

**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, JUNE 9, 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:

Briefing concerning the AlamoRMA Starter Toll System and the Unsolicited Proposal Received by TxDOT from Cintra / Zachry American Infrastructure for the Construction and Operations of a Toll System in Bexar County. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

The Council members present were: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. ABSENT: None.

Mayor Garza recessed the Regular Session at 11:56 am in order to convene in Executive Session for the purpose of:

Deliberation regarding commercial and financial information received from Hanford Development Corporation, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations).

Deliberations regarding the proposed construction of residential condominiums by a Texas limited partnership to be organized by Faulkner USA and built above the Convention Center headquarters hotel as contemplated in project agreement previously approved by City Council, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property); and discussion of related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor reconvened the Regular Session from Executive Session at 1:22, 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.

The "B" Session adjourned at 1:23 pm.

The Regular Meeting was called to order at 1:25 pm by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **ABSENT:** None.

The Invocation was delivered by Rev. Don Selman, District 7, Woodlawn Christian Church.

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

The minutes of the Regular City Council meeting of May 19, 2005 were approved as presented.

CONSENT AGENDA

Consent agenda items 9, 10, and 15A-E were pulled for individual consideration. The remaining items 11 through 16 were approved upon motion made by Councilmember Perez and seconded by Councilmember Hall.

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

AN ORDINANCE 100990

AUTHORIZING THE ACQUISITION IN FEE SIMPLE TITLE OF FIVE (5) PROPERTIES LOCATED ALONG THE SALADO AND LEON CREEKS WITHIN COUNCIL DISTRICTS 2, 6 AND 8 THAT WILL ADD A TOTAL OF 48.4835 ACRES OF CREEKWAY LINEAR SPACE FOR THE TOTAL PURCHASE PRICE OF \$295,177.20; AUTHORIZING \$3,181.00 FOR CLOSING COSTS, FOR A TOTAL AMOUNT OF \$298,358.20 FROM PROPOSITION THREE SALES TAX INITIATIVE FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100991

AUTHORIZING THE ACCEPTANCE OF CASH DONATIONS IN THE TOTAL AMOUNT OF \$600.00, \$100.00 FROM MID-TEX DISTRIBUTING CO., INC., AND \$500.00 FROM MERCK & COMPANY, TO SUPPORT THE SPECIAL IMMUNIZATIONS PROMOTIONS PROJECT OF THE SAN ANTONIO

METROPOLITAN HEALTH DISTRICT; AND REVISING THE PROGRAM BUDGET.

AN ORDINANCE 100992

AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES THAT SETS FORTH ADDITIONAL CLINICAL PROCEDURES AND REIMBURSEMENT RATES FOR THE BREAST AND CERVICAL CANCER CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JULY 1, 2004 THROUGH JUNE 30, 2005; AND REVISING THE PERSONNEL COMPLEMENT.

AN ORDINANCE 100993

AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF TEXAS, GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$133,682.00 TO BE USED TO OFFSET ADMINISTRATIVE COSTS OF THE SAN ANTONIO FIRE DEPARTMENT EMERGENCY MANAGEMENT OFFICE IN ITS EFFORTS TO CONTINUALLY PLAN FOR NATURAL DISASTERS, FOR THE GRANT PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005.

AN ORDINANCE 100994

APPOINTING COUNCILWOMAN SHEILA MCNEIL AS AN EX-OFFICIO MEMBER TO THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE INNER CITY TIRZ, FOR A TWO-YEAR TERM OF OFFICE TO COINCIDE WITH THE CITY COUNCILMEMBER TERM OF OFFICE; PROVIDING FOR A WAIVER OF CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, SECTIONS 2-400 - 2-402 OF THE CITY CODE; AND APPOINTING SHEILA MCNEIL AS CHAIRPERSON OF THE BOARD FOR A ONE-YEAR TERM EFFECTIVE JANUARY 1, 2006.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100995

