

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
THURSDAY, DECEMBER 12, 1996.**

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96-49 The City Council convened in an informal "B" Session at 10:00 a.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

A. Presentation of FY 1996 Year-End Contracting Report and Related SMWBA Issues - Report by the Department of Economic Development. City Council moved the staff recommendations forward to the December 19, 1996 agenda.

B. Quarterly Status Report by Greater Kelly Development Corporation -Kelly AFB Master Plan (Timetable, Public Comment Period); Privatization and Commercialization Update (C-5 Requests for Proposals, Efforts to eliminate barriers to privatization, Status of commercial projects); Upcoming Events (Cooperative Agreement for East Kelly, Annexation and Zoning).

The "B" Session adjourned at 11:45 A.M.

City Council members present were: Flores, Lott, Avila, Solis, Herrera, Ross, Peak, Webster and Thornton. ABSENT: Billa Burke, Marbut.

96-49 The regular meeting was called to order at 1:00 p.m. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster and Thornton. Absent: None.

96-49 Invocation - Dr. Charles Kemble, Northwest Hills Baptist Church.

96-49 Pledge of Allegiance to the flag of the United States.

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96-49 CERTIFICATE OF CONGRATULATIONS - STERLING DARLING JR.

Mayor Thornton recognized Sterling Darling Jr., a senior at Roosevelt High School, who recently received confirmation from the Southwest Regional Office of the College Board that he had

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earned a perfect 1600 on the Scholastic Aptitude Test. He noted that Sterling has been active in numerous organizations, and his high school accomplishments include numerous awards including the Lamar Award-Excellence In Education, First Place in the American Legion Oratorical Contest, The Optimist Outstanding Youth in Speech and Debate, The Harvard Book Award, First Place in the Research History Fair, and awards in math and science. He further noted that Sterling is a peer tutor in math, science, history and Latin; a volunteer at the Children's Museum; and school coordinator of blood drives.

Mayor Thornton then read and presented a Certificate of Congratulations to Sterling Darling.

Sterling Darling, Jr. spoke to his future educational plans at Harvard University, where he will study political science and law. He thanked both his parents for their influence on him.

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96-49 SWEARING-IN OF NEW BOARD AND COMMISSION MEMBERS

Mayor Thornton stated that some 35 citizens are present in the audience today, to serve on some of the City's boards and commissions. He then asked City Clerk Norma S. Rodriguez to administer the Oaths of Office to the group.

City Clerk Rodriguez then administered the Oaths and congratulated members of the group present.

Mayor Thornton and City Council members then distributed the official Certificates of Appointment to the board and commission members.

96-49 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 9 through 30, constituting the Consent Agenda, with item 14 having been removed from consideration by the City Manager and item 11 being pulled for individual consideration. Mr. Solis seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Flores, Lott, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; Absent: Billa Burke.

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AN ORDINANCE 85265

ACCEPTING THE LOW BIDS OF BILL MEZZETTI TIRE COMPANY, INC. AND T & W TIRE TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH
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C O C

EMERGENCY VEHICLE TIRES FOR A TOTAL OF APPROXIMATELY \$180,000.00 ANNUALLY. (WBE)

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AN ORDINANCE 85266

ACCEPTING THE LOW BID OF ARENA SYSTEMS TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME WITH AN ICE RINK OVERFLOOR FOR A TOTAL OF \$34,287.00.

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AN ORDINANCE 85267

AUTHORIZING PAYMENT IN THE AMOUNT OF \$275.00 TO ALAMO TITLE COMPANY AND DUGGER, CANADAY, GRAFE & WOELFEL FOR TITLE AND APPRAISAL SERVICES IN CONNECTION WITH THE CALLE MORELIA DRAINAGE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85268

AUTHORIZING PAYMENT IN THE AMOUNT OF \$788.00 TO COMMERCE LAND TITLE OF SAN ANTONIO, INC. FOR TITLE SERVICES FOR THE OCTAVIA PLACE DRAINAGE PROJECT #63 AND THE O'CONNOR ROAD AT F.M. 2252 (NACOGDOCHES ROAD) METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85269

AUTHORIZING A 25-YEAR LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND ENERGY SPROUTS, INC. TO USE PUBLIC RIGHT-OF-WAY FOR THE INSTALLATION OF AN UNDERGROUND WATER LINE UNDER AND ACROSS RIDGESIDE DRIVE, APPROXIMATELY 201 FEET EAST OF HILLPOINT DRIVE, FOR A TOTAL CONSIDERATION OF \$2,500.00.

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AN ORDINANCE 85270

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF HEALTH TO ALLOW A PORTION OF ELIGIBLE MEDICAID TITLE XIX ADMINISTRATIVE CLAIMS TO BE PASSED THROUGH TO THE CITY OF SAN ANTONIO.

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AN ORDINANCE 85271

AMENDING THE BUDGET FOR THE COMMUNITY ACTIONS DIVISION'S COMMUNITY SERVICE BLOCK GRANT IN THE DEPARTMENT OF COMMUNITY INITIATIVES AUTHORIZING BY ORDINANCE NO. 83309, PASSED AND APPROVED ON DECEMBER 18, 1995, BY REALLOCATING \$51,681.00 IN VARIOUS SERVICE FUNDS; AUTHORIZING THE EXECUTION OF TWO (2) DELEGATE AGENCY CONTRACTS IN THE AMOUNT OF \$16,667.00 WITH PROJECT QUEST AND ADVANCE TO PROVIDE SERVICES FOR THE PROGRAM; AND REVISING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 85272

AUTHORIZING THE AMENDMENT OF THE URBAN SMARTS PERSONNEL COMPLEMENT AND APPROVING THE REVISED PROGRAM BUDGET THAT WAS APPROVED BY ORDINANCE NO. 84996, PASSED AND APPROVED ON OCTOBER 17, 1996.

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AN ORDINANCE 85273

CONFIRMING THE APPLICATION AND AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$3,000.00 FROM THE TEXAS LITERACY RESOURCE CENTER AND AUTHORIZING EXPENDITURE OF SAID FUNDS TO PURCHASE COMPUTER RELATED EQUIPMENT AND SERVICES.

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AN ORDINANCE 85274

AUTHORIZING PAYMENT IN THE AMOUNT OF \$194,145.00 TO VARIOUS VENDORS FOR EVENTS ASSOCIATED WITH MARKETING ACTIVITIES AND HOSTING OBLIGATIONS OF THE SAN ANTONIO CONVENTION AND VISITOR'S BUREAU.

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AN ORDINANCE 85275

AUTHORIZING PAYMENT IN THE AMOUNT OF \$17,766.00 TO THE NATIONAL LEAGUE OF CITIES (NLC) FOR ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO FOR THE PERIOD FROM OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997.

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AN ORDINANCE 85276

AUTHORIZING PAYMENT IN THE AMOUNT OF \$33,021.00 TO THE TEXAS MUNICIPAL LEAGUE FOR ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO FOR THE PERIOD FROM AUGUST 1, 1996 TO JULY 31, 1997.

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AN ORDINANCE 85277

AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,453.00 TO THE U.S. CONFERENCE OF MAYORS FOR MEMBERSHIP DUES FOR THE PERIOD FROM JULY 1, 1996 TO JUNE 30, 1997.

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AN ORDINANCE 85278

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S AIRPORT LIABILITY AND HELICOPTER HULL & LIABILITY INSURANCE FROM AMERICAN EAGLE GROUP, INC. THROUGH SEDGWICK JAMES OF TEXAS, INC., AS BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 1996 AND ENDING DECEMBER 31, 1997 AT A COST OF \$117,268.00.

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AN ORDINANCE 85279

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S BLANKET PROPERTY INSURANCE FROM ROYAL INSURANCE COMPANY THROUGH SEDGWICK JAMES OF TEXAS, INC., AS BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 1996 AND ENDING DECEMBER 31, 1997 AT AN APPROXIMATE COST OF \$358,485.00.

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AN ORDINANCE 85280

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S EXCESS LIABILITY INSURANCE FROM FIREMAN'S FUND INSURANCE COMPANY OF OHIO THROUGH SEDGWICK JAMES OF TEXAS, INC., AS BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 1996 AND ENDING DECEMBER 31, 1997 AT A COST OF \$440,790.00.

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AN ORDINANCE 85281

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S BOILER & MACHINERY INSURANCE FROM AMERICAN MANUFACTURER'S MUTUAL INSURANCE COMPANY (KEMPER) THROUGH SEDGWICK JAMES OF TEXAS, INC., AS BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 1996 AND ENDING DECEMBER 31, 1997 AT A COST OF \$22,150.00.

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AN ORDINANCE 85282

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S EXCESS WORKERS' COMPENSATION INSURANCE FROM GENERAL REINSURANCE CORPORATION (GENESIS) THROUGH SEDGWICK JAMES OF TEXAS, INC., AS BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING DECEMBER 31, 1996 AND ENDING DECEMBER 31, 1997 AT AN APPROXIMATE COST OF \$212,159.00.

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AN ORDINANCE 85283

ACCEPTING \$5,000.00 FOR CORPORATE CONTRIBUTIONS IN CONNECTION WITH THE FAREWELL DINNER HOSTED BY THE CITY OF SAN ANTONIO IN HONOR OF DR. JOSE SARUKHAN, RECTOR OF THE AUTONOMOUS NATIONAL UNIVERSITY OF MEXICO ON SEPTEMBER 26, 1996; AND RATIFYING PAYMENT FOR SERVICES RENDERED IN THE AMOUNT OF \$5,462.30.

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AN ORDINANCE 85284

APPOINTING JESSICA A BARRAZA (DISTRICT 4) AND BETTY A. RUIZ (DISTRICT 5) TO THE CITY OF SAN ANTONIO YOUTH COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 1, 1998.

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96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85285

SELECTING ROBERT WATTS, ARCHITECT, TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE DESIGN OF FIRE STATION NO. 5 SITE RENOVATION PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NO TO EXCEED \$6,000.00; AUTHORIZING \$600.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

The following citizen appeared to speak:

Mr. Faris Hodges, Jr., 140 Dora, spoke to his opinion that the City should design all fire stations alike to save money.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; **NAYS:** None; **Absent:** Webster;

96-49 POINT OF PERSONAL PRIVILEGE - MS. LOTT

Councilwoman Lott read the following statement:

“Mr. Mayor, I request a Point of Personal Privilege. In view of a recent incident of what appeared to be a racially-motivated and/or terrorist act of a couple of workers at Kelly Air Force Base, and the impact it had on certain constituents I serve, Mr. Mayor and fellow Council members, I go on record saying that as an elected official, I am appalled and do not condone the misguided discriminatory and/or terrorist acts of this group of workers at Kelly Air Force Base, and to make clear to the citizens we serve the City’s position on such behavior. I would further state that the City of San Antonio, or town, fosters a policy of zero tolerance of any such discriminatory activities. Thank you, Mr. Mayor.”

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85286

ACCEPTING THE LOW, QUALIFIED BID OF SCHWEIZER AIRCRAFT CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH TWO HELICOPTERS FOR A TOTAL OF \$1,000,000.00 FROM LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS.

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

Police Chief Al A. Philippus noted that the recommended bid meets the City’s specifications and he spoke to details of those specifications, stating that one of the two bids received did not meet them. He spoke to the current helicopter fleet of the City and its heavy usage, then differentiated between the City’s specifications and the bid which did not meet them.

In response to a question by Mayor Thornton, Chief Philippus spoke to how helicopters are used in law enforcement activities in San Antonio.

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Mr. Avila spoke to the involvement of the Crime Commission in helicopter funding, noting that helicopters help to eliminate the need for high-speed ground pursuit by police, and the replacements are needed.

Mr. Marbut, Mr. Webster and Ms. Lott spoke to instances of helicopter usage in difficult situations.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85287

AUTHORIZING PARKING ENFORCEMENT OFFICER TO ISSUE HOLIDAY PARKING TICKETS INSTEAD OF THE TRADITIONAL PARKING CITATIONS TO BE ISSUED DURING CERTAIN HOURS ON DECEMBER 23, 1996 AND 24, 1996, TO ENCOURAGE RECIPIENTS TO CONTRIBUTE TO A NON-PROFIT AGENCY.

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

Mr. Henry Ross, Parking Division Director, Department of Public Works, stated that the matter of issuing 'holiday parking tickets' instead of punitive parking tickets during this two-day pre-Christmas period fosters goodwill at the same time that it will provide funds for certain local non-profit agencies.

Mr. Solis, Mr. Flores and Mr. Avila spoke in support for the program.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

ZONING HEARINGS

3A. CASE #Z96117 - to rezone and reclassify tracts 8-A, 8-B, 8-C, 8-D, 8-F, NCB 18047, 11480 S. Hausman Road, from "R-1" ERZD Single Family Residence Edwards Recharge

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Edwards Recharge Zone District to "R-2" ERZD Two Family Residence Edwards Recharge Zone District. Property is located on the east side of Hausman Road and a depth of 1,168.5 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

Mr. Marbut spoke to details of the rezoning case, noting that neighborhood groups, do not want anymore construction on-site and an agreement which ameliorates certain past practices.

Ms. Anna Maya Goodman, one of the owners, agreed to the provisions.

Mr. Marbut made a motion to approve the recommendation of the Zoning Commission. Mr. Webster seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; Absent: None

AN ORDINANCE 85288

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 TRACTS 8-A, 8-B, 8-C, 8-D, 8-E, AND 8-F, NCB 18047, 11480 S. HAUSMAN ROAD, FROM "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-2" ERZD TWO FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT.

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3B. CASE #Z96228 - to rezone and reclassify A 0.111 are tract of land out of Lot 4, Block 22, NCB 14732 Northeast of Vance Jackson, from "B-2" Business District to "B-3" Business District. Property is located 430 feet northwest of the intersection of Vance Jackson Road and Huebner Road, being 15.08 feet northeast of Jance Jackson Road, having a width of 57.88 feet and a depth of 167.88 feet.

Mr. Marbut requested that this rezoning case be continued to the Council meeting of January 9, 1997.

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Mr. Marbut made a motion to move for continuation, Mr. Solis seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

Zoning Case Z96228 was continued to January 9, 1997.

3C. CASE #Z96170 - to rezone and reclassify Lots 8 & 9, Block 8, NCB 3935 1206 - 1210 Ridgewood Court, from "B" Residence District to "I-1" Light Industry District. Property is located on the south side of Ridgewood Court, 110 feet west of the intersection of Ridgewood Court and Jerry

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

Mr. Flores 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:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

AN ORDINANCE 85289

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 LOTS 8 AND 9, BLOCK 8, NCB 3935, 1206-1210 RIDGEWOOD COURT, FROM "B" RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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3D. CASE #Z96160 - to rezone and reclassify Lot 24, block 10, NCB 12236, 4227 Seabrook, from "A" Single Family Residence District to "R-3" Multiple Family Residence District. Property is located at the intersection of Yellowwood Drive and Seabrook, having 71.05 feet on Seabrook and a depth of 110 feet.

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Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Ray Wolford, property owner, stated his need for the property rezoning in order to allow for a personal care facility for the elderly. He noted that the property has had such a use for some time now, and a rezoning is necessary to bring the usage into conformity with the zoning laws. He noted that the facility must be re-licensed by the state for four or more occupants, and spoke to the need for this facility.

The following citizens appeared to speak:

Mr. Elmo Peterson, an occupant of the home, spoke to the services provided at the facility, noting that most of the neighbors support its continued usage. He presented a number of letters from neighbors in support for the personal care facility.

Mr. William Sahn, 4106 King Crest, stated his desire that this single-family residential neighborhood remain so, and spoke to his alarm at the number of rezoning requests in this neighborhood of late. He stated that he is not in opposition to the particular usage, but only to the granting of the R-3 zoning and his fear for an increase in traffic in the area.

Ms. Alice Tomasello, 4255 King Crest, also spoke in objection to the proposed R-3 zoning and the declining of this neighborhood, also speaking to safety concerns.

Mr. Wolford stated that most neighbors have no objection to the proposal, and stated his belief that there will be no appreciable increase in traffic.

In response to a question by Mr. Webster, Mr. Andy Guerrero, Land Development Services, discussed the need for an R-3 zoning for this usage of the property under the City's zoning laws. He noted that three additional similar rezoning cases from this area soon will be coming before City Council, and spoke to the need to change the zoning regulations in order to allow such usage as this particular case within the R-1 zoning. He further noted that a meeting has been set for Friday to discuss this possibility.

Ms. Lott made a motion to refer this case back to the Zoning Commission for consideration of a Special Use Permit designation to allow the personal use facility. Mr. Webster seconded the motion.

After consideration, the motion to refer back to the Zoning Commission prevailed by the following vote: **AYES:** Flores, Lott, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Billa Burke, Marbut.

Zoning Case Z96160 was referred back to the Zoning Commission.

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3E. CASE #Z96239 (CC) - to rezone and reclassify Lots 11, A-8 and A-9, Block NCB 525 304 Austin Street, from "B-4" Central Business District to "B-4" CC Central Business District with special City Council approval for a correction institution. Property is located 155.4 feet southwest of the intersection of Lamar Street and Austin Street, between Austin Street and Chestnut Street, having 167.8 feet on Austin Street, 148.7 feet on Chestnut Street and 243.6 feet between these two streets.

Mr. Andy Guerrero, Land Development Services, stated that the applicant in this rezoning case wishes to withdraw his application at this time.

Zoning Case #Z96239 (CC) was with drawn from consideration.

3F. CASE #Z96240 (CC) - to rezone and reclassify lots 6,7,8,12,13,16, and east 58.2 feet of Lots 9 and 10, the west 4.1 feet and the south 63 feet of Lot 11, Block 119, NCB 189, from "L" First Manufacturing District to "I-1" CC Light Industry District with special with special City Council approval for a correction institution. Property is located on the southwest side of Monterrey Street, between San Marcos Street and S. Comal Street, having 150.2 feet on Monterrey Street, 33.7 feet on San Marcos Street and 168.7 S. Comal Streets.

Mr. Solis made a motion to postpone the consideration of this Zoning Case until January 9, 1997. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Flores, Lott, Avila, Solis, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Billa Burke, Marbut, Webster

.Mr. Solis asked that this rezoning case be continued to the Council meeting of January 9, 1997.

Zoning Case Z96240CC was continued to January 9, 1997.

Ordinance number #85290

3G. CASE #Z96235 - to rezone and reclassify Lot 1 and the east 20 feet of Lot 2, block 54, NCB 8942, 603 Bynum, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located southwest of the intersection of McLaughlin Avenue and 140 feet on Bynum Avenue.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

Mr. Avila 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: Flores, Lott, Avila, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Billa Burke, Solis, Marbut, Webster.

AN ORDINANCE 85291

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 LOTS 1 AND THE EAST 20 FEET OF LOT 2, BLOCK 54, NCB 8942, 603 BYNUM, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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3H. CASE #Z96242 - to rezone and reclassify the south 48 feet of the north 96 feet of Lots 1,2,3 and 4, Block 2, NCB 7863, 1305 Pleasanton Road from "B-3R" Restrictive Business District to "I-1" Light Industry District. Property is located on the west side of Pleasanton Road, 96 feet north of the intersection of Fitch Avenue and Pleasanton Road, having 48 feet of Pleasanton Road and a depth of 364 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

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

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Lott, Avila, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Billa Burke, Solis, Marbut, Webster

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AN ORDINANCE 85292

AMENDING CHAPTER 35 TO 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 SOUTH 48 FEET OF THE NORTH 96 FEET OF LOTS 1,2,3 AND 4, BLOCK 2, NCB 7863, 1305 PLEASANTON ROAD, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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3I. CASE #Z96232 SUP - to rezone and reclassify lots 2,3,4 and 13, NCB 17639, 5690 Easterling, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District with a special use permit for contractors outside storage. Properties are located on the east and west sides of Easterling Drive, having 375 feet on Easterling Drive and a depth of 120 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

Mr. Herrera made a motion to approve the recommendation of the Zoning Commission. Mr. Lott seconded the motion.

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Lott, Avila, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Billa Burke, Solis, Marbut, Webster.

AN ORDINANCE 85293

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 LOTS 2,3,4,AND 13, NCB 17639, 5690 EASTERLING, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" SUP NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR CONTRACTORS WITH OUTSIDE STORAGE.

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3J. CASE #Z96150 - to rezone and reclassify lot 19, Block 19, NCB 8334 2235 Cincinnati Avenue, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the north side of Cincinnati Avenue, 317.70 feet west of the intersection of Epworth Street and Cincinnati Avenue, having 43.00 feet on Cincinnati Avenue and a depth of 145.7 feet.

Mr. Ross asked to continue this rezoning case to the Council meeting of January 9, 1997.

Mr. Ross made a motion to continue this rezoning case to the Council meeting of January 9, 1997. Mr. Avila seconded the motion.

After consideration, the motion carrying with it the passage of the following ordinances, prevailed by the following vote: AYES: Flores, Lott, Avila, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Billa Burke, Solis, Marbut, Webster.
Zoning Case Z96150 was continued to the meeting of January 9, 1997.

3K. CASE #Z96200 - to rezone and to reclassify Lot 7F, NCB 15004, 6470 Heath Road, from "R-A" Residence Agriculture District to "O-1" Office District. Property is located southeast of the intersection of Low Bid Lane and Heath Road, having 210 feet on Heath Road and a depth of 520 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

The following citizen appeared to speak:

Mr. Ron Brown, representing the applicant, stated that his client would like to rezone only the area of the building itself.

Mr. Ross made a motion for approval as amended by the applicant, Mr. Flores seconded the motion.

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Thornton; NAYS: None; Absent: Marbut, Webster.

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AN ORDINANCE 85294

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.30 ACRES OUT OF NCB 15004 6470 HEATH ROAD, FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

3L. CASE #Z96212 - to rezone and reclassification Lot 4, block 1, NCB 18581, 8300 Block of Dawnwood Drive, from "R-1" Single Family Residence District to "O-1" Office District; Lots 1,2 and 3, Block 1, NCB 18581, Guilbeau Road and Dawnwood Drive, from "R-1" Single Family Residence District to "B-2"

After discussion, Mr. Ross made a motion to postpone this case for a time period not to exceed 90 days.

After consideration, the motion to postpone this case prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; Absent: None

Zoning Case Z96121 was postponed for a time period not to exceed 90 days.

3M. CASE #Z96226 - to rezone and reclassify Lot 7, Block 37, NCB 11753, 10911 West Avenue, from "O-1" Office District to "B-1" Business District. Property is located on the northwest side of West Avenue, 124.78 feet southwest of the intersection of West Avenue and Mt. Tipton Drive, having 125.02 feet on West Avenue and a depth of 152.44 feet.

Mr. Flores stated that he had not been contacted by the proponent about this case.

The following citizen appeared to speak:

Ms. Audrey Stewart, representing the applicant, spoke to the need for this rezoning, noting that no objections to it have been raised in the neighborhood.

Mr. Peak made a motion to postpone this zoning case until January 9, 1997. Mr. Lott seconded the motion.

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After consideration, the motion to continue prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Marbut.

3N. CASE #Z96236 - to rezone and reclassify 1.721 acres out of Lot 16, Block 3, NCB 16246, 1031 Patricia Drive, from "B-2" Business District. Property is located on the north side of Patricia Drive, 169.43 feet northwest of the intersection of West Avenue and Patricia Drive, having 377.94 feet on Patricia Drive and a depth of 375.17 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

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

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Marbut.

AN ORDINANCE 85295

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 1.721 ACRES OUT OF LOT 16, BLOCK 3, NCB 16246, 1031 PATRICIA, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

30. CASE #Z96251 - to rezone and reclassify 1.280 acres out of NCB 11883, Treeline Park and Sunset Road, from "A" Single Family Residence, "R-3" Multiple Family Residence District and "B-3NA" Non-Alcoholic Sales Business District to "B-2" Business District. Property is located southeast of the intersection of Sunset Road and Treeline Park, having 173.01 feet on Sunset Road and 285.73 feet on Treeline Park.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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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: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Lott, Marbut.

AN ORDINANCE 85296

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.280 ACRES OUT OF NCB 11883, TREELINE PARK AND SUNSET ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT, "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT AND "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO 'B-2' BUSINESS DISTRICT.

* * *

3P. CASE #Z96244 - to rezone and reclassify lots 17 and 18, NCB 2867, 2700 South Flores, from "J" Commercial District to "B-3NA" Non-Alcoholic Business District. Property is located southeast of the intersection of South Flores and Baylor Street having 113 feet on South Flores and 119 feet on Baylor Street.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

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

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Lott, Marbut.

AN ORDINANCE 85297

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY
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CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN LOTS 17 AND 18, NCB 2867, 2700 S. FLORES STREET, FROM "J" COMMERCIAL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

3Q. CASE #Z96245 - to rezone and reclassify 16.948 acres out of NCB 17790 from "B-3NA" Non-Alcoholic Sales Business District to "B-3R" Restrictive Business District; 37.168 acres out of NCB 17790, Green Mountain Road/Loop 1604 N.E. from "B-3NA" Non-Alcoholic Sales Business District to "I-1" Light Industry District. Properties are bounded to the west and north by Green Mountain Road, and to the south by the Missouri Pacific railroad right-of-way.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

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

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Lott, Marbut.

AN ORDINANCE 85298

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 16.948 ACRES OUT OF NCB 17790, FROM "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; 37.168 ACRES OUT OF NCB 17790, GREEN MOUNTAIN ROAD/LOOP 1604 N.E., FROM "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

Mr. Webster made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Lott, Marbut.

It was the consensus to temporarily bypass Agenda Item 3-R for consideration later during this meeting, inasmuch as the Council representative from this district is temporarily absent from the meeting.

3S. CASE #Z96012- I - to rezone and reclassify Lot 61, Block 75, NCB 15850, 100 Block of Emerald Glade Drive, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District; and Lot 60, Block 75, NCB 15850, 100 Block of Emerald Glade Drive, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located southeast of the intersection of Patranco Road and Emerald Glade Drive, having 238 feet on Emerald Glade Drive and 176 feet on Potranco Road.

The Zoning Commission has recommended that this request of change of one be approved by the City Council.

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

Mr. Avila 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 ordinances, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Marbut.

AN ORDINANCE 85299

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 61, BLOCK 75, NCB 15850, 109 EMERALD GLADE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; AND LOT 60, BLOCK 75, NCB 15850, 170 EMERALD GLADE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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3R. CASE #Z96249 - to rezone and reclassify Lot 4, Block 15, NCB 16197, 2714 Wayne Drive, from "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District. Property is located on the east side of Wayne Drive, 180 feet south of the intersection of Wayne Drive and Finis Street, having 60 feet on Wayne Drive and a depth of 140 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

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

The following citizens appeared to speak:

Ms. Edelina Baldoras, owner of the property, spoke to her desire to locate a manufactured home on this site, as her temporary home.

Mr. Fernando Llanez, 2702 Wayne, handed the City Clerk petitions signed by some 34 persons in opposition to the request, and spoke to the reasons for wanting only R-1 single-family zoning in this area.

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

After consideration, the motion carrying with it the passage of the following ordinance prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; Absent: Marbut.

AN ORDINANCE 85300

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 4, BLOCK 15, NCB 16197, 2714 WAYNE DRIVE, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

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PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Thornton declared the Public Hearing to be open.

Mr. Andy Guerrero, Land Development Services, narrated a brief video presentation explaining the proposed changes to the Unified Development Code for mini-warehouses and subdivision sales offices.

In response to a question by Mr. Ross, Mr. Guerrero discussed pending zoning cases that will be affected by the proposed ordinance.

There being no citizens signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed.

The Clerk read the following ordinance:

AN ORDINANCE 85301

AMENDING CHAPTER 35 OF THE CITY OF SAN ANTONIO UNIFIED DEVELOPMENT CODE AND ADOPTING NEW REGULATIONS GOVERNING MINI-WAREHOUSES AND SUBDIVISION SALES OFFICES.

* * * *

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Herrera, Marbut.

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PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Thornton declared the Public Hearing to be open.

Mr. Oscar Serrano, Asset Management Department, briefly explained the proposed alley closure.

There being no citizens signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed.

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The Clerk read the following Ordinance:

AN ORDINANCE 85302

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN IMPROVED 20-FOOT WIDE ALLEY LOCATED BETWEEN FAIR AND WARD AVENUES, WITHIN NEW CITY BLOCK 3175, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY THE SISTERS OF THE SOCIETY OF ST. TERESA OF JESUS; FOR A TOTAL CONSIDERATION OF \$1,956.00.

* * * *

Mr. Avila made a motion to approve the proposed Ordinance. Mr. Lott seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Herrera, Marbut.

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PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Thornton declared the Public Hearing to be open.

Mr. Oscar Serrano, Asset Management Department, briefly explained the proposed alley closure.

There being no citizens signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 85303

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN UNIMPROVED 15-FOOT WIDE ALLEY LOCATED BETWEEN CRAVENS AND GLAMIS AVENUES, WITHIN NEW CITY BLOCK 10360, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY ADOLFO ESTRADA, ET. AL.

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Ross, Peak, Thornton; **NAYS:** None; **Absent:** Herrera, Marbut, Webster.

96-49 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Thornton declared the Public Hearing to be open.

Mr. Oscar Serrano, Asset Management Department, explained plans for construction of a wireless communication shelter and an overhead power line and telephone wire connection within McAllister Park.

There being no citizens signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed.

Mayor Thornton noted the impact of franchise fees, stated that such fees paid by telecommunications firms now provide America's cities with more money than grants.

Mr. Peak spoke in support for the request.

Mr. Ross again stated his belief that granting a franchise for the use of public property still must be ratified by the City Council, and he cited City Public Service property as an example.

Mr. Lloyd Garza, City Attorney, briefly discussed the status of a court case involving such an example.

Mr. Ross stated his contention that such actions by agencies like City Public Service should come to the City Council for ratification of their actions, pending a final court decision in this matter, and asked that City Public Service be notified. He stated that he would be voting against the pending motion.

Mr. Avila spoke to his concern for the proliferation of wireless transmission towers, and urged proponents of this action today to contact their City Council representatives in the areas involved before such requests come to City Council for action.

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The Clerk read the following Ordinance:

AN ORDINANCE 85304

AUTHORIZING THE EXECUTION OF A 15-YEAR LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND P.C.S. PRIME CO. TO CONSTRUCT A WIRELESS TELECOMMUNICATIONS SHELTER AND AN OVERHEAD POWER LINE AND TELEPHONE WIRE CONNECTION WITHIN MCALLISTER PARK FOR A TOTAL CONSIDERATION OF \$12,000.00.

* * *

Mr. Peak made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Solis, Peak, Thornton; **NAYS:** Ross; **Absent:** Lott, Herrera, Marbut, Webster

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85305

APPOINTING SARAH KOLB TO ADVISORY BOARD OF HEALTH OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1998.

* * *

Ms. Billa Burke 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:** Flores, Billa Burke, Avila, Solis, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Lott, Herrera, Marbut.

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96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85306

APPOINTING MICHAEL EDWARD LYONS TO THE NOISE ABATEMENT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1998.

* * * *

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Solis, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Lott, Avila, Herrera.

96-49 Ms. Yolanda Ledesma, Boards and Commission Coordinator, City Clerk's Office, noted that there are five nominees from City Council members for the single open position on the Small, Minority and Women-owned Business Advocacy Advisory Committee.

Two of the nominees, Mr. Henry A. Egeolu and Ms. Vivian Spurlock, appeared in support for their selection.

In the ensuing roll-call vote, Ms. Patricia Abrego Stout secured seven votes, sufficient for selection to fill the open position on the committee.

The Clerk read a proposed Ordinance calling for an appointment to the Small, Minority and Business Advocacy Advisory Committee:

AN ORDINANCE 85307

APPOINTING PATRICIA PLIEGO STOUT TO THE SMALL, MINORITY AND WOMEN BUSINESS ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1998.

* * * *

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

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85308

ACCEPTING THE LOW QUALIFIED BASE BID OF TOM PAGE & COMPANY IN THE TOTAL AMOUNT OF \$159,000.00 FOR PLUMBING IMPROVEMENTS TO THE CITY'S TOWER OF THE AMERICAS; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING THE TRANSFER OF FUNDS AND ESTABLISHMENT OF A PROJECT BUDGET; AUTHORIZING \$27,825.00 FOR CONSTRUCTION CONTINGENCY EXPENSES AND \$2,000.00 FOR ENGINEERING CONTINGENCY EXPENSES; ENCUMBERING FUNDS FOR THE CONSTRUCTION CONTRACT, CONSTRUCTION CONTINGENCE EXPENSES, ENGINEERING CONTINGENCY EXPENSES AND PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

Ms. Billa Burke 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:** Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Flores.

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85309

AUTHORIZING THE EXPENDITURE OF \$350.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND PAYABLE IN SUPPORT OF YOUTH ATHLETIC PROGRAMS BY HELPING ST. LEO'S CHURCH PURCHASE UNIFORMS AND EQUIPMENT FOR THEIR CHRISTIAN YOUTH ORGANIZATION BASKETBALL TEAM; AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Billa Burke, Avila, Solis, Herrera, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Flores, Ross.

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85310

PERMITTING FLOWER VENDORS TO SELL FLOWERS FROM PUBLIC PROPERTY IN THE LAS PALMAS AREA DURING THE HOLIDAY PERIODS NOTED IN SECTION 16-236(D) OF THE CITY CODE AND VALENTINE' DAY; PROVIDING FOR A METHODOLOGY FOR ALLOCATION OF SPACES AND PROVIDING FOR REGULATION OF SAID VENDORS; AND AMENDING SECTION 16-236; AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Flores.

