

**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, JANUARY 13, 2005

* * * *

The City Council convened in an informal "B" Session at 10:00 am, Municipal Plaza Building "B" Room.

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

Mayor Garza recessed the "B" Session at 10:22 am in order to convene in Executive Session for the purpose of:

Deliberation and consideration of the annual performance evaluation of City Clerk Leticia M. Vacek, pursuant to Texas Government Code Section 551.074 (personnel matters).

Discuss legal issues about the settlement agreement in the lawsuit styled *City of San Antonio v. Alamo Community College District*, Cause No. 83-CI-20386, 288th District Court of Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the "B" Session from Executive Session at 12:10 pm, at which time he stated that City Council was briefed on the above-styled matters and gave staff direction, but had taken no official action.

The "B" Session was adjourned at 12:11 pm.

City Clerk Leticia M. Vacek called on former City Clerk, Norma Rodriguez to conduct the Roll Call.

The regular meeting was called to order at 1:00 pm. 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.

The Invocation was delivered by Reverend Jon Lowry, District 1, Lauren Heights Methodist Church.

Mayor Garza led the Pledge of Allegiance to the flag of the United States.

Mayor Garza expressed a point of personal privilege to recognize the US Army All American Bowl delegation.

CEREMONIAL ITEMS

Mayor Garza presented the following honorariums:

Certificates of Heroism to Robin Alan Nelson, II and Manuel Arredondo for their acts of heroism of their courageous water rescue efforts.

A Citation to the San Antonio Fire Department for their dramatic rescues during the month of November, 2004.

A proclamation to Norma Rodriguez, Former City Clerk, honoring her with the title of "City Clerk Emeritus".

The minutes of the City Council meetings of November 4, 2004 were approved as presented.

On a point of personal privilege, Councilmember Williams recognized Rev. Hayes of the Martin Luther King (MLK) Commission who introduced the members of the MLK Commission.

2:00 PM – PUBLIC HEARING AND CONSIDERATION OF LAND USE PLAN AMENDMENTS AND ZONING CASES

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, addressed the City Council with regards to the zoning items and cited the Council members that should not vote on certain items due to campaign contributions.

The City Clerk read the following ordinance:

AN ORDINANCE 100239

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 42.63 ACRES LOCATED AT SOUTHTON ROAD AND CENTER ROAD MORE SPECIFICALLY DESCRIBED AS CB 5162, BLOCK 9, LOTS 1 THRU 5 AND LOTS 66 THRU 70, BLOCK 3, LOTS 1 THRU 8 AND BLOCK 8, LOTS 1 THRU 16 AND NORTH ½ OF LOTS 39 THRU 54 IN COUNCIL DISTRICT 3, FROM AGRICULTURE LAND USE TO AGRICULTURE AND LIGHT INDUSTRY LAND USE.

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

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

(Mayor Garza was obliged to leave the meeting at 2:20 P.M. Mayor Pro Tem Haass presided.)

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

4A) ZONING CASE NUMBER Z2004272 C: The request of Brown, P.C., Applicant, for Pacific Logistic, L. P., Owner(s), for a change in zoning from "FR" Farm and Ranch District to "MI-1" C Mixed Light Industrial District with conditional use for a cold storage plant on Lots 1 through 5 and 66 through 70, Block 9; Lots 1 through 8, Block 3; and Lots 1 through 16 and north 1/2 of Lots 39 through 54, Block 8 of CB 5162, property generally located south of Southton Road and to the east and west of Center Road. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission recommended approval. (Council District 3)

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

The following citizen appeared to speak:

Mr. Paul Duran spoke on behalf of his aunt, a resident of the area.

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

AN ORDINANCE 100240

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 THROUGH 5 AND 66 THROUGH 70, BLOCK 9; LOTS 1 THROUGH 8, BLOCK 3; AND LOTS 1 THROUGH 16 AND NORTH 1/2 OF LOTS 39 THROUGH 54, BLOCK 8 OF CB 5162 FROM "FR" FARM AND RANCH DISTRICT TO "MI-1" C MIXED LIGHT INDUSTRIAL DISTRICT WITH CONDITIONAL USE FOR A COLD STORAGE PLANT.

The City Clerk read the following ordinance:

AN ORDINANCE 100241

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.

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

Councilmember Flores made a motion to approve the proposed land use plan amendment. 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.

4B) 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

specific use authorization for a 24 Bedroom Assisted Living Facility 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 with the following conditions: 1) The structure shall be single story; and 2) There shall be a 25-foot Type D buffer on the east portion of the property and a 30-foot Type E buffer on New Guilbeau and the northwest portion of the subject property. (Council District 7)

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

The following citizen(s) appeared to speak:

Mr. Randy Scott West, 9634 Fallen Willow, expressed the reasons not to approve the rezoning.

Ms. Wilma LaCroix, 9083 Ryelle, addressed the City Council in favor of the rezoning.

Mr. Eduardo Garcia also expressed the advantage of the rezoning.

Mr. Christian Alexander, 9634 Fallen Willow, spoke in opposition of the rezoning request.

Councilmember Castro made a motion to deny the proposed rezoning case. Councilmember Segovia seconded the motion.

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

Zoning case Z2004186 S was denied.

The City Clerk read the following ordinance:

AN ORDINANCE 100242

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 ONE (1) ACRE LOCATED ON THE SOUTHEASTERN CORNER OF TEZEL ROAD AND MAINLAND, 7664 TEZEL, IN COUNCIL DISTRICT 7, FROM NEIGHBORHOOD COMMERCIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE.

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

Councilmember Castro made a motion to approve the proposed land use plan amendment. Councilmember Hall seconded the motion.

The following citizen appeared to speak:

Mr. Robert Nami, 16418 Encanto Pass spoke to the proposed land use amendment plan.