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2005-2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$1,080,054.00 FOR THE FOLLOWING: INFOUSA DATABASE LICENSE RENEWALS; FUEL CARD READER PARTS AND SERVICE; DRESSER, GALION, GRADALL & BOMAG PARTS AND SERVICE; ETNYRE PARTS AND SERVICE; OVERHEAD DOOR REPAIR PARTS AND SERVICE; LOCKSMITH SERVICE; JACOBSEN PARTS AND SERVICE; CHARTER BUS SERVICE; BITELLI AND HAMM ROLLER PARTS AND SERVICE; GOMACO SIDEWALK & CURB MACHINE PARTS AND SERVICE; HAUNDAI LOADER PARTS AND SERVICE; LIBRARY NON-PRINT MEDIA; AND LINE MATRIX PRINTERS.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100996

DECLARING AS SURPLUS TO THE CITY OF SAN ANTONIO'S NEEDS THIRTEEN (13) FARMS CONSISTING OF 5,905.57 ACRES IN BEXAR, MEDINA AND UVALDE COUNTIES CONTROLLED BY SAN ANTONIO WATER SYSTEM "SAWS" AND AUTHORIZING SAWS TO SELL THE FARMS, LESS ALL TRANSFERABLE WATER RIGHTS ALLOWED BY STATE STATUTE.

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:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100997

APPOINTING JOSE M. HERNANDEZ (DISTRICT 10) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

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:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100998

APPOINTING EIGINIO RODRIGUEZ (DISTRICT 5) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2007.

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

The following citizen(s) appeared to speak:

Mrs. Isabel and Mr. Enriquez Sanchez spoke in support of the appointment by Councilmember Radle of Elginio Rodriguez.

Ms. Marianne Kestenbaum also spoke in favor of the appointment of Mr. Rodriguez.

Ms. Amy Kastely addressed the Council and stated Mr. Rodriguez is a retired disabled firefighter. She told the story of Mr. Rodriguez trying to rescue two children in a burning home.

Ms. Maria Berriozabal addressed the Council relating to the appointment of Mr. Rodriguez to the Zoning Commission and noted the Council needed to amend the current ordinance so that minority voices can always be heard.

Ms. Graciela Sanchez also noted her support for the appointment of Mr. Rodriguez and mentioned campaign contributions made by certain individuals to several Councilmembers.

Ms. Leticia Vela addressed the issue of exclusion and read an excerpt from a newspaper article that compared this situation with a similar issue in 1987.

Mr. Martin J. Green addressed the Council and asked if the Council really wants citizen participation or not.

Mr. Jaime Martinez noted that the appointment of Mr. Rodriguez to the Zoning Commission is Councilmember Radle's decision and should be approved by the entire City Council.

Mr. Jack M. Finger, PO Box 12048, noted this was a very routine item, thus the appointment of Mr. Rodriguez should be approved and added Mr. Rodriguez is a worthy contender for the position to the Zoning Commission.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100999

REAPPOINTING RICHARD GONZALES (DISTRICT 5) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 101000

REAPPOINTING MARGARET HARTENSTINE (DISTRICT 10) AS TRUSTEE TO THE SOUTH TEXAS BUSINESS FUND FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2008.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 101001

REAPPOINTING JULIE GONZALES (DISTRICT 7) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

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

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

LAND USE PLAN AMENDMENTS AND ZONING CASES

Item 4.1A. PLAN AMENDMENT CASE NUMBER 05005: An Ordinance amending the land use plan contained in the City South (Southside Initiative) Community Plan, a component of the Master Plan of the City, by changing the use of a 479.9 acre tract of land located at 16795, 16196 and 16700 U.S. 281 South, north of the Medina River from Agriculture and Rural Living Land Uses to Urban Living Land Use. Staff's recommendation is for approval for the property east of U.S. 281 South (approximately 188.8 acres at 16196 and 16700 U.S. 281 South) and denial for the property west of U.S. 281 South (approximately 291 acres at 16795 U.S. 281 South). Planning Commission's recommendation is for denial. (Council District 3)

Councilmember Gutierrez made a motion to continue the proposed Land Use Amendment Plan for two weeks. Councilmember Perez seconded the motion.

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

Land use plan amendment case 05005 was continued for two weeks.