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85311

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND TO COUNCILMAN JUAN F. SOLIS, III IN THE AMOUNT OF \$3,000.00 FOR A PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH EDNA M. SANCHEZ FROM DECEMBER 1, 1996, TO FEBRUARY 28, 1997, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS III.

* * * *

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

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Flores.

96-49 Agenda item 38, being a proposed ordinance authorizing the temporary closure of the 500 block of El Paso from 5:00 P.M. until 10:00 P.M. Saturday, December 14, 1996 in order for residents to hold their annual "Las Posadas" event; and providing for an immediate effective date upon eight affirmative votes; as requested by Councilman Juan F. Solis, III, was earlier removed from consideration by the City Manager.

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85312

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 8 CONTINGENCY ACCOUNT FUND TO COUNCILMAN ROBERT G. MARBUT, JR., IN THE AMOUNT OF \$1,500.00 FOR A FULL-TIME ADMINISTRATIVE SERVICES CONTRACT WITH ANDREW SHERWOOD FROM DECEMBER 1, 1996, TO JANUARY 10, 1997; AS REQUESTED BY COUNCILMAN ROBERT G. MARBUT.

* * * *

Mr. Marbut 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:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

96-49 The Clerk read the following Resolution:

A RESOLUTION NO: 96-49-58

SUPPORTING LEGISLATION BY THE TEXAS STATE LEGISLATURE WHICH CREATES A COMMUTER RAIL DISTRICT ALONG INTERSTATE HIGHWAY 35

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BETWEEN SAN ANTONIO AND GEORGETOWN, AS REQUESTED BY COUNCILMAN HOWARD W. PEAK.

* * * *

Mr. Peak made a motion to approve the proposed Resolution. Mr. Webster seconded the motion.

The following citizen appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, discussed his opposition to VIA Metropolitan Transit's plans for light rail service some months ago. He urged that a survey of the people be conducted on this matter.

Mr. Peak spoke to proposed legislation on this matter.

After consideration, the motion carrying with it the passage of the Resolution prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

96-49 The Clerk read the following Ordinance:

AN ORDINANCE 85313

AUTHORIZING THE EXPENDITURE OF \$796.18 FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND PAYABLE TO CYCLE-LOGIC BICYCLE STORE FOR THE PURCHASE OF BICYCLES AND RELATED EQUIPMENT FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT FOR NEIGHBORHOOD PATROLS; AS REQUESTED BY COUNCILMAN HOWARD W. PEAK.

* * * *

Mr. Peak made a motion to approve the proposed Ordinance. Mr. Webster seconded the motion.

The following citizen appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, discussed the need to have fundraising events to raise money to purchase police bicycles.

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Mr. Peak explained that the community is doing just that, in many cases.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Marbut, Peak, Thornton; **NAYS:** None; **Absent:** Ross, Webster.

- - -
96-49 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Austin, Texas, from December 13, 1996 to December 13, 1996 to attend the Texas Municipal League to conduct business as President.

* * * *

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96-49 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Thornton declared the Public Hearing to be open.

Mr. Ron Darner, Director of Parks & Recreation, explained the proposed use of public property within the Apache Creek Linear Park for construction of a Fire Station.

The following citizens appeared to speak:

Mr. Ruben Espronceda, representing Save Our Stations (SOS), spoke to his group's concern that three fire stations are to be moved from the central city area, and spoke to specifics of the plan. He spoke to his group's concern with a possible decline in response times, as a result, and asked Council to wait until after a January 23, 1997 public hearing on the Fire Department's relocation plans for fire stations. He then invited City Council members to a meeting Saturday, December 15, 1996 to hear from citizens on this issue.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need for a master plan to determine future locations for fire stations and Emergency Medical Services. He spoke to his concern for a possible decline in response times, and addressed life and death situations. He then spoke to the need for better basic services.

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

In response to a question by Mr. Solis, Fire Chief Robert Ojeda stated that basic fire response times will not be diminished, and he noted that current response times include some four minutes,

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30 seconds for firetrucks and some six minutes for EMS units. He then described the proposed new fire station to be located at this spot and spoke to its distinct advantages for fire response.

Mr. Solis noted that the City is not 'closing' any fire station, and expressed his opinion that misconceptions are being presented about this, and he is concerned people are being misled about this situation. He spoke to the process of covering larger areas by use of new technologies.

Mr. Ross noted that the Charter Review Committee is meeting at 2:00 P.M. on Sunday, and he urged citizens to delay their Sunday meeting to allow residents of the affected areas to attend both the meetings.

Mr. Peak spoke in support for attending the Charter Review public hearing.

In response to a question by Ms. Lott, Chief Ojeda noted that fire station relocation plans are all part of the Fire Department Master Plan approved by City Council some time ago, for which citizens were given ample time to comment.

Mr. Alexander E. Briseno, City Manager, noted that the Fire Department Blue Ribbon Task Force presented its report to City Council in 1992, and periodic reports on that recommendation have been made each year on progress being made in implementing it. He spoke to the segments of the plan that already have been implemented, at a cost of some \$12 million, and noted that this is the third year of the five-year plan.

Ms. Billa Burke reiterated that the Fire Department Master Plan has been in force for a number of years now.

In response to a question by Mr. Avila, Chief Ojeda spoke to the impact of citizen comments into the Fire Department Master Plan.

Mr. Briseno reiterated that the Blue Ribbon Task Force had recommended the realignment of fire stations now being implemented.

In response to another question by Mr. Avila, Chief Ojeda spoke to the timetable for implementing the master plan and the reasons for the task force's appointment by the City Council.

Mr. Webster spoke to the current disparity of distribution of fire stations between his District 10 (3) and District 1, including the downtown area (8). He noted that the Blue Ribbon Task Force report felt that downtown fire stations were too close to one another and should be realigned. He then spoke to his concern with 'fear-mongering' on this issue.

Mr. Ross stated his contention that there is no guarantee that fire apparatus from a fire station right next door might not be out on a call when a fire breaks out, and response will have to come from another fire station. He noted that new fire equipment in some cases is too large to fit into

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the bays of some older fire stations. He then addressed the rationale for the fire station realignment plan under terms of the Blue Ribbon Task Force recommendations.

Mr. Avila stated that he voted against annexation in 1993 because of the dilution of fire coverage, and spoke to the advantages of having a fire station right next door.

In response to a question by Mayor Thornton, Mr. Briseno stated that the City of San Antonio is implementing this plan to provide equitable fire coverage to all areas of the city, noting that some areas have 'over-coverage' right now. He spoke in support for the plan and its advantages.

Mr. Flores asked to be able to review the recommendations of the Blue Ribbon Task Force with Chief Ojeda.

Ms. Billa Burke spoke to a background of that Blue Ribbon Task Force and spoke to her concern with 'scare tactics' being used by some in the community. She noted that the plan is about equitable distribution of fire services, and spoke to her concern with firefighters telling the community that the City is 'closing' fire stations.

Mayor Thornton noted that the topic is being politicized, and he spoke to a background of the issue, speaking against the use of pressure to foster one's viewpoint.

Mr. Avila spoke to his concern for citizens and firefighters in this matter, and spoke to the need to do the right thing.

The Clerk read the following ordinance:

AN ORDINANCE 85314

APPROVING THE UTILIZATION OF APPROXIMATELY 46,000 SQUARE FEET OF PUBLIC PROPERTY IN THE APACHE CREEK LINEAR PARK FOR THE CONSTRUCTION AND OPERATION OF A FIRE STATION AT THE NORTHWEST CORNER OF S. HAMILTON AND APACHE CREEK IN THE 600 BLOCK OF SOUTH HAMILTON STREET; AND MAKING CERTAIN FINDINGS PURSUANT TO SECTION 26.001 OF THE TEXAS PARKS AND WILDLIFE CODE.

*** * * ***

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** None

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Mayor Thornton noted that the vote on this issue was unanimous, and today's vote makes a firm decision on the spending of some \$1.4 million as part of the Fire Department Master Plan. he spoke to the need for the City to place its resources where they can best respond.

Ms. Lott noted that the newsmedia is critical of the City for having no plan, in some cases, and now is criticizing the City for having a plan.

96-49 City Council recessed its regular meeting at 4:24 P.M. in order to convene in Executive Session for:

A. Attorney/Client consultation regarding the TNRCC Executive Director's Preliminary Report related to Alamodome soils.

B. Attorney/Client consultation regarding the legal parameters of political activities during City Council elections.

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City Council reconvened its regular session at 5:00 P.M., at which time, Mayor Thornton announced that Council had discussed the above mentioned items and had given staff direction, but had taken no official action.

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CITIZENS TO BE HEARD

VOICE FOR ANIMALS

Ms. Rachel Zepeda

Ms. Zepeda spoke to the City Council expressing their concern about keeping ferrets within the City limits. She stated that the City Council should not amend the present ordinance which currently prohibits this practice. She also warned about the dangers of rabies in ferrets and that any action allowing ferrets could set a precedent and open the door to allowing other types of pets. She distributed several handouts to the City Council, a copy of which is on file with the papers of this meeting.

* * * *

MR. RUBEN ESPRONCEDA,

Mr. Espronceda Co-Sponsor of SOS (Save Our Stations) took exception to remarks made earlier in the meeting by certain Council members. He stated that they are concerned with response

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times of EMS as well as adequate fire protection. He also spoke to the public hearings held in the City on Charter Revision and stated that there were no hearings held in the southern sector of the City. He asked that the hearing scheduled for Sunday be moved to St. Henry's Church in lieu of City Hall. He also stated that the main problem in the fire department is that it is understaffed and under equipped. He then offered the assistance of the SOS organization to the City Council.

* * * *

MR. FARIS HODGE

Mr. Faris Hodge Jr., suggested that the City Council enforce the Ordinance requiring addresses on homes which he feels would increase fire, police and EMS response time. He also asked for the status of the sandblasting of several underpasses. Mr. Hodge then asked the City Council to inquire of CPS about the schedule of the installation of street lights near certain bus stops.

* * * *

MR. DON BARNES

Mr. Barnes, Voice For Animals, reiterated statements made by an earlier speaker, Ms. Rachel Zepeda. He also took exception to statements made by Animal Control Facility representatives on their reasons for recommending the allowing of ferrets within the City limits. A copy of the handouts distributed to the City Council are on file with the papers of this meeting.

* * * *

MR. DON WILKINS CASTILLO

Mr. Castillo, extended Seasons' Greetings to the City Council and asked them to reflect on the true meaning of Christmas.

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MR. ANTONIO DIAZ

Mr. Diaz, Co-Sponsor of SOS, spoke of their concerns with the City annexing land without providing adequate city services. He also took exception to the planned removal of Fire Station #13.

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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:

November 21, 1996

Petition submitted by Mr. Richard Good, 541 Roosevelt on behalf of area residents requesting the installation of speed humps in the 900 block of East Drexel Avenue.

/s/ Norma S. Rodriguez
City Clerk

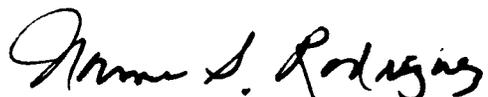
96-49 There being no further business to come before the Council, the meeting was adjourned at 5:24 P.M.

A P P R O V E D



WILLIAM E. THORNTON
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk

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