCEPT VAN TO DELIVER MEALS FOR THE COMPREHENSIVE NUTRITION PROGRAM FOR A TOTAL AMOUNT OF \$37,000.00.

AN ORDINANCE 100077

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY SMITH'S DETECTION, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH HAZARDOUS MATERIALS IDENTIFICATION EQUIPMENT FOR A TOTAL COST OF \$112,922.50, FROM STATE HOMELAND SECURITY GRANT FUNDS.

AN ORDINANCE 100078

ACCEPTING THE PROPOSAL SUBMITTED BY VIA TECHNOLOGY, L.L.C. (SMBE) TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH A HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) FOR A TOTAL AMOUNT OF \$77,950.00.

AN ORDINANCE 100079

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY PHILPOTT MOTORS, LTD., TO PROVIDE THE CITY OF SAN ANTONIO WITH POLICE, PARKS AND FIRE PATROL SEDANS FOR A TOTAL AMOUNT OF \$4,816,388.00.

AN ORDINANCE 100080

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY VALERO MARKETING & SUPPLY CO. TO PROVIDE THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR ULTRA-LOW SULPHUR DIESEL FUEL FOR AN ESTIMATED COST OF \$3,122,730.12 ANNUALLY.

AN ORDINANCE 100081

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$2,112,298.00 TO INCLUDE CONTRACTS FOR MAINTENANCE & REPAIR OF METASYS FACILITIES MANAGEMENT SYSTEM FOR THE ALAMODOME, SPANISH LANGUAGE BOOKS AND VIDEOCASSETTES, LEADS ONLINE DATABASE, RTC CPR 2102 TIME SWITCH WITH ANTENNA AND CPC HARNESS, HEATING, VENTILATING AND AIR CONDITIONING PARTS, MUD SUMP SERVICE AND DRAIN LINE CLEANING, AIR CONDITIONING FILTERS, SOFTWARE LICENSES FOR EXCHANGE SERVER, ORACLE DATABASE SOFTWARE AND SERVICE, UNICENTER CA-7 DISTRIBUTED AGENT AND SUPPORT, CARPET, LIGHT DUTY AUTOMATIC TRANSMISSION PARTS AND SERVICE, AND SAFETY SUPPLIES.

AN ORDINANCE 100082

APPROVING FIELD ALTERATION NO. 4 TO REDUCE THE CONTRACT WITH THE YANTIS CORPORATION BY \$56,111.00 IN CONNECTION WITH THE CULEBRA ROAD/LOOP 410 (LEON CREEK) REGIONAL STORM WATER FACILITY PROJECT, AN AUTHORIZED 1999-2004 GENERAL OBLIGATION FLOOD CONTROL WITH PARK IMPROVEMENT BOND PROJECT, LOCATED IN COUNCIL DISTRICT 6; AND REVISING THE PROJECT BUDGET. (Amends Ordinance 97883, June 26, 2003)

AN ORDINANCE 100083

AMENDING THE PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$96,835.00 TO PAPE-DAWSON ENGINEERS, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SALADO CREEK HIKE AND BIKE MPO PROJECT, PHASE 1, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING \$9,639.00 FOR ADDITIONAL ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$106,474.00 FROM 1999-2004 GENERAL OBLIGATION FLOOD CONTROL WITH PARK IMPROVEMENT BOND FUNDS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (Amends Ordinance 90848, November 23, 1999)

AN ORDINANCE 100084

ACCEPTING THE LOW RESPONSIVE BID IN THE AMOUNT \$1,963,040.40 OF PRONTO SANDBLASTING AND COATING AND OIL-FIELD SERVICE COMPANY, INC., IN CONNECTION WITH THE OCTAVIA #63, PHASE II, PART B PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$157,881.41 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$121,638.69 FOR EXPENSE RECOVERY; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$2,243,560.50; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM IN THE AMOUNT OF \$265,909.30 FOR SEWER AND WATER EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE IN THE AMOUNT OF \$118,317.00; APPROPRIATING \$1,859,334.20 FROM 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100085

AUTHORIZING \$64,273.00 FROM 1994-1999 PARK BOND FUNDS FOR ASBESTOS ABATEMENT, FLOOR RENOVATIONS AND BLEACHER REPLACEMENT AT THE WESTSIDE YMCA IN CONNECTION WITH THE ROSEDALE PARK IMPROVEMENTS PROJECT, LOCATED IN CITY COUNCIL DISTRICT 5; AND APPROPRIATING FUNDS.

