

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
THURSDAY, FEBRUARY 27, 1997**

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97-08 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):

 Staff Presentation of the Proposed Utility Conversion Ordinance - Presented by John German, Director of Public Works. Council concurred with staff recommendation for a public hearing and consideration of ordinance on March 20, 1997.

 The Council members present were: Flores, Lott, Avila, Vasquez, Ross, Marbut, Peak, Webster and Thornton. Absent: Billa Burke, Herrera

97-08 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, Vasquez, Herrera, Ross, Marbut, Peak, Webster and Thornton. Absent: None

97-08 Invocation by Dr Keith Bruce, Shearer Hills Baptist Church

97-08 Pledge of Allegiance to the flag of the United States

97-08 CEREMONIAL ITEMS

RESOLUTION: MR. JOE ACEVES

 Mayor Thornton represented a Resolution of Appreciation to Mr Joe Aceves Mr Aceves is retiring as President and CEO of the San Antonio Water System

A RESOLUTION 97-08-09

**EXPRESSING APPRECIATION TO JOE ACEVES
FOR HIS DEDICATED SERVICE TO SAN
ANTONIO.**

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Whereas, Joe Aceves has served San Antonio with distinction and dedication, most recently as President/CEO of the San Antonio Water System, and

Whereas, in May, 1992, he successfully led the effort for the consolidation of the former City Water Board AND the City's Wastewater and Reuse Departments; and, in his present post, has developed the values-based organizational and administrative structure of SAWS and worked tirelessly on Senate Bill 1477 which created regional management of the Edwards Aquifer by establishing the Edwards Aquifer Authority; and

Whereas, under Mr. Aceves' leadership, issues on water conservation and recycling HAVE BEEN addressed and programs developed, and

Whereas, the City Council is proud of Mr. Aceves' record of excellence that has GREATLY benefited the citizens of San Antonio; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

THAT The City Council hereby commends Joe Aceves for his long and devoted service to San Antonio and its citizens and presents this resolution as a token of its appreciation

PASSED AND APPROVED this 27th day of February, 1997.

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

The Mayor, members of the City Council, and the City Manager offered words of praise and appreciation for Mr. Aceves long years of service.

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

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PRESENTATION: "BEST OF TEXAS" AWARD

The Texas Public Relations Association has presented the City's Office of Community Relations with a "Best of Texas" award for a 30-second television public service announcement promoting recycling awareness. This award was presented by the Association in recognition of outstanding work produced each year by public relations professionals throughout

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Texas. This is the first time that the City's Office of Community Relations has received this award.

Mr. Tony Bosmans, Director, Office of Community Relations introduced the video "Recycle Now! ¡Recicle Ahora!", for which the Office received the award. City staff members featured in the video were: Bertha Lopez, John Lawler, Scott Wudel, Jody Garcia, Edna Ortega, Ignacio Mendoza and Domingo Medina

97-08 **CONSENT AGENDA**

Mr. Avila made a motion to approve Agenda Items 7 through 32, constituting the Consent Agenda, with items 11, 17 and 24 having been removed for individual consideration. Dr. Lott seconded the motion.

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

AN ORDINANCE 85,646

ACCEPTING THE LOW BID OF WOLF CAMERA & VIDEO TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH PHOTOGRAPHIC EQUIPMENT FOR A TOTAL OF \$46,588.00

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AN ORDINANCE 85,647

ACCEPTING THE PROPOSAL OF GATEWAY 2000 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARY AND INFORMATION SERVICES DEPARTMENTS WITH PERSONAL COMPUTER HARDWARE FOR A TOTAL OF \$20,334.00.