4.2A. ZONING CASE NUMBER Z2005066: The request of Manuel Gonzales, Applicant, for Day, McDaniel, and Fight for the Family of Texas Inc., Owner(s), for a change in zoning from "FR" Farm and Ranch District and "RD" Rural Development District to "UD" Urban Development District on P-10, P-10B, P-10C, P-10D, and 16.4 acres out of P-10A and P-62, CB 4006 (16795, 16196, and 16700 U.S. 281 South). Staff's recommendation is for approval for the property east of U.S. 281 South (approximately 188.8 acres at 16196 and 16700 U.S. 281 South) and denial for the property west of U.S. 281 South (approximately 291 acres at 16795 U.S. 281 South). (Council District 3)

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

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

Zoning case Z2005066 was continued for two weeks.

The City Clerk read the following ordinance:

AN ORDINANCE 101002

AMENDING THE LAND USE PLAN CONTAINED IN THE NEAR NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.48 ACRE TRACT OF LAND LOCATED AT 1012 VANCE JACKSON FROM URBAN LOW DENSITY RESIDENTIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE. STAFF'S RECOMMENDATION IS FOR DENIAL. PLANNING COMMISSION'S RECOMMENDATION IS FOR APPROVAL. (COUNCIL DISTRICT 1)

Councilmember Flores made a motion to approve the proposed land use amendment plan with stipulations. Councilmember Haass seconded the motion.

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

4.2B. ZONING CASE NUMBER Z2005026 C: The request of Michael Olguin, Applicant, for Michael Olguin, Owner(s), for a change in zoning from "R-5" Residential Single Family District to "C-2" C Commercial District with a conditional use for automobile sales with a maximum of five (5) cars for sale on the lot at any one time on the west 210 feet of Lot 7, Block 2, NCB 8417 (1012 Vance Jackson). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

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

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

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

AN ORDINANCE 101003

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 WEST 210 FEET OF LOT 7, BLOCK 2, NCB 8417 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2" C COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTOMOBILE SALES WITH A MAXIMUM OF FIVE (5) CARS FOR SALE ON THE LOT AT ANY ONE TIME.

4.2C. ZONING CASE NUMBER Z2005107: The request of 1119 South St. Mary's Street Partnership, Applicant, for 1119 South St. Mary's Street Partnership, Owner(s), for a change in zoning from (H) C-2 Historic Commercial District to (H) IDZ Historic, Infill Development Zone with uses permitted in C-2 and MF-25 with a maximum density of 14 units per acre on Lot 1, Block 11, NCB 948 and Lot A-21, Block 11, NCB 2963 (1119 and 1127 South St. Mary's Street). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

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

The following citizen(s) appeared to speak:

Mr. Mike Ywdo, 1114 S. St. Mary's, spoke in favor of the zoning case.

Councilmember Flores 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101004

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 11, NCB 948 AND LOT A-21, BLOCK 11, NCB 2963 FROM (H) C-2 HISTORIC COMMERCIAL DISTRICT TO (H) IDZ HISTORIC, INFILL DEVELOPMENT ZONE WITH USES PERMITTED IN C-2 AND MF-25 WITH A MAXIMUM DENSITY OF 14 UNITS PER ACRE.

4.2D. ZONING CASE NUMBER Z2005112: The request of TI Rigsby, Inc., Applicant, for SCB Properties, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District and "R-4" Residential Single-Family District to "C-2NA" Commercial, Nonalcoholic Sales District on Lot K, NCB 10319, 1818 Rigsby. 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 McNeil 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101005

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 K, NCB 10319 FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA" COMMERCIAL, NONALCOHOLIC SALES DISTRICT.

4.2E. ZONING CASE NUMBER Z2005064: The request of Corey Parra, Applicant, for Louis Parra, Owner(s), for a change in zoning from "C-2" Commercial District to "R-6" C with conditional use for three (3) duplexes on the east 10 feet of Lot 11, Lots 12, 13 and 14, Block 38, NCB 8925 (212 Bynum Avenue, 927 and 931 King Avenue). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

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

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

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

AN ORDINANCE 101006

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 10 FEET OF LOT 11, LOTS 12, 13 AND 14, BLOCK 38, NCB 8925 FROM "C-2" COMMERCIAL DISTRICT TO "R-6" C WITH CONDITIONAL USE FOR THREE (3) DUPLEXES.