AN ORDINANCE 100086

ACCEPTING THE LOW, QUALIFIED BID OF VALEMAS, INC. IN THE AMOUNT OF \$2,258,000.00 IN CONNECTION WITH THE BRACKENRIDGE PARK REHABILITATION – PACKAGE B PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$20,657.53 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$5,255.00 FOR TRAFFIC SIGNALS ENHANCEMENT, FOR A TOTAL AMOUNT OF \$2,283,912.53, OF WHICH \$1,929,502.00 WILL BE FUNDED BY 1994-1999 PARK BOND FUNDS; ACCEPTING A \$20,000.00 GRANT FROM THE JUNIOR LEAGUE OF SAN ANTONIO; TRANSFERRING SAVINGS OF \$334,410.53 FROM WITHIN THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100087

APPROVING THE FEE SIMPLE PURCHASE OF EIGHT (8) PROPERTIES LOCATED ALONG THE SALADO CREEK AND THE LEON CREEK FOR A TOTAL AMOUNT OF \$26,150.00 FROM THE PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT (PROPOSITION 3) SALES TAX FUNDS; AUTHORIZING \$2,240.00 FOR DUE DILIGENCE FEES, FOR A TOTAL AMOUNT OF \$28,390.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Item 22 is an Ordinance declaring two (2) tracts of real property described as Lots 15-40, 41-A, 42 and part of 41, NCB 6294, Lots 47-54, NCB 6295, known as the former Butter Krust Bakery Building, located at 2201 Broadway Street, and all of City Block A-6, a portion of City Block A-7 and the remainder of Lot 33, NCB 6300, known as the former Playland Park Site, located a 2222 N. Alamo Street, in Council District 2 which tracts were acquired in connection with relocation of the San Antonio Water System's headquarters and as part of the San Antonio Water System, as surplus to the needs of the City of San Antonio and authorizing the San Antonio Water System Board of Trustees to sell the tracts was pulled from consideration.

AN ORDINANCE 100088

APPROVING A LICENSE AGREEMENT WITH THE NORTHEAST INDEPENDENT SCHOOL DISTRICT FOR THE PLACEMENT OF A SANITARY SEWER LINE WITHIN AN APPROXIMATE 16' X 300' (0.1089 ACRE) PORTION OF CITY-OWNED PROPERTY WITHIN NCB 19216 INCLUDING A 15-FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT WHICH EXPIRES WHEN CONSTRUCTION OF THE SEWER LINE IS COMPLETED, BOTH IN CONNECTION WITH THE CONSTRUCTION OF WILDERNESS OAK ELEMENTARY SCHOOL, LOCATED IN COUNCIL DISTRICT 9, FOR THE TOTAL CONSIDERATION OF \$5,000.00.

AN ORDINANCE 100089

APPROVING A NEW LEASE AGREEMENT WITH WASHINGTON PLACE JOINT VENTURE D/B/A WASHINGTON PLACE, AS LANDLORD, FOR THE LEASE OF APPROXIMATELY 11,687 SQUARE FEET OF OFFICE SPACE AT THE WASHINGTON PLACE OFFICE BUILDING, LOCATED AT 215 S. SAN SABA, FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT, AT AN AVERAGE ANNUAL RENTAL OF \$133,877.00, FOR A FIVE (5) YEAR TERM ENDING ON SEPTEMBER 30, 2009.

AN ORDINANCE 100090

AUTHORIZING FUNDS IN THE AMOUNT OF \$1,483.55 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; THE CULEBRA/LOOP 410 DETENTION POND PROJECT, LOCATED IN COUNCIL DISTRICT 6; LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10; REVISING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100091

AUTHORIZING FUNDS IN THE AMOUNT OF \$5,972.85 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; CHERRY STREET DRAINAGE #15B, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 2; HUNT LANE – MARBACH TO U.S. 90 MPO PROJECT, LOCATED IN COUNCIL DISTRICT 4; LADDIE PLACE DETENTION POND PROJECT, LOCATED IN COUNCIL DISTRICT 1; OCTAVIA DRAINAGE #63, PHASE II, PART 1 PROJECT, LOCATED IN COUNCIL DISTRICT 5; WESTERN AVENUE DRAINAGE #74 III-A PROJECT, LOCATED IN COUNCIL DISTRICT 9; AND THE W.W. WHITE PHASE I – RIGSBY TO LORD ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100092

AUTHORIZING FUNDS IN THE AMOUNT OF \$5,972.85 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; CHERRY STREET DRAINAGE #15B, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 2; HUNT LANE – MARBACH TO U.S. 90 MPO PROJECT, LOCATED IN COUNCIL DISTRICT 4; LADDIE PLACE DETENTION POND PROJECT, LOCATED IN COUNCIL DISTRICT 1; OCTAVIA DRAINAGE #63, PHASE II, PART 1 PROJECT, LOCATED IN COUNCIL DISTRICT 5; WESTERN

AVENUE DRAINAGE #74 III-A PROJECT, LOCATED IN COUNCIL DISTRICT 9; AND THE W.W. WHITE PHASE I – RIGSBY TO LORD ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100093

APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A ONE (1) YEAR LEASE AGREEMENT WITH IMEF, A.C., FOR APPROXIMATELY 1,613 SQUARE FEET OF OFFICE SPACE AT 3422 LAZARO CARDENAS AVENUE, SUITE 604, IN GUADALAJARA, JALISCO, MEXICO FOR CASA SAN ANTONIO AT A MONTHLY RENTAL RATE OF 12,650 PESOS, WHICH IS CURRENTLY EQUIVALENT TO \$1,150.00 U.S. DOLLARS, INCLUSIVE OF THE FIFTEEN PERCENT (15%) VALUE-ADDED TAX, FOR THE PERIOD COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100094