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

4C) ZONING CASE NUMBER Z2004238: The request of Robert Nami, Applicant, for Exxon Mobil Corporation, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 2, Block 1, NCB 18312, 7664 Tezel Road. Staff's recommendation was for approval contingent upon plan amendment. Zoning Commission has recommended denial. (Council District 7)

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

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

AN ORDINANCE 100243

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLOCK 1, NCB 18312 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4D) ZONING CASE NUMBER Z2004288: The request of Gallagher Headquarters Ranch Development, LLC, Applicant, for Concord Oil Company,

Owner(s), for a change in zoning from H "IDZ" HS Historic Infill Development Zone with uses permitted in "C-2" Commercial District and a hotel with related bar, restaurant and health club services with Historic Significance to H "IDZ" HS Historic Infill Development Zone with uses permitted in "MF-25" Multi-Family District, "C-2" Commercial District and a hotel with related bar, restaurant and health club services with Historic Significance on Lots 1 through 9 and the southeast 86 feet of Lots 12 through 18, Block 1, NCB 747, 323 East Johnson Street. Staff's recommendation was for approval. Zoning Commission 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 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, Haass. **NAYS:** None. **ABSENT:** Schubert, Garza.

AN ORDINANCE 100244

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 THROUGH 9 AND THE SOUTHEAST 86 FEET OF LOTS 12 THROUGH 18, BLOCK 1, NCB 747 FROM H "IDZ" HS HISTORIC INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND A HOTEL WITH RELATED BAR, RESTAURANT AND HEALTH CLUB SERVICES WITH HISTORIC SIGNIFICANCE TO H "IDZ" HS HISTORIC INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN "MF-25" MULTI-FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT AND A HOTEL WITH RELATED BAR, RESTAURANT AND HEALTH CLUB SERVICES WITH HISTORIC SIGNIFICANCE.

4E) ZONING CASE NUMBER Z2004204: The request of Lizabeth Powell Lindsey, Applicant, for Lizabeth Powell Lindsey, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District (34.324 Acres) and "C-3NA" General Commercial District, Nonalcoholic Sales (8.445 Acres) on 42.769 acres out of NCB 15828, 5600 Block of Rittiman Road. Staff's recommendation was for denial. Zoning Commission recommended denial. (Council District 2)

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

The following citizen(s) appeared to speak:

Ms. Margaret Mendoza, 5810 Castle Hunt, addressed the City Council in favor of the rezoning change.

Mr. Ken Brown addressed the City Council with regards to amending the request to a C-1 zoning rather than I-1 rezoning.

Zoning Commissioner for District 2 also spoke with regards to the zoning case and recommended to reverse staff's recommendation of denial and to approve it with the amendment offered of C-1. Staff then recommended a C-3 zoning. Mr. Brown agreed to the C-3 with the allocation of the buffer.

Councilmember Williams made a motion to approve the proposed rezoning case. 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 100245

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 42.769 ACRES OUT OF NCB 15828 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT ON 34.324 ACRES AND "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES ON 8.445 ACRES.

4F) ZONING CASE NUMBER Z2004274: The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning from "RM-4" Residential Mixed District and "C-3R" Restrictive Commercial District to "NC" Neighborhood Commercial District on Lots 11, 13, 15 and the south 26 feet of Lot 5, Block E, NCB 646, 810, 822, 826 and 832 Hackberry. Staff's recommendation was for denial. Zoning Commission 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:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 100246

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 11, 13, 15 AND THE SOUTH 26 FEET OF LOT 5, BLOCK E, NCB 646 FROM "RM-4" RESIDENTIAL MIXED DISTRICT AND "C-3R" RESTRICTIVE COMMERCIAL DISTRICT TO "NC" NEIGHBORHOOD COMMERCIAL DISTRICT.

4G) ZONING CASE NUMBER Z2004222: The request of State of Texas (San Antonio State Hospital), Applicant, for State of Texas, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "MF-33" Multi-Family District on 14.000 acres out of NCB 10934, 16711 South New Braunfels Avenue. Staff's recommendation was for denial. Zoning Commission recommended approval. (Council District 3)

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

The following citizen(s) appeared to speak:

Mr. Harry Jewett, 2611 N. Main, requested the zoning change be continued.

Councilmember Segovia made a motion to continue the proposed rezoning case for 90 days. Councilmember Perez seconded the motion.

After consideration, the motion to continue the proposed rezoning case for 90 days prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning case Z2004222 was continued for 90 days.

4H) ZONING CASE NUMBER Z2004267 C: The request of John Sallas, Applicant, for Glynn Nance, 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 multi-family dwellings with a maximum density of 14 Units Per Acre on Lot 6, Block 13, NCB 2911, 120 Truax. Staff's recommendation was for approval. Zoning Commission 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 with contingency for the two dwelling units. 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. **NAYS:** None. **ABSENT:** Flores, Garza.

AN ORDINANCE 100247

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 6, BLOCK 13, NCB 2911 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS WITH A MAXIMUM DENSITY OF 14 UNITS PER ACRE.

4I) ZONING CASE NUMBER Z2004245: The request of Ljubisa Stamenov, Applicant, for Ljubisa Stamenov, Owner(s), for a change in zoning from "C-3" MAOZ-2 Commercial District Military Airport Overlay Zone to "I-1" MAOZ-2 General Industrial District Military Airport Overlay Zone on the northeast 140 feet of Lots 7 and 8, Block 12, NCB 14267, 8730 IH 35-South. Staff's recommendation was for denial. Zoning Commission recommended denial. (Council District 4)

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

The following citizen(s) appeared to speak:

Ms. Mary Alice Ytarte, 3539 Fair Meadows, spoke to the amount of traffic in the neighborhood and stated she was opposed to the rezoning change.

Ms. Irene Solis, 3447 Coconino spoke in opposition to the proposed rezoning.

Mr. Luis Stamenov, applicant, requested approval of the rezoning.

Mr. Roland Salazar spoke in favor of the rezoning request.

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

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

Zoning case Z2004245 was denied.

4J) ZONING CASE NUMBER Z2004256 SC: The request of Brian Parks, Provident Realty, Applicant, for La Salle Bank National Association, Owner(s), for a change in zoning from "C-3R" Commercial District, Restrictive Alcoholic Sales to "C-3R" S C Commercial District, Restrictive Alcoholic Sales with specific use authorization for a mini-storage facility exceeding 2 1/2 acres with boat/marine storage and a conditional use for long term parking of recreational vehicles on Lot 3, Block 38, NCB 17388, 2015 West Loop 410. Staff's recommendation was for approval. Zoning Commission recommended approval with the following condition: A Type C buffer (15 feet) shall be maintained, adjacent to existing platted subdivisions zoned residential. (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 as recommended by staff. Councilmember Castro 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 100248

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 ON LOT 3, BLOCK 38, NCB 17388 FROM "C-3R"

COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "C-3R" S C COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES WITH SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE FACILITY EXCEEDING 2 1/2 ACRES WITH BOAT/MARINE STORAGE AND A CONDITIONAL USE FOR LONG TERM PARKING OF RECREATIONAL VEHICLES.

4K) ZONING CASE NUMBER Z2004260: The request of SiGa International, Applicant, for Dionicion Pais, Jr., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2" Commercial District on Lot 3, Block 16, NCB 1447 on the southside of Reforma Drive at Wikieup Drive. Staff's recommendation was for approval. Zoning Commission 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 with stipulation that the applicant would provide improvements to the neighborhood. Councilmember Schubert 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.

AN ORDINANCE 100249

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 16, NCB 1447 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4L) ZONING CASE NUMBER Z2004262: The request of Wal-Mart Stores, Applicant, for James and Judith Burgess, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on 22.987 acres out of NCB 34361, 11385 Potranco Road and 171 West Loop 1604 South. Staff's recommendation was for approval. Zoning Commission recommended approval. (Council District 4)

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

The following citizen(s) appeared to speak:

Mr. Andy Guerrero, spoke for applicants, and read the agreement with adjoining property owners to provide a 6 ft. fence and provide 2 sets of speed bumps where the HOA would like.

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

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

AN ORDINANCE 100250

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 22.987 ACRES OUT OF NCB 34361 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4M) ZONING CASE NUMBER Z2004271: The request of Baptist University of the Americas, Applicant, for Barrett Construction Company, Owner(s), for a change in zoning from "R-5" Residential Single-Family District and "R-6" Residential Single-Family District to "RM-5" Residential Mixed District (69.33 acres) and "C-3" General Commercial District (0.026 acres) on 69.356 acres out of NCB 11186, West Hutchins Place (extension). Staff's recommendation was for approval. Zoning Commission 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 Williams seconded the motion.

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

AN ORDINANCE 100251

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 69.356 ACRES OUT OF NCB 11186 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-5" RESIDENTIAL MIXED DISTRICT 69.33 ACRES AND "C-3" GENERAL COMMERCIAL DISTRICT 0.026 ACRES.

4N) ZONING CASE NUMBER Z2004255 C: The request of Antonia C. Ramos, Applicant, for Antonia C. Ramos, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "R-5" C Residential Single-Family District with a Conditional Use for Multi-Family Dwellings with a Maximum Density of 16 Units Per Acre on Lots 45 and 46, Block 14, NCB 8870, 212 North San Gabriel. Staff's recommendation was for denial. Zoning Commission recommended approval. (Council District 5)

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

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

AN ORDINANCE 100252

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 45 AND 46, BLOCK 14, NCB 8870 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS WITH A MAXIMUM DENSITY OF 16 UNITS PER ACRE.

4O) ZONING CASE NUMBER Z2004287 C: The request of James A. Donnell, D. D. S., Applicant, for James A. Donnell, D. D. S., Owner(s), for a change in zoning from "R-5" C Residential Single-Family District to "R-5" C Residential Single-Family District with a conditional use for a professional office on Lot 26, Block 17, NCB

6260, 111 Cumberland Boulevard. Staff's recommendation was for approval. Zoning Commission 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; and. 3) Business or office hours of operations shall not be permitted before 7:00 A. M. or after 6:00 P. M. (Council District 5)

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

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

AN ORDINANCE 100253

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 26, BLOCK 17, NCB 6260 FROM "R-5" C RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A PROFESSIONAL OFFICE.

4P) ZONING CASE NUMBER Z2004261: The request of Charro - Mirasol, L.P., Applicant, for Legacy Trails Development Joint Venture, Owner(s), for a change in zoning from "R-6" Residential Single Family District to PUD "R-6" Planned Unit Development Residential Single-Family District on 12.82 acres out of NCB 17674, Military Drive West. Staff's recommendation was for approval. Zoning Commission 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:** Flores, Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Segovia, Garza.

AN ORDINANCE 100254

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 12.82 ACRES OUT OF NCB 17674 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO PUD "R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT.

4Q) ZONING CASE NUMBER Z2004266: The request of Brown Engineering Co., Applicant, for Lar-Del, Ltd., Owner(s), for a change in zoning from "C-2" Commercial District to "R-5" Residential Single-Family District on 20.91 acres out of NCB 17639, southside of Culebra Road near Village Park. 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:** Flores, Williams, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Segovia, Garza.

AN ORDINANCE 100255

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 20.034 ACRES OUT OF NCB 17639 FROM "C-2" COMMERCIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

4R) ZONING CASE NUMBER Z2004276 S: The request of Jose H. Perez, Applicant, for Jose H. Perez (FAIRWAY Landscape & Nursery Inc.), Owner(s), for a change in zoning from "C-3NA" MAOZ-1 General Commercial, Nonalcoholic Sales

Military Airport Overlay District and "C-3NA" General Commercial District, Nonalcoholic Sales to "L" S MAOZ-1 Light Industrial Military Airport Overlay District with a specific use authorization for a contractor's facility and "L" S Light Industrial District with a specific use authorization for a contractor's facility on Lot 36, NCB 8670 (1.332 acres), 2848 Castroville Road. Staff's recommendation was for approval. Zoning Commission 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 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. **NAYS:** None. **ABSENT:** Garza. **ABSTAINED:** Perez.