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AN ORDINANCE 85,648

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATE 2 & 3, OF HATZENBUEHLER GENERAL CONTRACTOR, INC. IN THE TOTAL AMOUNT OF \$191,314.00 FOR IMPROVEMENTS TO OLMOS SPORTS CENTER LOCATED IN THE OLMOS BASIN PARK; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE OLMOS SPORTS CENTER PROJECT BUDGET, AUTHORIZING THE ALLOCATION OF

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1994 PARKS GENERAL OBLIGATION BOND FUNDS INTO THIS PROJECT BUDGET, AUTHORIZING \$19,131.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,500.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 85,649

ACCEPTING THE LOW, QUALIFIED BASE BID OF KIVI, INC. D/B/A P.I.A CONSTRUCTION IN THE TOTAL AMOUNT OF \$233,770.00 FOR ADDITIONS TO THE PALM HEIGHTS COMMUNITY CENTER IN PALM HEIGHTS PARK, AUTHORIZING A CONSTRUCTION CONTRACT; AMENDING THE PALM HEIGHTS COMMUNITY CENTER ADDITION PROJECT BUDGET, AUTHORIZING THE TRANSFER OF 1994 GENERAL OBLIGATION BOND FUNDS INTO THIS PROJECT BUDGET, AUTHORIZING \$58,422.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,500.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85,650

ACCEPTING THE LOW, QUALIFIED BASE BID OF GENZ ELECTRIC, INC. IN THE TOTAL AMOUNT OF \$165,000.00 FOR ELECTRICAL SYSTEM REHABILITATION AND AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS TO PIONEER HALL IN BRACKENRIDGE PARK; AUTHORIZING A CONSTRUCTION CONTRACT; AMENDING THE BRACKENRIDGE PARK REHABILITATION PROJECT BUDGET, AUTHORIZING THE TRANSFER OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS INTO THE PROJECT BUDGET; AUTHORIZING \$33,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 85,651

ACCEPTING THE PROPOSAL OF KINNISON AND ASSOCIATES, ARCHITECTS TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION THE VEHICLE MAINTENANCE AREA AT SOUTHEAST SERVICE CENTER PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$58,717.00; AUTHORIZING \$5,883.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$700.00 FOR

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ADVERTISING EXPENSES; AUTHORIZING \$4,700.00 FOR MISCELLANEOUS EXPENSES, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85,652

ACCEPTING THE LOW, QUALIFIED BID OF KGME, INC. IN THE TOTAL AMOUNT OF \$567,372 70 IN CONNECTION WITH THE SUTTON DRIVE - CHERYL DRIVE TO ZACHRY DRIVE PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT, AUTHORIZING \$22,420.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AUTHORIZING \$800 00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 85,653

AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE EVERS ROAD GLENRIDGE - DAUGHTRY DRIVE PROJECT; AUTHORIZING 1996 CERTIFICATES OF OBLIGATION - MPO FUNDS IN THE AMOUNT OF \$21,432 00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85,654

AUTHORIZING THE EXPENDITURE OF SAN ANTONIO WATER SYSTEM FUNDS IN THE AMOUNT OF \$211,666 00 FOR THE OVERSIZING OF A DEVELOPER CUSTOMER WATER MAIN EXTENSION FOR THE SHEARER HILLS BAPTIST CHURCH DEVELOPMENT

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AN ORDINANCE 85,655

ACCEPTING THE LOW, QUALIFIED BID OF POWER PROJECT MANAGEMENT, INC. IN THE TOTAL AMOUNT OF \$34,000.00 IN CONNECTION WITH THE NEW LIFT STATION FOR FIRE DEPARTMENT AUTOMOTIVE SHOP PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$8,500.00 FOR MISCELLANEOUS

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CONSTRUCTION CONTINGENCY EXPENSES, AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85,656

SELECTING DEBRA J. DOCKERY, ARCHITECT, P.C. TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE FOREST HILL BRANCH LIBRARY - ADDITION AND RENOVATION PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$70,230.00; AUTHORIZING \$7,023.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$800 00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT (MBE)

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AN ORDINANCE 85,657

SELECTING RICHARD SANCHEZ, ARCHITECT, INC. TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE PAN AMERICAN BRANCH LIBRARY - ADDITION AND RENOVATION PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$50,906 00; AUTHORIZING \$5,091.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, AUTHORIZING \$800 00 FOR ADVERTISING EXPENSES, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 85,658

AUTHORIZING PAYMENT IN THE AMOUNT OF \$300 00 TO ALAMO TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE CHICO/KNOX/MARGIL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, AND PROVIDING FOR PAYMENT

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AN ORDINANCE 85,659

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$11,000.00 OUT OF 1996 TAX EXEMPT CERTIFICATES OF OBLIGATION STREET IMPROVEMENT (METROPOLITAN PLANNING ORGANIZATION) FUNDS; ACQUIRING FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE SAN PEDRO AVENUE - QUINCY TO ROMANA METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 85,660

AUTHORIZING THE EXECUTION OF A 25-YEAR LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND RELEE PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, TO USE PUBLIC RIGHT-OF-WAY BENEATH NORTH FLORES STREET RIGHT-OF-WAY (SIDEWALK), FOR A TOTAL CONSIDERATION OF \$2,500.00.

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AN ORDINANCE 85,661

AUTHORIZING THE EXECUTION OF A 10-YEAR LEASE AGREEMENT WITH TIPS AEROSPACE, INC FOR LEASE OF APPROXIMATELY 222,767 SQUARE FEET OF GROUND SPACE AND FIVE (5) BUILDINGS LOCATED THEREUPON, AND DECLARING THE 4,818 SQUARE FOOT STORAGE BUILDING EXCESS AND SURPLUS TO THE NEEDS OF THE CITY AND AUTHORIZING LESSEE TO DISASSEMBLE, REMOVE AND DISPOSE OF SUCH STORAGE BUILDING AT SAN ANTONIO INTERNATIONAL AIRPORT ALL FOR A TOTAL MONTHLY RENTAL OF \$7,733 71.

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AN ORDINANCE 85,662

AUTHORIZING THE EXECUTION OF A 10-YEAR LEASE AGREEMENT WITH T & M AVIATION, INC FOR LEASE OF 157,433 SQUARE FEET OF GROUND AREA AND 21,835 SQUARE FEET OF HANGAR SPACE IN TWO (2) CITY-OWNED HANGARS FOR A TOTAL ANNUAL RENTAL OF \$22,282.75; REQUIRING T & M AVIATION, INC. TO VACATE HANGARS 9 AND 10 DURING THEIR RESTORATION AND RENOVATION AND AUTHORIZING RENTAL CREDITS FOR WATER DAMAGES TO LESSEE FOR LESSEE'S INABILITY TO USE PORTIONS OF THE BUILDING PREMISES; AND AUTHORIZING THE ABATEMENT OF BUILDING AND GROUND RENTAL DURING

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PHASE I AND PHASE II CONSTRUCTION, ALL AT STINSON MUNICIPAL AIRPORT.

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AN ORDINANCE 85,663

DECLARING A PUBLIC NECESSITY TO ACQUIRE FEE SIMPLE TITLE TO 0.049 OF AN ACRE TRACT OF LAND IN THE J.F.A. SCOTT SURVEY NO. 323, ABSTRACT 676, COUNTY BLOCK 5050 IN BEXAR COUNTY, TEXAS, SAID 0.049 ACRE TRACT BEING OUT OF A 0 5 ACRE TRACT CONVEYED TO ALVIN JUNG, ET. AL. BY DEED (VOLUME 1048, PAGES 592-600), FOR PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENCE OF STREET, DRAINAGE AND PUBLIC UTILITY IMPROVEMENTS AS PART OF P.A.S.S. PROJECT 1502-3 (WURBACH PARKWAY) AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS FOR ACQUISITION THEREOF

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AN ORDINANCE 85,664

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 93-CI-00735 STYLED JANICE UHL, ET. AL V. CITY OF SAN ANTONIO, IN THE 45TH JUDICIAL DISTRICT FOR A TOTAL AMOUNT OF \$198,000.00, WITH NO COURT COSTS.

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AN ORDINANCE 85,665

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS WORKFORCE COMMISSION (TWC) WHICH WILL PROVIDE FOR THE CERTIFICATION OF CITY GENERAL FUNDS FOR THE PURCHASE OF CHILD CARE SERVICES THROUGH THE AFTER SCHOOL CHALLENGE PROGRAM IN AN AMOUNT NOT TO EXCEED \$127,825.00 WHICH WILL GENERATE MATCHING FUNDS UP TO \$220,567.00 FOR THE PROVISION OF CHILD CARE SERVICES.

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AN ORDINANCE 85,666

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE ST. PATRICK'S DAY PARADE TO BE HELD ON SATURDAY, MARCH 15, 1997 FROM 12:00 P.M. UNTIL 4:00 P.M.

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AN ORDINANCE 85,667

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE EXPRESS NEWS 10,000 10K RUN, 5K RUN/WALK AND 3K WALK TO BE HELD ON SUNDAY, MARCH 16, 1997 FROM 7:00 A.M. UNTIL 10:45 A.M.

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AN ORDINANCE 85,668

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE KTFM MASQUERADE PARADE TO BE HELD ON SATURDAY, APRIL 12, 1997 FROM 6:00 P.M. UNTIL 9:30 P.M.

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,669

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATE 1 OF SAL-TEX ENTERPRISES, INC IN THE TOTAL AMOUNT OF \$80,725 00 FOR IMPROVEMENTS TO THE BRACKENRIDGE PARK GOLF COURSE REST STATIONS, AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$5,000 00 FOR CONSTRUCTION CONTINGENCY EXPENSES, AND PROVIDING FOR PAYMENT

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

Mr Faris Hodge, Jr , spoke in support of the proposed Ordinance.

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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, Vasquez, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; Absent: Herrera

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,670

AUTHORIZING THE EXPENDITURE OF SAN ANTONIO WATER SYSTEM FUNDS IN THE AMOUNT OF \$339,848.00 FOR THE OVERSIZING OF A DEVELOPER CUSTOMER WATER MAIN EXTENSION FOR THE ARTS SUBDIVISION.

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

Mr. John German, Director, Public Works, explained the proposed Ordinance to the Council.

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

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,671

AUTHORIZING THE EXECUTION OF A 25-YEAR LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE LINDOR CORPORATION TO USE PUBLIC RIGHT-OF-WAY OVER AN IMPROVED ALLEY LOCATED BETWEEN 217 EAST HOUSTON STREET AND 214 EAST TRAVIS STREET WITHIN NEW CITY BLOCK 407, SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A TOTAL CONSIDERATION OF \$193,707.90 AND ACCEPTING AN ADDITIONAL \$21,169.20 AS PAYMENT DUE FOR THE PERIOD FROM MAY 1, 1989 TO FEBRUARY 28, 1997

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

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Mr. Oscar Serrano, Senior Real Estate Specialist, explained the proposed Ordinance to the Council

The following citizens appeared to speak:

Ms. Virginia Van Steenberg, Van Steenberg Enterprises, Inc., spoke in opposition to the proposed Ordinance and requested that it be revisited by staff. Ms Van Steenberg cited a letter which she had submitted to each Council member. A copy of this letter is attached to the papers of this meeting

Mr Steven Lang, Attorney, spoke in opposition of the proposed Ordinance, citing provisions of the original 1946 ordinance

Mr. Henry Christopher, Lindor Corporation, as Petitioner, spoke in support of the proposed Ordinance.

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(Mayor Thornton was obliged to leave the meeting at this time Mayor Pro Tem Lott presided)

Mr Ross stated his opinion that any questions regarding the structure which adjoins the alley located between 217 East Houston Street and 214 East Travis Street should be addressed by the courts, and that the proposed Ordinance concerned itself with "air rights" and not the structure. Mr. Ross further stated that he supports the staff recommendation.

Mr. Peak stated that any arrangement regarding the passage way was between the owners of two private buildings and that the Council must remain neutral to both parties.

(At this time, Mayor Thornton returned to preside)

Mr Lloyd Garza, City Attorney, made comments to clarify the issue of "air rights"

Ms. Virginia Van Steenburg, responded to a question from Mayor Thornton regarding whether the buyer knew that the structure between the two buildings was connected to the buildings.

Ms. Billa Burke asked for clarification regarding ownership of the connecting structure

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

97-08 **ZONING HEARING:**

3A) ZONING CASE NO. Z97027: to rezone and reclassify Lots 10, 11, and 12, save and except the south 50 feet, Block 5, NCB 11969 from "B" Residence District to "B-2NA" Non-Alcoholic Sales Business District and the south 50 feet of Lots 10, 11, and 12, Block 5, NCB 11969 on, 318, 322, and 324 E. Ramsey Road from "B" Residence District to "O-1" Office District. Property is located on the south side of E. Ramsey Road, 209 6 feet southeast of the intersection of E Ramsey Road and McCullough Avenue, having 212 59 feet on E Ramsey Road and a depth of 359 37 feet

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning requests

Zoning Commission has recommended approval of this request.

Mr Peak made a motion to approve the proposed Ordinance. 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, Vasquez, Marbut, Peak, Webster, Thornton, NAYS: None, Absent. Herrera, Ross

The Clerk read the following Ordinance.

AN ORDINANCE 85,672

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 LOTS 10, 11, AND 12, SAVE AND EXCEPT THE SOUTH 50 FEET, BLOCK 5, NCB 11969 FROM "B" RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND, THE SOUTH 50 FEET OF LOTS 10, 11, AND 12, BLOCK 5, NCB 11969 ON, 318, 322, AND 324 E. RAMSEY ROAD FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

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3B) ZONING CASE NO Z97028 CC: The request for a change in zoning from "B-2" Business District to "B-3NA" CC Non-Alcoholic Sales Business District with special City Council approval for a mini-warehouse facility over 2 ½ acres in size on Lot 30, NCB 11961, Gault Lane, Citadell Plaza & Broadway. Property is located on the South Side of Citadell Plaza, between Gault Lane and Broadway Avenue, having 589.87 feet on Citadell Plaza, 380.36 feet on Gault Lane and 129.23 feet on Broadway Avenue.

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

Zoning Commission has recommended approval of this request

Mr Peak made note of the deed restriction accompanying this request.

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

The Clerk read the following Ordinance:

AN ORDINANCE 85,673

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 30, NCB 11961, GAULT LANE, CITADELL PLAZA & BROADWAY FROM "B-2" BUSINESS DISTRICT TO "B-3NA" CC NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A MINI-WAREHOUSE FACILITY OVER 2 ½ ACRES IN SIZE "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000 00"

3C) ZONING CASE NO Z97024 The request for a change in zoning from "R-5" Single Family Residence District to "P-1(R-5)" Planned Unit Development Single Family Residence District on 23.8860 acres out of NCB 15831, Stahl Road Property is located on the southeast side of Stahl Road, 360 feet northeast of the intersection of Wagon Gap and Stahl Road, having 995.09 feet on Stahl Road and a depth of 1,262.11 feet.

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

Zoning Commission has recommended approval of this request

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

The Clerk read the following Ordinance:

AN ORDINANCE 85,674

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 23.8860 ACRES OUT OF NCB 15831, STAHL ROAD FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

3D) ZONING CASE NO Z97025 The request for a change in zoning on Lot 1, Block 6, NCB 18576, 7790 Mainland Drive from "I-1" Light Industry District to "B-3" Business District. Property is located south of the intersection of Mainland Drive and Montego Drive, having 233.71 feet on Mainland Drive and 122 35 feet on Montego Drive.

Mr. Ross made a motion to approve the proposed Ordinance. Mr. Marbut seconded the motion.

Zoning Commission has recommended approval of this request.

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

The Clerk read the following Ordinance:

AN ORDINANCE 85,675

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, BLOCK 6, NCB 18576, 7790 MAINLAND DRIVE FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

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3E) ZONING CASE NO. Z97043 CC: The request for a change in zoning on 7 703 acres out of NCB's 13319 and 13382, I.H. 10 Expressway from "B-3" Business District to "B-3" CC Business District with special City Council approval for go-cart tracks. Property is located east of the intersection of Briaridge Drive and I.H. 10 Expressway, having 361.30 feet on Briaridge drive and 442.62 feet on I.H. 10 Expressway.

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

Zoning Commission has recommended approval of this request

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

AN ORDINANCE 85,676

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 7 703 ACRES OUT OF NCB'S 13319 AND 13382, I.H 10 EXPRESSWAY FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR GO-CART TRACKS "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

3F) ZONING CASE NO. Z97022: The request for a change in zoning on Lot 31, NCB 7574, 2400 S. Zarzamora Street from "F" Local Retail Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located northeast of the intersection of South Zarzamora Street and Fran Fran Street, having 81.72 feet on South Zarzamora Street and 121 02 feet on Fran Fran Street

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

Zoning Commission has recommended approval of this request

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

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AN ORDINANCE 85,677

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 31, NCB 7574, 2400 S. ZARZAMORA STREET FROM "F" LOCAL RETAIL BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

97-08 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING AN IMPROVED PORTION OF SNELL DRIVE

Mayor Thornton declared the Public Hearing to be open.

There being no citizens to speak, Mayor Thornton declared the Public Hearing to be closed

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,678

CLOSING, VACATING, AND ABANDONING AN IMPROVED PORTION OF SNELL DRIVE, ALONG WITH AN IMPROVED LABRADA, SERRADELL AND BOSQUET DRIVES WITHIN NEW CITY BLOCK 17978, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY TEXAS AUTO AUCTION SERVICES, INC, FOR A TOTAL CONSIDERATION OF \$51,000 00

* * * *

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

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

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97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,679

AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT WITH THE STATE OF TEXAS RELATING TO THE DIRECT CONNECTOR FROM NORTHBOUND US 281 TO THE SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING A BUDGET FOR THE PROJECT, APPROPRIATING FUNDS, AND AUTHORIZING PAYMENT OF \$540,120 00 TO THE STATE OF TEXAS IN SUPPORT OF SAID PROJECT

* * * *

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

Mr Efren T. Gonzalez, Acting Director Of Aviation, explained the proposed Ordinance

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

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,680

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$1,261,197 00 IN CASH AND \$3,159,160 00 OF IN-KIND DIRECT ASSISTANCE IN THE FORM OF VACCINE AND PERSONNEL FROM THE U S PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1997 CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 1997 THROUGH DECEMBER 31, 1997, ADOPTING A BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

* * * *

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

Dr Fernando A Guerra, Director Of Public Health, presented the proposed Ordinance to the Council A copy of his presentation is attached to the papers of this meeting

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Mr Ross inquired to Dr Guerra as to the number of clients served by the immunization program Dr Guerra noted that almost four hundred thousand doses had been administred.

(At this time, Mayor Thornton was obliged to leave the meeting Mayor Pro Tem Flores presided)

Ms. Lott asked by what means are parents notified about immunization availability and how are immunizations tracked. Dr. Guerra explained the computer system used to monitor immunizations.

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

97-08 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
ACCEPTING THE LEON CREEK WATERSHED MASTER DRAINAGE PLAN.

Mayor Pro Tem Flores declared the Public Hearing to be open

Mr John German, Director, Public Works, presented the proposed Ordinance to the Council A copy of his presentation is attached to the papers of this meeting.

(At this time, Mayor Thornton returned to the meeting to preside.)

Mr Faris Hodge, Jr , offered his suggestion that Camp Bullis be converted into a reservior

Mr. Webster stated his belief that the County should take on an administrative role and oversee the region

Mayor Thornton declared the Public Hearing to be closed.

97-08 The Clerk read the following Ordinance

AN ORDINANCE 85,681

ACCEPTING THE LEON CREEK WATERSHED MASTER DRAINAGE PLAN, INCLUDING A LISTING OF PROPOSED MITIGATION PROJECTS; ADOPTING THE PROPOSED 100-YEAR FLOOD PLAIN BOUNDARIES ESTABLISHED BY THE ENGINEERING STUDIES, AND AUTHORIZING THE CITY MANAGER OR HIS

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DESIGNEE TO SUBMIT THE PROPOSED FLOOD PLAIN BOUNDARIES TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR APPROVAL.

* * * *

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

97-08 The Clerk read the following Ordinance

AN ORDINANCE 85,682

AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF \$19,655,324.00 FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE OPERATION OF THE HEAD START EARLY CHILD CARE PROGRAM FOR THE PERIOD FEBRUARY 1, 1997 THROUGH JANUARY 31, 1998; APPROVING A BUDGET, APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF A CONTRACT WITH PARENT-CHILD, INCORPORATED (PCI) TO OPERATE SAID PROGRAM; RATIFYING A PAYMENT MADE TO PCI IN THE AMOUNT OF \$756,131.12 FOR FEBRUARY, 1997; AND AUTHORIZING FURTHER PAYMENTS

* * * *

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

Mr. Rolando J. Morales, Acting Director of Community Initiatives, explained the proposed Ordinance to the Council.

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

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97-08 The Clerk read the following Resolution:

A RESOLUTION 97-08-10

REAFFIRMING CITY COUNCIL'S SUPPORT OF THE CONTINUATION OF THE TEXAS EAGLE SERVICE FROM ST. LOUIS TO SAN ANTONIO AND REQUESTING THAT AMTRAK RECONSIDER ITS ANNOUNCED POSITION TO DISCONTINUE THIS SERVICE; AS REQUESTED BY MAYOR WILLIAM E. THORNTON.

* * * *

Ms. Billa Burke made a motion to approve the proposed Resolution. Mr. Ross seconded the motion

Mr Webster stated his belief that the State should not have to fund Amtrak

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

97-08 TRAVEL AUTHORIZATION - Granted

Travel Authorization for Mayor William E Thornton to meet with the Taiwan Minister of Economic Affairs in Houston, Texas on February 28, 1997.

97-08 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Mayor William E Thornton to attend the National League of Cities Legislative Conference in Washington, D.C. from March 7-9, 1997.

97-08 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilman Roger Flores, II to attend the National League of Cities Congressional Conference in Washington, D.C. from March 7-11, 1997

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97-08 The Clerk read the following Ordinance.

AN ORDINANCE 85,683

AUTHORIZING THE TEMPORARY CLOSURE OF COLLEGE STREET BETWEEN PRESA AND NAVARRO FROM 11:00 P.M., SATURDAY, MARCH 1, 1997 THROUGH 2:00 A.M., SUNDAY, MARCH 2, 1997 IN CONNECTION WITH A HARD ROCK CAFÉ SPONSORED EVENT, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES; AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

* * * *

Ms. Lott 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, Vasquez, Herrera, Ross, Peak, Webster; **NAYS:** None, **Absent:** Avila, Marbut, Thornton.

97-08 The Clerk read the following Ordinance:

AN ORDINANCE 85,684

ORDINANCE AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX EXEMPT MULTI-FAMILY HOUSING MORTGAGE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$2,959,761 44 TO PROVIDE FINANCING TO ACQUIRE AND REHABILITATE THE BEVERLY OAKS APARTMENTS FOR A TOTAL OF 130 UNITS IN CITY COUNCIL DISTRICT 10; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES

* * * *

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

Ms. Frances A. Gonzales, Director, Special Projects Office, explained the proposed Ordinance to the Council

Mr Melton Braziel, Acting Director, San Antonio Housing Authority, spoke in support of the Ordinance.

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Responding to a question from Ms. Lott, Ms. Gonzales explained the selection criteria for subsidized housing

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

97-08 CITIZENS TO BE HEARD

Mr. Faris Hodge, Jr., 140 Dora St , advised the Council that Christmas lights are still up and should be taken down.

* * * *

Ms. Francis Sommer, 337 Ira Ave, Apt E, related a story regarding her being arrested and held for four hours and mistakenly identified as being drunk or under the influence of drugs Ms Sommer suffers from Tourette's syndrome, a severe neurological disorder characterized by multiple facial and other body tics and often accompanied by grunts and compulsive utterances such as interjections or obscenities

Ms Lott asked Ms Sommer if she carried any form of special identification about her condition

* * * *

Ms Mary Jane Alvarado, 120 Camargo, addressed the Council regarding City Code violations at 620 S Presa

* * * *

Mr Steve Cromeens, 16350 Blanco Road, took issue with the provisions of the Nelson Gardens Land Fill contract..

97-08 Executive Session

City Council recessed its regular meeting to convene in Executive Session at 5:29 p m., for the purpose of discussing the following

a Attorney/Client consultation regarding the negotiation of an amendment to the contract between the Ticketmaster and the City of San Antonio

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b. Attorney/Client consultation regarding litigation case styled Beyer v City of San Antonio

City Council reconvened its regular session at 6:10 p.m., at which time, Mayor Thornton announced that staff had discussed the above mentioned, but had taken no official action

97-08 There being no further business to come before the Council, the meeting was adjourned at 6:11 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