AUTHORIZING THE PURCHASE OF APPROXIMATELY SEVENTY TWO (72) ACRE TRACT LOCATED ON JETT ROAD AND THE MEDINA RIVER IN COUNCIL DISTRICT 4 FROM VERDE SUPPLY CORPORATION FOR THE AMOUNT OF \$240,000.00 WITH THE COST TO BE DIVIDED BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO PARKS FOUNDATION; APPROPRIATING \$90,000.00, THE CITY'S PORTION OF THE COST, FROM 2003-2007 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100095

AMENDING ORDINANCE NO. 99825 TO CLARIFY THE RELATIONSHIP OF COASTAL SECURITIES, L.P. AND ESTRADA HINOJOSA & COMPANY, INC., AND TO AUTHORIZE EXECUTION OF CONTRACTS WITH EACH, TO PROVIDE CO-FINANCIAL ADVISOR SERVICES IN CONNECTION WITH THE CITY'S FINANCINGS FOR A PERIOD TO COMMENCE OCTOBER 1, 2004 AND TERMINATE SEPTEMBER 30, 2007, WITH AN OPTION TO EXTEND THE CONTRACTS FOR ONE (1) ADDITIONAL TWO-YEAR PERIOD UNDER THE SAME TERMS AND CONDITIONS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

AN ORDINANCE 100096

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH GARZA/GONZALES & ASSOCIATES FOR FINANCIAL REPORTING CONSULTATION SERVICES AT A COST NOT TO EXCEED \$90,000.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

AN ORDINANCE 100097

AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ) AND THE CITY OF SAN ANTONIO FOR THE PROVISION OF DEATH CERTIFICATES TO TDCJ OF PAROLEES WHO PASS AWAY WHILE ON PAROLE AND FOR REIMBURSEMENT TO THE CITY IN AN AMOUNT NOT TO EXCEED \$1,200.00 FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005.

AN ORDINANCE 100098

AUTHORIZING THE ACCEPTANCE OF \$100,000.00 FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION, INC. TO SUPPORT THE BREAST CANCER PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AUTHORIZING EXECUTION OF THE CONTRACT; ESTABLISHING A FUND; ADOPTING THE PROJECT BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND APPROVING PAYMENTS TO PRIVATE PHYSICIANS IN CONNECTION WITH THIS PROJECT.

AN ORDINANCE 100099

AUTHORIZING THE ACCEPTANCE OF \$143,271.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TDSHS) TO AUGMENT SUPPORT FOR THE INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2004; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDSHS; AND REVISING THE PROGRAM BUDGET.

AN ORDINANCE 100100

AUTHORIZING THE ACCEPTANCE OF \$143,495.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (TDSHS) TO RENEW THE FEDERAL REFUGEE HEALTH SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDSHS; ADOPTING A PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AUTHORIZING EXECUTION OF A CONTRACT WITH CATHOLIC CHARITIES, ARCHDIOCESE OF SAN ANTONIO, INC.; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100101

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ACCEPT A DONATION IN THE AMOUNT OF \$500.00 FROM THE UNITED SERVICES AUTOMOBILE ASSOCIATION TO SUPPORT THE SPECIAL IMMUNIZATIONS PROMOTIONS PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND REVISING THE PROGRAM BUDGET.

AN ORDINANCE 100102

AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH HUMANA HEALTH PLAN OF TEXAS, INC. ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO BE REIMBURSED IN AN AMOUNT NOT TO EXCEED \$30,000.00 FOR PROVIDING IMMUNIZATION SERVICES TO HUMANA HEALTH INSURANCE ENROLLEES FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005.

AN ORDINANCE 100103

APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE FREE TRADE ALLIANCE SAN ANTONIO IN THE AMOUNT OF \$150,000.00 FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100104

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$1,000.00 FROM THE SAN ANTONIO CITY EMPLOYEES FEDERAL CREDIT UNION AND \$2,500.00 FROM GUARANTY BANK TO THE CITY OF SAN ANTONIO NEIGHBORHOOD ACTION DEPARTMENT FOR THE PURCHASE OF SUPPLIES, TOOLS AND EQUIPMENT NECESSARY TO IMPLEMENT COMMUNITY SERVICE PROJECTS THROUGH THE NEIGHBORHOOD TARGET SWEEP PROGRAM; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTATION IN CONNECTION THEREWITH; APPROPRIATING FUNDS; AND APPROVING A PROGRAM BUDGET.

AN ORDINANCE 100105

ORDINANCE AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO PURCHASE EXCESS GENERAL LIABILITY AND EXCESS WORKERS' COMPENSATION INSURANCE, AS A PACKAGE POLICY, FOR THE CITY OF SAN ANTONIO FROM STATE NATIONAL INSURANCE COMPANY, THROUGH MCGRUFF, SEIBELS AND WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 2004 AND ENDING DECEMBER 31, 2005, AT A COST OF \$661,500.00, WITH AN OPTION TO EXTEND THE COVERAGE FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS AT A GUARANTEED RATE OF \$0.0557 PER \$100 OF PAYROLL EXPENSES, SUBJECT TO AND CONTINGENT UPON FUNDING BY THE CITY COUNCIL.

