

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 24, 2003.

* * * *

2003-16 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) **Update on Proposed 2003 Bond Program.** (Presented by Louis A. Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager.)

The Council members present were: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Schubert, Carpenter, Garza. ABSENT: Conner.

The "B" Session adjourned at 11:29 A.M.

— — —

2003-16 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

— — —

2003-16 Invocation by Reverend Curt Pedder, Grace Lutheran Church.

— — —

2003-16 Pledge of Allegiance to the flag of the United States.

— — —

2003-16 **PRESENTATION OF A PROCLAMATION FOR RESPITE CARE DAY.**

Mayor Garza read the Proclamation and named April 26, 2003 as Respite Care Day. Mr. Bert Pfeister, Respite Care, came forward to accept the Proclamation and thanked the City Council for their support on this issue.

The City Council extended their thanks and congratulations to Mr. Pfeister, and his staff for their dedication and hard work.

— — —

2003-16 **PRESENTATION OF CERTIFICATES OF CONGRATULATION FOR THE AVIATION DEPARTMENT.**

Mayor Garza asked Mr. Ken Dolliole, Director, Aviation Department and Mr. Tim O’Krongley, Stinson Airport Manager, to step forward to accept the Certificate of Congratulations as the 2003 Reliever Airport Manager of the Year.

Mr. Dolliole spoke regarding the teamwork efforts of the Aviation Department, and Mr. O’Krongley’s leadership, towards this recognition. He thanked the Mayor and Council for this recognition.

The Mayor and Council thanked Mr. Dolliole and his staff for their hard work on behalf of the citizens of San Antonio and the public in general.

— — —

2003-16 **PRESENTATION OF A PROCLAMATION FOR "2003 FIESTA KING ANTONIO".**

Mayor Ed Garza read the Proclamation to recognize Mr. M. Rob Eversberg as the 2003 Fiesta King Antonio.

King Antonio then introduced members of his Royal Court. Mr. Eversberg read a letter to the City Council from the Texas Cavaliers noting their appreciation to the City Council for their support to the fundraising efforts during Fiesta Week.

The City Council members were presented with a gift as a token of appreciation by the Royal Court.

— — —

2003-16 **ON A POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Councilman Perez called forward Mr. Bernie Cantu and Mr. Ben Brewer, President of Centro San Antonio Amigos, for a special presentation.

Mr. Brewer spoke to the work performed in the downtown area by the Amigos, especially during Fiesta Week.

The Amigos then presented the City Council with their Fiesta medals.

— — —
2003-16 At this time, reference was made to Item #24.

Councilman Schubert made a motion to bring Item #24 forward.

The Clerk then read the following Resolution:

A RESOLUTION
NO. 2003-16-16

SUPPORTING THE UNITED STATES ARMED FORCES IN THE DISARMAMENT
AND LIBERATION OF IRAQ AND THE PROTECTION OF FREEDOM AT HOME
AND AROUND THE WORLD.

* * * *

Councilman Perez made a motion to approve the proposed Resolution. Councilwoman Moorhouse seconded the motion.

Mayor Garza stated that the City of San Antonio has been, not only proud of our military forces, but also proud to be considered as Military USA. He noted that San Antonio stands ready to support their mission to provide service around the world. He discussed the events scheduled in recognition of the military forces a week from today at Alamo Plaza.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item #24 regarding the timeliness of the item considering the events in the Iraqi War. He also spoke on Item #20 regarding Continental Airlines and his opposition to the City providing funds to advertise for the airlines. He also spoke on Item #25 and its outcome after the Council meeting. He spoke to Item #22 and noted that Texas Towing had made campaign contributions to Council members. Mr. Finger also discussed Item #26 regarding Councilwoman Conner's trip to New Braunfels, Texas for the purpose of a Statewide Land Trust Conference.

Mr. Alan Kramer, Vice President of Economic Development, San Antonio Greater Chamber of Commerce, spoke on behalf of the Chamber's Board of Directors and the

Military Affairs Committee chaired by Brig. General Karen S. Rankin, Retired. He applauded recent efforts by the City Council in their support to the military action in Iraq and Afghanistan. Mr. Kramer spoke of the Chambers' and the business communities' efforts of support for the troops in Iraq and the families at home. He also noted the plans included "Operation Welcome Home" which will be undertaken soon. He asked for special recognition of several business companies who have publicly demonstrated their support for military families. Mr. Kramer distributed the Chamber's "Support Our Troops" medal to the Council members. He added that San Antonio celebrates Fiesta by honoring those who have served in the military to protect our freedom, both past and present.

* * * *

Councilman Schubert responded to Mr. Jack Finger's negative comments regarding conspiracies. He thanked his colleagues for the Resolution in support of the troops in Iraq and their families. Councilman Schubert noted that men and women have stepped forward as soldiers and have performed admirably. He thanked those who have been supportive to include the Chambers of Commerce and the Veterans Affairs Committee. Councilman Schubert then requested that a copy of the Resolution be sent to all the Commanders of the various military installations in the City.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —

2003-16 **CONSENT AGENDA - CITIZEN'S COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item #14 regarding his opposition to City of San Antonio employees training students for career technology programs. He also spoke to Item #12 regarding a leasing contract by the Parks and Recreation Department, adding that the ethics disclosure statements were blank. Mr. Finger also discussed Item #6 regarding architectural services to be provided at the San Antonio International Airport. Mr. Finger noted campaign contributions by the law firm to Council members and requested Council members abstain from voting on these items.

2003-16 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 5 through 17F, constituting the Consent Agenda. Councilman Sanders seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

AN ORDINANCE 97502

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH MAINTENANCE TESTING & SERVICE OF GENERATORS FOR POLICE SUBSTATIONS, PIPE REPAIR CLAMPS & COUPLINGS, DIESEL/NATURAL GAS ENGINE GENERATOR SYSTEM & EMERGENCY ROOM STORM BACKUP PUMP SYSTEM, OSHKOSH AIRCRAFT RESCUE & FIRE FIGHTING VEHICLES PREVENTATIVE MAINTENANCE, AND GOLF RANGE BALLS AND LATEX GLOVES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2003-2004 FOR A TOTAL COST OF APPROXIMATELY \$202,607.00.

* * * *

AN ORDINANCE 97503

DESIGNATING THE FIRM OF GOULD EVANS, P.L.L.C., TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE ROADWAY AND ENTRANCE LANDSCAPING AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$83,010.00; AUTHORIZING \$8,000.00 FOR ARCHITECTURAL CONTINGENCIES AND \$6,000.00 FOR ADMINISTRATIVE EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$97,010.00; APPROPRIATING FUNDS; ESTABLISHING THE BUDGET AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97504

ACCEPTING THE LOW QUALIFIED BID OF 3TI, INC. IN THE AMOUNT OF \$317,443.00 FOR THE RENOVATIONS TO HANGARS 5 AND 6 AT STINSON MUNICIPAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$35,245.00 FOR CONSTRUCTION

CONTINGENCIES; FOR AN OVERALL TOTAL AMOUNT OF \$352,688.00; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97505

DESIGNATING THE FIRM OF HNTB TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE NEW PARKING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NOT TO EXCEED \$129,967.00; AUTHORIZING \$13,000.00 FOR ARCHITECTURAL CONTINGENCIES; \$6,000.00 FOR ADMINISTRATIVE EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$148,967.00; APPROPRIATING FUNDS; ESTABLISHING THE BUDGET AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97506

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$241,601.91 TO THE CONTRACT WITH YANTIS COMPANY FOR THE RECONSTRUCTION OF TAXIWAY D AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING THE BUDGET ADJUSTMENT BY INCREASING THE TAXIWAY D RECONSTRUCTION PROJECT BUDGET AND REDUCING THE REMAIN OVER NIGHT APRON PROJECT BUDGET BOTH BY THE AMOUNT OF \$140,000.00 IN SUPPORT OF THIS FIELD ALTERATION; AUTHORIZING THE TRANSFER OF \$34,768.00 FROM TESTING FEES TO ENGINEERING FEES WITHIN THE TAXIWAY D PROJECT IN SUPPORT OF ADDITIONAL ENGINEERING WORK; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97507

SELECTING CIVIL ENGINEERING CONSULTANTS, BAIN, MEDINA, BAIN, INC., CDS/MUERY SERVICES, AND VICKREY AND ASSOCIATES TO PROVIDE SURVEYING SERVICES FOR PROPERTIES BEING CONSIDERED FOR ACQUISITION ALONG THE SALADO AND LEON CREEKS UNDER THE AUSPICES OF THE PROPOSITION THREE CREEKWAYS LINEAR PARKS ACQUISITION AND PARK EXPANSION PROJECT; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF SURVEY CONSULTANT CONTRACTS

FOR A TOTAL AMOUNT NOT TO EXCEED \$999,086.00 TO ACCOMPLISH SAID SURVEYS.

* * * *

AN ORDINANCE 97508

APPROVING A NEW LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TRADE OFFICE OF THE GOVERNMENT OF THE STATE OF COAHUILA, MEXICO, AS TENANT, FOR APPROXIMATELY 705 SQUARE FEET OF SPACE IN THE INTERNATIONAL CENTER, LOCATED AT 203 S. ST. MARY'S STREET, FOR A PERIOD OF TWO (2) YEARS COMMENCING ON MAY 1, 2003 FOR AN ANNUAL PAYMENT OF \$9.60 PER SQUARE FOOT (\$6,768.00), WITH THE OPTION FOR ONE (1) TWO-YEAR RENEWAL AT THE SAME ANNUAL RENT, SUBJECT TO APPROVAL BY THE PASSAGE OF A FUTURE CITY OF SAN ANTONIO ORDINANCE.

* * * *

AN ORDINANCE 97509

AUTHORIZING THE EXECUTION OF A TWO (2) YEAR LEASE RENEWAL AGREEMENT WITH THE CATHOLIC LIFE INSURANCE BUILDING FOR APPROXIMATELY 16,500 SQUARE FEET OF OFFICE SPACE AT \$1.10 PER SQUARE FOOT PER MONTH FOR THE TEMPORARY RELOCATION OF DEPARTMENT OF PARKS AND RECREATION OPERATIONAL OFFICES FROM BRACKENRIDGE PARK, FOR THE TERM MAY 1, 2003 THROUGH APRIL 30, 2005, WITH TWO OPTIONAL ONE YEAR EXTENSIONS.

* * * *

AN ORDINANCE 97510

APPROVING THE ASSIGNMENT OF OPUS SOUTH CORPORATION'S INTEREST IN THE CITY'S TAX PHASE-IN AGREEMENT WITH PACIFICARE HEALTHCARE SERVICES AND OPUS SOUTH CORPORATION TO WELLS OPERATING PARTNERSHIP, L.P. DUE TO WELL'S PURCHASE OF THE REAL PROPERTY SUBJECT TO THIS AGREEMENT.

* * * *

AN ORDINANCE 97511

AUTHORIZING THE RENEWAL OF AN INTERLOCAL AGREEMENT WITH THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SSAISD) TO CONTINUE A TRAINING PROGRAM IN VARIOUS CITY DEPARTMENTS FOR HIGH SCHOOL STUDENTS ENROLLED IN THE SSAISD CAREER AND TECHNOLOGY PROGRAM.

* * * *

AN ORDINANCE 97512

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$185,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION'S "CLICK IT OR TICKET" SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP), WHICH WILL BE USED TO FUND AN OVERTIME PROGRAM FOR SEAT BELT AND CHILD SAFETY SEAT ENFORCEMENT FOR THE GRANT PERIOD OF MAY 19, 2003 THROUGH DECEMBER 1, 2003.

* * * *

AN ORDINANCE 97513

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$1,947,314.00 GRANT FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY HIGH INTENSITY DRUG TRAFFICKING AREA ("HIDTA"), WHICH WILL BE USED TO FUND THE SAN ANTONIO HIDTA INITIATIVE, CONSISTING OF THE MULTI-AGENCY DRUG COURIER & APPREHENSION TASK FORCE, THE SOUTH TEXAS INTELLIGENCE CENTER, AND THE DIRECTOR'S ADMINISTRATIVE SUPPORT ELEMENT FOR THE GRANT PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003.

* * * *

AN ORDINANCE 97514

APPOINTING MICHAEL DUNNE (HORSE CARRIAGE, LIMOUSINE CATEGORY - DISTRICT 3) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2005.

* * * *

AN ORDINANCE 97515

REAPPOINTING ARTHUR S. SITTERLE (MASTER SIGN ELECTRICIAN - DISTRICT 2) TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2005.

* * * *

AN ORDINANCE 97516

REAPPOINTING RICK W. BIERSCWALE (CONTRACTOR CATEGORY - DISTRICT 4) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2005.

* * * *

AN ORDINANCE 97517

APPOINTING ALEX GARZA (LAYMAN/CONSUMER CATEGORY - DISTRICT 1) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2005.

* * * *

AN ORDINANCE 97518

REAPPOINTING JAMES R. FENIMORE (DISTRICT 3) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY AS TRUSTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2006 AND AS DIRECTOR FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2004.

* * * *

AN ORDINANCE 97519

APPOINTING WALTER HAGEN (DISTRICT 9) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2005.

— — —
2003-16 The Clerk read the following Ordinance:

AN ORDINANCE 97520

AMENDING ORDINANCE NO. 97210, PASSED ON FEBRUARY 13, 2003, TO REFLECT CHANGES IN POLLING SITES TO BE USED IN THE MAY 3, 2003 REGULAR AND JOINT ELECTION; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT (8) VOTES. (AMENDS ORDINANCE NO. 97210, FEBRUARY 13, 2003.)

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —
2003-16 The Clerk read the following Ordinance:

AN ORDINANCE 97521

AMENDING THE LAND USE PLAN CONTAINED IN THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 3.512 ACRE TRACT OF LAND LOCATED NORTHEAST OF THE INTERSECTION AT LOOP 1604 NW AND BRAUN ROAD FROM SINGLE-FAMILY RESIDENTIAL USE TO COMMERCIAL USE.

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Sanders seconded the motion.

Mr. Emil Moncivais, Director, Planning Department, narrated a slide presentation, a copy of which is on file with the papers of this meeting. He discussed the Master Plan Amendment 03003 to the Northwest Community Plan Land Use Plan from residential to

commercial use. He described the briefing purpose to include background, analysis and a recommendation on the amendment, and the notification process to all neighborhood associations within the planning area, and all property owners within 200 feet of the proposed change. Mr. Moncivais described the boundaries that encompass Grissom Road and Culebra Road to the south; Bandera Road to the north and east; and Loop 1604 to the west. He also noted the significance of the Master Plan component which calls for consistency between zoning and the master plan or any Community, Neighborhood, or perimeter Plan adopted as a component of the Master Plan, Sec. 35-105, 35-420 (h) and 35-421 (d) (3).

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —

2003-16 **ZONING CASES**

3A.) CASE NUMBER #Z2002255 C S - The request of City of San Antonio, Applicant, for multiple property owners for a change in zoning from "MF-25" and "MF-33" Multi-Family Districts, "D" Downtown District, C-1,"C-2", and "C-3" Commercial Districts, "O-2" Office District, and "I-1" General Industrial District to "R-4" Residential District, "RM-4" Residential Mixed District, "MF-50" Multi-Family District, "O-1" Office District, "C-1" Commercial District, "C-2 P" Commercial Pedestrian District, "IDZ" Infill Development Zone with uses including those allowed in R-4 and C-1, "C-2 P C" Commercial Pedestrian District with Conditional Use Permits for an auto repair shop, a self-service car wash, a self-service drive-thru car wash, paint warehousing, and emergency relief services, "C-2 (IDZ)" Commercial District Infill Development Zone, and "C-2 C (IDZ)" for an electrical contractors office (as per Five Points Rezoning Proposal map) on an area bounded by Laurel St. to the north, San Pedro Ave. to the east, Laredo and IH-10 to the west, and IH-35 to the south. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 1)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

In response to Councilman Perez regarding additional amendments, Mr. Roderick Sanchez, Assistant Director of Development Services Department, stated that all issues were addressed after the last meeting. Councilman Perez made a motion for approval of staff's recommendation. He added that this will update some zoning in an area that has been receiving financial impacts. He noted the neighborhood has been working hard to

update a neighborhood plan. Councilman Perez thanked audience members from the Five Points neighborhood for their support on this item. Councilman Sanders seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Herrera, Carpenter.

AN ORDINANCE 97522

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 FOLLOWS:

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

ALL OF NCB 129, SAVE AND EXCEPT LOT B, THE EAST 58 FEET OF LOT A13, BLOCK 1, AND LOTS 1 THROUGH 6, BLOCK 2

ALL OF NCB 3598, SAVE AND EXCEPT LOTS 1, 2, 5, A, AND THE NORTH 4 FEET OF LOT 4

ALL OF NCB 346, SAVE AND EXCEPT LOTS 1, 2, 7, 8, AND E

ALL OF NCB 3894, SAVE AND EXCEPT LOTS 1, 2, 16, THE NORTHEAST 33.1 FEET OF LOT 4 AND ALL BUT THE SOUTHWEST 31.73 FEET OF LOT 3

ALL OF NCB 194, SAVE AND EXCEPT LOTS 1, 24, AND 25

ALL OF NCB 214

ALL OF NCB 827

ALL OF NCB 477, SAVE AND EXCEPT LOTS 1 THROUGH 5, THE EAST 91.3 FEET OF LOT A1, THE EAST 134.7 FEET OF LOT A2, AND ALL OF LOT A16, BLOCK 1

LOTS 25, 27, 28, 30, AND 32, NCB 3599

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "C-2 (IDZ)" COMMERCIAL INFILL DEVELOPMENT ZONE DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT B, THE EAST 58 FEET OF LOT A13, BLOCK 1, AND LOTS 1 THROUGH 6, BLOCK 2, NCB 129

LOTS 1, 2, 5, A, AND THE NORTH 4 FEET OF LOT 4, NCB 3598

LOTS 7 AND 8, NCB 346

ALL OF NCB 754, SAVE AND EXCEPT LOTS 1 THROUGH 3
ALL OF NCB 204, SAVE AND EXCEPT LOTS 3 THROUGH 7 AND THE NORTH
50 FEET OF LOT 8 OR E

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1"
INDUSTRIAL DISTRICT TO "IDZ" INFILL DEVELOPMENT ZONE
DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

LOTS 1, 2, 16, THE NORTHEAST 33.1 FEET OF LOT 4 AND ALL BUT THE
SOUTHWEST 31.73 FEET OF LOT 3, NCB 3894
LOTS 1 AND 2, NCB 346
LOTS 1, 24, AND 25, NCB 194
LOTS 1 THROUGH 5, THE EAST 91.3 FEET OF LOT A1, THE EAST 134.7 FEET
OF LOT A2, AND ALL OF LOT A16, BLOCK 1, NCB 477
LOTS A9, A10 AND A11, BLOCK 1, NCB 216
ALL OF NCB 766, SAVE AND EXCEPT LOT 8, THE EAST 75 FEET OF LOT 1,
AND THE EAST 57.7 FEET OF LOTS 6 AND 7, BLOCK 9
ALL OF NCB 759
LOTS 1 THROUGH 3, NCB 754

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33"
MULTI-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY
DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 216, SAVE AND EXCEPT LOTS A9, A10, A11, AND A12
ALL OF NCB 3599, SAVE AND EXCEPT LOTS 25, 27, 28, 29, 30, AND 32
LOT 12, NCB 773
ALL OF NCB 774
THE WEST 115.50 FEET OF LOTS 1 AND 2, BLOCK 6, NCB 775
LOT 8, THE EAST 75 FEET OF LOT 1, AND THE EAST 57.7 FEET OF LOTS 6 AND
7, BLOCK 9, NCB 766
LOT 12, BLOCK 2, NCB 767 (AUSTIN ELEMENTARY SCHOOL SUBDIVISION)
LOT 9, THE WEST 55.85 FEET OF LOT 8, AND THE EAST 50 FEET OF THE WEST
60.9 FEET OF LOT 3, BLOCK 2, NCB 767
ALL OF NCB 760
LOTS 4, 5, 9 AND 10, BLOCK 3, NCB 761
ALL OF NCB 755
ALL OF NCB 756
ALL OF NCB 751, SAVE AND EXCEPT LOTS 1, A, 18, AND THE WEST 5.5 FEET
OF THE SOUTH 100 FEET OF LOT 17
ALL OF NCB 752
ALL OF LOTS 1 THROUGH 10 AND THE WEST 70 FEET OF LOTS 11 THROUGH
13, NCB 680

THE SOUTH 108.5 FEET OF THE WEST 68.2 FEET OF LOT A18, NCB 753
THE WEST 60.7 FEET OF THE SOUTH 108.5 FEET OF LOT A 24, NCB 753
THE EAST 8 FEET OF THE SOUTH 108.35 FEET AND THE NORTH 30 FEET OF
LOT A24, NCB 753
ALL OF NCB 2734, SAVE AND EXCEPT LOT A8

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33"
MULTI-FAMILY DISTRICT AND "I-1" INDUSTRIAL DISTRICT TO "IDZ"
INFILL DEVELOPMENT ZONE DISTRICT ON THE PROPERTY LISTED AS
FOLLOWS:**

LOT A12, BLOCK 1, NCB 216

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1"
INDUSTRIAL DISTRICT TO "C-2P" COMMERCIAL PEDESTRIAN DISTRICT
ON THE PROPERTY LISTED AS FOLLOWS:**

ALL OF NCB 112
LOTS A2, A3, A5 AND THE SOUTHWEST 26.98 FEET OF LOT 2, NCB 349
THE NORTHWEST 67.86 FEET OF LOT 17, NCB 680
LOT 8, BLOCK 44, NCB 350
LOTS 7 THROUGH 12, BLOCK 45, NCB 356
ALL OF NCB 357, SAVE AND EXCEPT THE WEST IRREGULAR 43.5 FEET OF
THE SOUTH IRREGULAR 64.7 FEET OF LOT 9, BLOCK 47
ALL OF NCB 758, SAVE AND EXCEPT LOT A7; THE WEST 65 FEET OF LOT 5
AND THE WEST 65 FEET OF THE NORTH 15 FEET OF LOT 4; THE NORTH 43.9
FEET OF THE WEST 77 FEET OF LOT 2; AND THE SOUTHWEST 78.3 FEET OF
LOT 1 AND THE SOUTH 3 FEET OF THE WEST 78.3 FEET OF LOT 2, BLOCK 11
ALL OF NCB 763
ALL OF NCB 769
ALL OF NCB 776, SAVE AND EXCEPT FOR LOT 10, BLOCK 5
ALL OF NCB 785

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1"
INDUSTRIAL DISTRICT AND "D" DOWNTOWN DISTRICT TO "C-2 P C"
COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE TO
ALLOW EMERGENCY AND RELIEF SERVICES ON THE PROPERTY
LISTED AS FOLLOWS:**

LOT 11, BLOCK 10, NCB 773 (THE SALVATION ARMY SUBDIVISION)

**THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1"
INDUSTRIAL DISTRICT TO "C-2 P C" COMMERCIAL PEDESTRIAN**

DISTRICT WITH A CONDITIONAL USE TO ALLOW EMERGENCY AND RELIEF SERVICES ON THE PROPERTY LISTED AS FOLLOWS:

LOTS B2 AND 13, BLOCK 10, NCB 773

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33 HS" MULTI-FAMILY HISTORIC SIGNIFICANT DISTRICT AND "I-1" INDUSTRIAL DISTRICT TO "R-4 HS" RESIDENTIAL SINGLE-FAMILY HISTORIC SIGNIFICANT DISTRICT AND "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT A10, BLOCK 10, NCB 773

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33 HS" MULTI-FAMILY HISTORIC SIGNIFICANT DISTRICT TO "R-4 HS" RESIDENTIAL SINGLE-FAMILY HISTORIC SIGNIFICANT DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOTS 1 AND 2, NCB 773

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

ALL OF NCB 775, SAVE AND EXCEPT THE WEST 115.50 FEET OF LOTS 1 AND 2, AND THE SOUTH 50.45 FEET OF THE EAST 80.17 FEET OF LOT 6, BLOCK 6
THE EASTERN 114.65 FEET OF LOTS 7 AND 8, BLOCK 4, NCB 784

ALL OF NCB 757, SAVE AND EXCEPT LOT 8 AND THE WEST 62.77 FEET OF LOTS 6 AND 7, BLOCK 12

LOTS 2 THROUGH 4 AND THE EAST 58 FEET OF LOT B AND THE NORTH 30 FEET OF LOT A18, NCB 753

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

ALL OF NCB 784, SAVE AND EXCEPT THE EASTERN 114.65 FEET OF LOTS 7 AND 8, BLOCK 4

THE EAST 82.3 FEET OF LOT 3, BLOCK 8, NCB 768

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-25" MULTI-FAMILY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT 2, THE EAST 13.9 FEET OF LOT 3, THE SOUTH 22.2 FEET OF LOT 7 AND THE SOUTH 22.2 FEET OF THE EAST 15.75 FEET OF LOT 8, BLOCK 2, NCB 767

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "MF-50" MULTI-FAMILY DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT 11, BLOCK 3, NCB 761

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-1" COMMERCIAL DISTRICT TO "O-1" OFFICE DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT 8, BLOCK 12, NCB 757

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2 (IDZ)" COMMERCIAL INFILL DEVELOPMENT ZONE DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT 18 AND THE WEST 5.5 FEET OF THE SOUTH 100 FEET OF LOT 17, NCB 751

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-3" COMMERCIAL DISTRICT TO "C-2 (IDZ)" COMMERCIAL INFILL DEVELOPMENT ZONE DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT A, NCB 751

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "MF-33" MULTI-FAMILY DISTRICT AND "I-1" INDUSTRIAL DISTRICT TO "C-2 P" COMMERCIAL PEDESTRIAN DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOT 7, NCB 753 (LIBERTY SUBDIVISION)

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "C-2 P S" COMMERCIAL PEDESTRIAN DISTRICT WITH SPECIFIC USE AUTHORIZATION TO ALLOW A SELF-SERVICE CAR WAS ON THE PROPERTY LISTED AS FOLLOWS:

LOT 6, NCB 753 (LIBERTY SUBDIVISION)

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOTS 14 THROUGH 16, 18, THE EAST 80 FEET OF LOTS 11 THROUGH 13, AND THE WEST 65.25 FEET OF THE SOUTH 88.85 FEET OF LOT 17, NCB 680
THE WEST IRREGULAR 43.5 FEET OF THE SOUTH IRREGULAR 64.7 FEET OF LOT 9, BLOCK 47, NCB 357
LOT A7, AND THE WEST 65 FEET OF LOT 5 AND THE WEST 65 FEET OF THE NORTH 15 FEET OF LOT 4, BLOCK 11, NCB 758
THE NORTH 43.9 FEET OF THE WEST 77 FEET OF LOT 2; AND THE SOUTHWEST 78.3 FEET OF LOT 1 AND THE SOUTH 3 FEET OF THE WEST 78.3 FEET OF LOT 2, BLOCK 11, NCB 758

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-3" COMMERCIAL DISTRICT TO "C-2 P" COMMERCIAL PEDESTRIAN DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

LOTS A2, A3, A4, AND THE EAST 53.25 FEET OF THE WEST 106.5 FEET OF LOTS 2, 4 AND 6, BLOCK 44, NCB 350
LOTS 1, 3 5, AND 6, BLOCK 45, NCB 356

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "C-3" COMMERCIAL DISTRICT TO "C-2 P C" COMMERCIAL PEDESTRIAN DISTRICT WITH A CONDITIONAL USE TO ALLOW AN AUTO REPAIR SHOP OF THE PROPERTY LISTED AS FOLLOWS:

LOT 13, BLOCK 45, NCB 356

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "I-1" INDUSTRIAL DISTRICT TO "C-2 P S" COMMERCIAL PEDESTRIAN DISTRICT WITH SPECIFIC USE AUTHORIZATION TO ALLOW A SELF-SERVICE DRIVE-THROUGH CAR WASH ON THE PROPERTY LISTED AS FOLLOWS:

LOT 10, BLOCK 5, NCB 776

THE REZONING AND RECLASSIFICATION OF PROPERTY FROM "O-2" OFFICE DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT ON THE PROPERTY LISTED AS FOLLOWS:

THE SOUTH 50.45 FEET OF THE EAST 80.17 FEET OF LOT 6, BLOCK 6, NCB 775

* * * *

3B.) CASE NUMBER #Z2002272 C - The request of Jerry Arredondo, Applicant, for Jesus M. and Olga V. Raygoza, Owner(s), for a change in zoning from "R-5" Single-Family Residential District to "R-5 C" Single-Family Residential District with a conditional use for a retail import business on Lot 20, Block 6, NCB 9194, 302 West Hermosa Drive. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 1)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Perez made a motion to approve the proposed rezoning. Councilman Sanders seconded the motion.

Councilman Perez reminded his colleagues that he has previously requested this zoning case to be reset for a special user conditional permit for the applicants. He noted that the Edison Neighborhood is in support for this zoning change, and he will be asking for approval as it is posted with the conditional use permit.

The following citizen(s) appeared to speak:

Mr. Albert Ng, 1809 Blanco Road, Office of State Representative Mike Villarreal, spoke in opposition to the zoning change because it goes against the land use element and the North Central Community Neighborhood Plan. The Plan was prepared by the North Central Community with the City of San Antonio's Planning Department, and ultimately approved by the City Council. Mr. Ng asked the Council to consider the time spent and the spirit of this Ordinance and to vote against it.

Ms. Betty Eckert, 233 W. Wildwood, spoke about their petition with 40 signatures in opposition to the zoning change. Ms. Eckert requested that if the change is passed, that the Council put some limitations. She also requested that the hours of operation be from 9:00 a.m., to 5:00 p.m; that signage be restricted to only San Pedro Road and that the size of the signs comply with the Unified Development Code. She further requested that there be no outside storage, and no parking or loading and unloading in residential areas. She asked that no pinatas, furniture or products from Mexico be displayed along San Pedro

that would take away from the aesthetics of the neighborhood. Ms. Eckert further stated that any other reasonable limitations would be appreciated.

Ms. Margie Torres, 319 W. Hermosa Drive, spoke in opposition to the zoning case out of concern for the neighborhood environment, Hermosa Drive residents and all the citizens affected by the zoning change. Ms. Torres requested the Council deny this case, and appealed that should it be approved, the following restrictions be enforced. She requested that the property be improved as presented to the Zoning Commission and the City Council, and that the structure be kept as residential. Ms. Torres asked that the City install no parking signs and that the hours of operation be set from 8:00 a.m., to 6:00 p.m. She also asked that the adjacent house not be used for storage, parking or as an addition to the business under consideration. She asked that a privacy fence be erected between the business and the next residential property, and that the business be restricted from displaying their merchandise outside the building. She further requested that the landscaping be maintained and that the ground not be covered in asphalt. She noted that another limitation would be to keep signs at a safe minimum along San Pedro Avenue.

Mr. Jack M. Finger, P.O. Box 12048, spoke regarding his opposition to the zoning change due to commercial encroachments in a residential neighborhood. He noted that there was a high number of neighborhood respondents who opposed the change. Mr. Finger spoke of his previous request to not delay the case, and discussed the vote by the Edison Neighborhood Association to approve the zoning change.

* * * *

In response to Councilman Perez regarding the basis for support by the Edison Neighborhood Association, Ms. Ester DeLeon, 715 Westwood, representing the Edison Neighborhood Association, spoke in support of the zoning change. She discussed the applicants, Mr. & Mrs. Zaragoza, and their intent was to have a small business in place by their retirement age. She noted that the applicants have made many upgrades to the building, in comparison to its condition in past years as a rental property.

Ms. DeLeon stated that the Zaragozas have been very active in the neighborhood association and have participated in community efforts. She further stated that they have been honest with the membership about upgrading said property. Ms. DeLeon cited the goals and objectives of the North Central Plan and the Land Use Plan as they pertain to this zoning change. She reported that the zoning proposal was voted unanimously in September, 2002, by over 20 association residents. She added that the Council's consideration to approve this zoning change would be greatly appreciated.

In a discussion with Mr. John Jacks, Planning Department, Councilman Perez clarified that no traffic survey was deemed necessary. He further clarified that the applicants own

the adjoining residential property, but would not be allowed to operate their business in that adjoining property. He noted that failure to comply with the zoning restrictions would result in legal action against the applicants. Councilman Perez also clarified that no billboards or outside storage building will be permitted for the business site.

In response to Councilman Perez regarding landscaping requirements as presented in the plan, Mr. Jacks stated that the Zaragozas were maintaining the minimum requirements for landscaping that are maintaining the residential character of the building.

Councilman Perez made an amendment to require as a condition of the zoning change, that the applicant meet the landscape requirements as represented in their proposed plan, if in fact, it meets the Unified Development Code.

In response to Councilman Perez regarding the parking lot near the proposed site, Mr. Jacks stated that the lot provides for four individual parking spaces and one space for the handicapped.

Councilman Perez stated that he supports a "No Parking" sign in front of the property, and requested it as a condition of approving the conditional-use permit.

In response to information from Mr. Jacks on the "No Parking" sign at the proposed location, Councilman Perez requested the Public Works Department look into the location for the "No Parking" sign and return in one week with a response to him.

Councilman Perez reiterated his desire to approve the zoning change instead of any delays with the "No Parking" sign issues, and stated that he will maintain the condition on the landscaping requirement. He again clarified his motion to include what is being presented in the Ordinance and the landscaping issues.

Discussion continued on the conditional use permit terms with a one-year exception. Mr. Jacks clarified that should the business close down for a period of a year, the permit then expires. He explained it is acceptable if the applicants sell it to someone who wants to operate the same business, but that it does run with the one-year expiration period.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

AN ORDINANCE 97523

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 20, BLOCK 6, NCB 9194, 302 WEST HERMOSA DRIVE, FROM "R-5" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-5 C" SINGLE-FAMILY RESIDENTIAL DISTRICT WITH A CONDITIONAL USE FOR A RETAIL IMPORT BUSINESS.

* * * *

3C.) CASE NUMBER #Z2003040 - The request of Armadillo Construction Company, Ltd., Applicant, for William Collier, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on Lots P-12A and P-12B, NCB 16611, Summerfest and Seguin Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Sanders made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

AN ORDINANCE 97524

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 P-12A AND 12B, NCB 16611, SUMMERFEST AND SEGUIN ROAD, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

* * * *

3D.) CASE NUMBER #Z2003047 - The request of (John) Surendra Bhakta, Applicant, for (John) Surendra Bhakta, Owner(s), for a change in zoning from "I-1" Industrial District to "C-3" Commercial District on Parcel 29A, NCB 16095, 4639 Rittiman Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Sanders made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

AN ORDINANCE 97525

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 29A, NCB 16095, 4639 RITTIMAN ROAD, FROM "I-1" INDUSTRIAL DISTRICT TO "C-3" COMMERCIAL DISTRICT.

* * * *

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

3E.) CASE NUMBER #Z2003037 - The request of Earl & Brown, P.C., Applicant, for HLH Development, L.P. Attn: Harry Hausman, Owner(s), for a change in zoning from "MXD" Mixed Use District to "R-4" Residential Single-Family District on 80.986 acres and "MF-25" Multi-Family District on 20.080 acres on 101.06 acres out of NCB 10920, 9102 Presa Street South. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilwoman Moorhouse made a motion to approve the proposed rezoning. Councilman Martin seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Carpenter, Garza.

AN ORDINANCE 97526

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 101.06 ACRES OUT OF NCB 10920, 9102 PRESA STREET SOUTH, FROM "MXD" MIXED USE DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 80.986 ACRES AND "MF-25" MULTI-FAMILY DISTRICT ON 20.080 ACRES ON THE PROPERTY.

* * * *

— — —

3F.) CASE NUMBER #Z2003009 S - The request of Maria D. Maldonado, Applicant, for Jose A. and Maria D. Maldonado, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a specific use authorization for a day care center on Lot 6, Block 20, NCB 18159, 9410 Adams Hill Drive. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Martin made a motion to concur with staff's recommendation for denial of the requested rezoning. Councilwoman Herrera seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

Zoning Case Z2003009 S was denied.

— — —

3G.) CASE NUMBER #Z2003016 S - The request of Louise E. Galm, Estate, Applicant, for Harold F. Galm, Jr., Executor, Owner(s), for a change in zoning from "C-3 NA" Commercial Non-alcoholic Sales District to "C-3 NA S" Commercial Non-Alcoholic Sales District with a specific use authorization for a mini-storage facility exceeding 2.5 acres on Parcel 106, NCB 15880, save and except the southeast 50 feet, 9580 Potranco Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Martin made a motion to reject the proposed rezoning. Councilman Barrera seconded the motion.

The following citizen(s) appeared to speak:

Ms. Lee Buettner, spoke in opposition to the zoning change, and asked Council to deny the ordinance.

* * * *

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

Zoning Case Z2003016 S was denied.

— — —

3H.) CASE NUMBER #Z2003025 C - The request of Alejandro Ruiz, Applicant, for Big Al's Paint & Body - Alejandro Ruiz, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2 C" Commercial District with a conditional use for an auto body repair and painting center on Lot 113 and Lot 114, Block 6, NCB 15623, 5610 Old Pearsall Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Martin made a motion to approve the proposed rezoning. Councilwoman Conner seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

AN ORDINANCE 97527

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 113 AND LOT 114, BLOCK 6, NCB 15623, 5610 OLD PEARSALL ROAD, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 C" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AN AUTO BODY REPAIR AND PAINTING CENTER ON THE PROPERTY.

* * * *

SECTION 2: The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3: The City Council approves this Special Use Permit so long as the following conditions are met:

1. No storage of junk vehicles
2. Lighting shall be directed so it does not shine on residential properties
3. Landscape screening shall be a Type "D" buffer adjacent to lot 114 and lot 181

SECTION 4: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 491.

SECTION 5: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6: This ordinance is not severable.

* * * *

3I.) CASE NUMBER #Z2003043 - The request of Earl & Brown, P.C., Applicant, for PRS Realty II, L.P., Richard D. Squires, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on 16.056 acre parcel of land out of NCB 15299, 5302 S.W. Military Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Martin made a motion to approve the proposed rezoning. Councilwoman Herrera seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jim Myers, 5539 Cool Valley, stated that he is the President of the PACE Homeowners Organization. Mr. Myers noted that the organization studies all proposals affecting their neighborhood, and voiced their biggest concerns are the school district taxes.

Mr. Myers provided a copy of a letter from the school board that states the developer will pay 100% of the required school district taxes, in addition to all other taxes. He stated that PACE considers this zoning case as highly favorable and provided statistics on the average neighborhood house base tax rate. Mr. Myers stated that this change would result in a win-win situation for all involved.

* * * *

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

AN ORDINANCE 97528

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 16.056 ACRE PARCEL OF LAND OUT OF NCB 15299, 5302 S.W. MILITARY DRIVE, FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

* * * *

3J.) CASE NUMBER #Z2003045 - The request of Arcelio Gomez Rivera, Applicant, for Arcelio Gomez Rivera, Owner(s), for a change in zoning from "C-3 R" Commercial District Restrictive Alcoholic Sales to "C-2" Commercial District on Lot 41, Block 5, NCB 8989, 310 Abshire Street. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 6)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Barrera made a motion to concur with the Zoning Commission's recommendation for approval on the proposed rezoning. Councilman Martin seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

AN ORDINANCE 97529

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 41, BLOCK 5, NCB 8989, 310 ABSHIRE STREET, FROM "C-3 R" COMMERCIAL DISTRICT RESTRICTIVE ALCOHOLIC SALES TO "C-2" COMMERCIAL DISTRICT.

* * * *

3K.) CASE NUMBER #Z2003023 C - The request of Mark A. Gutierrez, Applicant, for Mark A. Gutierrez, Owner(s), for a change in zoning from "C-2" Commercial District and "C-2 NA" Commercial Non-Alcoholic Sales District to "C-2 NA C" Commercial Non-Alcoholic Sales District with a conditional use for an auto body repair and painting center on Lot 1, NCB 16455, 6400 Block of Babcock Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilwoman Conner moved for approval, and asked Mr. Andrew Guerrero, independent Zoning Consultant, to clarify his client's agreement to certain conditions. Councilwoman Conner stated that it was her understanding that the agreement is for certain hours of operation, and the lighting would not be intrusive to the neighborhood. She also stated that vehicle storage would be placed to the side and rear of the building. Mr. Guerrero presented a copy of the agreement for the record, a copy of which is on file with the papers of this meeting. Councilman Castro seconded the motion.

Councilman Perez noted that the back-up material to the Ordinance be corrected to indicate this zoning change is in District 7.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

AN ORDINANCE 97530

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS ON LOT 1, NCB 16455, SAVE AND EXCEPT THE SOUTH 80 FEET OF THE EAST 126 FEET OF LOT 1, 6400 BLOCK OF BABCOCK ROAD, FROM "C-2" COMMERCIAL DISTRICT AND "C-2 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "C-2 NA C" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR AN AUTO BODY REPAIR AND PAINTING CENTER ON THE PROPERTY.

* * * *

SECTION 2. The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Special Use Permit so long as the following conditions are met:

1. Hours of operation: 7:00 A.M. to 7:30 P.M.
2. Lighting shall be directed so it does not shine on residential properties
3. Storage of vehicles to be serviced be placed to the side and rear of the existing and proposed buildings

SECTION 4: All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 – 491.

SECTION 5: The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6: This ordinance is not severable.

* * * *

3L.) CASE NUMBER #Z2003024 S - The request of Roy Horn III, Applicant, for A.J. Weatherford, Jr., Owner(s), for a change in zoning from "C-3 NA" Commercial Non-Alcoholic Sales District to "C-3 NA S" Commercial Non-Alcoholic Sales District with a specific use authorization for a mini-storage facility exceeding 2.5 acres on Parcel 5, NCB 18199, 10480 Loop 1604 NW. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 8)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilwoman Conner made a motion to approve the proposed rezoning. Councilman Schubert seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Carpenter, Garza.

AN ORDINANCE 97531

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 5, NCB 18199, 10480 LOOP 1604 NW, FROM "C-3 NA" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT TO "C-3 NA S" COMMERCIAL NON-ALCOHOLIC SALES DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A MINI-STORAGE FACILITY EXCEEDING 2.5 ACRES ON THE PROPERTY.

* * * *

— — —
2003-16 The Clerk read the following Ordinance:

AN ORDINANCE 97532

AUTHORIZING THE PAYMENT OF AN AMOUNT NOT TO EXCEED \$25,000.00 TO CONTINENTAL AIRLINES FOR ADVERTISING EXPENSES AS PART OF THE SAN ANTONIO INTERNATIONAL AIRPORT AIR SERVICE DEVELOPMENT INCENTIVE PROGRAM DEVELOPED IN CONNECTION WITH THE AIR CARRIER'S INITIATION OF NEW NONSTOP AIR SERVICE TO CLEVELAND, OHIO.

* * * *

Councilman Schubert made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Mr. Ken Dolliole, Director, Aviation Department, discussed the San Antonio Air Service Development Program, a copy of which is on file with these papers. He spoke on air service incentives by the Federal Aviation Administration provided certain criteria is met. He described new advertising support and additional cooperative advertising. Mr. Dolliole also spoke regarding an advertising incentive award to Continental Airlines and the departmental budget for said advertising. He also outlined the advertising plan by Continental Airlines, as well as a simultaneous cooperative advertising effort.

In response to Councilman Castro regarding similar programs in other airports across the nation, Mr. Dolliole stated such programs are very common. Councilman Castro expressed concern that \$25,000 is being given to a private airline to do advertising for its particular service, and not specifically for San Antonio. He added that the funds would be to advertise Continental Airlines' particular route from Cleveland to San Antonio. Mr. Dolliole stated that it is not for the service in general, but it is for this market which is a new route from Cleveland to San Antonio service. He further stated that it has to be advertised here, and the funds will be spent in San Antonio.

Mr. Dolliole explained this is the second year of the program, and so far Continental Airlines was first to take advantage of the program. He stated that in today's environment, it is quite common to see these types of programs in a variety of different airports. He spoke of the competitiveness to attract airline carriers for such programs to underserved destinations.

In response to Councilman Castro regarding the airport's dedicated funds and how these funds are not part of the general fund, Mr. Dolliole confirmed that these funds are very restrictive on how they can be used. He added that these funds are approved by the Federal Aviation Administration to be used only within the operation of the airport.

In response to Councilwoman Conner regarding this item being a part of the Airport's 2001/2002 strategic budget plan, Mr. Dolliole confirmed it was.

Councilwoman Conner noted that she will support the Ordinance, and added that frequently the business community communicates for non-stop service to San Antonio. She stated that this program will be an economic benefit for San Antonio.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Moorhouse, Carpenter, Garza.

— — —
2003-16 At this time, reference was made to Item #21.

The Clerk read a proposed ordinance amending Ordinance No. 96998, dated January 9, 2003, to expand the Air Transportation Advisory Commission's membership from ten (10) to fourteen (14) members by increasing the number of Community Representatives from two (2) to five (5) and by increasing the number of business representatives from two (2) to three (3), and authorizing the appointment of thirteen (13) members to the Commission.

* * * *

Councilman Sanders made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Ms. Yolanda Ledesma, Acting City Clerk, read the list of nominees as follows:

Aviation Industry:

Edward Carrola, Richard Kelley, Edward A. Benson

Business Category:

Loren Wood, Mark Tafolla, Timothy Tuggey

Community Representatives:

Marco Barros, Mary Briseno, Richard Green, III,
Al Sturchio, Manuel Fuentes

Travel & Tourism:

Marshal Hendler, Siegfried Richter

Military (non-voting Category): No nominees at this time

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Carpenter, Garza.

Lots for terms of office were drawn as follows:

Edward Carrola – 2 years
Richard Kelley – 2 years
Edward Benson – 2 years
Loren Wood – 2 years
Mark Tafolla – 2 years
Timothy Tuggey – 2 years
Marco Barros – 1 year
Mary Briseno – 2 years
Richard Green, II – 1 year
Al Sturchio – 1 year
Manuel Fuentes – 1 year
Marsha Hendler – 1 year
Siegfried Richter – 1 year
Vacant slot – 1 year

Councilwoman Moorhouse made a motion for the Business Category by amending that category to include a Lease Holder/Business Representative at the Airport. She added

that if a conflict of interest exists, then that individual would abstain from voting on this motion.

Councilman Perez requested clarification from Councilwoman Moorhouse in that the main Ordinance was approved.

Councilwoman Moorhouse made the motion that Item #21 be tabled until the return of Mayor Garza to the chambers. Councilman Perez seconded the motion.

The motion, to table Item #21, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —
2003-16 At this time, reference was made to Item #22.

The Clerk then read the following Ordinance:

AN ORDINANCE 97533

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH TXTOW CORPORATION D/B/A TEXAS TOWING CORPORATION ("TTC"), TO PROVIDE TOWING FOR CITY OF SAN ANTONIO VEHICLES AS WELL AS FOR THE REMOVAL OF VEHICLES FROM PUBLIC ROADWAYS AND PROPERTIES IN THE INTEREST OF PUBLIC SAFETY, FOR A SEVEN (7) YEAR TERM FROM MAY 28, 2003 THROUGH MAY 27, 2010, WITH A FULL PERFORMANCE REVIEW AT THE END OF TWENTY-FOUR (24) MONTHS AND FIFTY-FOUR (54) MONTHS TO DETERMINE SATISFACTORY CONTRACT PERFORMANCE.

* * * *

Councilman Barrera made a motion to approve the proposed Ordinance. Councilman Sanders seconded the motion.

Police Chief Albert Ortiz, San Antonio Police Department, presented a briefing on the City of San Antonio Police Department Towing Service, a copy of which is on file with the papers of this meeting. He spoke on the current Texas Towing Corp (TTC) contract for the City of San Antonio, and stated that this contract will expire on May 27, 2003. Chief Ortiz described the request for proposal (RFP) and time line process for a new contract. He also outlined the responses to the RFP, and identified the evaluation

committee, as well as the selection criteria and scoring methods used by the committee. Chief Ortiz discussed the seven-year contract terms and rate comparisons between the current and proposed contracts. He further explained the TTC's background and current features.

The following citizen(s) appeared to speak:

Mr. Pat Irwin, Department of Transportation Transguide, spoke regarding the efforts of the multi-agencies involved in this project and stated that he supports this contract.

* * * *

In response to Councilman Schubert regarding the reason for only one bid to be submitted, Chief Ortiz stated that the RFP was developed for a contract of this magnitude with a company that would have the financial resources and a commitment to the contract requirements. He explained that a more common reason bids were narrowed was that both the towing contract and the vehicle storage aspects of the contract were crucial to the RFP. He further explained concerns about towing vehicles that may contain criminal evidence that would be used in a court of law. Chief Ortiz noted that companies were more interested in being subcontractors since at least 50% of the tows are light duty tows. He further noted that there are certain considerations to maintain such as the quality of service and keeping public safety in mind. He reiterated that the contract is a fair document.

In response to Councilman Schubert regarding the chain of custody issue and how other cities handle that aspect of a contract, Chief Ortiz stated privatization was not an issue, and no inquiries were made to other cities.

In response to Councilman Schubert regarding whether the length of a seven-year contract is required in order for a company to amortize their equipment for such a contract, Chief Ortiz explained his experience with a shorter-term contract. In those cases, he stated, both quality and quantity of equipment were not available. He supports a longer length contract, and stated that if a company is not complying with their commitment to the investment, the City has the option to withdraw their contract.

Chief Ortiz noted that this contract is not a financial revenue for the City and is strictly a public safety issue. He further noted that the cost of the contract is what it costs the City to operate the Vehicle Storage Unit, and that the City's portion of the contract pays for the personnel and the services that are provided to the community at the Vehicle Storage Unit.

(Mayor Garza returned to the meeting and presided.)

Councilman Schubert thanked the Evaluation Committee and staff for their work on this item.

In response to Councilwoman Conner regarding TCC's compliance with the Small Business Economic Development Act (SBEDA) policy, Mr. Manuel Longoria, Asst. Director, Economic Development Department, gave information on the points scored by TCC. He stated that overall, TCC did a fairly good job of staying within the SBEDA guidelines.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —
2003-16 The Clerk read the following Ordinance:

AN ORDINANCE 97534

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE MULTI-FAMILY HOUSING REVENUE BONDS NOT TO EXCEED \$14,000,000.00 TO PROVIDE FINANCING FOR THE DEVELOPMENT OF THE SOUTHSIDE VILLAS APARTMENT PROJECT; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Barrera seconded the motion.

Mr. Andrew Cameron, Director of Housing and Community Development, narrated a slide presentation on the Southside Villas Apartment Project, a copy of which is on file with the papers of this meeting. He discussed the initial San Antonio Housing Finance Corporation's (SAHFC) authorization by the City Council to issue Multi-Family Revenue Bonds to support multi-family development within the San Antonio City limits. Mr. Cameron stated that this Ordinance is a result of the Franklin Development's application for \$13,100,000 in bonds to leverage his \$6,200,000 tax credit allowance to support the development of a 280-unit complex at U.S. 281 and Mission Grande. He explained that the project cost is estimated at \$19,300,000 and that the application is requesting authorization to issue up to \$14,000,000 in revenue bonds to cover any unexpected costs at closing. He further explained the City's policy that calls for a contribution to the

City's Housing Revitalization funds from certain projects. Mr. Cameron stated that the Southside Villas Apartments is taxable, and therefore, consistent with the City's Revitalization Strategy.

Councilman Perez spoke of his support for this project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —
2003-16 At this time, reference was made back to Item #21.

Councilwoman Moorhouse made a motion to reconsider Item #21 at this time. Councilman Perez seconded the motion.

The motion, to reconsider this Item, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

The Clerk then read the following Ordinance:

AN ORDINANCE 97535

AMENDING ORDINANCE NO. 96998, DATED JANUARY 9, 2003, TO EXPAND THE AIR TRANSPORTATION ADVISORY COMMISSION'S MEMBERSHIP FROM TEN (10) TO FOURTEEN (14) MEMBERS BY INCREASING THE NUMBER OF COMMUNITY REPRESENTATIVES FROM TWO (2) TO FIVE (5) AND BY INCREASING THE NUMBER OF BUSINESS REPRESENTATIVES FROM TWO (2) TO THREE (3), AND AUTHORIZING THE APPOINTMENT OF THIRTEEN (13) MEMBERS TO THE COMMISSION. (AMENDS ORDINANCE NO. 96998, JANUARY 9, 2003.)

* * * *

Councilwoman Moorhouse made a motion to amend Item #21 to include a Business Representative Leaseholder Category at the San Antonio International Airport. Councilwoman Conner seconded the motion.

Mayor Garza stated that Mr. Mark Tafolla will be changed from the original Business Category and will be the designee to the new category with a permanent designation for the Air Transportation Advisory Commission.

Councilman Castro asked for clarification regarding Councilwoman Moorhouse's motion and whether this new category would be reserved for an airport lease holder, or for anyone who has a lease at the San Antonio International Airport, noting in this case, it's Mr. Tafolla who works for one of the rental car companies.

Mayor Garza stated that it could change to any other businesses in the airport.

The amendment to the motion as presented by Councilwoman Moorhouse was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

The main motion, as amended, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Martin, Carpenter.

— — —
2003-16 The Clerk read the following Resolution:

A RESOLUTION
NO. 2003-16-17

SUPPORTING SB 511, HB 1039, SB 512, HB 994, PENDING BEFORE THE TEXAS LEGISLATURE, TO PROVIDE FOR ADDITIONAL CONTROLS ON ERECTION OF NEW BILLBOARDS, AND FOR FUNDING AND IMPLEMENTATION OF THE SCENIC BYWAYS PROGRAM; AND A BILL TO ENCOURAGE INCREASED TXDOT EXPENDITURES FOR LANDSCAPING.

* * * *

Councilwoman Moorhouse made a motion to approve the proposed Resolution. Councilwoman Conner seconded the motion.

Mr. Emil Moncivais, Director Planning Department, provided a presentation on a Resolution to Preserve and Enhance the Natural Beauty of Roadways, a copy of which is on file with the papers of this meeting. He discussed the City Council's direction to staff to initiate a resolution to support SB 512 and HB 994, the Scenic Byways Program and Texas Department of Transportation's (TxDOT) expenditures for native landscaping along roadways. He described two recent TxDOT examples that promote the native landscaping efforts. Mr. Moncivais stated that the proposed Resolution is consistent with the 1997 Master Plan policies.

The following citizen(s) appeared to speak:

Ms. Barbara Johnson, 2nd Vice President of the San Antonio Conservation Society, spoke in support for this program. Ms. Johnson read a letter by the San Antonio Conservation Society, a copy of which is to be included with the papers of this meeting. The letter denotes the Society's support for a scenic Texas and for billboard control.

Mr. June Kachtik, Sign Chair for Scenic San Antonio, spoke in favor of this Resolution that supports State legislation. She cited a study by Rice University has proven that 79% of Texans agree that there should be no new billboards on Texas highways. Ms. Kachtik also encouraged support of the funding and implementation of scenic byways in Texas for the aesthetic significance of the highways.

Mr. Woody Halsell, President, Vance Jackson Neighborhood Association, spoke in favor of the Resolution and hopes that the City Council will also give their support. He stated that the association has sent signed copies of the Resolution to the principles involved in legislation in Austin.

Mr. Albert Eng stated that Representative Mike Villarreal is co-author to HB994, and asked to convey support of this Resolution and all bills considered and respectfully asked the City Council to vote in favor of the Resolution.

Ms. Rowena Rogers, 2128 LaManda, spoke in favor of the Resolution supporting the State legislation on billboards.

Mr. Roy Lowery-Ball, 3 Bloomsberry Square, Scenic San Antonio Member, urged City Council to approve the Resolution. He stated that San Antonio is a premier destination for tourism in the United States because it has developed and protected its tourism assets. He added that there is no control with billboards, and they only deface the scenery of San Antonio. He encouraged the City Council to take steps to control billboards.

Ms. Mary Wallace, 4440 Broadway, Scenic San Antonio Member, spoke in support of the Resolution curtailing the proliferation of billboards and in favor of the scenic byways. She stated that San Antonio is barraged with the visual garbage of disgusting billboards. Ms. Wallace noted that tourism spending across the country found an increase after cities became billboard-free. She stated that the billboard companies are an economic drain in San Antonio. She encouraged San Antonio to join 48 other states in the National Scenic Byways Program, which would give Texas access to Federal funds to special designation of roads that are aesthetically and historically significant.

Ms. Kathleen Trenchard, President, Scenic San Antonio, spoke in support of the Resolution, and distributed information on sign control and tourism. She spoke of the City Council's success in approving other significant scenic control measures.

Ms. Trenchard stated that San Antonio is a leader in an integral part of a larger effort in Texas to preserving scenic byways. She requested that the Council approve the Resolution.

Ms. Luella Fabian, Scenic San Antonio Member, spoke to her opposition of the offensive billboards that were permitted by local government. She urged the City Council to stop the construction of new billboards within the City of San Antonio.

* * * *

Mayor Garza spoke regarding the Resolution of support for legislation as part of the City's Master Plan, including the South Side Initiative, and looked forward to sending the Resolution to the delegation in Austin, Texas.

Councilman Castro thanked the staff for their work on the Resolution to preserve Texas' natural beauty for generations to come. He further noted that the Resolution will not support new billboards on certain roads and that it does not say that those who currently own billboards will have to take them down, or that their economic opportunities will be impacted by this measure. Councilman Castro added that the Resolution will ultimately be an economic benefit to the City through increased tourism and by participating in the federally funded Scenic Byways Program.

Council members thanked the staff and for the citizens who spoke in support of this project.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

— — —
2003-16 ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman Perez introduced his son, Christopher, to the members of the City Council and the audience.

CITIZENS TO BE HEARD

MS. JULIE IRIS OLDHAM

Ms. Julie Iris Oldham, P.O. Box 40263, requested that Spurs Basketball Player, Mr. David Robinson, be made an honorary citizen of San Antonio. Ms. Oldham spoke on other individuals whom she is acquainted with including Dr. George Vince, Department Head at St. Mary's University. Ms. Oldham also spoke regarding a citizen who is violating code compliance by performing vehicle repairs in her neighborhood. She also spoke regarding her opposition to tax abatement projects.

* * * *

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding his opposition to the Bexar County Commissioners Court considering a 20-year tax abatement project. He proposed using funds targeted for the Dallas Cowboys NFL Team to be used instead to balance the City budget.

* * * *

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke in opposition to Item #12 involving a lease renewal agreement with the Catholic Life Insurance Building. He cited violations of constitutional and state laws that prohibit such an agreement. Mr. Perez then spoke regarding several bible verses that speak to the actions of the United Nations.

* * * *

MR. RICHARD ALLES

Mr. Richard Alles, Citizens Tree Coalition, met with officials of the Greater San Antonio Builders Association regarding providing a partial credit for trees saved during construction. He spoke regarding the progress in routing utility trenches around tree

protection zones. Mr. Alles discussed meetings with officials from the City Public Service Board who are willing to have developers provide a drawing with the application for electric service that they will be able to follow when installing utility trenches. He spoke of some liability issue concerns with subcontractors, and plans to meet again with the builders association regarding root protection. Mr. Alles narrated a slide presentation that showed damaged and dead trees as a result of root damage. He noted that soil compaction is also a major cause of the destruction of trees. Mr. Alles spoke on the possibility of having the tree Ordinance apply to small lot subdivisions, which is part of the proposal by he Citizens Tree Coalition.

Mayor Garza asked Mr. Alles to contact his staff in order to set up a meeting to discuss this matter further.

* * * *

MR. WEST RADWAY

Mr. West Radway, Bexar County Green Party, spoke as an advocate for tree huggers, and on the benefits of healthy trees. He discussed the efforts of the Green Party to strengthen the tree Ordinance for San Antonio and urged the City Council to vote accordingly.

* * * *

MS. JOLENE GARCIA

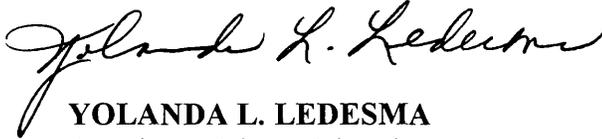
Ms. Jolene Garcia, Bexar County Green Party, spoke regarding exempt areas in the current amendments that are being proposed. Ms. Garcia narrated a slide presentation of typical residential lots that showed where tree preservation is required, as well as utility easements where developers are not required to save trees. Ms. Garcia discussed the Party's proposal that the City Council include entire residential lots to be included in the tree Ordinance, thereby promoting incentives for developers to better plan their construction in residential neighborhoods. Ms. Garcia further discussed the consequences of exempt areas for tree preservation.

2003-16 There being no further business to come before the City Council, the meeting was adjourned at 5:14 P.M

A P P R O V E D



EDWARD D. GARZA
M A Y O R



Attest

YOLANDA L. LEDESMA
Acting City Clerk