4.2F. ZONING CASE NUMBER Z2005104: The request of Louis Parra, Applicant, for Louis Parra, Owner(s), for a change in zoning from "C-2" Commercial District to "MF-25" Multi-Family District on Lot 7, Block 21, NCB 8917 (528 Wilcox). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 5)

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

Councilmember Radle made a motion to continue the proposed rezoning case. Councilmember Perez seconded the motion.

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

Zoning case Z2005104 was continued.

4.2G. ZONING CASE NUMBER Z2004218: The request of Earl & Associates, P. C., Applicant, for William E. Cooper, Inc., Owner(s), for a change in zoning from "C-2NA" Commercial, Nonalcoholic Sales District to PUD "R-5" Planned Unit Development Residential Single-Family District on Lot P-5, Block 35, NCB 17875, southwest corner of Cable Ranch Road and Waters Edge Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

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

Councilmember Barrera made a motion to continue the proposed rezoning case to the meeting of August 11, 2005. Councilmember Perez seconded the motion.

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

Zoning case Z2004218 was continued to the meeting of August 11, 2005.

4.2H. ZONING CASE NUMBER Z2005090: The request of Carlos & Jose Adan, Applicant, for Carlos & Jose Adan, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-3" General Commercial District on Lot 1, Block 1, NCB 16373 (7474 W. Military Drive). Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-3R". (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 Haass seconded the motion.

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

AN ORDINANCE 101007

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 16373 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3R" RESTRICTIVE COMMERCIAL DISTRICT.

4.2I. ZONING CASE NUMBER Z2005093: The request of Kaufman & Assoc., Inc., Applicant, for San Antonio Housing Development Corporation, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on 9.002 acres out of Lot 2, Block 2, NCB 18282 (7700 Ingram Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

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

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

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

AN ORDINANCE 101008

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 9.002 ACRES OUT OF LOT 2, BLOCK 2, NCB 18282 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

4.2J. ZONING CASE NUMBER Z2005111: The request of Kenneth W. Pearce, Applicant, for Robert Blume, Owner(s), for a change in zoning from "C-3R" General Commercial District, Restrictive Alcoholic Sales to "C-3" General Commercial District on the southeast 60 feet of the northwest 124.75 feet of Lot 1, Block 1, NCB 18621 (5251 Timberhill Drive, #201). 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:

Mr. Kenneth Pearce spoke to the development plan.

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

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

AN ORDINANCE 101009

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHEAST 60 FEET OF THE NORTHWEST 124.75 FEET OF LOT 1, BLOCK 1, NCB 18621 FROM "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOLIC SALES TO "C-3" GENERAL COMMERCIAL DISTRICT.

4.2K. ZONING CASE NUMBER Z2005136 C: The request of Earl & Associates, P. C., Applicant, for Multiple Owners, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 30.465 acres out of NCB 18296 and "C-2" C Commercial District with a conditional use for a home improvement center on 29.544 acres out of NCB 18296 on Culebra Road and FM 1560. Staff's recommendation was for approval. Zoning Commission's recommendation pending Zoning Commission June 7, 2005 meeting. (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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101010

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 30.465 ACRES OUT OF NCB 18296 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT AND 29.544 ACRES OUT OF NCB 18296 TO "C-2" C COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A HOME IMPROVEMENT CENTER.

4.2L. ZONING CASE NUMBER Z2005072: The request of Fellowship Bible Church of San Antonio, Applicant, for Fellowship Bible Church of San Antonio, Owner(s), for a change in zoning from "RE" Residential Estate District to "C-2" Commercial District on 1.079 acres and "C-2NA" Commercial, Nonalcoholic Sales District on 4.273 acres out of NCB 14657 all out of 5.352 acres of NCB 14657 (8603 Huebner Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

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

Councilmember Castro made a motion to 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Wolff.