AN ORDINANCE 100106

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO PURCHASE A LAYERED INSURANCE PROGRAM FOR COMMERCIAL PROPERTY INSURANCE, INCLUDING BOILER AND MACHINERY COVERAGE, FOR CITY-OWNED AND LEASED BUILDINGS, CONTENTS, AND EQUIPMENT, WITH ALLIANZ INSURANCE COMPANY AND RSUI INDEMNITY COMPANY THROUGH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A FOURTEEN (14) MONTH PERIOD BEGINNING DECEMBER 31, 2004 AND ENDING FEBRUARY 28, 2006, AT A TOTAL COMBINED COST OF \$1,091,271.00.

AN ORDINANCE 100107

AN ORDINANCE REAPPOINTING DR. FERNANDO GUERRA (CITY OFFICIAL CATEGORY – MAYOR) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2006.

AN ORDINANCE 100108

AN ORDINANCE APPOINTING JUAN CARLOS HERNANDEZ (MAYOR'S DESIGNEE) TO THE GREATER SAN ANTONIO CRIME PREVENTION COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2006.

AN ORDINANCE 100109

AN ORDINANCE APPOINTING TRAVIS COX (DISTRICT 8) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2006.

AN ORDINANCE 100110

AN ORDINANCE REAPPOINTING ENEDINA C. VASQUEZ (DISTRICT 5) AND JOHN A. NICHOLAS (DISTRICT 8) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2006.

AN ORDINANCE 100111

AN ORDINANCE REAPPOINTING IRVIN PADGETT (DISTRICT 6) TO THE CITY COMMISSION ON VETERANS' AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON JUNE 11, 2006.

AN ORDINANCE 100112

AN ORDINANCE APPOINTING ROBERT R. ROBBINS (DISTRICT 10) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006.

AN ORDINANCE 100113

AN ORDINANCE REAPPOINTING GRACE GONZALEZ (DISTRICT 7) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2006.

AN ORDINANCE 100114

AN ORDINANCE APPOINTING RAMON FLORES (DISTRICT 8) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2006.

AN ORDINANCE 100115

AN ORDINANCE APPOINTING TYRONE JOHNSON (MAYOR) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2005.

CONSENT ITEM CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100116

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ACCEPT A DONATION IN THE AMOUNT OF \$500.00 FROM WAL-MART #1198 TO THE NORTH SAN ANTONIO FEAR FREE ENVIRONMENT UNIT OF THE SAN ANTONIO POLICE DEPARTMENT TO BE USED TO PURCHASE FINGERPRINT KITS FOR IDENTIFYING CHILDREN, EDUCATIONAL SUPPLIES AND BROCHURES RELATED TO CHILD SAFETY, BIKE RODEOS, ELDERLY SCAMS AND SAFETY TIPS FOR THE ELDERLY; AMENDING THE BUDGET; AND APPROPRIATING FUNDS.

Councilmember Williams made a motion to approve the proposed Ordinance. Councilmember Haass 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, Haass. **NAYS:** None. **ABSENT:** Flores, Garza. **ABSTAINED:** Castro, Schubert.

The City Clerk read the following ordinance:

AN ORDINANCE 100117

REAPPOINTING STEVE GENGENBACHER (DISTRICT 3) TO THE ETHICS REVIEW BOARD FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 21, 2006.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember Williams 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100118

ORDINANCE REAPPOINTING DR. SARA KOLB (NURSES' ASSOCIATION - DISTRICT 8) AND DR. MICHAEL BATTISTA (PHYSICIAN CATEGORY - DISTRICT 8) TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT ADVISORY BOARD OF HEALTH FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2007.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100119

AN ORDINANCE REAPPOINTING JONATHAN STARR (MAYOR; DISTRICT 3; DISTRICT 7; DISTRICT 8; AND DISTRICT 10) JAMES DARRYL BYRD (MAYOR AND DISTRICT 8) MIGUEL AGUILAR (DISTRICT 8) TO THE SAN

ANTONIO DEVELOPMENT AGENCY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 18, 2006.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100120

ORDINANCE REAPPOINTING ANDREW DOUGLAS (PLANNER CATEGORY - DISTRICT 1 AND DISTRICT 9) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2005, AND APPOINTING MARY AGNES RODRIGUEZ (PUBLIC ART CATEGORY - DISTRICT 5 AND MAYOR) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2006, AND APPOINTING ROLLETTE SCHRECKENGHOST (BUSINESS CATEGORY - DISTRICT 10) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2006, TO THE HISTORIC AND DESIGN REVIEW COMMISSION.

Councilmember Williams made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

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

City Clerk Leticia M. Vacek presented the nominations for the Metropolitan Transit Authority which included:

For slot 1

Mr. Heriberto Herrera was appointed by acclamation.

For slot 2, the following were nominated:

Councilmember Williams nominated Oliver Hill and Councilmember Hall seconded the nomination.

Councilmember Radle nominated Allen Townsend and Councilmember Castro seconded the nomination.

Councilman Flores nominated Joe Garcia and Councilmember Haass seconded the nomination.

After a roll call vote, Mr. Hill received the majority votes for slot 2.

For slot 3, the following were nominated:

Councilmember Radle nominated Allen Townsend and Councilmember Castro seconded the nomination.

Councilmember Flores nominated Joe Garcia and Councilmember Haass seconded the nomination.

After a roll call vote, Mr. Garcia received the majority votes for slot 3.

Councilmember Williams made a motion to approve the proposed Ordinance with the members receiving the majority votes. Councilmember Haass seconded the motion.

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

AN ORDINANCE 100121

REAPPOINTING OLIVER HILL (DISTRICT 2 AND DISTRICT 8) HERIBERTO HERRERA (DISTRICT 8) AND APPOINTING JOE F. GARCIA (DISTRICT 1) TO THE METROPOLITAN TRANSIT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

The City Clerk read the following ordinance:

AN ORDINANCE 100122

APPOINTING DR. GILBERT MURILLO (SADA CATEGORY DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE JANUARY 28, 2006, JONATHAN STARR (SADA CATEGORY - MAYOR AND DISTRICT 8) FOR A TERM OF OFFICE TO EXPIRE JANUARY 28, 2006, RHAYMA BLAKE (FORT SAM HOUSTON REPRESENTATIVE DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE

JANUARY 28, 2007, JONATHAN C. GORDON (CITY-WIDE COMMUNITY LEADER CATEGORY - DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2007 TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100123

APPOINTING PETER VOLLONE (DISTRICT 1) AND MICHAEL DEAN (MAYOR) FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY 22, 2006, AND APPOINTING MARY ROGERS (DISTRICT 7) ROLLETTE SCHRECKENGHOST (DISTRICT 10) FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY 22, 2007 AS ALTERNATE MEMBERS TO THE BOARD OF ADJUSTMENT.

Councilmember Schubert made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100124

REAPPOINTING MARCO BARROS (COMMUNITY REPRESENTATIVE CATEGORY - DISTRICT 6), RICHARD GREEN (COMMUNITY REPRESENTATIVE CATEGORY - DISTRICT 1), ALFRED STURCHIO (COMMUNITY REPRESENTATIVE CATEGORY - DISTRICT 6), GERALD JEWELL (COMMUNITY REPRESENTATIVE CATEGORY - DISTRICT 10), MARSHA HENDLER (TRAVEL & TOURISM INDUSTRY CATEGORY - MAYOR), SIEGFRIED RICHTER (TRAVEL & TOURISM INDUSTRY CATEGORY - DISTRICT 6), AND APPOINTING JACK A. LANE (BUSINESS CATEGORY -

DISTRICT 10) TO THE AIR TRANSPORTATION ADVISORY COMMISSION FOR
TERMS OF OFFICE TO EXPIRE ON MAY 4, 2006.

Councilmember Segovia made a motion to approve the proposed Ordinance.
Councilmember Schubert seconded the motion.

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

City Clerk Leticia M. Vacek presented the nominations for the Convention and Visitors
Commission which included:

The Hotel category (4 slots)

Councilmember Williams nominated Michael Tease and Councilmember Castro
seconded the nomination.

Councilmember Hall nominated Bart Huffman and Councilmember Castro seconded the
nomination.

Councilmember Schubert nominated Marilyn Desimone and Councilmember Hall
seconded the nomination.

Councilmember Castro nominated Henry Feldman and Councilmember Barrera seconded
the nomination.

All nominations were approved.

The Tourism and Theme park categories (1 slot each)

Councilmember Haass nominated Dr. Thomas Cannon for the Tourism category and
Daniel Decker for the Theme park category. Councilmember Segovia seconded the
nomination.

The nominations were approved.

The General Community – Southeast sector (1 slot)

Councilman Williams nominated Michael Khadem and Councilmember Segovia
seconded the nomination.

Councilmember Radle nominated Marie Pauerstein and Councilmember Hall seconded the nomination.

Councilmember Hall nominated Jean James and Councilmember Haass seconded the nomination.

After a roll call vote, Mr. Jean James received the majority vote.

General Community – Southwest sector (1 slot)

Councilmember Segovia nominated John Bloodsworth and Councilmember Schubert seconded the nomination.

The nomination was approved.

General Community – Northwest sector (1 slot)

Councilmember Schubert nominated Jim Berg and Councilmember Segovia seconded the nomination.

Councilmember Barrera nominated Trinie Reiter and Councilmember Haass seconded the nomination.

Councilmember Castro nominated Jim Eskin and Councilmember Haass seconded the nomination.

Councilmember Williams nominated Michael Khadem and Councilmember Haass seconded the nomination.

No one received the majority of votes, therefore staff was directed to reschedule this item for the Council meeting of December 16, 2004.

Councilmember Segovia made a motion to approve the proposed Ordinance with those members receiving the majority votes. Councilmember Schubert 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, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 100125

REAPPOINTING BART HUFFMAN (DISTRICT 8), HENRY FELDMAN (DISTRICT 8 AND MAYOR) AND MICHAEL TEASE (DISTRICT 2) TO THE HOTEL/MOTEL

ASSOCIATION CATEGORY FOR THE TERMS OF OFFICE TO EXPIRE ON JUNE 30, 2006; APPOINTING MARILYN DESIMONE (DISTRICT 9) TO THE HOTEL/MOTEL ASSOCIATION CATEGORY FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2005; APPOINTING DR. TOM CANNON (DISTRICT 6) TO THE SAN ANTONIO AREA TOURISM COUNCIL CATEGORY FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006; APPOINTING DANIEL DECKER (DISTRICT 6) TO THE THEME PARKS CATEGORY FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2005; APPOINTING JEAN JAMES (DISTRICT 8) TO THE GENERAL COMMUNITY CATEGORY/SOUTHEAST SECTOR FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006; AND REAPPOINTING JOHN BLOODSWORTH TO THE GENERAL COMMUNITY CATEGORY/SOUTHWEST SECTOR FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006; TO THE CONVENTION AND VISITORS COMMISSION.

Item 46 is a Briefing on a proposed Proposition 13 Election for May 7, 2005; as requested by Mayor Edward D. Garza and Councilman Christopher "Chip" Haass, District 10.

Mr. Peter Zaroni, Director of Management and Budget made a presentation on the proposed Proposition 13 Election for May 7, 2005, a copy of which is on file with the Office of the City Clerk. He presented background information on Proposition 13 as approved by the voters in September, 2003, noting that in the City Manager's FY 2005 proposed budget, an alternative stair-stepped comparison of Proposition 13 was included with the goal of providing an equal or better benefit over a defined ten year period. He addressed the \$12,500 Disabled Residence Homestead Exemption effective for FY 2006, fiscal impact for both Proposition 13 and the alternative stair-stepped homestead exemption with an updated revenue impact analysis based on valuations of the 2004 tax year, and timeline for the election of May 7, 2005.

Councilmember Perez made a motion to defer a vote on this item to mid January 2005. Councilmember Williams seconded the motion.

After consideration, the motion to defer the vote on this item prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro. **NAYS:** Barrera, Hall, Schubert, Haass. **ABSENT:** Garza.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE

Mayor Pro Tem Flores declared the public hearing to be open.

Mr. Florencio Pena, Director of Development Services narrated a slide presentation on the Unified Development Code (UDC) a copy of which is on file with the Office of the City Clerk. He presented background information regarding the annual update and process for this provision, process for the amendments, noting that this year's update included 120 edits and changes. He stated that the amendments included those generated by the Rule Interpretation Decision (RID) Program, City staff and citizens, amendments by the original Technical Advisory Committee, and the amendment by the City Council six signature memo amending 35-503 regarding Park/Open Space standards. He delineated each of the amendments highlighting on those with major significance.

Mr. Malcolm Matthews, Director of Parks and Recreation presented the amendment on the Council's six signature amendment regarding Parks and Open Space Standards. He spoke to the requirement adopted with the City's Master Plan in 1997 which was to address the neighborhood park needs and not the large urban or regional parks, noting that in May 2001, the UDC adopted the City's first park requirement for residential development. He presented proposed changes to the UDC where it would increase the park dedication ratio and recommendation for the fee in lieu of parkland option, the public process and the staff recommendations.

The following citizen(s) appeared to speak on the above noted item:

Ms. Becky Oliver, Greater S.A. Builders Association
Ms. Susan Wright
Mr. Steven Hand

Mayor Pro Tem Flores declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 100126

AMENDING THE UDC WITH APPROXIMATELY 120 SUBSTANTIVE AND EDITING CHANGES INCLUDING AMENDMENTS TO REVISE THE REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS; CREATING A NEW "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT ("SMALL LOT DISTRICT"); ALLOWING ENCLAVE SUBDIVISIONS ("GATED SUBDIVISIONS"); AND REVISING PARKS/OPEN SPACE STANDARDS.

Councilmember Hall made a motion to approve the proposed Ordinance with all changes except for the in lieu of fee. Councilmember Haass seconded the motion.

Councilman Barrera offered a friendly amendment that this exception be brought back to the City Council in 60 days. Councilman Hall accepted the friendly amendment.

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

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100127

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE A DELEGATE AGENCY CONTRACT WITH THE SAN ANTONIO SYMPHONY, IN AN AMOUNT NOT TO EXCEED \$400,000.00 IN GENERAL AND AVIATION FUNDS AS ADOPTED BY CITY COUNCIL AS PART OF THE FISCAL YEAR 2005 GENERAL OPERATING BUDGET, TO SUPPORT THE OPERATIONS AND AIRPORT PROJECTS OF THE SAN ANTONIO SYMPHONY; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

Mr. Felix Padron, Director of Cultural Affairs Office, explained the purpose of the ordinance, outlining background information on the evaluation process of the Arts and Cultural Advisory Committee working with City staff, and the Committee's funding recommendations.

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

The City Clerk read the following resolution:

A RESOLUTION 2004-44-48

SETTING DATES, TIMES AND LOCATIONS FOR TWENTY (20) NEIGHBORHOOD PARTICIPATION MEETINGS AND TWO (2) CITY COUNCIL PUBLIC HEARINGS FOR THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG - 31ST YEAR), HOME INVESTMENT PARTNERSHIP GRANT (HOME - 14TH YEAR), HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA), AND EMERGENCY SHELTER GRANT (ESG) CONSOLIDATED ACTION PLAN/BUDGET PROCESS FOR FY 2005-2006.

Councilmember Perez made a motion to approve the proposed Resolution. Councilmember Radle seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100128

AUTHORIZING THE ACCEPTANCE OF \$1,000,000.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH THE STEPS TO A HEALTHIER SAN ANTONIO PROGRAM WITHIN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 22, 2004 THROUGH SEPTEMBER 21, 2005; ESTABLISHING A PROGRAM FUND; ADOPTING THE PROGRAM BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Dr. Fernando Guerra, Director of San Antonio Metropolitan Health District made a presentation on the STEPS program which would establish service contracts with various health community agencies and institutions. He noted the target population and area, intervention strategies, evaluation measures and expected outcomes.

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

The City Council recessed the regular City of San Antonio Council Meeting at 12:04 A.M. and convened as the Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation.

The City Clerk read the following resolution:

A RESOLUTION SIDC-2004-03

AUTHORIZING THE TRANSFER OF APPROXIMATELY \$4,000,000.00 FROM THE CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT

CORPORATION TO TOYOTA MOTOR MANUFACTURING TEXAS, INC., TO FULFILL REIMBURSEMENT OBLIGATIONS SET OUT IN THE STARBRIGHT AGREEMENT DATED MAY 22, 2003.

Councilmember Hall made a motion to approve the proposed Resolution. Councilmember Haass seconded the motion.

Mr. Chris Brady, Assistant City Manager, stated these actions were in accordance to the Starbright Agreement of May, 2003 which was to fulfill the reimbursement obligations. He also spoke to Item 50B which was to pay for legal fees associated with the negotiations and implementation of the Starbright project.

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

The City Clerk read the following resolution:

A RESOLUTION SIDC-2004-04

AUTHORIZING PAYMENT IN THE AMOUNT OF \$50,000.00 FOR LEGAL FEES IN CONNECTION WITH THE NEGOTIATIONS AND IMPLEMENTATION OF THE PROJECT STARBRIGHT AGREEMENT.

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

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

The Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation adjourned at 12:07 A.M. and reconvened the meeting of the City of San Antonio City Council.

The City Clerk read the following ordinance:

AN ORDINANCE 100129

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH BEXAR

COUNTY TO CONSOLIDATE JURY MANAGEMENT BETWEEN MUNICIPAL COURT AND THE DISTRICT CLERK'S OFFICE TO MINIMIZE DUPLICATIVE EFFORTS WHERE POSSIBLE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

Mr. Quentin Porter, Director of Municipal Court, narrated a slide presentation on the interlocal agreement with Bexar County for the consolidated jury management between Municipal Court and the District Clerks, a copy of which is on file with the Office of the City Clerk. He presented background information on the respective recommendations, processes presently utilized and how the consolidation process would work, terms of the agreement and financial impact.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100130

AUTHORIZING THE NEGOTIATION AND RENEWAL OF INDUSTRIAL DISTRICT NON-ANNEXATION AND FIRE PROTECTION AGREEMENTS WITH CITICORP DATA SYSTEMS, INC., ("CITICORP") FOR A TIME PERIOD OF SIX (6) YEARS COMMENCING ON DECEMBER 29, 2004 AND EXPIRING ON DECEMBER 29, 2010; PROVIDING FOR PAYMENT OF \$27,500.00 ANNUALLY FOR THE TERM OF THE RENEWAL TO THE CITY FOR FIRE PROTECTION SERVICES; AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAID AGREEMENTS.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

Mr. Ramiro Cavazos, Director of Economic Development made a presentation on the Industrial District Designation and Fire Protection Services agreement for CitiCorp Data Systems, a copy of which is on file with the Office of the City Clerk. He presented a history on CitiCorp, information on the facility, and how the industrial district designation is utilized, and financial impact.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100131

AUTHORIZING THE NEGOTIATION AND RENEWAL OF INDUSTRIAL DISTRICT NON-ANNEXATION AND FIRE PROTECTION AGREEMENTS WITH THE TEXAS RESEARCH PARK FOUNDATION (“TRPF”) FOR A TIME PERIOD OF SIX (6) YEARS COMMENCING ON DECEMBER 29, 2004 AND EXPIRING ON DECEMBER 29, 2010; PROVIDING FOR PAYMENT OF \$27,500.00 ANNUALLY FOR THE TERM OF THE RENEWAL TO THE CITY FOR FIRE PROTECTION SERVICES; AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAID AGREEMENTS.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember 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, Haass. **NAYS:** None. **ABSENT:** Perez, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100132

AUTHORIZING THE NEGOTIATION AND RENEWAL OF INDUSTRIAL DISTRICT NON-ANNEXATION AND FIRE PROTECTION AGREEMENTS WITH QVC SAN ANTONIO, INC., (“QVC”) FOR A TIME PERIOD OF ONE (1) YEAR COMMENCING ON DECEMBER 30, 2004 AND EXPIRING ON DECEMBER 29, 2005; PROVIDING FOR PAYMENT OF \$27,500.00 ANNUALLY FOR THE TERM OF THE RENEWAL TO THE CITY FOR FIRE PROTECTION SERVICES; AND AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAID AGREEMENTS.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100133

