

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 8, 2000

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2000-23 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following items(s):

- A) **Presentation of the San Antonio Police Department Rolling Staffing Plan** – presented by Chief of Police Al A. Philippus.

- B) **Briefing on Terminal Renovation Center Master Plan** – briefing postponed to the City Council meeting of June 22, 2000.

The Council members present were: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: None.

The "B" Session adjourned at 11:35 A.M.

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2000-23 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: None.

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2000-23 Invocation - Mr. Charles Johanson, San Pedro Church of Christ.

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2000-23 Pledge of Allegiance to the flag of the United States.

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2000-23 CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Consent Agenda item and explained several.

Mr. Jack Finger, P.O. Box 12048, spoke to his concerns for a lack of bids being taken on Agenda Item 22, and asked Council members who had received political contributions from any principal of the firm to abstain from voting on this issue.

Mr. Mark Encinas, 1700 Jackson Keller, #901, spoke to the digital world of today and San Antonio's place in it, and commented on Agenda Item 27 and the importance of computer networking.

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2000-23 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 7 through 27, constituting the Consent Agenda, with Items 7, 13, and 17 having been pulled for individual consideration. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None. ABSTAIN: Perez.

AN ORDINANCE 91910

ACCEPTING THE LOW BID BY HEB, INC., D/B/A PARKWAY SYSTEMS TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION, CONVENTION CENTER FACILITIES AND THE PURCHASING DEPARTMENTS WITH THREE (3) FORKLIFTS FOR A TOTAL OF \$55,834.00.

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AN ORDINANCE 91911

ACCEPTING THE LOW BID BY DELL-STAR TECHNOLOGIES, INC. (MBE/WBE) TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A VIDEO DOWNLINK SYSTEM FOR A TOTAL OF \$56,394.00.

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AN ORDINANCE 91912

ACCEPTING THE LOW QUALIFIED BID BY GT DISTRIBUTORS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH BALLISTIC BODY ARMOR PLATES AND SHIELDS FOR A TOTAL OF \$63,986.70.

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AN ORDINANCE 91213

ACCEPTING A BID BY NORTHWEST BUTANE GAS CO., THROUGH THE STATE OF TEXAS COOPERATIVE PURCHASING AGREEMENT TO PROVIDE THE CITY OF SAN ANTONIO WITH VEHICLE PROPANE CONVERSIONS FOR A TOTAL OF \$103,513.53.

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AN ORDINANCE 91914

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 2000-2001 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,774,602.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 91915

SELECTING URBAN SPACES DESIGN GROUP, INC. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE HERITAGE PARK IMPROVEMENTS PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$37,960.00 FOR ARCHITECTURAL SERVICES; ESTABLISHING A \$9,490.00 ARCHITECTURAL CONTINGENCY; PROVIDING \$11,000.00 FOR TOPOGRAPHIC AND SITE SURVEY FEES; ESTABLISHING THE HERITAGE PARK IMPROVEMENTS PROJECT BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GO BOND FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91916

SELECTING FORD ENGINEERING, INC. TO PROVIDE PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE WEST CRAIG – ELMENDORF TO JOSEPHINE TOBIN PROJECT LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$77,368.00; AUTHORIZING \$7,736.80 FOR MISCELLANEOUS ENGINEERING CONTINGENCY; APPROPRIATING FUNDS; AUTHORIZING REIMBURSEMENT FOR THE SALE OF 1999 BONDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91917

SELECTING S.M. GALINDO ENGINEERS, INC. (MBE) TO PROVIDE PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE WOODLAWN AVENUE – SAN ANTONIO TO LAKE PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$47,807.00; AUTHORIZING \$4,780.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY; APPROPRIATING FUNDS; AUTHORIZING REIMBURSEMENT FROM THE SALE OF 1999 BONDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91918

AMENDING AN EXISTING METROPOLITAN PLANNING ORGANIZATION (MPO) FUNDED PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$26,027.53 TO MAESTAS & BAILEY, INC., IN CONNECTION WITH THE ISOM ROAD PROJECT FROM RAMSEY TO US 281, LOCATED IN COUNCIL DISTRICT 9; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91919

AUTHORIZING PAYMENT IN THE AMOUNT OF \$115,950.80 FROM MPO MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A METROPOLITAN PLANNING ORGANIZATION (MPO) URBAN

STREET PROGRAM (USP) PROJECT IN CONNECTION WITH THE RECONSTRUCTION OF S. NEW BRAUNFELS FROM FAIR TO STEVES, LOCATED IN COUNCIL DISTRICT 3.

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AN ORDINANCE 91920

AUTHORIZING PAYMENT IN THE AMOUNT OF \$270,068.92 FROM MPO MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A METROPOLITAN PLANNING ORGANIZATION (MPO) URBAN STREET PROGRAM (USP) PROJECT IN CONNECTION WITH THE N. NEW BRAUNFELS FROM IH 35 TO GRAYSON, LOCATED IN COUNCIL DISTRICT 2; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91921

AUTHORIZING PAYMENT OF \$116,008.13 FROM MPO MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A CHANGE ORDER IN CONNECTION WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) STP-MM PROJECT ON CALLAGHAN FROM OLD HWY. 90 TO COMMERCE, LOCATED IN COUNCIL DISTRICT 6.

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AN ORDINANCE 91922

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$1,200.00 TO OVERBY DESCAMPS ENGINEERS, INC. (MBE) FOR ADDITIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE HIGGINS – NACOGDOCHES TO STAHL ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$120.00 IN MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91923

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$4,550.99 TO SLAY ENGINEERING CO., INC. FOR ENGINEERING SERVICES PERFORMED IN CONNECTION WITH THE KING'S CROWN - O'CONNOR TO BRICKEN/HARDING ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 10; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91924

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$76,800.00 TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. (MBE) FOR ADDITIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE LANARK DRAINAGE #92A PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$7,680.00 IN MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91925

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A 10-FOOT TEMPORARY CONSTRUCTION EASEMENT OUT OF A 31.161 ACRE TRACT OF LAND OUT OF THE ANSELMO PRU SURVEY NO. 20, ABSTRACT 574, COUNTY BLOCK 4766, NOW IN NEW CITY BLOCK 14861 SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE BABCOCK ROAD - DE ZAVALA TO HAUSMAN ROAD PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91926

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A 0.005 ACRE TRACT OF LAND OUT OF LOT 6-N, A 0.006 ACRE TRACT OF LAND OUT OF

LOT 6-M, A 0.007 ACRE TRACT OF LAND AND A TEMPORARY EASEMENT CONSISTING OF A 0.030 ACRE TRACT OF LAND OUT OF LOT 6-L, ALL OUT OF NEW CITY BLOCK 10755, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE W. W. WHITE ROAD – RIGSBY TO LORD ROAD PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91927

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO MAKE AN APPLICATION, FOR FEDERAL ASSISTANCE PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN AN AMOUNT NOT TO EXCEED \$64,981.00, WHICH FUNDS WILL BE USED TO HIRE ONE FULL-TIME STAFF MEMBER TO PROVIDE TECHNICAL CONSULTING, ASSISTANCE, TRAINING ON COMPUTER HARDWARE, SOFTWARE AND NETWORKS, IN ADDITION TO PROVIDING BEGINNING AND ADVANCED TECHNICAL TRAINING COURSES TO MEMBERS OF THE ALAMO AREA LIBRARY SYSTEM.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91928

ACCEPTING THE LOW QUALIFIED BID BY AC BUCKHORN CANADA, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH 10,000 CURBSIDE RECYCLING CONTAINERS FOR A TOTAL OF \$37,700.00.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

In response to a question by Mr. Bannwolf, Ms. Yolanda Miller, Assistant Director of Purchasing & General Services, and Mr. Tom Wendorf, Assistant Director of Public Works, addressed the need for additional recycling containers.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated that several persons had complained to him that they cannot get a recycling container from the City, and questioned whether 10,000 additional containers would be enough.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91929

ACCEPTING THE LOW QUALIFIED BASE BID OF ASC PAVING IN THE TOTAL AMOUNT OF \$284,500.00 FOR CAPITAL IMPROVEMENTS TO THE CITY'S LAKESIDE PARK IN CITY COUNCIL DISTRICT 2; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET; AUTHORIZING THE TRANSFER OF \$307,675.00 IN 1994 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO THE PROJECT BUDGET; AUTHORIZING \$22,449.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$2,384.00 FOR LANDSCAPE ARCHITECT FEES; AUTHORIZING \$322.00 FOR STATE STORMWATER PARTICIPATION FEES; AND PROVIDING FOR PAYMENT.

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Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Malcolm Matthews, Director of Parks & Recreation, explained the work to be done at Lakeside Park.

Mr. Salas noted that area residents have waited a long time for these improvements.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91930

SELECTING HDR ENGINEERING, INC. D/B/A HDR/SIMPSON TO PROVIDE PROFESSIONAL ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE BELGIUM/KONO PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$265,737.00; AUTHORIZING \$26,573.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY; APPROPRIATING FUNDS; AUTHORIZING REIMBURSEMENT FROM THE SALE OF 1999 BONDS; AND PROVIDING FOR PAYMENT.

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Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Tom Wendorf, Assistant Director of Public Works, explained the details of the project.

Mr. Salas questioned the caption of the proposed Ordinance and whether its project description was sufficient. He outlined the physical scope of the proposed project.

City Clerk Norma S. Rodriguez stated that she would refer the question to the Office of the City Attorney for their opinion, and, if necessary, make any corrections to the caption of the proposed Ordinance

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

(Following the City Council meeting, Mr. Habib Erkan, Assistant City Attorney, ruled that the description in the caption of the Ordinance was legally sufficient, and no changes needed to be made to that caption.)

2000-23
COMMENTS

ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN

Mr. Jack Finger, P.O. Box 12048, spoke to his concern for a lack of backup documents relating to Agenda Item 32, dealing with new taxicab rates. He questioned the need for spending another \$1.5 million on the former Friedrich Building, and questioned the need for additional fund allocations for Centro Alameda, to benefit the Hispanic Chamber of Commerce.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91931

APPOINTING THREE (3) MEMBERS TO THE ADVISORY BOARD OF HEALTH OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2002 AND 2003. [NOMINEES: DR. JESSE JACKSON, MS. LOUISE BOTTS, AND MR. DENNIS THAYER]

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City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Bannwolf made a motion to approve the proposed Ordinance with the nominees being brought forward. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91932

APPOINTING EIGHT (8) MEMBERS TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2002. [NOMINEES FOR THE HOTEL/MOTEL ASSN: MICHAEL

SAWAYA, DON NEWMAN, DOUGLAS BROWNE, HENRY FELDMAN, AND
STERLING LUNDGREN; NOMINEES FOR RELATED INDUSTRIES: MARI
VICKERY, C. B. SONNTAG, AND MICHAEL CATCOTT]

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City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Bannwolf made a motion to approve the proposed Ordinance with the nominees being brought forward. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91933

APPOINTING THREE MEMBERS TO THE MARKET SQUARE COMMISSION FOR
TERMS OF OFFICE TO EXPIRE ON AUGUST 11, 2002. [NOMINEES: KILLIS
ALMOND, DAVID CORTEZ, AND DELIA GUAJARDO]

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City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Perez made a motion to approve the proposed Ordinance with the nominees being brought forward. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia.

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2000-23 The Clerk read the following Ordinance appointing four members to the
Planning Commission for terms of office to expire on July 31, 2002.

City Clerk Norma S. Rodriguez explained that there are six Council nominations for the four available slots on the Planning Commission.

After discussion, Mr. Salas made a motion to name Mr. Edward Michael Guerra, Mr. Heriberto Herrera, and Ms. Marvene Elliott to three of the available slots on the Planning Commission. Mr. Bannwolf seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

Ms. Guerrero then nominated Mr. Hector Frausto for the remaining slot on the Planning Commission.

Ms. Conner then nominated Mr. Andrew Clements for the remaining slot on the Planning Commission.

In a roll-call vote, Mr. Frausto received the votes of Mr. Perez, Mr. Salas, Ms. Guerrero, Mr. Prado, Mr. Garcia, Mr. Barrera, Mr. Garza, Mr. Bannwolf, Mr. Carpenter, and Mayor Peak.

Mr. Clements received the vote of Ms. Conner.

Mr. Bannwolf then made a motion to name Mr. Edward Michael Guerra, Mr. Heriberto Herrera, Ms. Marvene Elliott, and Mr. Hector Frausto to the four available slots on the Planning Commission. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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AN ORDINANCE 91934

APPOINTING FOUR MEMBERS TO THE PLANNING COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 2002. [HECTOR F. FRAUSTO, EDWARD MICHAEL GUERRA, HERIBERTO HERRERA, MARVENE ELLIOTT]

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91935

APPROVING TERMS AND CONDITIONS AND AUTHORIZING EXECUTION OF (1) A SETTLEMENT AGREEMENT AND MUTUAL RELEASE, INCLUDING SALE OF (A) LIMITED AIR RIGHTS TO APPROXIMATELY 1,685 SQUARE FEET OF CITY RIGHT-OF-WAY FOR \$10,899.00 FOR CORNICE OVERHANG, AND (B) LIMITED SUBSURFACE RIGHTS TO APPROXIMATELY 1,580 SQUARE FEET OF CITY RIGHT-OF-WAY FOR \$27,650.00, FOR A SUBSURFACE RETENTION AND FOUNDATION SYSTEM; (2) A 25-YEAR PATIO LICENSE AGREEMENT; (3) A CONSTRUCTION AGREEMENT, AND (4) AN ESCROW AGREEMENT, ALL WITH RIVERTON SUITES, LTD.; AND AUTHORIZING THE LIMITED WAIVER AND MODIFICATION OF TEMPORARY RIGHT-OF-WAY CLOSURE FEES TO FACILITATE DEVELOPMENT OF A PROPOSED EMBASSY SUITES HOTEL ALONG THE RIVER WALK AT THE SOUTHEAST CORNER OF WEST MARKET AND NAVARRO STREETS, SUBJECT TO CLOSING BY RIVERTON SUITES, LTD. OF THE PURCHASE OF THE HOTEL SITE BY OCTOBER 15, 2000.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Trey Jacobson, Acting Assistant Director of the Economic Development Department, narrated a video presentation on the proposed settlement agreement and mutual release, sale of air rights and limited subsurface rights, a license agreement, a construction agreement, and an escrow agreement, all with Riverton Suites, Ltd. for a proposed Embassy Suites Hotel. A copy of his presentation is made a part of the papers of this meeting. He described the project and the requested assistance from the City, then spoke to the settlement agreement as to property boundaries along the river; the license agreement; escrow agreement; and the construction agreement. He then spoke to certain public improvements to be made by the developer.

(At this point, Mayor Peak was obliged to leave the meeting. Mr. Perez presided.)

Mr. Perez spoke to the benefits to accrue to the City, as a result of this project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf. **NAYS:** None. **ABSENT:** Carpenter, Peak.

2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91936

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH RIVERTON SUITES, LTD., FOR APPROXIMATELY 562 SQUARE FEET OF PUBLIC SPACE ON THE SAN ANTONIO RIVERWALK IN COUNCIL DISTRICT 1 FOR OUTDOOR DINING SERVICES FOR THE PROPOSED EMBASSY SUITES HOTEL AT THE SOUTHEAST CORNER OF WEST MARKET AND NAVARRO STREETS FOR AN ANNUAL PAYMENT OF \$7,553.29 COMMENCING UPON COMPLETION OF THE CONSTRUCTION OF THE HOTEL AND ADJUSTED EACH YEAR THEREAFTER FOR ANY INCREASE IN THE CONSUMER PRICE INDEX, SUBJECT TO CLOSING BY RIVERTON SUITES, LTD. OF THE PURCHASE OF THE HOTEL SITE BY OCTOBER 15, 2000.

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Mr. Prado made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf. **NAYS:** None. **ABSENT:** Carpenter, Peak.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91937

APPROPRIATING \$1,537,000.00 IN CAPITAL BUDGET FUNDING AND \$215,900.00 OF COMMUNITY AND VISITORS FACILITIES FUNDS TO CENTRO ALAMEDA, INC, A TEXAS NON-PROFIT CORPORATION, FOR RESTORATION/RENOVATIONS WORK ON THE ALAMEDA THEATER COMPLEX, WHICH INCLUDES THE ALAMEDA THEATER, THE CASA DE MEXICO BUILDING, AND THE ADJACENT PARKING LOT IN THE 100 BLOCK OF WEST HOUSTON STREET AND THE BASILA PHARMACY BUILDING AND ADJACENT PARKING LOT IN THE 100 BLOCK OF NORTH LAREDO STREET, IN COMPLIANCE WITH THE TERMS OF THE CAPITAL IMPROVEMENTS

FUNDING AGREEMENT WHICH WAS EXECUTED BY THE CITY OF SAN ANTONIO AND CENTRO ALAMEDA, INC. EFFECTIVE OCTOBER 1, 1998.

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Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

Ms. Rebecca Waldman, Director of Asset Management, narrated a video presentation on proposed capital budget appropriations for Centro Alameda, Inc. as a result of the 1998 Capital Improvements Funding Agreement between Central Alameda and the City; proposed approval for a sublease of facilities for the Hispanic Chamber of Commerce; and a proposed sublease agreement for the City's Office of Cultural Affairs in the Casa de Mexico Building. A copy of her presentation on this series of three companion ordinances is made a part of the papers of this meeting. She provided a background explanation of the Alameda project and the three proposed ordinances, and addressed the financial aspects of each.

Mr. Perez thanked City staff for its assistance for Centro Alameda, and spoke to the financial contributions made to this work by Councilmembers Garza and Bannwolf.

The following citizen(s) appeared to speak:

Mr. Bob Guerra, President of the Hispanic Chamber of Commerce, spoke to the uniqueness of this facility, noting that his organization's predecessor, the Mexican Chamber of Commerce, once officed in this same building some 72 years ago. He also thanked City staff for its assistance in this sublease matter.

Mr. Garza and Mr. Bannwolf spoke to these two subleases as good tenants for the facility, and thanked all involved.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Conner, Bannwolf. **NAYS:** None. **ABSENT:** Barrera, Carpenter, Peak.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91938

APPROVING THE TEN-YEAR TERM OF THE SUBLEASE AGREEMENT BETWEEN THE HISPANIC CHAMBER OF COMMERCE (HCC), AS TENANT, AND CENTRO ALAMEDA, INC., AS LANDLORD, FOR THE HCC'S SUBLEASE OF 5,336 RENTABLE SQUARE FEET IN THE CASA DE MEXICO BUILDING LOCATED AT 318 W. HOUSTON STREET, AS REQUIRED BY THE MASTER LEASE OF THIS BUILDING BETWEEN THE CITY OF SAN ANTONIO AND CENTRO ALAMEDA, INC., SUCH BUILDING BEING A PART OF THE ALAMEDA THEATER COMPLEX, AND, IN CONSIDERATION OF THE FAVORABLE LEASE TERMS PROVIDED TO THE TENANT BY THE LANDLORD, APPROPRIATING \$212,078.00 IN COMMUNITY AND VISITORS FACILITIES FUNDS TO CENTRO ALAMEDA INC., FOR RESTORATION AND OPERATING COSTS ASSOCIATED WITH THE ALAMEDA THEATER COMPLEX.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf. **NAYS:** None. **ABSENT:** Garza, Carpenter, Peak.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91939

APPROVING THE SUBLEASE AGREEMENT WITH CENTRO ALAMEDA, INC. AS LANDLORD, FOR THE USE BY THE CITY'S OFFICE OF CULTURAL AFFAIRS OF 3,120 RENTABLE SQUARE FEET IN THE HISTORIC CASA DE MEXICO BUILDING, LOCATED AT 318 W. HOUSTON STREET, FOR AN INITIAL TERM OF FIVE (5) YEARS WITH ONE FIVE (5) YEAR RENEWAL OPTION, AT AN EFFECTIVE ANNUAL RENTAL RATE OF \$13.88 PER SQUARE FOOT, AND AN AVERAGE ANNUAL RENTAL OBLIGATION OF \$43,305.60, SUBJECT TO

ADJUSTMENT ANNUALLY FOR REIMBURSEMENT OF INCREASES IN BUILDING OPERATING EXPENSES, AS ADDITIONAL RENT.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf. **NAYS:** None. **ABSENT:** Garza, Carpenter, Peak.

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2000-23 (At this point, Mayor Pro Tem Garcia presided in the temporary absence of the Mayor.)

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2000-23 **ZONING HEARINGS – CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to each rezoning case and commented on several.

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2000-23 **ZONING HEARINGS**

In response to a question by Ms. Conner, Mr. Steve Arronge, Assistant City Attorney, spoke to the City's role in the matter of deed restrictions, and what the City can do relative to them, and what it cannot do. He also spoke to the City's role in access issues, and noted that any action must be in consonance with the City's Master Plan. (At this point, Mayor Peak returned to the meeting to preside.)

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3A.) CASE NO. #Z20099 - The request of Shekinah Learning Institute DBA Radiance Academy of Learning, Applicant, for Stanley Spigel, Owner, for a change in zoning from "I-1" Light Industry District, "B-3 NA" Business District, Non-Alcoholic Sales and "O-1" Office District to "R-3" Multiple Family Residence District on 1.39

acres out of Lot 31, NCB 8409, 3606 Fredricksburg Road, Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Perez made a motion to uphold the recommendation of the Zoning Commission, and to deny the requested rezoning. Ms. Guerrero seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza, Bannwolf.

Zoning Case Z20099 was denied.

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3B.) CASE NO. #Z20084 SUP - The request of Blue Beacon, Applicant, for San Antonio Interstate 10, Limited Partnership Owner(s), for a change in zoning from "B-3" Business District to "B-3 SUP" Business District with a Special Use Permit for a truck wash facility on 3.008 acres out of NCB 17978, 6000 Block IH 10 East. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Salas made a motion to reject the recommendation of the Zoning Commission, and to deny the requested rezoning. Mr. Perez seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

Zoning Case Z20084 SUP was denied.

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3C.) CASE NO. #Z20091 SUP - The request of Barrio Comprehensive Family Health Care Center, Inc, Applicant, for Pete and Valentine Witherspoon and Progressive Womens Club Owner(s), for a change in zoning from "C" Apartment District to "R-3 SUP" Multi-Family Residence District with a Special Use Permit for medical clinic administrative offices on Lots 12 and 13, Block 10, NCB 1330, 1921 Burnett Street. Staff's recommendation was for denial.

Zoning Commission has recommended approval with conditions (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza, Bannwolf.

AN ORDINANCE 91940

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 12, AND 13, BLOCK 10, NCB 1330, 1921 BURNET STREET, FROM "C" APARTMENT DISTRICT TO "R-3 SUP" MULTI-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR MEDICAL CLINIC ADMINISTRATIVE OFFICES ON THE PROPERTY.

* * * *

3D.) CASE NO. #Z20008 - The request of Ignacio R. Rosas, Applicant, for Ignacio R. Rosas, Owner(s), for a change in zoning from "R-7" Small Lot Home District to "B-3 NA" Business District, Non-Alcoholic Sales on Lot 15, NCB 8614, 4521 S. Hackberry Street. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Ignacio R. Rosas, the applicant, briefly explained his rezoning request.

Ms. Guerrero spoke to her willingness to support a B-2NA zoning on the property, and made a motion to continue this rezoning case to the City Council meeting of June 22, 2000. Mr. Garcia seconded the motion.

After consideration, the motion to continue this case until June 22, 2000, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Peak. **NAYS:** None. **ABSENT:** Salas, Bannwolf, Carpenter.

Zoning Case Z20008 was continued to the Council meeting of June 22, 2000.

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

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3E.) CASE NO. #Z20010 - The request of Alfonso Perez, Jr., Applicant, for Alfonso Perez, Jr., Owner, for a change in zoning from "A" Single Family Residence District to "O-1" Office District on Lot 1 and Lot 2, Block 1, NCB 10853, 2130 Goliad Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Guerrero made a motion to uphold the recommendation of the Zoning Commission, and submitted for the record a copy of certain Deed Restrictions agreed to by the proponent and a Warranty Deed copy, showing ownership of the subject property. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Salas, Bannwolf, Peak.

AN ORDINANCE 91941

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, AND LOT 2, BLOCK 1, NCB 10853, 2130 GOLIAD ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

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3F.) CASE NO. #Z20044 SUP - The request of George J. and Patricia Miller, Applicant, for Edward G. Guterrez, Owner, for a change in zoning from Historic "R-1" Single Family Residence District to Historic "R-1 SUP" Single Family Residence District with a Special Use Permit for one manufactured home on 0.8895 acre tract out of NCB 11173, 9206 Espada Road. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Guerrero made a motion to continue this rezoning case to the City Council meeting of June 22, 2000. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until June 22, 2000, prevailed by the following vote: **AYES:** Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Perez, Salas, Bannwolf, Peak.

Zoning Case Z20044 SUP was continued to the Council meeting of June 22, 2000.

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3G.) CASE NO. #Z20079 - The request of Charles A. Heubaum, Applicant, for Charles A. Heubaum, Owner, for a change in zoning from "A" Single Family Residence District to "B-3 NA" Business District, Non-Alcoholic Sales on the northeast irregular 40 feet of P-18 and Lot 20, NCB 10846; and, From "A" Single Family Residence District to "I-1" Light Industry District on P-18 and Lot 20, NCB 10846, save

and except the northeast irregular 40 feet on, 4721 and 4722 E. Southcross Blvd. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

(At this point, Mayor Peak returned to the meeting to preside.)

The following citizen(s) appeared to speak:

Ms. Carolyn Heyen, 9566 IH 35 North, spoke in support of the rezoning request, stating her belief that the proposed usage will be an improvement to the neighborhood.

Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia, Bannwolf.

AN ORDINANCE 91942

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 NORTHEAST IRREGULAR 40 FEET OF P-18 AND LOT 20, NCB 10846, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3 NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; AND ON P-18 AND LOT 20, NCB 10846, SAVE AND EXCEPT THE NORTHEAST IRREGULAR 40 FEET, 4721 AND 4722 E. SOUTHCROSS, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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3H.) CASE NO. #Z20090 - The request of Jamal Hammudeh, Applicant, for Jamal Hammudeh, Owner, for a change in zoning from "O-1" Office District and "B-2" Business District to "B-3 NA" Business District, Non-Alcoholic Sales on 1.2085 acres out of P-9, NCB 15910, 1400 Block of Ellison Drive. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 4).

Mr. Ray Lozano, Land Development Services, explained the rezoning request, and stated that he understands that the applicant in this case plans to withdraw his rezoning request.

The following citizen(s) appeared to speak:

Ms. Rick Volz, 802 Fredericksburg Road, spoke against the location of a carwash in the neighborhood, and addressed certain Code Compliance violations reported on this property.

Mr. Rick Volz stated his belief that a carwash on this property would not be compatible with the neighborhood, and spoke to potential problems with such a usage. He spoke against the proposed 24-hour-a-day carwash.

Ms. Nancy Engelbert, 10486 Pine Glade, also spoke to certain Code Compliance violations on this property, and displayed a series of photographs of the property and surrounding area.

The problem with illegal dumping on area property then was discussed.

Mr. Sylvan Lutz, 9677 Marbach Road, asked that the rezoning request be denied.

* * * *

Mr. Prado noted that instances of illegal dumping on area properties will be prosecuted.

Mr. Prado then made a motion to uphold the recommendation of the Zoning Commission, and to deny the requested rezoning. Mr. Bannwolf seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case Z20090 was denied.

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3I.) CASE NO. #Z20101 - The request of Mary Lee Martinez, Applicant, for Mary Lee Martinez, Owner, for a change in zoning from "C" Apartment District to "B-3 NA" Business District, Non-Alcoholic Sales on Lot 10, Block 6, NCB 6748, 119 Brady Boulevard. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 5).

Mr. Ray Lozano, Land Development Services, explained the rezoning request and noted that staff has received a petition bearing some 225 signatures of citizens in favor of this requested rezoning.

Mr. Garcia made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 91943

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 10, BLOCK 6, NCB 6748, 119 BRADY BOULEVARD, FROM "C" APARTMENT DISTRICT TO "B-3 NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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3J.) CASE NO. #Z20060 SUP - The request of North American Precast Company, Ltd., Applicant, for North American Precast Company, Ltd. Owner(s), for a change in zoning from "B-3 NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for a contractor's yard with outside storage to "B-3 NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for operation of a concrete products manufacturing facility and batching plant, with hauling, truck repair and maintenance, and outside storage of materials on 38.59 acre tract of land out of NCB 15007, 6949 Low Bid Lane. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with conditions (Council District 7).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Garza made a motion to approve the recommendation of the Zoning Commission, subject to a list of conditions recommended by the Zoning Commission, and further subject to additional conditions as outlined in an attachment handed to the City Clerk, and now a part of the official records of this meeting. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Barrera.

AN ORDINANCE 91944

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 38.59 ACRE TRACT OF LAND OUT OF NCB 15007, 6949 LOW BID LANE, FROM "B-3NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR A CONTRACTOR'S YARD WITH OUTSIDE STORAGE TO "B-3 NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR OPERATION OF A CONCRETE PRODUCTS MANUFACTURING FACILITY AND BATCHING PLANT, WITH HAULING PLANT, WITH HAULING, TRUCK REPAIR AND MAINTENANCE, AND OUTSIDE STORAGE.

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3K.) CASE NO. #Z20097 SUP - The request of Daniel Gill, Applicant, for Daniel Gill Owner(s), for a change in zoning from "B-3 NA" Business District, Non-Alcoholic Sales to "B-3 NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for a Contractors Facility with outside storage on 0.315 acres out of Lot 5, Block 6, NCB 7448, 306 Hortencia Street. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 7).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Garza made a motion to uphold the recommendation of the Zoning Commission, and to deny the rezoning request. Mr. Garcia seconded the motion.

After consideration, the motion to deny this rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Barerra.

Zoning Case Z20097 SUP was denied.

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3L.) CASE NO. #Z20103 - The request of Woodlawn Lake Community Association and the City of San Antonio, Applicant, for City of San Antonio Owner(s), for a change in zoning from "B" Residence District to "R-1 (H)" Historic Single Family Residence District on Lot 8, NCB 2014, Lot A2, NCB 2028, and a 200 foot by 200 foot area within Alazon Creek bounded on the north by S. Josephine Drive, the west by Williams Avenue and the south by Texas St; and, From "R-1" Single Family Residence District to "R-1 (H)" Historic Single Family Residence District on a 20 foot by 250 foot median in N. Josephine Tobin Drive between W. Mistletoe Avenue and W. Woodlawn Avenue; and from "F" Local Retail District to "R-1 (H)" Historic Single Family Residence District on Lots 1-13, Block 7, NCB 2026 on Woodlawn Lake Park area. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Garza made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Ms. Charlotte Kahl, 2103 W. Mistletoe Ave., spoke to the proposed addition of some five parcels of land to the Woodlawn Lake Historic District.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 91945

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 20 FOOT BY 250 FOOT MEDIAN IN N. JOSEPHINE TOBIN DR. BETWEEN W. MISTLETOE AVE. AND W. WOODLAWN AVE, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1 (H)" HISTORIC SINGLE FAMILY RESIDENCE DISTRICT; AND LOTS 1-13, BLOCK 7, NCB 2026 ON WOODLAWN LAKE PARK AREA, FROM "F" LOCAL RETAIL DISTRICT TO "R-1 (H)" HISTORIC SINGLE FAMILY RESIDENCE DISTRICT.

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3M.) CASE NO. #Z20028 - The request of Pulte Homes of Texas, LP., Applicant, for Dr. Marvin Newby, Owner, for a change in zoning from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District on 27.994 acre tract of land, NCB 14861, 6502 Hausman Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

In response to a question by Ms. Conner, Mr. Steve Brown, representing Brown Engineering, stated that he would abide by the neighborhood plan in this matter.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 91946

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 27.994 ACRE TRACT OF LAND, NCB 14861, 6502 HAUSMAN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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3N.) CASE NO. #Z20066 - The request of Terry and Kimberle Young, Applicant, for Terry and Kimberle Young, Owners, for a change in zoning from "O-1 ERZD" Office Edwards Recharge Zone District to "O-1 ERZD SUP" Office Edwards Recharge Zone District with a Special Use Permit for a clinic (medical or dental), furniture sales, gift shop, interior decorating studios, laboratory (dental or medical), optical goods (retail), optician, surgical supplies (retail) and pharmaceutical sales apothecary) on Lots 1, 2 and 3, Block 4, NCB 14714, 12200 Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

In response to a question by Ms. Conner, Mr. Scott Halty, representing San Antonio Water System, addressed the status of several water wells on the property, as well as an old septic tank.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Garza.

AN ORDINANCE 91947

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2 AND 3, BLOCK 4, NCB 14714, 12200 HUEBNER ROAD, FROM "O-1 ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT TO "O-1 ERZD SUP" OFFICE EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIAL USE PERMIT FOR A CLINIC (MEDICAL OR DENTAL),

FURNITURE SALES, GIFT SHOP, INTERIOR DECORATING STUDIOS, LABORATORY (DENTAL OR MEDICAL), OPTICAL GOODS (RETAIL), OPTICIAN, SURGICAL SUPPLIES (RETAIL) AND PHARMACEUTICAL SALES (APOTHECARY).

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30.) CASE NO. #Z20073 - The request of Fred F. Buchholtz, Applicant, for Fred F. Buchholtz, Owner, for a change in zoning From "R-1" Single Family Residence District to "O-1" Office District on Lot 1, Block 1, NCB 16995, 13200 Block of NW Military Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Mr. Fred F. Buchholtz, the applicant, stated that he planned to save many of the trees on the property, and has worked on deed restrictions on that property. He spoke to plans to construct an office building on the property, at the entrance to the subdivision, and plans to provide off-street parking. He stated that he planned to control future development of the property with certain deed restrictions.

Mr. Ray Hamilton, 2523 Wilderness Hill, representing the Castle Hills Forest Neighborhood Association, provided Council members with a handout of materials relative to this matter. He spoke to a brief history of this subject property, the desires of the neighborhood association, and certain points of opposition to the proposed construction of an office building. He then narrated a video presentation on the immediate area around the subject property, and asked the City Council to maintain the residential character of this property.

Ms. Mary Hudzik, 13643 Forest Walk, addressed her concerns with commercial uses of the property and the introduction of more traffic into the area. She then displayed photographs of the immediate area.

Mr. Alan Futrell, 13602 Pebble Oak, discussed certain proposed deed restrictions and the question of whether or not the proponent has received the approval of a majority of the homeowners in Unit 1.

Mr. Steve Pilcher, 13602 Forest Walk, spoke to the reasons for opposition to commercial intrusion into the neighborhood.

Mr. Mark Retzloff, 2526 Wilderness Hill, stated his opinion that the community involved is against the proposal, which he feels will bring more traffic into the area.

Speaking in support for the proposed rezoning, Ms. Christie Hoff, 2346 Cobble Way, stated her belief that the office building would bring only minimal increases in traffic to the area, and would improve the looks of the entrance to the subdivision. She also displayed photographs of the immediate area.

Ms. Shirley Buchholtz, also speaking in support for the rezoning, addressed certain perceived contradictions in neighborhood association board meetings relative to this property.

Ms. Pat Fardal, 13747 Wilderness Point, also spoke in favor.

Mr. Buchholtz, in rebuttal to the opposition, spoke in refutation to several contentions of the opposition, noting that the homeowners association had approved the project in April of this year, then later changed its mind.

After discussion, Ms. Conner made a motion to continue this rezoning case to the City Council of June 22, 2000. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case until June 22, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero.

Zoning Case Z20073 was continued to the Council meeting of June 22, 2000.

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3P.) CASE NO. #Z20076 - The request of Lancaster Development Company, Applicant, for Harry Schummacher, Owner, for a change in zoning From "R-1" Single Family Residence District to "R-5" Single Family Residence District on 14.0526 acres out of County Block 4530 and County Block 4766, 7755 W. Prue Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

The following citizen(s) appeared to speak:

Mr. Mike Lancaster, representing Lancaster Development, spoke briefly to plans for a single-family subdivision on the property.

Mr. Gerald Nowotny, 7714 Oakhill Park, asked for more time for discussion of the rezoning request, noting heavy and congested traffic in the area already. He noted that the neighborhood wants to work with the developer, and spoke against any access to and from the property onto Cedar Park.

Mr. Lancaster noted that he had met with the neighborhood, and that the City's Traffic Engineering Division approves his plans.

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Ms. Conner noted that the developer already had met with the neighborhood and City representatives concerning traffic matters. She noted that installation of a traffic light nearby has been rejected, and spoke of her willingness to work with the neighborhood on this rezoning matter.

Mr. Andy Ballard, City Engineer, addressed work on the entrance to the subdivision, traffic problems in the area, and agreements made with the developer to alleviate some of those problems.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Prado, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Perez, Salas, Guerrero, Garcia, Carpenter.

AN ORDINANCE 91948

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 14.0526 ACRES OUT OF COUNTY BLOCK 4530 AND

COUNTY BLOCK 4766, 7755 W. PRUE ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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3Q.) CASE NO. #Z20095 - The request of Slay Engineering, Co., Inc., agent for Time Warner Cable, Applicant, for San Antonio Islamic Community Center Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-2" Business District on Lot 5, Block 3, NCB 14713, 4200 block of Sandstone Drive. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Conner stated that she will work on design standards for these sites, and made a motion to continue this rezoning request to the City Council meeting of June 22, 2000. Mr. Bannwolf seconded the motion.

The following citizen(s) appeared to speak:

Mr. George M. Mills, 4230 Sandstone, distributed photographs of the neighborhood, and stated that he would prefer another site for a cable hub site.

Ms. Vivian Olivares, 4438 Wilot Road, distributed photographs of homes in the neighborhood and the planned structure, expressing her opposition to that building.

After consideration, the motion to continue this case until June 22, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Conner, Carpenter.

Zoning Case Z20095 was continued to the Council meeting of June 22, 2000.

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3R.) CASE NO. #Z99245 - The request of Caleb B. Windham, Applicant, for Caleb B. Windham, Owner, for a change in zoning from Temporary "R-1" Single

Family Residence District to "B-2 NA" Business District, Non-Alcoholic Sales on the south irregular 98.3 feet of Lot 4, NCB 14709, 6385 Babcock Road. Staff's recommendation was for denial as requested and approval of "R-1."

Zoning Commission has recommended denial (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Bannwolf made a motion to continue this rezoning request to the City Council meeting of August 10, 2000. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until August 10, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Conner, Carpenter.

Zoning Case Z99245 was continued to the Council meeting of August 10, 2000.

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3S.) CASE NO. #Z99266 - The request of Glen Westrom, Applicant, for Norman R. Reitmeyer, Owner, for a change in zoning from Temporary "R-1 ERZD" Single Family Residence Edwards Recharge Zone District to "(P-1) B-2 ERZD" Planned Unit Development Business Edwards Recharge Zone District on 8.2989 acres out of NCB 18350, 1600 Block of Bitters Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 9).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Bannwolf made a motion to continue this rezoning request to the City Council meeting of August 10, 2000. Mr. Garcia seconded the motion.

After consideration, the motion to continue this case until August 10, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Conner, Carpenter.

Zoning Case Z99266 was continued to the Council meeting of August 10, 2000.

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2000-23 At this point, Mayor Peak was obliged to leave the meeting. Mayor Pro Tem Garcia presided.
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2000-23 PUBLIC HEARING AND ORDINANCE: AUTHORIZING THE REPROGRAMMING OF FUNDS IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

Mayor Pro Tem Garcia declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Housing and Community Development, narrated a video presentation of the proposed actions, a copy of which presentation is made a part of the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, questioned why only a few of the City Council districts received Community Development Block Grants and HOME funds, and urged the closedown of the San Pedro Branch Library.

Mr. Jack Finger, P.O. Box 12048, addressed his concerns with Section 108 loan defaults, and repayment of certain audit findings by the Department of Housing and Urban Development. He also spoke against any money for the Avenida Guadalupe Association.

There being no further citizens signed to speak to this matter, Mayor Pro Tem Garcia declared the Public Hearing to be closed.

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Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Ms. Guerrero clarified certain proposed expenditures and addressed the reasons for the necessary reprogramming of certain funds.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

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AN ORDINANCE 91949

AUTHORIZING THE REPROGRAMMING OF FUNDS NOT TO EXCEED THE AMOUNT OF \$1,136,899.82 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND \$644,157.30 IN HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS AVAILABLE FROM DISTRICTS 3, 5, 6, CITY-WIDE AND PRIOR YEAR UNALLOCATED CONTINGENCIES; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND THE CREATION OF APPROPRIATE PROJECTS AND PROJECT BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AMENDING ORDINANCE NO. 85180, PASSED AND APPROVED ON NOVEMBER 21, 1996 BY ALLOWING AVENIDA GUADALUPE ASSOCIATION, INC. TO DECREASE THE REQUIRED NUMBER OF SINGLE FAMILY UNITS TO BE CONSTRUCTED FROM 10 TO 6 SINGLE FAMILY UNITS; AUTHORIZING A TRANSFER OF FUNDS IN THE AMOUNT OF \$50,000.00 FROM DISTRICT 6 FY 1999-2000 CITY COUNCIL ONE-TIME PROJECT FUNDS TO HOME HUD GRANT FUNDS ACCOUNT; REPROGRAMMING HOME FUNDS IN THE AMOUNT OF \$50,000.00 MADE AVAILABLE THROUGH REPAYMENT FOR DISALLOWED PROJECT COSTS; ALLOCATING SAID FUNDS TO EXISTING HOME PROJECTS, AND PROVIDING FOR PAYMENT.

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At this point, Mayor Peak returned to the meeting, though Mayor Pro Tem Garcia continued to preside.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91950

AMENDING SECTION 33-981 OF THE CITY CODE TO PROVIDE FOR AN INCREASE IN TAXICAB FARE RATES AND THE ESTABLISHMENT OF A

TRAFFIC DELAY CHARGE; AND AMENDING SECTION 33-055 TO REDUCE THE PERIOD DURING WHICH AN OPERATING PERMIT HOLDER MUST MAINTAIN CERTAIN BUSINESS OFFICE INFORMATION AND DATA TO ONE YEAR.

* * * *

Mr. Perez made a motion to approve the recommendations of City staff relative to proposed increases in taxicab fare rates. Ms. Guerrero seconded the motion.

Chief of Police Al. A. Philippis narrated a video presentation on the proposed taxicab fare increase, a copy of which presentation is made a part of the papers of this meeting. He addressed the historical perspective for a taxicab rate increase and compared it with the rates from certain other cities. He also addressed the proposed changes recommended in the manifest retention period, and briefly summarized the proposed charges, speaking to the slight differences between the recommendations of the Transportation Advisory Board and City staff. He also noted that staff is looking into a computerization of taxicab fare boxes.

Mr. Garza spoke in support for the recommended changes.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, read from a newspaper story on the proposed taxicab fare increases.

* * * *

Mr. Salas spoke to his personal results of a 'test-drive' with City staff to and from International Airport, to determine distances and costs from within his Council district. He spoke in support for the proposed increases, which he called competitive rates.

Mr. Perez addressed the rationale for his recommendation for City staff recommendations, as opposed to those of the TAB.

Ms. Conner, Mr. Bannwolf, and Mr. Garcia spoke in support.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Carpenter.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91951

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A BROWNFIELDS ECONOMIC DEVELOPMENT INITIATIVE GRANT IN AN AMOUNT NOT TO EXCEED \$1,500,000.00 IN CONNECTION WITH A PROPOSED STRATEGY TO ASSIST THE REDEVELOPMENT OF THE FRIEDRICH BUILDING WITH A SECTION 108 LOAN; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS IN CONNECTION THEREWITH.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Garza seconded the motion.

Ms. Frances Gonzalez, Director of Neighborhood Action Department, narrated a video presentation on the proposed grant application, a copy of which presentation is made a part of the papers of this meeting. She described the Friedrich Building and its history, and outlined the grant application to assist in redevelopment of the facility. She also addressed a history of Section 108 loans in San Antonio, and addressed the proposed timetable involved in this project.

Mr. Garza noted that this will be the first use of "brownfields" money in San Antonio.

The following citizen(s) appeared to speak:

Mr. Eugene Seymour, developer of the Friedrich Building complex, stated that his group has invested some \$1.6 million in the project to date, and that there are needs for the grant funds in order to finance completion of the project.

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Ms. Conner spoke in support for the grant application.

Mr. Salas thanked all involved for their work in this effort, and asked the Planning Department to look at the zoning classifications around this facility, and also around the Carver Cultural Center.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91952

AUTHORIZING REIMBURSEMENT FROM DISTRICT 4 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$30,710.00 TO COUNCILMAN RAUL PRADO FOR ADMINISTRATIVE SERVICES CONTRACTS WITH LESLIE A. ZAVALA (\$8,800.00); JESSICA M. AREVALO (\$8,800.00); AND JOHN DELGADO (\$9,000.00) FROM JUNE 1, 2000, THROUGH SEPTEMBER 30, 2000; AND WITH SHANNON SNEAD (\$3,600.00) FROM JUNE 1, 2000 THROUGH JULY 31, 2000; AS REQUESTED BY COUNCILMAN RAUL PRADO.

* * * *

Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilman Ed Garza to travel to Denver, Colorado from Thursday, June 22, 2000 through Sunday, June 25, 2000 to attend the 17th Annual National Association of Latino Elected and Appointed Officials (NALEO) Conference.

Ms. Salas made a motion to approve the proposed Travel Authorization. Ms. Guerrero seconded the motion.

After consideration, the motion, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilman Ed Garza to travel to Washington, D.C. from Monday, June 26, 2000 through Wednesday, June 28, 2000 to meet with Bexar County Congressional Delegation & Federal Agency Representatives regarding the City of San Antonio's Federal Initiative Program.

Mr. Perez made a motion to approve the proposed Travel Authorization. Ms. Guerrero seconded the motion.

After consideration, the motion, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91953

AUTHORIZING THE TRANSFER OF \$7,500.00 FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND TO THE PUBLIC WORKS DEPARTMENT TO PAY FOR THE CITY'S INSTALLATION OF SCHOOL FLASHERS AT HARDY OAKS ELEMENTARY SCHOOL; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

* * * *

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Bannwolf noted that North East Independent School District will be paying one-half of the cost for installation of school flashers at Hardy Oak Elementary School.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91954

AMENDING ORDINANCE #90730, WHICH AUTHORIZED AN ADMINISTRATIVE ASSISTANT CONTRACT WITH PAUL FOX FOR DISTRICT 10, BY INCREASING HIS SALARY FROM \$750.00 MONTHLY TO \$1,300.00 MONTHLY FROM JUNE 1, 2000 THROUGH SEPTEMBER 30, 2000; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

* * * *

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91955

AUTHORIZING THE PLACEMENT OF A TWELVE FOOT FENCE TO SERVE AS A SOUND BARRIER ALONG THE SOUTHEAST SIDE OF THE PROPERTY LINE OF THE H.E.B. GROCERY STORE LOCATED AT 2929 THOUSAND OAKS, SAN ANTONIO, TEXAS AND DIRECTING STAFF TO STUDY THE FEASIBILITY OF AMENDING THE CITY'S CODE OF ORDINANCES TO ALLOW THE BOARD OF ADJUSTMENT TO GRANT VARIANCES FOR FENCES UP TO TWELVE FEET IN HEIGHT AND PRESENT A RECOMMENDATION THEREON TO CITY COUNCIL.

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Mr. Salas made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Gene Camargo, Director of Building Inspections, described the proposed 12-foot fence to serve as a sound barrier to residential areas behind an H.E.B. Grocery Store at 2929 Thousand Oaks. He noted that the City's Board of Adjustment Department is restricted to approval of such a fence only to a height of 10 feet. He also stated that the City staff will be studying the possibility of recommending a change to that height limitation.

Mr. Carpenter thanked City staff for working on helping to solve this problem.

Mayor Peak urged staff to pursue the idea of recommending a possible height-change limitation for the Board of Adjustment.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **ABSTAIN:** Perez. **NAYS:** None. **ABSENT:** None.

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2000-23 The Clerk read the following Ordinance:

AN ORDINANCE 91956

APPOINTING SIX INDIVIDUALS TO THE BOARD OF DIRECTORS FOR THE TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE NUMBER NINE, CITY OF SAN ANTONIO, TEXAS, WHICH WAS DESIGNATED ON DECEMBER 9, 1999 TO SUPPORT REDEVELOPMENT EFFORTS FOR HOUSTON STREET AND THE DOWNTOWN AREA.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Barrera seconded the motion.

Mr. Trey Jacobson, Acting Assistant Director, Department of Economic Development, narrated a video presentation on the proposed appointment of six individuals to the Board of Directors for the Tax Increment Financing Reinvestment Zone Number Nine. A copy

of his presentation is made a part of the papers of this meeting. He also spoke to the composition of the board, and asked the City Council to name one of its own number as the City's representative on that Board of Directors, and also to designate the Board Chairman.

Mayor Peak asked for Council affirmation to name Mr. Perez to the board as the City's representative.

In response to a Council inquiry, Mr. Frank Garza, City Attorney, differentiated between appointments to this particular board and to the board governing Greater Kelly Development Authority, where the State Attorney General had ruled that an elected official cannot sit on the GKDA board.

Mr. Salas asked the City Attorney to look into any possible conflict of interest that might be present regarding Mr. Byron Miller, who he stated was an announced candidate for City Council.

Mayor Peak also asked that the Council's motion to approve the six individuals to the board of directors, including Mr. Perez as the City's appointed representative, also include the naming of Mr. Perez as Chairman of that board.

Ms. Guerrero offered an amendment, accepting the Mayor's recommendation for the appointment of Mr. Perez to the Board of Directors as the City's representative, and also that Mr. Perez be designated Chairman of that board. Mr. Bannwolf seconded the motion.

The amendment then prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

The main motion, as amended, carrying with it the passage of the Ordinance, then prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

company will increase the amount of lease costs a year, which will be paid by the cab drivers to this company.

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MS. VIVIAN OLIVARES

Ms. Vivian Olivares, stated that a large number of citizens were present in the audience today but are choosing not to speak at this time but rather want to take this opportunity to thank Councilwoman Guerrero for her assistance in supporting their stance with regard to a zoning issue involving Time Warner.

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MS. F.C. BAINES

Ms. F.C. Baines, stated that she was representing an organization named Earth First. She spoke to the leadership rate that the Council needs to take with regard to environmental issues, and the need to move away from commercial interests.

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2000-23 Mayor Peak recessed the regular session at 6:15 P.M. in order to convene in Executive Session for the purpose of attorney/client consultation regarding the lawsuit between Yanaguana Cruises, Inc. and the City of San Antonio, Case No. 2000-CI-04845.

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2000-23 The Council adjourned the Executive Session at 7:20 P.M. and reconvened in regular session, at which time Mayor Peak announced that City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

2000-23 There being no further business to come before the City Council, the meeting was adjourned at 7:21 P.M.

A P P R O V E D


HOWARD W. PEAK
M A Y O R

Attest:


NORMA S. RODRIGUEZ, CMC/AE
City Clerk