AN ORDINANCE 101011

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 4.273 ACRES OUT OF NCB 14657 ALL OUT OF 5.352 ACRES OF NCB 14657 FROM "RE" RESIDENTIAL ESTATE DISTRICT TO

“C-2” COMMERCIAL DISTRICT ON 1.079 ACRES AND “C-2NA” COMMERCIAL, NONALCOHOLIC SALES DISTRICT.

4.2M. ZONING CASE NUMBER Z2005100: The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning from “R-5” Residential Single-Family Neighborhood Conservation District “NCD-3” to “RE” Residential Estate, “NCD-3” “R-20” Residential Single-Family, “NP-15” Neighborhood Preservation and “NP-10” “NCD-3” Neighborhood Preservation Neighborhood Conservation District 3 on Benrus and Ridge Drive between Bandera Road and West Quill. Staff’s recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

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

Councilmember Castro made a motion to approve the proposed rezoning case. Councilmember Radle seconded the motion.

The following citizen(s) appeared to speak:

Ms. Joan Price, Ingram Hills Neighborhood Association, addressed the Council urging the approval of the zoning case.

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

AN ORDINANCE 101012

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 BENRUS AND RIDGE DRIVE BETWEEN BANDERA ROAD AND WEST QUILL FROM “R-5” RESIDENTIAL SINGLE-FAMILY NEIGHBORHOOD CONSERVATION DISTRICT “NCD-3” TO “RE” RESIDENTIAL ESTATE, “NCD-3” “R-20” RESIDENTIAL SINGLE-FAMILY, “NP-15” NEIGHBORHOOD PRESERVATION AND “NP-10” “NCD-3” NEIGHBORHOOD PRESERVATION NEIGHBORHOOD CONSERVATION DISTRICT 3.

4.2N. 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 0.0491 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.

The following citizen(s) appeared to speak:

Mr. Brock Bailey spoke in support of the zoning case.

Mr. Ted Trakos addressed the agreement and conditions requested.

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

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

AN ORDINANCE 101013

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 0.0491 ACRES OUT OF NCB 14002 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6" S RESIDENTIAL SINGLE-FAMILY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A TELECOMMUNICATIONS TOWER.

4.20. ZONING CASE NUMBER Z2005110: The request of Lutheran High School Association of San Antonio, Applicant, for Diamondback Golf Development, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "RM-6" Residential Mixed District on Lot 1, Block 10, NCB 18333 and Lot 9 P-10, P-11 and P-11A, NCB 34721 (18102 & 18104 Babcock 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 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 101014

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 10, NCB 18333 AND LOT 9 P-10, P-11 AND P-11A, NCB 34721 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "RM-6" RESIDENTIAL MIXED DISTRICT.

4.2P. ZONING CASE NUMBER Z2005092: The request of Kaufman & Associates, Inc., Applicant, for McMillin Texas Development LLC, Owner(s), for a change in zoning from "C-2" ERZD Commercial Edwards Recharge Zone District and "C-3" ERZD General Commercial Edwards Recharge Zone District to "R-4" ERZD Residential Single-Family Edwards Recharge Zone District on 74.595 acres out of NCB 17701, northwest of the intersection of Northwest Military Highway and North Loop 1604 West. Staff's recommendation was for denial. Zoning Commission's recommendation pending June 7, 2005 Zoning Commission meeting. (Council District 9)

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

Councilmember Wolff 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:** McNeil, Gutierrez, Perez, Radle, Barrera, Wolff, Haass, Garza. **NAYS:** Flores, Castro, Hall. **ABSENT:** None.

AN ORDINANCE 101015

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 74.595 ACRES OUT OF NCB 17701 FROM "C-2" ERZD COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT AND "C-3" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "R-4" ERZD RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT.

4.2Q. ZONING CASE NUMBER Z2005135 S: The request of Brown, P. C., Applicant, for Pelanje, LLC, Owner(s), for a change in zoning from "C-2" Commercial District to "C-2" S Commercial District with specific use authorization for an in-patient hospice on a portion of Lot 34, Block 7, NCB 17011 (13441 Blanco Road). Staff's recommendation was for approval. Zoning Commission's recommendation pending June 7, 2005 Zoning Commission meeting. (Council District 9)

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

Councilmember Wolff 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, McNeil, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** Gutierrez, Perez.

AN ORDINANCE 101016

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 A PORTION LOT 34, BLOCK 7, NCB 17011 FROM "C-2" COMMERCIAL DISTRICT TO "C-2" S COMMERCIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR AN IN-PATIENT HOSPICE.

4.2R. ZONING CASE NUMBER Z2005094: The request of Samuel Bledsoe, Applicant, for Texas Health Development IV, Ltd., Partnership, Owner(s), for a change in zoning from "O-2" Office District and PUD "O-2" Planned Unit Development Office District to "C-1" Light Commercial District on 0.5270 acres out of NCB 12160 (8501 Laurens Court). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

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

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

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

AN ORDINANCE 101017

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 0.5270 ACRES OUT OF NCB 12160 FROM "O-2" OFFICE DISTRICT AND PUD "O-2" PLANNED UNIT DEVELOPMENT OFFICE DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

4.2S. ZONING CASE NUMBER Z2005097: The request of Steven Newton (NEWTON CONSTRUCTION), Applicant, for Steven Newton and Scott Earnest, Owner(s), for a change in zoning classification of Lots 6, 7, 8, and 9, Block 1, NCB 15687, from "R-6" Residential Single Family District to "I-1" General Industrial District save and except the southeast 75 feet; and to "C-3NA" General Commercial District, Nonalcoholic Sales on the southeast 75 feet of Lots 6, 7, 8, and 9, Block 1, NCB 15687 (4201 Stahl Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

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

Councilmember Haass made a motion to approve the proposed rezoning case. Councilmember Wolff seconded the motion.

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

AN ORDINANCE 101018

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHEAST 75 FEET OF LOTS 6, 7, 8, AND 9, BLOCK 1, NCB 15687 FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT SAVE AND EXCEPT THE SOUTHEAST 75 FEET; AND TO "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

Mayor Garza recessed the Regular City Council Meeting and convened as the Board of Directors of the City of San Antonio, Texas Empowerment Zone Development Corporation at 3:50 pm.

(At this point, Mayor Garza was obliged to leave the meeting at 3:52 pm. Mayor Pro Tem Hall presided.)

3:00 PM PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION

The City Clerk read the following resolution:

A RESOLUTION EZDC-2005-27

OF THE CITY OF SAN ANTONIO TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF UP TO \$35,000,000.00 IN TAX EXEMPT EMPOWERMENT ZONE REVENUE BONDS FOR THE ALAMO NATIONAL BANK BUILDING REDEVELOPMENT PROJECT; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A LOAN AGREEMENT, AN INDENTURE OF TRUST, A TAX AGREEMENT, AND AN UNDERWRITING AGREEMENT; APPROVING THE FORM OF AN OFFICIAL STATEMENT; AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH.

Mr. Ramiro Cavazos, Director of Economic Development Department, made a presentation on Items 5A and 6 on the Empowerment Zone Revenue Bond Issuance for the Drury Hotel Project, a copy of which is on file with the Office of the City Clerk. He outlined background information on the Empowerment Zone (EZ) objectives, total bond capacity, and the respective amounts for the Convention Center Hotel bonds and the

Drury Hotel project. He addressed the bond requirements, delineated the projects' description, citing the renovations for the Alamo National Bank Building for the Drury Hotel, the Aztec Theatre, the riverwalk extension, and projects' status. He expanded on the role of the Empowerment Zone Development Corporation, the remaining bonding capacity, the EZ bond approval process, the Empowerment Zone Strategic Plan, and fiscal impact.

The following citizen(s) appeared to speak:

Mr. Faris Hodge Jr., 140 Dora, addressed the Council and stated he was would support this item.

Mr. Charles English addressed the Council and stated he also was supporting this project because it enhances the area.

Mr. Jack M. Finger, PO Box 12048, stated he was in favor of renovating older buildings in the downtown area, but was not in favor of the method utilized to provide the funding.

(Mayor Garza returned to the meeting at 4:23 pm and presided.)

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

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

Mayor Garza adjourned the meeting of the Board of Directors of the City of San Antonio, Texas Empowerment Zone Development Corporation at 4:30 pm and reconvened the regular City Council Meeting.

The City Clerk read the following resolution:

A RESOLUTION 2005-25-28

APPROVING THE ISSUANCE BY THE *CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION* OF UP TO \$35,000,000.00 IN PRINCIPAL AMOUNT OF ITS *CONTRACT REVENUE EMPOWERMENT ZONE BONDS (DRURY SOUTHWEST HOTEL PROJECT), SERIES 2005*, THE PROCEEDS OF WHICH WILL BE LOANED TO ALAMO NATIONAL BUILDING DEVELOPMENT, L.P., TO FINANCE THE REDEVELOPMENT OF THE ALAMO

NATIONAL BANK BUILDING; AND APPROVING OTHER MATTERS RELATED THERETO.

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

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 101019

ADOPTING THE THIRTY-EIGHT STRATEGIES OUTLINED IN THE CULTURAL COLLABORATIVE: A PLAN FOR SAN ANTONIO'S CREATIVE ECONOMY, A COMMUNITY CULTURAL PLAN; AND AUTHORIZING THE TEN-YEAR IMPLEMENTATION OF THE STRATEGIES IN ORDER TO SUPPORT THE GROWTH AND RECOGNITION OF SAN ANTONIO'S CREATIVE ECONOMY.

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

Mr. Felix Padron, Director of Office of Cultural Affairs, narrated a slide presentation on The Cultural Collaborative (TCC) plan for San Antonio's Creative Economy, a copy of which is on file with the Office of the City Clerk. He spoke to the various actions leading to the planning process of the Cultural Collaborative, planned strategies, economic impact study of San Antonio's Creative Industry, the ten key focus areas identified to help guide the planning process. He further outlined the proposed incremental fiscal impact per year and the implementation partners

Mr. Jerry Owen addressed the TCC's goal to support the growth and recognition of San Antonio's creative economy outlining the five objectives to support the goal and strategies to support the five objectives. He cited the random household survey which confirmed that 9 out of 10 people in San Antonio have participated in a cultural event or activity during the past year, and that more than half of Bexar County households with children have a child who is active in an arts-related activity outside school.

The following citizen(s) appeared to speak:

Mr. Marco Barros addressed the Council in support of the cultural programs.

Mr. Jack M. Finger addressed the Council with regards to the private sector assisting with the arts. He noted another taxing district was not needed.

The Co-Chair of Cultural Alliance also addressed the Council and stated that the implementation of the plan would be critical.

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

The City Clerk read the following ordinance:

AN ORDINANCE 101020

AMENDING CHAPTER 28 OF THE CITY OF SAN ANTONIO CODE, TO CLARIFY ITS PURPOSE, DEFINE "BANDIT SIGNS", AND DECLARE SUCH SIGNS AS ABANDONED TRASH THAT MAY BE DISCARDED WITHOUT NOTICE TO THEIR OWNERS; AND DIRECTING PUBLICATION; AS REQUESTED BY COUNCILWOMAN PATTI RADLE, DISTRICT 5, AND COUNCILMAN RICHARD PEREZ, DISTRICT 4, WITH THE SUPPORT OF MAYOR EDWARD D. GARZA AND THE GOVERNANCE COMMITTEE.

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

Mr. Rod Sanchez, Assistant Director of Development Services, made a presentation on the current ordinance addressing temporary weekend signs under Chapter 28 of the City Code and explained the amendment on the proposed ordinance which defined bandit signs and authorized the removal of such signs. He added that training would be conducted by Development Services Department staff for the Neighborhood Associations.

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

5:00 PM - CITIZENS TO BE HEARD

Mr. Faris Hodge Jr., 140 Dora, sang a song for Mayor Garza and Councilmember Castro.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke on items 10 and 17 and mentioned the water source from the various areas.

Mr. Jose Perez addressed the Council with regards to voting for the right politician.

(At this point, Mayor Garza was obliged to leave the meeting at 5:55 pm. Mayor Pro Tem Hall presided.)

TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilwoman Sheila McNeil, District 2, and Councilman Chip Haass, District 10, who will travel to Washington, D.C. for the Chamber's "SA to DC XXVII" Convention from Sunday, June 12, 2005 to Wednesday, June 15, 2005.

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

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

6:00 PM – SECOND PUBLIC HEARING ON THE PROPOSED FULL PURPOSE ANNEXATION OF THE SOUTHSIDE INITIATIVE EXPANSION AREA.

Mr. Faris Hodge, 140 Dora, addressed the Council and stated that he could not support the proposed annexation.

Ms. Julie Iris Oldham stated she was against the proposed annexation.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council regarding a previous zoning case and the rights of the citizens to vote on proposed annexation.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 101021

AUTHORIZING AN AMENDMENT TO THE CITY'S TAX PHASE-IN AGREEMENT WITH MSPA ACQUISITION II, L.P. TO REMOVE ONE OF THE THREE ORIGINAL PARCELS OF PROPERTY (FORMERLY THE ADAM'S MARK SAN ANTONIO, NOW CROWNE PLAZA) FROM THE AGREEMENT; AND DISCONTINUING THE ABATEMENT OF AD VALOREM TAXES FOR THE REMOVED PARCEL.

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

Mr. Ramiro Cavazos, Director of Economic Development Department, made a presentation on the amendment to the Tax Phase-In agreement with MSPA Acquisition II San Antonio Corporation, a copy of which is on file with the Office of the City Clerk. He stated that the amendment would reduce the total property covered by the existing agreement, presented background information, adding that the request to place the property on the tax rolls would generate an estimated \$20,000 in revenues for 2005.

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

The City Clerk read the following ordinance:

AN ORDINANCE 101022

AMENDING ORDINANCE NO. 100190 AND SECTIONS OF CHAPTER 21, ARTICLE IX OF THE CITY CODE, STATING FINDINGS THAT RECOGNIZE THE ADVERSE SECONDARY EFFECTS UPON THE PUBLIC'S HEALTH, SAFETY AND WELFARE RESULTING FROM THE ACTIVITIES OF HUMAN DISPLAY ESTABLISHMENTS, OF PUBLIC PLACES WHERE SEMI-NUDE TOPLESS DANCING AND FULLY NUDE DANCING OCCUR, AND OF PUBLIC PLACES WHERE A STATE OF NUDITY OR SEMI-NUDITY GENERALLY EXISTS; PROHIBITING NUDITY OR SEMI-NUDITY OR A STATE OF NUDITY OR SEMI-NUDITY IN A PUBLIC PLACE; ESTABLISHING EXCEPTIONS TO PROSECUTION; ESTABLISHING A LICENSING SCHEME FOR HUMAN DISPLAY ESTABLISHMENTS WHEREBY COMPLIANCE WITH THE SCHEME SERVES AS AN EXCEPTION TO PROSECUTION; SETTING PERMIT FEES OF \$50.00 TO \$375.00; PROVIDING PENALTIES AND ENFORCEMENT INCLUDING FINES UP TO \$2,000.00 PER VIOLATION; AUTHORIZING SUIT TO ENJOIN

ILLEGAL ACTIVITY AND TO ENFORCE THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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

Ms. Martha Sepeda, Acting City Attorney, presented information on the settlement agreement approved by the City Council on May 5, 2005, which amends the Human Display Ordinance. She cited key points in the amendment such as the 3-foot rule remaining, no lap dances, permits and portability, manager permits, permit suspension/revocation and criminal exceptions.

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

CITY MANAGER'S REPORT

Mr. Dan Cardenas, Environmental Services Department, made a presentation on the Brush/Bulky Waste Program, a copy of which is on file with the Office of the City Clerk. Mr. Cardenas provided the background information, modifications, current status, and proposed improvements to the program.

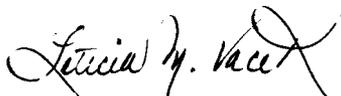
There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 6:46 pm.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk