

**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, APRIL 28, 2005

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The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, for the following:

Staff presentation on the Airport Terminal B Design Finishes and Art.

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

The "B" Session adjourned at 11:48 am.

The Regular Meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **ABSENT:** None.

The Invocation was delivered by Father Bruce Schultz, District 2, Holy Redeemer Catholic Church.

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

CEREMONIAL ITEMS

Mayor Garza presented the following proclamations: "Teen Pregnancy Prevention Day" and "El Dia De Los Ninos (Children's Day).

Swearing-in ceremony for newly appointed Boards and Commission Members was presented by Leticia M. Vacek, City Clerk.

The minutes of the City Council meeting of April 7, 2005 were approved as presented.

CONSENT AGENDA

Items 7, 8, 9, 13, and 15G were addressed individually from the consent agenda. The remaining items 6 through 15F were approved upon motion made by Councilmember Perez and seconded by Councilmember Williams.

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

AN ORDINANCE 100753

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY WILSON FIRE APPARATUS & EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH TWO (2) REPLACEMENT FIRE RESCUE TOOLS FOR A TOTAL COST OF \$40,981.00.

AN ORDINANCE 100754

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY FOR A \$1,068,352.00 GRANT TO AUGMENT SUPPORT FOR THE SAN ANTONIO POLICE DEPARTMENT'S EFFORT IN REDUCING AUTO THEFT.

AN ORDINANCE 100755

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY FOR A \$101,605.00 SUPPLEMENTAL GRANT TO AUGMENT SUPPORT FOR THE SAN ANTONIO POLICE DEPARTMENT'S EFFORT IN REDUCING AUTO THEFT.

AN ORDINANCE 100756

AUTHORIZING THE RENEWAL OF THE DEPOSITORY CONTRACT, APPROVED THROUGH ORDINANCE NO. 95596, PASSED AND APPROVED ON APRIL 11, 2002, WITH FROST NATIONAL BANK, TO PROVIDE DEPOSITORY BANKING AND RELATED FINANCIAL SERVICES TO THE CITY OF SAN ANTONIO, FOR A

PERIOD OF ONE (1) YEAR, FROM JULY 1, 2005 THROUGH JUNE 30, 2006,
UNDER THE SAME TERMS AND CONDITIONS.

AN ORDINANCE 100757

APPOINTING GILBERT GALLEG0 (DISTRICT 5) TO THE CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2006.

AN ORDINANCE 100758

APPOINTING RALPH GOMEZ (DISTRICT 5) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2006.

AN ORDINANCE 100759

APPOINTING ALLISON ELDER, ALAN RIETE CLAIBORNE, CHARLES A. CLAIBORNE, CHRIS ALAN CLAIBORNE AND CHRISTEL VILLARREAL TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FOUR, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE HIGHLAND HEIGHTS PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE, AND OF SECTION 2-403(C) FOR ALLISON ELDER, CHARLES A. CLAIBORNE AND CHRIS ALAN CLAIBORNE; AND APPOINTING CHRIS ALAN CLAIBORNE AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING JANUARY 1, 2006.

AN ORDINANCE 100760

APPOINTING CHAD PARKER CAREY, SCOTT LEE FOWLER, ANDREW JONATHAN KIESLING AND JAMES G. TUNNELL AND REAPPOINTING JAMES LANDON KANE AND ROBERT DAVIS RICHARDSON TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TEN, CITY

OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE STABLEWOOD FARMS PROJECT, FOR TERMS OF OFFICE TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE, OF SECTION 2-403(C) FOR SCOTT LEE FOWLER, ANDREW JONATHAN KIESLING AND ROBERT DAVIS RICHARDSON, AND OF SECTION 2-404(B) FOR JAMES LANDON KANE AND ROBERT DAVIS RICHARDSON, ALL FOR THESE TERMS ONLY; AND APPOINTING ROBERT DAVIS RICHARDSON AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING ON JANUARY 1, 2006.

AN ORDINANCE 100761

APPOINTING NICK R. DOMINGUEZ, YVONNE R. GONZALES, JUDITH ANN GRAY, AND JOHN CLAY SCHLINKE, AND REAPPOINTING LAURA I. HAUSMAN TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TWELVE, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE PLAZA FORTUNA PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403I FOR LAURA I. HAUSMAN.

AN ORDINANCE 100762

APPOINTING NICK R. DOMINGUEZ, JUDITH ANN GRAY, LORI DEANE WILTZ AND GABRIEL IOANE WILTZ, AND REAPPOINTING LAURA I. HAUSMAN TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE SKY HARBOR PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-

402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403I FOR LAURA I. HAUSMAN.

AN ORDINANCE 100763

APPOINTING SALAH E. DIAB, GRANT MICHAEL GAINES, LESLIE JOSEPH HALL, GRACE L. MENDEZ AND LYNDA C. RODRIGUEZ TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE MISSION CREEK PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE.

AN ORDINANCE 100764

APPOINTING KIMBERLY LYNN BUSH, GUILLERMO CANO, GRANT MICHAEL GAINES, LESLIE JOSEPH HALL AND WILLIAM O. SAGOONIK TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER NINETEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE HALLIE HEIGHTS PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403(C) FOR WILLIAM O. SAGOONIK.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100765

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE VARIOUS TYPES OF COMMODITIES AND

SERVICES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2005-2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$588,108.00 TO INCLUDE CONTRACTS FOR: BOLTS AND SCREWS; FORD CAPTIVE AND COMPETITIVE PARTS AND SERVICE; AUTOMOTIVE WHEELS AND RIMS; AND STERLING TRUCK PARTS AND SERVICE.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100766

ACCEPTING THE BID SUBMITTED BY FISHER SCIENTIFIC COMPANY, LLC UTILIZING THE HOUSTON GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH INVENTORY TRACKING HARDWARE AND SOFTWARE FOR A TOTAL COST OF \$43,070.00 FROM HOMELAND SECURITY GRANT FUNDS.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle 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 100767

AUTHORIZING A PARK USE AND MAINTENANCE LICENSE AGREEMENT WITH THE SAN ANTONIO FARMER'S MARKET ASSOCIATION FOR OUTDOOR SALE OF FRESH PRODUCE AT OLMOS PARK IN COUNCIL DISTRICT 1; LINCOLN PARK IN COUNCIL DISTRICT 2; AND TEJEDA PARK IN COUNCIL DISTRICT 5, FROM MAY 1, 2005 THROUGH APRIL 30, 2008.

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

Item 13 is an Ordinance authorizing the execution of a two-year general fund contract with the Jefferson Woodlawn Lake Community Development Corporation for \$50,000.00 per year for participation in the City of San Antonio's Neighborhood Commercial Revitalization program for a term that commenced on April 1, 2005 and ends March 31, 2007; and authorizing payments.

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

The following citizen(s) appeared to speak:

Mr. Blake Lyons, ESD & Associates, spoke in regards to above noted item.

Mr. Paul Stahl, Jefferson Woodlawn Lake CDR, spoke in support of the proposed ordinance.

Mr. John Davis, Los Angeles Heights Keystone Neighborhood Association, spoke in support of the program.

Ms. Mariana Peralta Donnelley, Jefferson Woodlawn Lake CDR, spoke to the membership on the Board, and the need for revenue streams.

Mr. David Garza, Director of Neighborhood Action clarified the performance numbers.

Councilmember Schubert made a motion to postpone the proposed Ordinance for one week. Councilmember Haass seconded the motion.

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

Item 15G is an Ordinance appointing Gigi F. Bowman, Turner Bowman, John A. Campbell, Charlie Rene Garza and James L. Johnson to the Board of Directors for

Reinvestment Zone Number Twenty-Three, City of San Antonio, Texas, commonly referred to as the Meadow Way Project, for terms of office beginning January 1, 2005, to expire December 31, 2006, in accordance with the Texas Tax Code, Chapter 311, the Tax Increment Financing Act, and the City Code, Chapter 2, Article VIII, Entitled "Boards And Commissions"; and providing for the waiver for these terms only of Section 2-402 of said Article for each appointee.

Councilmember Barrera made a motion to postpone the proposed Ordinance for one week. Councilmember Perez seconded the motion.

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

INDIVIDUAL ITEMS FOR CONSIDERATION

The City Clerk read the following ordinance:

A RESOLUTION 2005-18-17

APPOINTING THE TEMPORARY BOARD OF DIRECTORS OF THE PROPOSED SAN ANTONIO CRIME CONTROL AND PREVENTION DISTRICT AND URGING THE TEMPORARY BOARD TO GIVE STRONG CONSIDERATION TO THE CITY COUNCIL'S PRIORITIES IN THE DEVELOPMENT OF A TWO-YEAR CRIME CONTROL PLAN AND TWO-YEAR BUDGET PLAN; AS REQUESTED BY COUNCILMAN RON SEGOVIA, DISTRICT 3.

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

Police Chief Albert Ortiz narrated a powerpoint presentation on the Crime Control and Prevention District proposed Board of Directors, a copy of which is on file with the Office of the City Clerk. He addressed the appointment recommendations, the duties of the temporary board, the permanent board to be in place should the Control District is approved by the voters. He further spoke to the budget approval by City Council noting that the public hearing on the budget had to be held 45 days before the fiscal year begins with approval not later than the 30th day before the fiscal year begins.

Councilmember Radle made a motion to postpone the proposed Resolution for one week. Councilmember Hall seconded the motion.

After consideration, the motion for postponement failed by the following vote: **AYES:** Williams, Radle. **NAYS:** Flores, Segovia, Perez, Barrera, Hall, Schubert, Haass, Garza. **ABSENT:** Castro.

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

ZONING CASES

4A) ZONING CASE NUMBER Z2005043 C: The request of Stephen Poteet, Applicant, for Brackenridge Park/Broadway Developments, Ltd., 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 parking lot on Lot 44, Block 1, NCB 3593 (218 Post Avenue). 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 with the conditions presented. 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, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Castro.

AN ORDINANCE 100768

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 44, BLOCK 1, NCB 3593 ZONING FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" C RESIDENTIAL SINGLE-FAMILY DISTRICT WITH CONDITIONAL USE FOR A PARKING LOT.

4B) ZONING CASE NUMBER Z2005071: The request of Brown, P. C., Attorneys at Law, Applicant, for Saucedo, Elizondo, and Uptmore, Owner(s), for a change in zoning from "MF-33" Multi-Family District, "C-2" Commercial District, "C-3R" Restricted Commercial District, and "I-1" General Industrial District to "MF-25"

Multi-Family District on 10.98 acres out of NCB 14059 and 2.3983 acres out of NCB 1584 at the intersection of Clark Avenue and Rigsby Avenue. 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 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, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Castro, Haass.

AN ORDINANCE 100769

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 10.98 ACRES OUT OF NCB 14059 AND 2.3983 ACRES OUT OF NCB 1584 FROM "MF-33" MULTI-FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-3R" RESTRICTED COMMERCIAL DISTRICT, AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

4C) ZONING CASE NUMBER Z2005055 C: The request of City of San Antonio - Fred Kaiser, Applicant, for Earl Landry, Owner(s), for a change in zoning from "RM-5" Residential Mixed District to "RM-5" C Residential Mixed District with conditional use for multi-family development not to exceed 14 units per acre on East 60 feet of Lot 88, NCB 7725 (116 Bristol Avenue). Staff's recommendation was for approval. 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 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, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Castro, Haass.

AN ORDINANCE 100770

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS EAST 60 FEET OF LOT 88, NCB 7725 FROM "RM-5" RESIDENTIAL MIXED DISTRICT TO "RM-5" C RESIDENTIAL MIXED DISTRICT WITH CONDITIONAL USE FOR MULTI-FAMILY DEVELOPMENT NOT TO EXCEED 14 UNITS PER ACRE.

4D) ZONING CASE NUMBER Z2005061: The request of Ramiro Reyes, Applicant, for Ramiro Reyes, Owner(s), for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to "MF-33" Multi-Family District on 0.5406 acres and "R-6" Residential Single Family District on 0.1670 acres, all out of Lot 265A, Block 23, NCB 11122 (730 W. Mally Boulevard). Staff's recommendation was for approval. 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 continue the proposed rezoning case for 90 days. Councilmember Perez seconded the motion.

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

Zoning case Z2005061 was continued for 90 days.

4E) ZONING CASE NUMBER Z2005047 C: The request of Christian B. Christians, Applicant, for Christian B. Christians, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1" C Commercial with conditional use for recreation vehicle sales and service on the north, east and south 50 feet adjacent to Lots 1 through 32, NCB 15229 and "C-2NA" C Commercial, Non-Alcoholic sales with conditional use for recreation vehicle sales and service on the remaining property on 10.664 acres out of NCB 15229, 7930 S. Loop 410 West. Staff's recommendation was for approval and 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 with conditions as recommended. Councilmember Segovia 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, Hall, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Castro, Schubert, Haass.

AN ORDINANCE 100771

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 10.664 ACRES OUT OF NCB 15229 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1" C COMMERCIAL WITH CONDITIONAL USE FOR RECREATION VEHICLE SALES AND SERVICE ON THE NORTH, EAST AND SOUTH 50 FEET ADJACENT TO LOTS 1 THROUGH 32, NCB 15229 AND "C-2NA" C COMMERCIAL, NON-ALCOHOLIC SALES WITH CONDITIONAL USE FOR RECREATION VEHICLE SALES AND SERVICE ON THE REMAINING PROPERTY.

4F) ZONING CASE NUMBER Z2005073: The request of Castro & Killen, P. C., Applicant, for Dwaine Bergman, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" General Commercial District on 12.73 acres out of NCB 34361 (191 West Loop 1604 South). 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.

The following citizen(s) appeared to speak:

Mary Lee Buettner spoke in favor of the zoning 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:** Segovia, Perez, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Williams, Radle, Castro, Haass.

AN ORDINANCE 100772

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

4G) ZONING CASE NUMBER Z2005050 C: The request of Wade Interest, Inc., Applicant, for Oscar Garcia, Owner(s), for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to "C-2NA" C Commercial, Nonalcoholic Sales District with Conditional Use for a mini-warehouse on 1.640 acres out of NCB 34393 and on 3.194 acres, NCB 34393 (9865 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.

The following citizen(s) appeared to speak:

Mary Lee Buettner spoke in favor of the zoning case and noted the restrictions.

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

AN ORDINANCE 100773

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.640 ACRES OUT OF NCB 34393 AND ON 3.194 ACRES, NCB 34393 FROM "C-2NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT TO "C-2NA" C COMMERCIAL, NONALCOHOLIC SALES DISTRICT WITH CONDITIONAL USE FOR A MINI-WAREHOUSE.

4H) ZONING CASE NUMBER Z2005065: The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning to designate Gateway Corridor District 2 (GC-2) on those properties within 1,000 feet of the Highway 151 right of way between US Highway 90 and Loop 1604. 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.

The following citizen(s) appeared to speak:

Ms. Jan Wells, 10306 Mt. Evans, spoke in favor of the zoning request.

Representatives of the Westwood Village Homeowners Association also spoke in favor of the zoning case.

Mr. Donald Way, 7410 Singing Brook, spoke in opposition of the zoning request.

Ms. Mary Lee Buettner spoke in support of the proposed zoning case.

Mr. Nicholas Harris spoke in favor of the zoning request.

Councilmember Barrera made a motion to approve the proposed rezoning case with the provision that no off-premise signs permitted within 660 feet of the right of way of State Highway 151. 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, Garza. **NAYS:** None. **ABSENT:** Flores, Radle Castro, Haass.

AN ORDINANCE 100774

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35-304 OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE CLASSIFICATION OF CERTAIN TO ESTABLISH GATEWAY CORRIDOR 2 (GC-2), AN OVERLAY DISTRICT LOCATED ALONG STATE HIGHWAY 151 BETWEEN U.S. HIGHWAY 90 AND WEST LOOP 1604 (AND TO PROVIDE FOR A CORRIDOR PLAN).

4I) ZONING CASE NUMBER Z2005086: The request of Jimmy Robinson, Applicant, for Jaime Ramirez and Adela Ramirez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2NA" Commercial Nonalcoholic Sales District on Parcel 77A, Block 54, NCB 15600 (2403 Pinn 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 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, Garza. **NAYS:** None. **ABSENT:** Flores, Radle Castro, Haass.

AN ORDINANCE 100775

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 77A, Block 54, NCB 15600 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

4J) ZONING CASE NUMBER Z2004289 S: The request of Southern Towers Inc., Applicant, for Oakridge Baptist Church (LOA), Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6" S Residential Single-Family District with specific use authorization for a telecommunications tower on 0.05142 acres out of NCB 14002 (11003 Vance Jackson 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 to the meeting of June 9, 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, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Flores, Radle, Barrera, Castro, Haass.

Zoning case Z2004289 S was continued to the meeting of June 9, 2005.

4K) ZONING CASE NUMBER Z2005027: The request of Equitas Investments, Inc., Applicant, for Equitas Investments, Inc. (Lyle Hotchkiss), Owner(s), for a change in zoning from "O-2" ERZD Office Edwards Recharge Zone District to PUD "O-2" ERZD Office Planned Unit Development Edwards Recharge Zone District on 8.5178 acres out of Block 1, NCB 17841 (14000 Block of Huebner Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8) was postponed by applicant.

4L) ZONING CASE NUMBER Z2005057: The request of Doug Brown, Applicant, for Leland & Helen Knox, Owner(s), for a change in zoning from "C-3" ERZD Commercial Edwards Recharge Zone District to "C-3" ERZD S Commercial Edwards Recharge Zone District with specific use authorization for a contractors facility on Lot 18, NCB 17867 (18911 Redland Road). Staff's recommendation was approval. Zoning Commission has recommended approval with conditions. (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 with conditions. 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, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Radle, Barrera, Castro.

AN ORDINANCE 100776

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, NCB 17867 FROM "C-3" ERZD COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3" ERZD S COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A CONTRACTORS FACILITY.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

Ms. Leticia M. Vacek, City Clerk presented the following nominees to the Citizen Advisory Action Board:

Mr. Stanley J. Waghalter
Mr. Frank G. Anaya

Ms. Edith A. McNeal
Mr. Kevin F. Cloonan

The nomination of Mr. Frank G. Anaya was presented and approved by acclamation.

Councilmember Perez then made a motion to approve the appointment of Mr. Anaya. Councilmember Segovia seconded the motion.

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

AN ORDINANCE 100777

APPOINTING FRANK G. ANAYA TO THE CITIZEN ADVISORY ACTION BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2007.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100778

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY AND AUTHORIZING THE RECOGNITION OF A CITY REPRESENTATIVE ON THE ALAMO REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS; 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:** Williams, Segovia, Perez, Radle, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera, Castro.

STAFF BRIEFING ON THE STATUS OF THE CITY'S STATE LEGISLATIVE PROGRAM FOR THE 79TH LEGISLATIVE SESSION.

Mr. Ray Baray, Intergovernmental Relations Manager, presented a status report on the state initiatives, a copy of which is on file with the Office of the City Clerk. He stated that out of the 22 bills in the City's state initiatives program, 21 had been heard in committee, and 12 out of the 22 have passed in either the House or the Senate. He cited each of the legislative initiatives, legislative endorsements, testimonies submitted by Councilman Hall, and the major significant actions on major city-related bills considered by the Legislature at this point in the session.

The City Clerk read the following ordinance:

AN ORDINANCE 100779

SUPPORTING AND REQUESTING THE ISSUANCE OF \$10,000,000 IN QUALIFIED TAX-EXEMPT OBLIGATIONS IN THE FORM OF INDUSTRIAL DEVELOPMENT BONDS FOR THE BENEFIT OF SOUTHWEST RESEARCH INSTITUTE, THROUGH THE CITY OF TATUM INDUSTRIAL DEVELOPMENT CORPORATION TO PARTIALLY FINANCE A \$26,000,000.00 APPLIED PHYSICS RESEARCH FACILITY IN SAN ANTONIO.

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

Mr. Trey Jacobson, Assistant Director of Economic Development Department, made a presentation on the consent to the tax-exempt industrial revenue bonds, a copy of which is on file with the Office of the City Clerk. He outlined background information on the Southwest Research Institute, citing the staff of 2,800 who specialized in the creation and transfer of technology in engineering and physical sciences. He stated the Institute occupied 1,200 acres in San Antonio, providing nearly 2 million square feet of laboratories, test facilities, workshops, and offices with the staff performing more than \$350 million in contract research in 2003. He further spoke to the project information, fiscal impact and site location.

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

EXECUTIVE SESSION

Mayor Garza recessed the Regular session at 4:38 pm 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 the Texas A&M University System, Faulkner USA, and one or more business prospects, 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).

Mayor Garza reconvened the Regular Session from Executive Session at 6:00pm, at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

CITIZENS TO BE HEARD

Mr. John Perez, Ms. Monica Delfierro, Mr. Michael Muenchow and Ms. Grace Hernandez, spoke with regards to supporting a native of San Antonio, Ms. Vanessa Delfierro, who is a contestant on the program "Nuevas Voces de America" on Channel 60 (Telemundo) and to vote for her to make her an International Star.

Mr. Faris Hodge, Jr., 140 Dora, addressed the City Council regarding the management positions by Interim City Manager Rolando Bono. He also spoke to the Citizens to be Heard at 5:00 pm., the lawsuit at the Fire Department, and added that more Policemen are needed on Loop 1604.

Mr. Ernest Hernandez, 114 Oakcrest, addressed the City Council and requested that said May 7th Election be recalled.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100780

AMENDING THE PROJECT AGREEMENT WITH HOTEL INVESTMENTS, L.P. FOR THE DESIGN AND CONSTRUCTION OF A FULL-SERVICE HEADQUARTERS HOTEL AND RELATED PARKING (THE "CONVENTION CENTER HOTEL PROJECT") APPROVED BY CITY COUNCIL PURSUANT TO ORDINANCE NO. 100686 ON APRIL 14, 2005 IN ORDER TO ASSIGN RESPONSIBILITY FOR COSTS ASSOCIATED WITH THE PAYMENT OF PREVAILING WAGES, CONTINGENT UPON A FINAL DETERMINATION OF THE APPLICABILITY OF CHAPTER 2258 OF THE TEXAS GOVERNMENT CODE TO THE PROJECT.

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

Mr. Chris Brady, Assistant City Manager, presented information on the proposed amendment related to the negotiated terms of the Project Agreement which addressed the per diem wage rate and the method for the City to fund its share of such costs should they be eligible for reimbursement by the City.

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

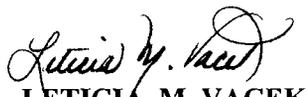
There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 6:32 pm.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



LETICIA M. VACEK
City Clerk