RELEASING FORTY-TWO (42) LOTS OUT OF THE SCHOENTHAL RANCH SUBDIVISION, SITUATED IN COMAL COUNTY, FROM THE CITY OF SAN ANTONIO'S EXTRATERRITORIAL JURISDICTION.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Emil Moncivais, Director of Planning, made a presentation on the request to release the 42 lots from the City of San Antonio's ETJ, a copy of which is on file with the Office of the City Clerk. He stated the request was from the Schoenthal Ranch Community Association, presented location of the subject area, and staff recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100134

REALLOCATING \$10,000.00 FROM THE FY 2000 DISTRICT 5 ONE-TIME PROJECT BUDGET BY REDUCING FUNDS SET FOR THE INMAN CHRISTIAN CENTER CORRIDOR REVITALIZATION PROJECT FROM \$59,010.32 TO \$49,010.32 AND AUTHORIZING \$10,000.00 TO CHRIST THE KING NUTRITION CENTER TO HELP OFFSET THE COSTS ASSOCIATED WITH THE REPLACEMENT OF AN AIR CONDITIONER; AS REQUESTED BY COUNCILWOMAN PATTI RADLE, DISTRICT 5.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100135

AMENDING ORDINANCE NO. 100038 ADOPTED ON NOVEMBER 18, 2004 TO SUBSTITUTE THE FUNDING SOURCE OF A \$2,500.00 CONTRIBUTION TO SOLAR SAN ANTONIO FROM THE BALANCE OF COUNCIL DISTRICT 7 ONE-TIME FUNDS WITH THE FUNDING SOURCE OF THE COUNCIL DISTRICT 7 HUMAN DEVELOPMENT SERVICES FUND; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100136

REALLOCATING \$300.00 FROM THE FY 1999 DISTRICT 7 ONE-TIME PROJECT BUDGET BY REDUCING FUNDS SET ASIDE FOR THE HOUSING REHABILITATION MODEL BLOCK PROGRAM AND AUTHORIZING \$300.00 TO THE THUNDERBIRD HILLS NEIGHBORHOOD ASSOCIATION TO HELP OFFSET THE COSTS ASSOCIATED WITH THE INSTALLATION OF A STREET LIGHT AT 6318 WIGWAM; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100137

REALLOCATING \$7,000.00 FROM THE FY 1999 DISTRICT 7 ONE-TIME PROJECT BUDGET BY REDUCING FUNDS SET ASIDE FOR THE HOUSING REHABILITATION MODEL BLOCK PROGRAM; AUTHORIZING A TRANSFER OF \$6,591.00 TO THE SAN ANTONIO POLICE DEPARTMENT FOR SECURITY COSTS AND A TRANSFER OF \$86.00 TO THE SAN ANTONIO PARKS AND RECREATION DEPARTMENT TO OFFSET THE RENTAL COSTS OF TWO GOLF CARTS ASSOCIATED WITH THE ANNUAL VETERANS DAY PARADE THAT WAS HELD ON NOVEMBER 6, 2004; AND AUTHORIZING THE BALANCE OF \$323.00 TO BE REIMBURSED TO THE UNITED STATES MILITARY VETERANS PARADE ASSOCIATION FOR A PORTION OF BARRICADE EXPENSES ASSOCIATED WITH THE PARADE; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

Councilmember Haass made a motion to approve the proposed Resolution. Councilmember Hall seconded the motion.

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

The City Clerk read the following resolution:

A RESOLUTION 2004-44-49

AMENDING RESOLUTION NO. 2003-24-26 BY REVISING THE APPOINTMENT OF CERTAIN MEMBERS OF CITY COUNCIL TO THE FIRE AND POLICE PRE-FUNDED HEALTH TRUST; THE FIREMEN'S AND POLICEMEN'S PENSION FUND BOARD OF TRUSTEES; AND THE COMMUNITY ACTION ADVISORY BOARD; AS REQUESTED BY MAYOR EDWARD D. GARZA.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia seconded the motion.

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

TRAVEL AUTHORIZATION - Granted:

Ratification of Travel Authorization for Mayor Edward D. Garza who traveled to Indianapolis, Indiana to attend the National League of Cities Congress of Cities and Exposition from Monday, November 29, 2004 to Saturday, December 4, 2004.

Councilmember Perez made a motion to approve the proposed Travel Authorization. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass. **NAYS:** None. **ABSENT:** Garza. (No vote was recorded for Councilmember Schubert)

Ratification of Travel Authorization for Councilman Art A. Hall, District 8, and Councilman Christopher "Chip" Haass, District 10, who traveled to Indianapolis, Indiana to attend the National League of Cities Congress of Cities and Exposition from Tuesday, November 30, 2004 to Saturday, December 4, 2004.

Councilmember Segovia made a motion to approve the proposed Travel Authorization. Councilmember Perez seconded the motion.

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

Ratification of Travel Authorization for Mayor Edward D. Garza who traveled to Washington, D.C., to discuss railroad issues with the U.S. Department of Homeland Security and U.S. Sen. John Cornyn's office from Monday, November 15, 2004 to Tuesday, November 16, 2004.

Councilmember Segovia made a motion to approve the proposed Travel Authorization. Councilmember Williams seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass. **NAYS:** None. **ABSENT:** Garza. (No vote was recorded for Councilmember Schubert)

There being no further business to come before the City Council, the meeting was adjourned at 12:34 A.M.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
CityClerk