AN ORDINANCE 100256

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 36, NCB 8670 FROM "C-3NA" MAOZ-1 GENERAL COMMERCIAL, NONALCOHOLIC SALES MILITARY AIRPORT OVERLAY DISTRICT AND "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "L" S MAOZ-1 LIGHT INDUSTRIAL MILITARY AIRPORT OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CONTRACTOR'S FACILITY AND "L" S LIGHT INDUSTRIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CONTRACTOR'S FACILITY.

4S) ZONING CASE NUMBER Z2004279: The request of Rachel Major, Applicant, for John L. Santikos et. al., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 31.00 acres out of NCB 15329 and 42.655 acres out of NCB 18233, 7600 NW Loop 410 (W. Military) and 7400 Potranco Road. Staff's recommendation was for approval. Zoning Commission recommended approval of "C-2" (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 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. **NAYS:** None. **ABSENT:** Perez, Garza.

AN ORDINANCE 100257

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 31.00 ACRES OUT OF NCB 15329 AND 42.655 ACRES OUT OF NCB 18233 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

4T) ZONING CASE NUMBER Z2004281: The request of BBCW Developers, Applicant, for Cable Ranch, Ltd., Owner(s), for a change in zoning from "C-3NA" General Commercial District, Nonalcoholic Sales to "MF-25" Multi-Family District on Lot 11, P-4C and P-4, Block 7, NCB 17332, eastside of Cable Ranch Road approximately 450 feet north of Water's Edge. Staff's recommendation was for approval and Zoning Commission 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100258

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 11, P-4C AND P-4, BLOCK 7, NCB 17332 FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "MF-25" MULTI-FAMILY DISTRICT.

4U) ZONING CASE NUMBER Z2004283: The request of Jerry Arredondo, Applicant, for Laredo Warehouse Ltd, Owner(s), for a change in zoning from "C-2"

Commercial District to "C-3NA" General Commercial District, Nonalcoholic Sales on Lot P-13 C, NCB 17639, 9424 Culebra Road. Staff's recommendation was for approval. Zoning Commission recommended approval of "C-3NA". (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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Castro, Garza.

AN ORDINANCE 100259

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS Lot P-13 C, NCB 17639 FROM "C-2" COMMERCIAL DISTRICT TO "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

4V) 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 approval. Zoning Commission recommended approval. (Council District 7)

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

Councilmember Castro 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. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100260

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 0.5618 ACRE OF LOT B, NCB 11511 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT.

4W) ZONING CASE NUMBER Z2004282: The request of Kaufman & Associates, Inc., Applicant, for Evelyn Carolan, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3" General Commercial District on 7.247 acres out of NCB 16051, 8207 Leslie Road and 10435 Shaenfield Road. Staff's recommendation was for approval. Zoning Commission recommended approval. (Council District 7)

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

Councilmember Castro 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. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100261

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 7.247 ACRES OUT OF NCB 16051 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4X) ZONING CASE NUMBER Z2004167: The request of Ken Brown, Inc., Applicant, for Educational Development Co. of America, L. L. C., Owner(s), for a change in zoning from "C-3" ERZD Commercial Edwards Recharge Zone District to "MF-25" ERZD Multi Family Edwards Recharge Zone District on P-200B, NCB 14859, 15502 Babcock Road. Staff's recommendation was for approval. Zoning Commission 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 30 days. Councilmember Haass seconded the motion.

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

Zoning case Z2004167 was continued for 30 days.

4Y) ZONING CASE NUMBER Z2004211: The request of Callaway Development Corp., Applicant, for Boerne Stage Crossing Limited Partnership, Owner(s), for a change in zoning from "C-2" GC-1 Commercial Hill Country Gateway Corridor District to "MF-25" GC-1 Multi-Family Hill Country Gateway Corridor District on 16.45 acres out of NCB 16390, 14549 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100262

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 16.45 ACRES OUT OF NCB 16390 FROM "C-2" GC-1 COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR DISTRICT TO "MF-25" GC-1 MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR DISTRICT.

4Z) ZONING CASE NUMBER Z2004257: The request of Top Flight Development and Investment, LLC, Applicant, for Clyde B. and Peggy Jo Smith, Owner(s), for a change in zoning from "R-6" GC-1 Residential Single-Family Hill

Country Gateway Corridor District to "O-1" GC-1 Office Hill Country Gateway Corridor District on Parcel 8A, Parcel 1A and Parcel 6B, NCB 18338 (11.40 Acres), 23095 Interstate Highway 10 West. Staff's recommendation was for approval. Zoning Commission 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100263

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 8A, PARCEL 1A AND PARCEL 6B, NCB 18338 ZONING FROM "R-6" GC-1 RESIDENTIAL SINGLE-FAMILY HILL COUNTRY GATEWAY CORRIDOR DISTRICT TO "O-1" GC-1 OFFICE HILL COUNTRY GATEWAY CORRIDOR DISTRICT.

4AA) ZONING CASE NUMBER Z2004269: The request of Michael Baucum, Applicant, for Galleria Ventures, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District to "C-3" General Commercial District on 5.910 acres out of NCB 15825, 14810 North Loop 1604 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

AN ORDINANCE 100264

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 5.910 ACRES OUT OF NCB 15825 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4BB) ZONING CASE NUMBER Z2004273: The request of Brown, P. C., Applicant, for Gratr Interests, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on 0.5646 acres out of NCB 14847, on Tradesman Drive in the Tradesman Center Subdivision. 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 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.

AN ORDINANCE 100265

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 0.5646 ACRES OUT OF NCB 14847 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT.

4CC) ZONING CASE NUMBER Z2004264: The request of Champ's Restaurants, Inc., Applicant, for Champ's Restaurants, Inc., Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on Lot 46, Block 5, NCB 11715, 9715 San Pedro Avenue. Staff's recommendation was for approval. Zoning Commission 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 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.

AN ORDINANCE 100266

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 46, BLOCK 5, NCB 11715 FROM "C-2" COMMERCIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

4DD) ZONING CASE NUMBER Z2004270: The request of Gamez Family Partnership, Ltd., Applicant, for Gamez Family Partnership, Ltd., Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2NA" ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District on 6.8317 acres out of NCB 15671, 18851 Redland Road. Staff's recommendation was for approval. Zoning Commission recommended approval. (Council District 9)

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

The following citizen(s) appeared to speak:

Ms. Deanna Friez, 26609 S. Glen Rose, spoke against the rezoning change in protection of the Aquifer.

Ms. Marianna Ornelas, 526 Freiling, asked that said rezoning be rejected.

Mr. Richard Alles, 1809 Blanco, and Rhonda Wehner, 18626 Creekside Pass, spoke to allowing the development to proceed and protecting the Aquifer.

Mr. David Klar, 3925 Chimney Springs, spoke against the rezoning and to not approve other rezonings over the Aquifer.

Councilmember Schubert made a motion to continue the proposed rezoning case for two weeks. Councilmember Perez seconded the motion.

(Mayor Garza returned to the meeting at 4:07 P.M. and presided.)

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

Zoning case Z2004270 was continued for two weeks.

4EE) ZONING CASE NUMBER Z2004277: The request of Shem Griffin, Applicant, for Myfe W. Moore, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2NA" Commercial Nonalcoholic Sales District on Lot 82, Block 2, NCB 11966, 9918 McCullough Avenue. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 9)

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in opposition to the rezoning. He requested a picture of the areas depicting the rezoning being proposed and the type of zoning surrounding the area in question.

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

AN ORDINANCE 100267

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 82, BLOCK 2, NCB 11966 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

4FF) ZONING CASE NUMBER Z2004278: The request of Regent Communities, Inc., Applicant, for D. F. Land Co., L. C., Owner(s), for a change in zoning from "MF-33" Multi-Family District to PUD "MF-33" Planned Unit Development Multi-Family District on Lot 1, NCB 17859, 1400 Bitters Road. 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, Perez, Radle, Barrera, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Haass.

AN ORDINANCE 100268

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, NCB 17859 FROM "MF-33" MULTI-FAMILY DISTRICT TO PUD "MF-33" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT.

3:00 PM CONSIDERATION OF THE FOLLOWING RESOLUTIONS:

Item 5A is a proposed resolution approving the *Ten-Year Plan to End Chronic Homelessness in San Antonio*; and authorizing implementation of the Plan.

Item 5B is a proposed resolution approving the *Ten-Year Plan for Food Security in San Antonio*; and authorizing implementation of the Plan.

Councilmember Williams made a motion to approve the proposed Ordinances. Councilmember Hall seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives presented the Ten-Year Plan to end chronic homelessness and the plan on Food Security in San Antonio, a copy of which is on file with the Office of the City Clerk. He outlined background information on the Mayor's Task Force on Hunger and Homelessness, goals and strategies of the plan,

potential policy and cost implications, and the timeline for the RFP for the Mobile Canteen/Day Center.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke with regards to the homeless in the Downtown area noting the lack of restrooms in the area. He added that the City needed to purchase a building downtown and turn it into a homeless shelter.

Mr. Eugene Mazzurana, 122 Sunnycrest, read an article in the newspaper concerning the homeless and requested a new home be built for the homeless.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, expressed his opinion with regards to the federal monies and that the monies are spent well.

Mr. Jack M. Finger, PO Box 12048, addressed the City Council relating to the program that failed and asked Council; to encourage the federal government through the legislative initiatives to enforce the immigration laws.

Mr. Eric Cooper spoke to the plan and thanked everyone involved as well as the many non-profit groups. He further thanked the City Council for their support.

Mr. Bob Martindale, SAMMinistries, stated the framework for these terrible issues has been done and thanked the City Council for the appropriations as a level of responsibility.

Mr. Tom Harrell, Seton Home Archdiocese of San Antonio, referred to the plan and noted the agencies listed therein and stated that the City Council has the ability to see the plan through.

Ms. Carolyn Meyer, Holy Spirit Catholic Church, spoke to the critical unmet housing needs and financing thereof. She stated she had great expectations of this plan and requested support of same.

Mr. John Flowers, 2303 E. Travis, stated the only way we end the homeless is moving them from point A to Point B. He added that in the months of November and December homeless people were connected with jobs.

Councilmember Radle made a substitute motion to postpone the proposed resolutions for two weeks. Councilmember Schubert seconded the motion.

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

5:00 PM CITIZENS TO BE HEARD

Mr. Faris Hodge Jr., 140 Dora, spoke to the City Council on various issues.

Mr. Reynaldo Mauricio approached the podium and presented a US Flag to Mayor Garza.

Mr. Guillermo Vasquez spoke on behalf of SEIU. Among the city employees that spoke were: Mark Guerrero stated they were celebrating a new chapter by the passage of the consultation ordinance. A Detention Officer spoke on behalf of SEIU.

Mr. Joe Flores, Solid Waste Management Division also spoke to the consultation ordinance which he stated would improve city services.

Mr. Joe Flores, Sr., a former employee of the City of San Antonio for 35 years addressed the City Council and mentioned the reasons why the union was introduced.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke about joining the SEIU Union

Mr. Terry Hill spoke to the City Council about his life.

EXECUTIVE SESSION

The City Council recessed its regular session at 7:27 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).

Discuss legal issues related to *Minella v. City of San Antonio, et al.*, CA SA-03-CA-246-FB, in the U. S. District Court for the Western District of Texas, San Antonio Division, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 9:36 P.M. and reconvened in regular 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.

CONSENT AGENDA - CITIZENS' COMMENTS

Agenda items 7, 9, 10, 12, and 14 were addressed individually from the consent agenda. The remaining items 7 through 17 were approved under the consent agenda upon motion made by Councilmember Perez and seconded by Councilmember Williams.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, noted he would not speak on the consent agenda due to the proposed ordinance.

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

AN ORDINANCE 100269

ACCEPTING THE OFFER SUBMITTED BY SIDDONS FIRE APPARATUS, INC., UTILIZING THE TEXAS BUYBOARD CONTRACT, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH TWO AERIAL LADDER TRUCKS FOR A TOTAL COST OF \$1,108,597.00; TRANSFERRING FUNDS FROM THE FIRE LADDER TRUCK BUY-IN PROJECT SPECIAL REVENUE FUND TO THE FIRE DEPARTMENT'S GENERAL FUND BUDGET; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100270

AUTHORIZING THE ACCEPTANCE OF \$232,350.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("TDSHS") TO RENEW SUPPORT

FOR THE AIDS PREVENTION AND SURVEILLANCE PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005; AUTHORIZING THE EXECUTION OF THE CONTRACT WITH TDSHS; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100271

RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF \$135,572.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN ORDER TO SUPPORT THE HOUSING COUNSELING PROGRAM OF THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FAIR HOUSING PROGRAM, FOR THE PERIOD OCTOBER 1, 2004 TO SEPTEMBER 30, 2005; AUTHORIZING THE EXECUTION OF AN AGREEMENT; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 100272

RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$39,176.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN ORDER TO SUPPORT THE PREDATORY LENDING PROGRAM OF THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AUTHORIZING THE EXECUTION OF A CONTRACT; ESTABLISHING A FUND; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 100273

AUTHORIZING PAYMENT IN THE AMOUNT OF \$292,500.00 FOR THE FULL AND FINAL SETTLEMENT OF THE LAWSUIT STYLED *ALAMO CONCRETE PRODUCTS, LTD. V. COMMERCIAL INDEMNITY INSURANCE COMPANY, ET. AL.*, CAUSE NO. 2002-CI-12849.

AN ORDINANCE 100274

APPROVING THE ALLOCATION OF \$124,075.00 FROM THE 2003 GENERAL OBLIGATION BOND FUNDING FOR EXPENSES INCURRED BY THE CITY OF SAN ANTONIO FOR A DRAINAGE STUDY ASSOCIATED WITH THE DESIGN OF THE PARKING LOT FOR THE TRAVIS BUILDING AND THE ENVIRONMENTAL ASSESSMENTS, MAINTENANCE AND DEMOLITION OF THE PROPERTIES ON BEAL STREET.

AN ORDINANCE 100275

APPOINTING JODY SHERRILL (DISTRICT 7) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2006.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following Ordinance:

AN ORDINANCE 100276

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY JOE HARRISON MOTOR, INC. D/B/A JOE HARRISON MOTOR SPORTS TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH ELEVEN (11) REPLACEMENT POLICE MOTORCYCLES FOR A TOTAL COST OF \$177,419.00.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100277

SELECTING CHESNEY, MORALES & ASSOCIATES, INC., (MBE) TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE FIRE STATE RENOVATIONS, PHASE I PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT

NOT TO EXCEED \$284,821.00; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS DESIGN CONTINGENCY EXPENSES; AUTHORIZING \$5,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$299,821.00 FROM CERTIFICATES OF OBLIGATION; 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:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass. **NAYS:** None. **ABSENT:** Flores, Schubert, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100278

APPROVING THE ASSIGNMENTS OF TWO LEASE AGREEMENTS WITH TEXAS INFINITY BROADCASTING, L.P., BEING THE LEASE AGREEMENT FOR OFFICE SPACE ON THE SECOND FLOOR MEZZANINE LEVEL OF CITY HALL WITH INFINITY BROADCASTING CORPORATION OF SAN ANTONIO, AND THE LEASE AGREEMENT FOR RADIO MAST SPACE AT THE TOWER OF THE AMERICAS WITH WATERMAN BROADCASTING CORPORATION, PREDECESSOR TO INFINITY BROADCASTING CORPORATION OF SAN ANTONIO.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100279

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER (UTHSC) AT SAN ANTONIO IN THE AMOUNT OF \$22,660.00 FOR THE IMPLEMENTATION OF PROJECT STAY (SUBSTANCE ABUSE TREATMENT ACCESS FOR YOUTH) FOR THE PERIOD OF SEPTEMBER 30, 2004 THROUGH SEPTEMBER 29, 2005; AUTHORIZING THE

EXECUTION OF A CONTRACT AND ADOPTING A BUDGET IN CONNECTION THEREWITH.

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

Item 14 is a proposed ordinance authorizing payment in the amount of \$68,678.76 for the City of San Antonio's annual membership dues to the Alamo Area Council of Governments for calendar year 2005. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

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

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

Item 14 was tabled.

INDIVIDUAL ITEMS FOR CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100280

TO AMEND SECTION 2(A) OF ORDINANCE 93921, APPROVED ON MAY 10, 2001, REGARDING ADDRESSING THE CITY COUNCIL.

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

City Clerk Leticia Vacek outlined the proposed amendments regarding procedures to address the City Council. She noted that these were actually already being followed; however, this was a means to formalize the procedures as requested by City Council during its last meeting.

The following citizens appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, stated that it would be harder for citizens to state their case with this amendment.

Ms. Nancy Alaniz spoke to the lawsuit against the City of San Antonio and with regards to the requirement of three individuals to be present in order to be constituted as a group which is before the Council for a vote.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100281

DECLARING THE RESULTS OF THE PETITIONS SUBMITTED IN ACCORDANCE WITH ORDINANCE NO. 99630, WHICH ESTABLISHED AN EMPLOYEE-MANAGEMENT COMMITTEE AND CANCELING THE ELECTION SCHEDULED FOR JANUARY 14, 2005.

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

City Clerk Leticia Vacek spoke to the process of verifying the petitions. She stated that SEIU had been the only employee organization to submit the petitions and to qualify with the required number of signatures to represent all the categories on the Employee Management Committee. She further recommended that since this was the only organization qualified, that the election scheduled for January 14, 2005 be cancelled.

The following citizens appeared to speak:

Mr. Guillermo Vasquez spoke to the consultation ordinance and an amendment that would provide for meetings in each department.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the SEIU being able to represent employees on the Management Consultation Committee.

Mr. Randy Malonson addressed the City Council on behalf of local 2399.

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 100282

AUTHORIZING AN ADVISORY SERVICES AGREEMENT IN THE AMOUNT OF \$110,000.00 BETWEEN THE CITY OF SAN ANTONIO AND THE URBAN LAND INSTITUTE TO DEVELOP A CONCEPT PLAN AND RECOMMEND MARKETING AND DEVELOPMENT STRATEGIES FOR THE GUADALUPE STREET CORRIDOR, BETWEEN SOUTH FRIO AND SOUTH HAMILTON STREETS.

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

Mr. Emil Moncivais, Director of Planning Department, narrated a slide presentation on the Advisory Services Agreement with Urban Land Institute, a copy of which is on file with the Office of the City Clerk. He outlined background information, the project goal, view of the study area, scope of services, fiscal impact and timeline for the project.

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 100283

AMENDING CHAPTER 2, ARTICLE III OF THE CITY CODE OF SAN ANTONIO, TEXAS (ETHICS CODE).

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

Ms. Helen Valkavich, City Attorney's Office, made a presentation on the Ethics Review Board amendments, a copy of which is on file with the Office of the City Clerk. She stated that the ordinance would incorporate the charter provisions with regards to jurisdiction and powers, membership, terms of office, qualifications, removal of members, and vacancies. She highlighted on the added provisions pursuant to ordinance

which included qualifications, reasons for removal, appeals, recusal, panel assignments, complaint process and sanctions. Ms. Valkavich further amplified on the standard of conduct amendments with respect to officials, definitions of economic interest and ownership, conflicts of interest, gifts, discretionary contracts form, lobbyists, registration exemption, and financial disclosure statements.

Mr. Arthur Downey, Chairman of the Ethics Review Board addressed the City Council with regards to the current board members who would like to continue to serve the City in their existing capacity. He also referenced the gift provision of \$500 and to delete same.

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.

The City Clerk read the following ordinance:

AN ORDINANCE 100284

AMENDING CHAPTER 2, ARTICLE VII OF THE CITY CODE OF SAN ANTONIO, TEXAS (MUNICIPAL CAMPAIGN FINANCE CODE).

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

The City Clerk read the following ordinance:

AN ORDINANCE 100285

AN ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, REPROGRAMMING \$34,176.00 FOR HOUSING PAYMENTS TO THE SAN ANTONIO HOUSING AUTHORITY ("SAHA") IN CONNECTION WITH THE 2001 SUPPORTIVE HOUSING PROGRAM FOR THE PERIOD FEBRUARY 1, 2005 THROUGH MAY 31, 2005; AND APPROVING A REVISED BUDGET AND PERSONNEL COMPLEMENT.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the SHP-SAHA agreements, a copy of which is on file with the Office of the City Clerk. He outlined background information on the agreement and its purpose, services provided to families at the SAHA complex, goal of the housing strategy, and accountability measures.

(Mayor Garza was obliged to leave the meeting at 11:29 P.M. Mayor Pro Tem Haass presided.)

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

The City Clerk read the following ordinance:

AN ORDINANCE 100286

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SAHA IN AN AMOUNT NOT TO EXCEED \$205,056.00 TO PROVIDE HOUSING PAYMENTS TO SAHA FOR SIXTEEN (16) TRANSITIONAL HOUSING UNITS IN CONNECTION WITH THE TRANSITIONAL HOUSING PROJECT FUNDED BY THE SUPPORTIVE HOUSING PROGRAM FOR THE PERIOD OF FEBRUARY 1, 2005 TO JANUARY 31, 2007

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

The City Clerk read the following ordinance:

AN ORDINANCE 100287

APPROVING THE PURCHASE OF A PROPERTY LOCATED AT 2219 BABCOCK ROAD FROM THE CHILDREN'S SHELTER FOUNDATION, INC., FOR A PURCHASE PRICE OF \$1,600,000.00, INCLUDING AN EARNEST MONEY

DEPOSIT IN THE AMOUNT OF \$16,000.00, TO HOUSE A SENIOR MULTI-SERVICES AND HEALTH CENTER; AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS IN CONNECTION WITH THIS PROPOSED ACTION; AND APPROPRIATING \$1,620,000.00 FROM 2003 GENERAL OBLIGATION BOND FUNDS FOR THE PURCHASE PRICE, EARNEST MONEY DEPOSIT, COSTS ASSOCIATED WITH THE FEASIBILITY STUDY, AND CLOSING AND RELATED COSTS.

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

Ms. Rebecca Waldman, Director of Asset Management, made a presentation on the purchase of the former Children's Shelter Building, a copy of which is on file with the Office of the City Clerk. She outlined background information on the funding sources, use of the facility and services that may be provided jointly by the City and County. She further delineated property information, views of the proposed property, fiscal impact, and timeline of the project.

(Mayor returned to the meeting at 11:37 P.M. to preside.)

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

The City Clerk read the following ordinance:

AN ORDINANCE 100288

APPROVING THE PROJECT AGUA PLAN FOR CALENDAR YEAR 2005 TO PROVIDE APPROXIMATELY \$65,319.00 IN UTILITY ASSISTANCE CREDITS FOR ELIGIBLE SAN ANTONIO WATER SYSTEM RATEPAYERS; AND AUTHORIZING EXECUTION OF SAID PLAN.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the Project Agua and Affordability Discount Program, a copy of which is on file with the Office of the City Clerk. He spoke to the 2005 calendar year Project Agua Plan, the assistance credits in the amount of \$65,319 for January through December, 2005. He further presented the 2005 Affordability Discount Program (ADP) with assistance credits totaling approximately \$1,000,000. He presented background information on Project

Agua, eligibility criteria and population priorities, and the monthly assistance amounts per district.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100289

AUTHORIZING THE ACCEPTANCE OF \$120,341.00 FROM THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO ADMINISTER THE AFFORDABILITY DISCOUNT PROGRAM FOR CALENDAR YEAR 2005; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100290

APPROVING THE RENEWAL OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE RESIDENTIAL ENERGY ASSISTANCE PARTNERSHIP, INC. FOR CALENDAR YEAR 2005 TO PROVIDE A MINIMUM OF \$389,500.00 IN UTILITY ASSISTANCE CREDITS TO ELIGIBLE CITY PUBLIC SERVICE RATEPAYERS RESIDING IN THE CITY OF SAN ANTONIO.

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

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on Project REAP – City Public Service which represented assistance credits in a minimum amount of \$389,500 for 2005. He spoke to the REAP eligibility, priorities and requirements. He

amplified on the accountability measures which delineated the number of household served for FY 04, the categories of households served, and the number of participants per district.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100291

AUTHORIZING THE TRANSFER OF HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$1,000.00 FROM THE MAYOR'S OFFICE; \$1,000.00 FROM COUNCIL DISTRICT 2; \$1,000.00 FROM COUNCIL DISTRICT 3; \$1,000.00 FROM COUNCIL DISTRICT 5; \$1,000.00 FROM COUNCIL DISTRICT 7; AND \$1,000.00 FROM COUNCIL DISTRICT 8 FOR A TOTAL AMOUNT OF \$6,000.00 TO THE MARTIN LUTHER KING (MLK) SCHOLARSHIP FUND IN CONNECTION WITH THE CITY'S MLK SCHOLARSHIP PROGRAM.

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

Councilman Schubert made a friendly amendment to add \$1,000 from District 9. Councilman Segovia accepted the amendment.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100292

AUTHORIZING THE REALLOCATION OF DISTRICT 2'S ONE-TIME PROJECT BUDGET BALANCES TOTALING \$5,632.17 FROM THE FOLLOWING PROJECTS/TITLES: COMMUNITY ECONOMIC REVITALIZATION AGENCY OPERATION IN THE AMOUNT OF \$0.24; CLOSING COSTS IN THE AMOUNT OF \$125.00; YMCA OF S.A. & THE HILL COUNTRY IN THE AMOUNT OF \$2,965.00; EASTSIDE BOYS AND GIRLS CLUB IN THE AMOUNT OF \$99.13; NATIVE AMERICAN COALITION OF SAN ANTONIO IN THE AMOUNT OF

\$426.00; CERA OPERATING EXPENDITURES IN THE AMOUNT OF \$101.24; CERA - SMALL BUSINESS INCUBATOR IN THE AMOUNT OF \$129.46; DISTRICT 2 ECONOMIC & HOUSING REHABILITATION IN THE AMOUNT OF \$600.00; AND PARKS & RECREATION SHOWMOBILES IN THE AMOUNT OF \$1,186.10 TO THE DISTRICT 2 ADMINISTRATIVE ASSISTANT FUND FOR NECESSARY ADMINISTRATIVE EXPENSES; AS REQUESTED BY COUNCILMAN JOEL WILLIAMS, DISTRICT 2.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100293

AUTHORIZING THE REALLOCATION OF DISTRICT 6'S ONE-TIME PROJECT BUDGET BALANCES TOTALING \$34,476.30 FROM THE FOLLOWING PROJECTS/TITLES: EDUCATION PARTNERSHIP/AFTER SCHOOL CHALLENGE/PROJECT QUEST IN THE AMOUNT OF \$1,054.20; ADVERTISING - DISTRICT 6 PARK IN THE AMOUNT OF \$0.24; PRINTING - DISTRICT 6 PARK IN THE AMOUNT OF \$8.24; STORMWATER IMPACT FEE IN THE AMOUNT OF \$300.00; CUELLAR PARK WALKING TRAIL RECONSTRUCTION IN THE AMOUNT OF \$10,369.00; EMMA FREY FLASHING BEACONS IN THE AMOUNT OF \$3,547.17; GARDENDALE ELEMENTARY FLASHING BEACONS IN THE AMOUNT OF \$7,048.37; PERALES ELEMENTARY FLASHING BEACONS IN THE AMOUNT OF \$3,267.13; MARY HULL ELEMENTARY FLASHING BEACONS IN THE AMOUNT OF \$2,418.78; TIMBERWILDE ELEMENTARY FLASHING BEACONS IN THE AMOUNT OF \$2,804.89; AND RABA ELEMENTARY FLASHING BEACONS IN THE AMOUNT OF \$3,658.28 TO REBUILDING TOGETHER TO COVER ADMINISTRATIVE COSTS ASSOCIATED WITH THE REPAIR AND REHABILITATION OF HOMES IN DISTRICT 6 OWNED BY ELDERLY AND DISABLED INDIVIDUALS IN THE AREA NEAR THE DISTRICT 6 SHOWCASE OF HOMES; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 6.

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

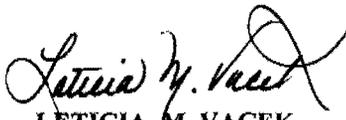
There being no further business to come before the City Council, the meeting was adjourned at 11:59 P.M.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk