

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, FEBRUARY
9, 1995.

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95-06 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: AYALA.

A. Convention Center Expansion Update - Urban land Institute recommendations and preliminary construction schedule; Arena demolition schedule - Council moved that staff recommendations as outlined be approved.

B. Boards and Commissions Work Session - held. Update to City Council on vacancies created as a result of persons failing to file their financial disclosure statements.

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95-06 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, MC-CLENDON, BILLA BURKE, AVILA, SOLIS, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: AYALA.

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95-06 Invocation - Reverend Milbrew Davis, St. Philip's Episcopal Church.

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95-06 Pledge of Allegiance to the flag of the United States.

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95-06 Minutes of the December 22, 1994 and January 5, 1995 Regular City Council meetings were approved.

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95-06 PRESENTATION OF CITY COUNCIL OFFICIAL PHOTOGRAPHS

Mayor Wolff presented City Council members with the official

photographs taken recently by Goldbeck Studios, and expressed his appreciation to the firm.

95-06 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 6 through 26, constituting the Consent Agenda, with Item 23 having been pulled earlier by the City Manager. Mr. Peak seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Larson, Wolff; ABSENT: Solis, Ayala.

AN ORDINANCE 81,605

ACCEPTING THE LOW BID OF SUN COAST RESOURCES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH MOTOR FUEL IN TANKWAGON LOADS FOR A TOTAL OF APPROXIMATELY \$22,000.00 ANNUALLY.

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AN ORDINANCE 81,606

ACCEPTING THE LOW BID OF GRAFFITI REMOVAL, INC., AKA "OFF THE WALL" GRAFFITI TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GRAFFITI REMOVAL FOR A COST OF \$3,266.00.

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AN ORDINANCE 81,607

ACCEPTING THE LOW BID OF SOUTHWEST PUBLIC SAFETY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH FLOOR MOUNTED CONSOLES FOR A TOTAL OF \$33,628.50.

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AN ORDINANCE 81,608

ACCEPTING THE LOW BID OF LOWEN COLOR GRAPHICS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH LOGO MARKINGS FOR POLICE SEDANS FOR A TOTAL OF \$25,144.00.

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AN ORDINANCE 81,609

ACCEPTING THE LOW QUALIFIED BID OF SOUTHWEST PUBLIC SAFETY IN THE AMOUNT OF \$78,941.00 TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH VEHICLE WARNING LIGHT AND SIREN AMPLIFIER SYSTEMS.

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AN ORDINANCE 81,610

ACCEPTING THE LOW QUALIFIED BID OF EXCLUSIVE LAW ENFORCEMENT PRODUCTS, INC. IN THE AMOUNT OF \$24,990.00 TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A VIDEO CAMERA SYSTEM.

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AN ORDINANCE 81,611

ACCEPTING THE BID OF CRAFCO TEXAS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AN ASPHALT SEALANT MELTER ON AN AS-NEEDED RENTAL BASIS FOR A MONTHLY RENTAL OF \$2,350.00.

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AN ORDINANCE 81,612

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$232,159.80 TO V. K. KNOWLTON PAVING CONTRACTOR, INC., IN CONNECTION WITH THE SEAL COAT - 1994 PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,613

ACCEPTING THE DONATION OF A TRACT OF LAND CONTAINING APPROXIMATELY 0.4448 ACRES NEAR THE INTERSECTION OF RITTIMAN ROAD AND BUSINESS PARK DRIVE FROM THE H. E. BUTT GROCERY, CO. FOR USE IN THE PROJECT TO CONSTRUCT IMPROVEMENTS TO RITTIMAN ROAD, FRATT ROAD AND BUSINESS PARK DRIVE.

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AN ORDINANCE 81,614

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,840.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND ACQUIRING TITLE TO ONE

PARCEL IN CONNECTION WITH THE CHERRY STREET DRAINAGE
PROJECT #15B, PHASE II.

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AN ORDINANCE 81,615

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES
ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS),
ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION
19-68(B) TO INCLUDE CERTAIN ADDITIONS TO THE
OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULE FOR "STOP"
SIGNS, "YIELD RIGHT-OF-WAY" SIGNS, "PROHIBITED
PARKING AT ALL TIMES" SIGNS, AND "PROHIBITED TURN"
SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF
SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC
CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND
DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS,
EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE
MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE
THAN \$200.00, AND DECLARING VIOLATIONS OF THE CIVIL
PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT
PROVISIONS OF CITY CODE SECTION 19-225
(ADMINISTRATIVE ADJUDICATION OF STOPPING, STANDING,
AND PARKING VIOLATIONS).

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AN ORDINANCE 81,616

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES
CONTRACT WITH THE INSTITUTE FOR LIFE COPING SKILLS
INCORPORATED TO PROVIDE MATERIALS AND TRAINING TO
THE DEPARTMENT OF COMMUNITY INITIATIVES TO BETTER
SERVE THE NEEDS OF THE HOMELESS POPULATION AT THE
DWYER AVENUE CENTER ON A CONTRACT BASIS FOR A TOTAL
OF \$9,173.00.

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AN ORDINANCE 81,617

AMENDING ORDINANCE NO. 81460, PASSED AND APPROVED
ON JANUARY 13, 1995, TO ACCEPT AN ADDITIONAL
\$8,378.00 FROM THE LOCAL FEDERAL EMERGENCY
MANAGEMENT AGENCY'S EMERGENCY FOOD AND SHELTER
BOARD; AND APPROVING THE BUDGET.

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AN ORDINANCE 81,618

ACCEPTING THE PROPOSAL OF NOVATEK RESEARCH &

CONSULTING CO. TO PROVIDE A NETWORK/DATA BASE MANAGEMENT SYSTEM FOR THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FOR AN AMOUNT NOT TO EXCEED \$20,680.00.

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AN ORDINANCE 81,619

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$70,384.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO SUPPLEMENT THE FUNDING OF THE ON-GOING RYAN WHITE TITLE II AIDS/HIV PROGRAM BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMDH); AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 15, TO THE CONTRACT WITH THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1994/95 ESTABLISHED IN ORDINANCE NO. 77973 PASSED AND APPROVED MAY 20, 1993; AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH COMMUNITY AGENCIES.

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AN ORDINANCE 81,620

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$69,900.00 CASH GRANT AWARD AND \$25,394.00 IN CARRYOVER FUNDS FROM THE W. K. KELLOGG FOUNDATION TO CONTINUE FUNDING OF THE COMMUNITY PUBLIC HEALTH PROJECT OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AMENDING THE ORIGINAL BUDGET ESTABLISHED IN ORDINANCE NO. 78650 ON SEPTEMBER 9, 1993; AND AUTHORIZING THE TWELVE MONTH EXTENSION OF THIS PROJECT.

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AN ORDINANCE 81,621

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A GRANT FROM THE TEXAS CRIMINAL JUSTICE DIVISION (CJD) FOR THE STRATEGIC NUISANCE ABATEMENT PROJECT IN THE AMOUNT OF \$38,381.00 FOR THE PERIOD FROM OCTOBER 1, 1995 TO SEPTEMBER 30, 1996.

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AN ORDINANCE 81,622

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN DOWNTOWN AREA STREETS ON SUNDAY, APRIL 2, 1995, FROM 7:30 A.M. TO 1:00 P.M., FOR THE PURPOSE OF HOLDING

THE MARCH OF DIMES WALK AMERICA FOR HEALTHIER BABIES.

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AN ORDINANCE 81,623

REAPPOINTING ABE FLORES, ROBERT MCADAMS, AND H. ELIZABETH NELSON TO THE ETHICS REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 1997.

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AN ORDINANCE 81,624

APPOINTING RUBEN RAMOS TO THE PLANNING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1996.

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95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,625

APPROVING A PARADE/RUN PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS BETWEEN MISSION COUNTY PARK, MISSION SAN JOSE, AND MISSION CONCEPTION BETWEEN THE HOURS OF 7:30 A.M. AND 12:00 NOON ON SATURDAY, MARCH 25, 1995, IN CONNECTION WITH THE RUN FOR BRAINPOWER.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

Dr. Louis Agnese, President, Incarnate Word College, briefly explained where the proceeds from this event will be used, and asked that the street closure fees be waived by the City.

City Council members discussed the need to circulate a six-signature memorandum to provide for this waiver.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Solis, Ayala.

95-06 Agenda Item 27, being a proposed ordinance authorizing the acceptance of a grant in the amount of \$2,500,000.00 from the U.S. Department of Housing and Urban Development under the Supportive Housing

Program; authorizing the execution of delegate agency contracts with the Autistic Center in the amount of \$79,000.00; Children's Shelter of San Antonio and Bexar County in the amount of \$362,992.00; Hispanic AIDS Committee in the amount of \$60,000.00; House of Hope in the amount of \$72,077.00; National Veterans Outreach Program in the amount of \$130,000.00; Providence Home in the amount of \$70,703.00; Salvation Army in the amount of \$400,000.00; San Antonio AIDS Foundation in the amount of \$160,000.00; Seton Home in the amount of \$225,000.00; St. Mary's University Law Center in the amount of \$258,751.00; Visitation House in the amount of \$56,507.00; Women and Children's Resource Center in the amount of \$500,000.00; and approving a budget and personnel complement, was earlier removed from consideration by the City Manager.

95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,626

AUTHORIZING THE CITY MANAGER TO PAY FY 1994/95 MEMBERSHIP RENEWAL DUES FOR THE PERIOD JANUARY TO DECEMBER 1995, IN THE AMOUNT OF \$50,000.00 TO THE GREATER AUSTIN-SAN ANTONIO CORRIDOR COUNCIL.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mr. Clint Bolden, Director of Economic Development, briefly explained the renewal of the membership fee to the Greater Austin-San Antonio Corridor Council.

Mayor Wolff spoke to the history of this organization, and the direction taken by the Council under the chairmanship of Mr. Sam Barshop of San Antonio.

Mr. Barshop and Mr. Ross Milloy, President of the Council, spoke to the Council's accomplishments and agenda.

Mr. Larson stated his desire to have a separate Corridor Council set up between San Antonio and Laredo, and spoke to the linkage of those two cities. He expressed concern that San Antonio is not treated equally with Austin in the Greater Austin-San Antonio Corridor Council, and he cited the competition between those two cities for business development.

Mr. Thornton thanked Mr. Barshop for stepping in to correct any perceived problems with the Council.

Mr. Solis spoke to the need for regional planning, including Laredo, San Antonio and Austin.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

94-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,627

ORDERING THE REGULAR MUNICIPAL ELECTION TO BE HELD ON THE 6TH DAY OF MAY, 1995, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR THE PURPOSE OF ELECTING THE MEMBERS OF THE COUNCIL OF THE CITY OF SAN ANTONIO.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Ms. Norma S. Rodriguez, City Clerk, addressed the calendar of deadlines and election details, including the matter of polling sites.

In response to a question by Mr. Perez, Ms. Rodriguez noted that today is the deadline for planning for items to be included on the May 6, 1995 ballot, in order to allow sufficient time for the U.S. Department of Justice pre-clearance of the election. She stated that an amended election order would be necessary to add anything else to the ballot.

Mr. Perez stated that a special election might be required to consider Charter revision matters.

A discussion ensued concerning the possibility of holding a special election on Charter revision.

Mr. Tom Finlay, Assistant City Attorney, noted that the Council could add to the ballot at next week's Council meeting, if it wished.

Mr. Ross made a motion to include on the May 6, 1995 ballot certain Charter revision items dealing only with technical revisions, recognizing that should this take place, it would be another two years before other Charter revision items could be included on a ballot.

Mr. Finlay noted that the Justice Department will accept an amended election order, and spoke to the many possible amendments and 'gray areas' as to which are controversial and which are merely

technical revisions and thus non-controversial.

Mr. Solis cautioned against rushing into the matter of Charter revision. He spoke to the need to consider this matter after the May election because of the need for a thorough review and public hearings on the matter.

Ms. McClendon agreed with Mr. Solis, and spoke to the need for public hearings and proper review.

After discussion, Mr. Ross withdrew his motion.

Mr. Solis spoke to his desire to have more pro-active voting methods.

Ms. Rodriguez spoke to the matter of low voter turnout, the costs, and liability factors as primary reasons against so-called "mobile voting". She then explained the proposed pilot program of electronic voting in some polling sites in each Council district in the May election.

In response to a question by Mr. Solis, Ms. Rodriguez noted that state law dictates certain voting procedures that perhaps slow down voting, such as the requirement to check microfiche voter-registration rolls.

In response to a question by Ms. Billa Burke, Ms. Rodriguez spoke to combined elections involving various governmental entities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

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95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,628

ACCEPTING THE PROPOSAL OF CONSULTING ENGINEERS GROUP, INC. IN THE AMOUNT OF \$49,700.00 TO CONDUCT A PARKING STUDY OF THE DOWNTOWN BUSINESS DISTRICT.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Mr. Alex Briseno, City Manager, announced that Ms. Dana Hickey, Parking Division Manager, has been appointed the new Assistant Director of Convention Facilities, and he spoke to her achievements as chief of the Parking Division, Public Works Department.

Ms. Hickey explained the need for the proposed feasibility study of parking in the downtown business district, and addressed the five target-areas in the downtown area for parking.

In response to a question by Mr. Perez, Ms. Hickey addressed the report time-line for the study and possible recommendations from the consultant.

Mr. Perez expressed a desire to have special consideration given to possible parking changes in the City Hall complex area, and nearby.

Ms. McClendon voiced her concern with continued parking problems relating to the Alamodome, but stated that she is pleased to see that the nearby St. Paul's Square is included in the study.

Mr. Briseno spoke to overall parking possibilities in the downtown area, including the Alamodome area.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Ayala.

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95-06 At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Larson presided.

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95-06 ZONING HEARINGS

CASE #Z94218 (PP) - to rezone and reclassify 17.51 acres out of NCB 17586 U.S. Hwy 281 North from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the southeast side of U.S. Hwy 281 North, 550 feet southeast of the intersection of U.S. North and Encino Rio, having 1,418.59 feet on U.S. 281 North and a depth of 670.09 feet.

Mr. Andy Guerrero, Land Development Services, stated that the postponement in this rezoning case has requested a 30-day postponement.

Mr. Peak made a motion to postpone for 30 days the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion to postpone this item for 30 days prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Ayala, Wolff.

Zoning Case Z94218PP was postponed for 30 days.

CASE #Z94259 - to rezone and reclassify 0.926 acres tract out of NCB 12059 from "B-3R" Restrictive Business District to "B-2"; 0.216 acre tract out of NCB 12059, West Avenue and Embassy Oaks, from "B-3R" Restrictive Business District to "B-3" Business District. Property is located south of the intersection of West Avenue and Embassy Oaks, having 358.84 feet on West Avenue and 150.52 feet on Embassy Oaks.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Solis, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Avila, Ayala, Wolff.

AN ORDINANCE 81,629

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.926 ACRES TRACT OUT OF NCB 12059 FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2"; 0.216 ACRE TRACT OUT OF NCB 12059, WEST AVENUE AND EMBASSY OAKS, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z94289 - to rezone and reclassify Lot 1, NCB 2419, 1500 San Fernando Street, from "R-2" Two Family Residence District to "B-3NA" Non Alcoholic Sales District. Property is located southwest of the intersection of San Fernando Street and South San Jacinto Street, having 77.6 feet on South San Jacinto Street and 43.6 feet on San Fernando Street.

Mr. Solis addressed the unique nature of the request and spoke in support for the rezoning.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Solis made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

Mr. Robert Valdez, representing the applicant, spoke to plans for the use of the property for a grocery store and flower shop.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Thornton, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Ayala, Ross, Wolff.

AN ORDINANCE 81,630

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, NCB 2419, 1500 SAN FERNANDO STREET, FROM "R-2" TWO FAMILY RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z94277 - to rezone and reclassify North 50 feet of Parcel 1D, NCB 18198 from "R-1" Single Family Residence District to "O-1" Office District; and Parcel 3B and Parcel 1D, save and except the north 50 feet, NCB 18198 Braun Road, and Alisa Brooke, from "R-1" Single Family Residence District to "B-2" Business District. Property is located northwest of the intersection of Alisa Brooke and Braun Road, having 250 feet on Alisa Brooke and 400 feet on Braun Road.

Mr. Thornton made a motion to continue the zoning case for 30 days to allow time for neighborhood groups to meet with him and Mr. Ross on the requested rezoning. Mr. Ross second the motion.

After consideration, the motion to continue this case for 30 days prevailed by the following vote: AYES: McClendon, Billa Burke, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Perez, Avila, Solis, Ayala, Wolff.

Zoning Case Z94277 was continued for a period of 30 days.

CASE #Z95016 - to rezone and reclassify 2.11 acre tract out of NCB 19142, from "R-1" Single Family Residence District to "B-3" Business

District; and 16.13 acre tract out of NCB 19142 Bandera Road and Prue Road, from "R-1" Single Family Residence District to "B-2". The 21.11 acres are located 120 feet northwest and 135 feet north of the intersection of Bandera Road and Prue Road, having 207.83 on Bandera Road and 250 feet on Prue Road. The 16.13 acres are located 327.83 feet northwest and 385 feet north of the intersection of Bandera Road and Prue Road, having 207.83 feet on Bandera Road and 827.55 feet on Prue Road.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Ross seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Perez, Avila, Solis, Ayala, Wolff.

AN ORDINANCE 81,631

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.11 ACRE TRACT OUT OF NCB 19142, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; AND 16.13 ACRE TRACT OUT OF NCB 19142 BANDERA ROAD AND PRUE ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2". "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z95007 (CC) - to rezone and reclassify Lot 14, Block 51, NCB 3319, 901 Kayton, from "B" Residence District to "R-2" CC Two Family Residence District with special City Council approval for a child day care center. Property is located northeast of the intersection of Kayton Avenue and South Gevers, having 57.5 feet on Kayton Avenue and 150 feet on South Gevers.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES:

McClendon, Billa Burke, Avila, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Perez, Solis, Ayala, Wolff.

AN ORDINANCE 81,632

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 14, BLOCK 51, NCB 3319 901 KAYTON, FROM "B" RESIDENCE DISTRICT TO "R-2" CC TWO FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A CHILD DAY CARE CENTER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z95022 - to rezone and reclassify 0.757 acre tract out of Block 3, NCB 13503, 1731 South W. W. White Road, from "P" Local Retail District to "B-3R" Restrictive Business District. Property is located on the north side of Lakewood Drive, being 187 feet west of the intersection of W. W. White Road and Lakewood Drive, having 120.48 feet on Lakewood Drive and a depth of 260.80 feet.

Ms. McClendon made a motion to postpone the requested rezoning for 30 days to allow time for her to meet with neighborhood groups on the request. Mr. Avila second the motion.

After consideration, the motion to postpone this case for 30 days prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Solis, Ayala, Thornton, Wolff.

Zoning Case Z95022 was postponed for a period of 30 days.

CASE #Z95018 (CC) - to rezone and reclassify A 0.058 acre tract out of Lot 3, NCB 11635, 5029 Callaghan Road, from "I-1" Light Industry District to "I-1" CC Light Industry District with special City Council approval for a communication transmission tower. Property is located on the north side of Callaghan Road, 869.52 feet southwest of the intersection of Callaghan Road and a depth of 62.00 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Ross made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage

of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Peak, Larson; NAYS: None; ABSENT: Solis, Ayala, Thornton, Wolff.

AN ORDINANCE 81,633

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.058 ACRE TRACT OUT OF LOT 3, NCB 11635, 5029 CALLAGHAN ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #295017 - to rezone and reclassify 11.81 acres out of 17792, Toepperwein Road, from Temporary "R-1" Single Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located on the southwest side of Toepperwein Road, 125 feet northwest of the intersection of Spanish Earth and Toepperwein Road, having 823.48 feet on Toepperwein Road and a depth of 662.43 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Perez made a motion to approve the recommendation of the Zoning Commission. Mr. McClendon seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Peak, Larson; NAYS: None; ABSENT: Ayala, Ross, Thornton, Wolff.

AN ORDINANCE 81,634

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 11.81 ACRES OUT OF 17792, TOEPPERWEIN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE

PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,635

AUTHORIZING THE EXPENDITURE OF DISCRETIONARY FUNDS AS REQUESTED BY MAYOR NELSON WOLFF AND COUNCILMAN ROGER PEREZ TO ASSIST IN A \$40,000.00 DEBT REDUCTION FOR THE MILAM PARK REDEVELOPMENT PROJECT.

* * * *

Various City Council members identified funds they wished to contribute from their own Discretionary Funds Accounts.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ross, Peak, Larson; NAYS: None; ABSENT: Avila, Ayala, Thornton, Wolff.

95-06 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Phoenix, Arizona from February 11, 1995 to February 13, 1995, to attend a Basketball Game to accept a trophy on behalf of the City at "All Star".

* * * *

95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,636

AUTHORIZING AN ADMINISTRATIVE SERVICE CONTRACT, ON A PART-TIME BASIS, FROM THE DISTRICT 5 DISCRETIONARY FUNDS ACCOUNT, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

Mr. Solis made a motion to approve the proposed Ordinance.
Ms. McClendon seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Peak, Larson; NAYS: None; ABSENT: Avila, Ayala, Ross, Thornton, Wolff.

95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,637

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS BETWEEN ALAMO PLAZA EAST AND BONHAM BETWEEN THE HOURS OF 8:00 A.M. UNTIL 11:30 A.M. ON SATURDAY, APRIL 8, 1995, IN CONNECTION WITH THE HOLDING OF THE THIRD ANNUAL ALAMO CARDIAC BED RACE; AND AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 1 DISCRETIONARY FUNDS ACCOUNT TO HELP DEFRAY STREET CLOSURE EXPENSES INCURRED FOR THIS EVENT.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Peak, Larson; NAYS: None; ABSENT: Avila, Ayala, Ross, Thornton, Wolff.

95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,638

AUTHORIZING THE EXPENDITURE OF DISCRETIONARY FUNDS AS REQUESTED BY COUNCILMAN ROGER PEREZ FOR THE FOURTH ANNUAL HOT PURSUIT 8K WALK/RUN ("FUN RUN") FOR SATURDAY, MAY 06, 1995.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Peak; NAYS: None; ABSENT:

Ayala, Ross, Thornton, Larson, Wolff.

- - -
95-06 The Clerk read the following Ordinance:

AN ORDINANCE 81,639

APPROVING A CHANGE IN THE CONSTRUCTION SITE FOR A NEW BUILDING TO STORE FIRE FIGHTING MATERIALS AS PREVIOUSLY APPROVED BY ORDINANCE NO. 81203 FROM POP GUNN STREET TO SOUTH W.W. WHITE ROAD; AUTHORIZING AN ADDITIONAL \$10,000.00; PROVIDING FOR PAYMENT; AND PROVIDING FOR IMMEDIATE EFFECT UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

* * * *

Ms. McClendon made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

Mr. John German, Director of Public Works, explained the proposed change of sites for the storage of firefighting materials near the Koch Refinery on the city's east side, noting that neighbors felt that the earlier-identified site owned by City Public Service was too near to the refinery; thus, the City proposes moving this site to Fire Station No. 18.

Ms. McClendon spoke in support for the proposed Ordinance, and thanked City staff for meeting with concerned neighbors on this matter.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Ayala, Wolff.

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95-06

LEGISLATIVE UPDATE

Ms. Myra Leo, Director of Intergovernmental Relations, provided Council members with an updated report on legislative issues involving San Antonio.

Mr. Thornton spoke his attendance, along with Mr. Peak, at the recent Texas Municipal League legislative session, and stated his belief that the TML legislative package as outlined is a good one. he encouraged other members of City Council to take part in the legislative matters.

95-06

CITY MANAGER'S REPORT

EXECUTIVE RETREAT

Mr. Travis Bishop, Assistant to the City Manager, addressed details of the upcoming Retreat and Executive Workshop for City department heads, assistant department heads and others.

95-06 City Council recessed its regular meeting in order to convene in Executive Session for a Briefing on Alamodome lease negotiations with a Canadian Football League franchise team.

City Council adjourned the Executive Session and reconvened the regular meeting, at which time Mayor Wolff announced that the City Council had met in Executive Session and had been briefed as outlined above, and gave City staff direction to proceed. He noted that the item on the CFL football team will be on City Council's "A" Session agenda next week.

95-06

CITIZENS TO BE HEARD

MS. PATSY CHEYNEY

Ms. Patsy Cheyney, San Antonio Alliance for the Mentally Ill, spoke to the Council about several concerns dealing with the mentally disabled. She asked them to remember that ninety percent of deaths occurring within the mentally disabled occur within thirty days from discharge from the State Hospital. She then spoke to the proposed legislation dealing with release of patients to different agencies.

She asked the City Council members to do all they can with regard to this legislation.

MR. BILL SMITH

Mr. Bill Smith expressed his concern to the Council regarding the recent news articles on the award of the upcoming river barge contract. He urged the City Council to review the proposals based on the highest revenue for the City instead of political connections or personalities involved with each of the proposals.

Councilman Peak asked Mr. Smith to discuss these concerns with the

newspapers since they are the ones making the allegations regarding the awarding of this contract.

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez also spoke regarding the upcoming river barge contracts including the generated revenues. She expressed concern about the lack of police personnel and the need to assure more funding for this department.

City Manager Alexander E. Briseno stated that the revenues generated from the barge contract goes into the General Fund which also funds the Police Department.

95-06 The meeting was recessed at 3:30 P.M., and later reconvened at 5:00 P.M with Ms. Lynda Billa Burke as Acting Mayor.

CITIZENS TO BE HEARD (CONTINUED)

MRS. MARIE LOUISE O'SHAUGHNESSY

Ms. Marie Louise O'Shaughnessy accompanied by a group of interested citizens appeared to speak to the Council with regard to a petition she had submitted requesting a street name change in honor of her friend, Bernardine Rice.

City Clerk Norma Rodriguez explained that this petition had been previously submitted to her office and the results of their discussions with Ms. O'Shaughnessy relative to the precedent which would be set; costs associated with this request and the problems with confusion over the street name change. She then suggested alternate methods of honoring Ms. Bernardine Rice.

Father Bill Davis appeared to speak to the Council relative to the his cousin, Bernardine Rice, and her work in the community prior her death. He stated that he would appreciate any assistance the City could give this group.

After discussion by the Council relative to Ms. O'Shaughnessy's request, Mrs. Rodriguez was asked to meet with representatives of the Public Works Department and other staff members on this request and to keep Ms. O'Shaughnessy informed as to a determination on what could be done to recognize Ms. Rice.

SWAPPERS PARK AREA

Several residents were present in the audience to speak to the Council about a problem in their neighborhood which has been in existence for almost twenty years.

Mrs. Minnie Wolff appeared to speak on behalf of the area residents who expressed concerns about the noise factors, traffic congestion and parking problems in this area. She also spoke to the many problems with regard to consumption of alcohol in this area.

A general discussion took place between the Council and the residents regarding their many attempts and contacts with City staff to try to get the owners of this area to cooperate with the neighborhood and abate some of these nuisances.

City Staff present were: Michael Clack, Building Inspections; Martin Rodriguez, Code Compliance; Jimmy Kopeck, Police Department, Rick Gonzalez, Planning; Sam Sanchez, Health Department.

After much discussion and comments relative to the different departments reacting to the complaints brought forward, Mr. Travis Bishop, Assistant to the City Manager, asked that the staff be given time to work together as a task force and bring back a report to the City Council.

At this point, Mr. Ron Wolff asked that the City Council pass an ordinance regarding the prohibition of noise and music amplification. Mr. Solis stated that an ordinance already exists and again stated the important of the review of the liquor license of the area in question.

After discussion, Mr. Bishop stated that they will be in contact with Mr. and Mrs. Wolff as representatives of this neighborhood with regard to this issue.

MRS. JANIE ADAME

Mrs. Janie Adame spoke to the Council with regard to her concerns with the eviction of a family in the Indian Creek area who cannot pay their rent.

After discussion, Mr. Juan Solis stated that he would be meeting with Ms. Adame to seek a resolution of this case.

DON WILKINS CASTILLO

Mr. Castillo spoke to the Council regarding the problems at the Parksite Apartments including a murder which recently occurred. He expressed concern about the numerous criminal activities in the area.

95-06 There being no further business to come before the Council, the meeting was adjourned at 5:55 P.M.

A P P R O V E D

Nelson W. Wolff
M A Y O R

Attest:

Armando S. Rodriguez
C I T Y C L E R K

February 9, 1995

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

January 23, 1995 Petition submitted by Mrs. Minnie Wolf, 10215 Moursund Blvd., San Antonio, Texas 78221, on behalf of the neighbors residing in close proximity of Swapper's Flea market, 9906 Moursund Blvd., requesting the City of San Antonio investigate the weekend and night activities of the Swapper's Flea Market, due to the noise level generated from the open air stage and live music performances, which occur during weekend hours from 12:00 noon until 10:00 p.m.

January 23, 1995 Petition submitted by Ms. Marie L. O'Shaughnessy, 4300 Cavern Spring, Austin, Texas 78727, requesting the City of San Antonio to rename Main Avenue, for one day only, in memory of her Irish American friend, Bernardine Rice, on March 17, 1995, St. Patrick's Day.

January 23, 1995 Petition of Mr. Brian M. Benton, President, Braun Station East Community Improvement Association, P.O. Box 681283, San Antonio, Texas 78268-1283, requesting the City of San Antonio to erect a four-way Stop Sign at the corner of Wickersham and Haversham.

/s/ Norma S. Rodriguez
City Clerk