

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY SEPTEMBER
22, 1994.

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94-45 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, AVILA, SOLIS, ROSS, THORNTON, PEAK, LARSON, WOLFF; Absent: McCLENDON, BILLA BURKE, AYALA.

Staff presentation on establishing regulations and policies regarding zoning requirements related to Sexually Oriented Businesses.

Council concurred to move this item forward to "A" Session in the near future.

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94-45 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-45 Invocation - Reverend Robert Forte, Sr., Mount Gilead Church.

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94-45 Pledge of Allegiance to the flag of the United States.

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94-45 Minutes of the August 4, 1994 Regular City Council Meeting were approved.

94-45 FIND THE GOOD AND PRAISE IT - NIMITZ ACADEMY

San Antonio 2000's "Find the Good and Praise It" program recognized Nimitz Academy for its Learning Outward Bound USA Program. The mission of Nimitz Academy is to lead students on a learning

expedition into the unknown by providing them with instructional programs which foster positive self-esteem, respect for others, academic success and opportunities for service.

Mr. Joe Reasons, Principal of Nimitz Academy, explained more about the program, introducing Miss Teresa Lopez and Miss Michelle Garcia, who spoke of the advantages in expeditionary learning.

Mayor Wolff congratulated Mr. Reasons on the accomplishments of Nimitz Academy and presented them with a certificate recognizing the good accomplished with their special program, which gives students viable choices.

Councilmembers accepted the cups presented them by Nimitz Academy students and spoke of the school's concept.

94-45 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 11 through 21, constituting the Consent Agenda, with Items 16 and 20 having been pulled earlier by the City Manager. Mr. Avila seconded the motion.

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

AN ORDINANCE 80,791

ACCEPTING THE LOW BID OF PAUL'S GREENTHUMB LANDSCAPE & NURSERY IN THE AMOUNT OF \$26,550.00 TO PROVIDE TREES AND LABOR FOR PLANTING AS PART OF THE PHASE II RENOVATION OF MILAM PARK.

* * * *

AN ORDINANCE 80,792

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1994-95 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$230,000.00.

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AN ORDINANCE 80,793

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 5, IN THE DECREASED AMOUNT OF \$82,403.55, TO THE CONTRACT WITH H. B. ZACHRY COMPANY FOR THE RUNWAY AND TAXIWAY GUIDANCE SIGNS UPGRADE PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 80,794

AUTHORIZING ADDITIONAL ENGINEERING FEES, IN THE AMOUNT OF \$61,453.00, PAYABLE TO LOCKWOOD, ANDREWS & NEWNAM, INC. IN CONNECTION WITH THE PROPOSED GENERAL AVIATION SERVICE CENTER PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 80,795

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 5, IN THE DECREASED AMOUNT OF \$66,846.90, TO THE CONTRACT WITH YANTIS CORPORATION FOR THE TAXIWAY Q CONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 80,796

AUTHORIZING THE ACCEPTANCE OF A \$149,461.00 GRANT AWARD FROM THE DEPARTMENT OF DEFENSE (DOD) TO CONTINUE THE PROCUREMENT OUTREACH PROGRAM (POP) FOR THE PERIOD JANUARY 1, 1995 TO DECEMBER 31, 1995; AUTHORIZING THE EXECUTION OF A COST SHARING AGREEMENT; APPROPRIATING \$80,000.00 IN CASH MATCH FUNDS, \$136,508.00 IN-KIND FUNDS; AUTHORIZE A PERSONNEL COMPLEMENT; AND ESTABLISHING A PROGRAM BUDGET.

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AN ORDINANCE 80,797

ACCEPTING A LIBRARY SYSTEM SERVICES -- FEDERAL GRANT FY1994/95 GRANT IN THE AMOUNT OF \$420,493.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO PROVIDE GRANT AUTOMATION, CONSULTING, LIMITED ENGLISH SPEAKING, LITERACY, SERVICES TO OLDER ADULTS, AND MATERIALS AND EQUIPMENT TO THE LIBRARIES

OF THE SAN ANTONIO AREA LIBRARY SYSTEM (SAALS);
AUTHORIZING THE EXECUTION OF A CONTRACT FOR SAID
GRANT FUNDS; APPROVING A PERSONNEL COMPLEMENT; AND
APPROVING A BUDGET.

* * * *

AN ORDINANCE 80,798

ACCEPTING A LIBRARY SYSTEM SERVICES -- STATE GRANT
FY 1994/95 GRANT IN THE AMOUNT OF \$331,444.00 FROM
THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO
PROVIDE GRANT ADMINISTRATION, CONTINUING EDUCATION,
PUBLICITY, REFERENCE BACK-UP, AND MATERIALS AND
EQUIPMENT TO THE LIBRARIES OF THE SAN ANTONIO AREA
LIBRARY SYSTEM (SAALS); AUTHORIZING THE EXECUTION
OF A CONTRACT FOR SAID GRANT FUNDS; APPROVING A
PERSONNEL COMPLEMENT; AND APPROVING A BUDGET.

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AN ORDINANCE 80,799

ACCEPTING THE LOW QUALIFIED BID OF ALAMO SILKSCREEN
& DESIGNS IN THE AMOUNT OF \$6,306.00 TO PROVIDE THE
SAN ANTONIO POLICE DEPARTMENT WITH T-SHIRTS AND HEAD
CAPS FOR THE EL PROTECTOR PROGRAM; APPROPRIATING
FUNDS; AND PROVIDING FOR PAYMENT.

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94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,800

APPROVING A FIVE YEAR LEASE AGREEMENT WITH SAN
ANTONIO 2000, LTD., A TEXAS LIMITED PARTNERSHIP
(LESSEE), FOR APPROXIMATELY 2,489 SQUARE FEET OF
SPACE ON THE RIVER WALK LEVEL OF THE HYATT REGENCY
HOTEL PARKING GARAGE FOR A RENTAL OF NO LESS THAN
\$2,489.00 PER MONTH AND CONSENTING TO A SUBLEASE
BETWEEN LESSEE AND TROPICAL DRINK, S. A., LTD., FOR
THAT FIRM'S USE OF THE LEASED SPACE.

* * * *

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

Mr. Ron Darner, Director of Parks and Recreation, explained

that the rate study will be complete in November. A clause has been inserted to take the new rate, if proposed, into consideration.

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

94-45 The Clerk read a proposed ordinance authorizing the purchase of computer-assisted instruction systems for use at the Margarita Huantes Learning Center and the Columbia Heights Learning Center from Computer Curriculum Corporation; renewing a maintenance service contract with said firm for said equipment, all for an amount of \$23,200.00; appropriating funds; and providing for payment.

Council concurred to delay discussion of Item 20 until the pertinent staff is present to explain the Ordinance. (See page 7.)

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,801

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$94,271.82, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 53 TAX ACCOUNTS.

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

94-45 The Clerk read the following Resolution:

A RESOLUTION NO. 94-45-46

READOPTING CITY COUNCIL RESOLUTION NO. 94-36-38, PASSED AND APPROVED ON JULY 28, 1994 FOR THE

ISSUANCE OF AN AMOUNT NOT TO EXCEED \$7,000,000.00 OF
INDUSTRIAL DEVELOPMENT AUTHORITY BONDS TO GRUMA
CORPORATION (PARENT COMPANY FOR MISSION.)

* * * *

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

Mr. Oscar Perez, Special Projects, Economic Development,
explained details of the proposed Resolution.

Ms. McClendon urged colleagues to support this Resolution, and
spoke to the impact of this new company to the east side of San Antonio.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,802

AMENDING PRIOR APPROPRIATIONS; CLOSING ACCOUNTING
RECORDS IN CERTAIN FUNDS; CARRYING FORWARD CERTAIN
FUNDS; APPROPRIATING FUNDS FOR REQUIREMENTS IN CITY
PROJECTS AND DEPARTMENTS; AND APPROPRIATING CERTAIN
CAPITAL PROJECT FUNDS.

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

Mr. George Noe, Director, Management Services, explained
details of the Ordinance.

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

94-45 Item 20 was again taken up at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 80,803

AUTHORIZING THE PURCHASE OF COMPUTER-ASSISTED INSTRUCTION SYSTEMS FOR USE AT THE MARGARITA HUANTES LEARNING CENTER AND THE COLUMBIA HEIGHTS LEARNING CENTER FROM COMPUTER CURRICULUM CORPORATION; RENEWING A MAINTENANCE SERVICE CONTRACT WITH SAID FIRM FOR SAID EQUIPMENT, ALL FOR AN AMOUNT OF \$23,200.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Roy Kaiser, Director, Community Initiatives, explained details of the proposed ordinance.

In response to a question by Mr. Peak, Mr. Kaiser clarified there is a fee paid every year for a maintenance service contract.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,804

AMENDING ORDINANCE NO. 78765 ADOPTED SEPTEMBER 23, 1993 TO REVISE THE METHODOLOGY FOR COMPUTING THE COMMODITY CHARGE ADJUSTMENT FOR THE STEAM AND CHILLED WATER SERVICES OF THE SAN ANTONIO WATER SYSTEM; FURTHER AMENDING SCHEDULES A, B, AND C TO SAID ORDINANCE NO. 78765 TO INCORPORATE SUCH REVISION; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Ralph Huber, San Antonio Water Systems (SAWS), explained the purpose of Water Conservation rates and the intent and purpose of

this ordinance.

Mr. Ross expressed concern about the fixed income of some senior citizens and suggested that SAWS staff look at limiting increases or spreading them out.

Mr. Larson also expressed concern over the calculation of rates (by estimating usage instead of actual readings.) He stressed the need for documentation.

Mr. Huber stated that estimating is not the norm; in fact, meters are read every month.

Mr. Larson expressed concern about certain streets in certain neighborhoods that had received large bills.

Mr. Huber assured Council they would be keeping close watch on the billing.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,805

ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT; IN THE AMOUNT OF \$1,781,064.00, FROM THE FEDERAL AVIATION ADMINISTRATION IN SUPPORT OF CAPITAL IMPROVEMENT PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT; AND DECLARING AN EMERGENCY.

* * * *

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

Mr. Michael Kutchins, Director, Aviation, explained details of the proposed ordinance.

In response to Dr. Thornton, Mr. Kutchins explained the number of recommendations to be made to the FAA on arrivals and departures determined on capacity for Airport. He then identified the kinds of issues that will prove capacity or point to any needs. He further stated they will be back in thirty days with a proposal.

After consideration, the motion, carrying with it the passage

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,806

ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT, IN THE AMOUNT OF \$2,007,000.00, FROM THE FEDERAL AVIATION ADMINISTRATION IN SUPPORT OF A TAXIWAY RECONSTRUCTION PROJECT AT STINSON MUNICIPAL AIRPORT; AND DECLARING AN EMERGENCY.

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

Mr. Michael Kutchens, Director, Aviation, explained details of the Taxiway Reconstruction Project at Stinson Municipal Airport.

Ms. Billa Burke spoke to their meetings with Airport Officials in Washington on Stinson Airport, and spoke to Mr. Kutchins' expertise which was of great benefit in their presentation.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,807

AUTHORIZING THE THIRD (3RD) YEAR HOME INVESTMENT PARTNERSHIP ACT (HOME) ENTITLEMENT GRANT PROGRAM FOR FISCAL YEAR 1994-1995; ACCEPTING 3RD YEAR HOME ENTITLEMENT GRANT FUNDS IN THE AMOUNT OF \$5,828,000.00; DESIGNATING A 3RD YEAR HOME PROGRAM FUND; APPROPRIATING SAID PROGRAM FUNDS; ALLOCATING SAID PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS IN CONNECTION WITH SAID PROGRAM; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AND AUTHORIZING THE EXECUTION OF ALL RELATED CONTRACTS

AND OTHER DOCUMENTS IN CONNECTION WITH SAID 3RD YEAR HOME PROGRAM.

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

Mr. Drew Cameron, Director, Housing and Community Development, explained details of the proposed Ordinance.

Mr. Perez spoke to equity of the program and spoke in favor of the passage of the Ordinance.

Mr. Solis spoke of the positive impact in his district.

Ms. McClendon spoke to her concerns on these funds being spent within the required deadlines.

Mr. Cameron stated he will report back to Council on the exact schedule of expenditures.

Mr. Ross expressed concern over possibility of losing \$7 million in CDBG funds if the City doesn't move forward expeditiously.

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

94-45 The Clerk read a proposed ordinance approving the price, terms and conditions of sale by the Urban Renewal Agency of the City of San Antonio of certain single family residential lots located within the Vista Verde South Community Development Block Grant (CDBG) project for a total amount of \$58,434.00.

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

Mr. Andrew Cameron, Director, Housing & Community Development, explained details of the sale of 21 parcels located in the Vista Verde South Community Development Project.

Mr. Solis stated he was enthused about the project, and proposed an amendment to make this ordinance an emergency item; thereby making it effective immediately. The motion was seconded by Mr. Larson.

After consideration, the motion on the amendment to declare an

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

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

The Clerk read the following Ordinance:

AN ORDINANCE 80,808

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE VISTA VERDE SOUTH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR A TOTAL AMOUNT OF \$58,434.00, AND DECLARING AN EMERGENCY.

94-45

ZONING HEARINGS

4A. CASE Z94140 (CC) (PP) was pulled earlier.

4B. CASE Z94153 (CC) - to rezone 12.717 acres out of NCB 17994, from "R-A" Residence Agriculture District and "B-2" Business District to "B-3R" Restrictive Business District; 72.762 acres out of NCB 17994, from "R-A" Residence Agriculture District to "I-1" Light Industry District; and 158.822 acres out of NCB 17994 and the east 100 feet of P-4, NCB 17995; the north 100 feet of P-13, NCB 17995; north 100 feet of P-13A, NCB 17995; the north 100 feet of the east 940 feet and the east 100 feet of the north 1100 feet of P-20, NCB 17995; Parcels P-7A, P-7B, P-7C, P-7D, NCB 17994, from "R-A" Residence Agriculture District to "I-2" CC, Heavy Industry District with special City Council approval for a sanitary landfill, having the east 100 feet of P-4, NCB 17995; the north 100 feet of P-13, NCB 17995; the north 100 feet of P-13A, NCB 17995; the north 100 feet of the east 940 feet and the east 100 feet of the north 1100 feet of P-20, NCB 17995; parcels P-7A, P-7B, P-7C, P-7D, NCB 17994 and 244.590 acres out of NCB 17994, IH 10 East Expressway and FM 1516, properties being located northwest and southwest of the intersection of FM 1516 and Tessman Road.

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.

Mayor Wolff stated this was a contested case and announced they would be listening to presentations, pro and con.

The proponent, Mr. Frank Burney, 300 Convent, representing the property owners, requested the change of zoning for expansion of the sanitary landfill. He stated they have amended their request to staff recommendations. He reviewed the history of this location, and spoke to the neighbors' opposition and to an agreement reached with certain neighbors.

He further stated there are two main issues: (1) use of Road 1516 - and they have offered to move the road to the northern part of the property; and (2) neighbors' concern on expansion to the south - and they have offered to make concessions to make it more agreeable to the neighbors.

He was in favor of a postponement until the neighborhood concerns were fully addressed, but they are not in favor of postponement.

Commissioner Helen Dutmer stated she was not for or against the case, but conceded a need to come to a conclusion. The Citizens in the area especially want to protect their buffer on the east, and are concerned about the entrance/exit to the landfill.

The following citizens spoke in opposition:

Ms. Antonette Skloss spoke to the many health problems caused by this landfill.

Ms. Betty Dzierzanowski, Rt. 9, Box 107B, stated that they are in constant fear because of the traffic going up and down 1516. She said that this is a major safety and health hazard and spoke against the request of BFI to remove the buffer.

Ms. Mary Ann Fruetag, school bus driver, spoke of the speed of the trucks making it dangerous for the school bus to slow down for its stops. She spoke to the visibility being impaired by the sweepers and cleaners billowing up dust and debris on the road.

Ms. Collette Walls, Martinez, Texas, expressed concern for the safety of the children. She also stated they were unable to sell the homes in this undesirable area due to the aesthetics.

Ms. Peggy Kruse spoke to current road conditions and urged Councilmembers to vote no.

Mr. George Valenta stated he strongly opposes this proposed zoning change due to the hardships suffered by all in the area, stating BFI has not shown "good faith."

Mr. Ken Gindy, 711 Navarro, representing Curtis Vaughn and Sons who own 320 acres adjacent to the landfill, stated that he is willing to support the agreement with BFI if it is put in writing.

Ms. Eunice Tensley, 1516 Rt. 9, Box 107 BC, reiterated that if accepted, the buffer must stay and the entrance/exit changed.

In rebuttal, Mr. Frank Burney stated they are trying to meet the issues that are of concern to the neighbors, and further stated the reason for applying for a zoning change before a TNRCC permit is due to the tremendous amount of work to be done in term of geological studies and option contracts in order to satisfy TNRCC.

Mayor Wolff clarified this is strictly a zoning case and that the state permit must be obtained through the State.

Ms. McClendon stated this is a health issue. She stated that she and Mr. Peak had met with 30-40 homeowners and listed the following as the outcome of their meetings.

1.) The entrance on IH-10 that BFI has on option on and that 10 years is too long to wait for this.

2.) Don't expand East or South into neighborhoods, but more in favor of expanding North where there is no development.

3.) Buffer for landscape needed - there is no greenery on 1516, and when it rains it is slippery.. Protect children. Urge BFI trucks to control the odor.

4.) BFI needs to sit and talk with the neighborhood residents.

5.) A postponement is preferred in order that the two parties may get together.

At this time, Ms. McClendon asked to meet with neighbors and BFI.

Mr. Burney spoke of their concerns to any delays.

Ms. McClendon made a motion to deny passage of the Ordinance. Mr. Avila seconded the motion.

Mr. Peak spoke to the two issues of safety on FM 1516 and the environmental hazards.

In response to a question by Mr. Peak, Mr. Burney stated it was true that the truck wash was not working at this time.

(Mayor Wolff left the meeting at this time, and Mayor Pro Tem Perez presided.)

Mr. Peak asked Mr. Burney to send the message that BFI use

IH10 and not FM1516.

In response to questions by Mr. Peak, Mr. Burney spoke to the 200 foot buffering, stating it was double the City Council requirement. He also spoke of environmental issues to be addressed by BFI.

A representative of BFI stated loads were regulated.

In response to questions by Mr. Peak, Mr. Burney assured they would continue to meet with the neighbors.

Ms. Ayala expressed concerns about BFI not meeting with the neighbors.

Mr. Larson spoke of competition being healthy, and asked Mr. Burney to reiterate what he planned for the expansion if rezoning was granted.

Mr. Burney stated he will meet with the neighbors and will put it in writing.

(At this time, Mayor Wolff returned and presided over the meeting.)

Mr. Burney continued to explain the difficulties involved and the proposed time frame involved including the life of the landfill.

Mr. Larson stated that there are solid waste needs in the community and the need to address the issue in a timely manner.

Mr. John German, Director, Public Works, spoke to the area needs and assured that the City trucks would use the route most preferred by the residents of the area

In response to a question by Ms. McClendon, BFI Representative, Jim Baker, Divisional Vice President, spoke to the problems of the sludge.

Dr. Thornton urged the BFI representative to bring the Eastside Landfill up to become a State model.

Mr. Baker spoke of the planned improvements to make the landfill more acceptable to the neighborhood. Dr. Thornton spoke to the need for solutions and planned improvements for this landfill and the need to involve the parties involved.

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

In response to a request by Ms. McClendon, Mr. Burney assured Council he will be meeting with the neighbors, the buffer will be aesthetically pleasing and will be increased to 200 feet, within one year

of zoning. He also spoke to the option to the east and north being utilized if they acquire the zoning.

Ms. McClendon spoke to the 10-year maximum time to get the road off IH10.

After consideration, the substitute motion, to approve the zoning, prevailed by the following vote: AYES: Perez, Billa Burke, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: McClendon, Avila, Ayala; ABSENT: None.

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

AN ORDINANCE 80,809

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 12.717 ACRES OUT OF NCB 17994, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; 72.762 ACRES OUT OF NCB 17994, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AND 158.822 ACRES OUT OF NCB 17994 AND THE EAST 100 FEET OF P-4, NCB 17995; THE NORTH 100 FEET OF P-13, NCB 17995; NORTH 100 FEET OF P-13A, NCB 17995; THE NORTH 100 FEET OF THE EAST 940 FEET AND THE EAST 100 FEET OF THE NORTH 1100 FEET OF P-20, NCB 17995; PARCELS P-7A, P-7B, P-7C, P-7D, NCB 17994, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "I-2" CC, HEAVY INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A SANITARY LANDFILL. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z94052 - to rezone:

NCB 16051, Parcel 7B, (6.249 acres) from Temporary "R-1" Single Family Residence District to "R-A" Residence Agriculture District;

NCB 15663, Parcel 2B (57.3435 acres)
NCB 15663, Parcels 14, 15 and 16, from Temporary "R-1" Single Family Residence District to "R-A" CC Residence Agriculture District with special City Council approval for a horse stable/equestrian center;

NCB 15479, Parcels 4G, 4, 17, 29, 31, 32, 34, 33A and 34A

Parcel 2
NCB 15663, Parcel 1 (22.36 acres)
NCB 15663, Parcels 1F, 2D, 3B, 3D, 17 and 18
NCB 15664, the north 800 feet of the northeast 180 feet of

NCB 15664, Lot 5 and Parcel 5A
NCB 15664, Parcels 7
NCB 15664, Parcels 14, 14E, 15, 15B, 16, and 16B
NCB 15664, the south 760 feet of Parcel 18
NCB 15664, parcels 88 and 104
NCB 16047, Parcel 1 (2.409 acres)
NCB 16047, Parcel 1C (0.650 acres)
NCB 16047, Parcel 2 (2.316 acres)
NCB 16047, Parcel 18 (4.491 acres)
NCB 16051, Parcel 4 (17.230 acres)
NCB 16051, Parcels 12, 13, 14 and 15
NCB 18006, Parcel 105
NCB 18007, Block 1, Lots 1 and 4
NCB 18163, Parcels 4A, 4B and 4C
NCB 18198, Parcels 1D, 3A, 3B and 8
NCB 18199, Parcels 1E, 1G, 3, 3A, 3B, 5 and 6
NCB 18230, Parcels 1 and 4
NCB 18235, Block 11, Lot 81
NCB 18280, Block 1, Lot 1
NCB 19046, All of NCB
NCB 19047, All of NCB
NCB 19048, All of NCB
NCB 19049, All of NCB
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NCB 19056, All of NCB
NCB 19057, All of NCB
NCB 19058, All of NCB
NCB 19070, All of NCB
NCB 19071, All of NCB
NCB 19072, All of NCB
NCB 19073, Block 4, Lots 1 thru 29
NCB 19076, All of NCB
NCB 19077, All of NCB

NCB 19079, All of NCB, from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District;

NCB 15664, Parcel 5-adjacent to Quite Lake and Dwrights Creek
NCB 15664, a 216.71 acre tract of land out of NCB
NCB 15664, Parcel 104B, save and except the northeast 210 ft
NCB 18006, Parcels 82 and 104A
NCB 18163, Parcels 15A, 15B, 15C and 15D, save and except the 12.81 acre tract of land out of Parcel 15D
NCB 18198, Parcel 7
NCB 18198, Parcel 7A, save and except the west 200 feet

NCB 18198, Parcel 8, save and except the west 200 feet
 NCB 19059, All of NCB
 NCB 19060, All of NCB
 NCB 19061, All of NCB
 NCB 19062, All of NCB
 NCB 19063, All of NCB
 NCB 19065, All of NCB
 NCB 19066, All of NCB
 NCB 19067, All of NCB
 NCB 19068, All of NCB
 NCB 19069, All of NCB
 NCB 19073, Block 4, Lots 30 thru 39
 NCB 19078, Block 9, Lots 1 thru 6
 NCB 19074, Block 5, Lot 1, save and except the southwest and the southeast 210 feet
 NCB 19075, Block 6, Lot 1
 NCB 19080, All of NCB
 NCB 19081, All of NCB
 NCB 19082, All of NCB
 NCB 19083, All of NCB
 NCB 19084, All of NCB
 NCB 19085, All of NCB
 NCB 19086, All of NCB
 NCB 19087, All of NCB, from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District;

 NCB 18220, All of NCB
 NCB 18221, All of NCB
 NCB 18222, All of NCB
 NCB 18223, All of NCB
 NCB 18224, All of NCB, from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Home District;

 NCB 15664, a 22.62 acre tract of land out of NCB, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District;

 NCB 15479, the south 25 feet of Parcel 17
 NCB 15664, a 3.76 acre tract of land out of NCB
 NCB 18163, the south 25 feet of Parcel 16, from Temporary "R-1" Single Family Residence District to "O-1" Office District;

 NCB 15479, Parcel 17, save and except the south 25 feet
 NCB 15479, and NCB 18280, a 2.15 acre tract of land
 NCB 15663, Parcels 9Aa and 11A
 NCB 15664, a 13.14 acre tract of land out of Parcel 2
 NCB 15664, A 6.87 acre tract of land out of NCB
 NCB 15664, the northeast 210 feet of Parcel 104B
 NCB 17507, Parcel 2
 NCB 17508, Parcel 77
 NCB 18163, Parcel 16, save and except the south 25 feet
 NCB 18230, Lot 24
 NCB 19074, the southwest and the southeast 210 feet of Lot 1, Block 5

NCB 19079, Parcels 83 and 101
NCB 19080, Block 1, Lot 2, from Temporary "R-1" Single Family Residence District to "B-2" Business District;

NCB 15663, Parcels 2C, 3, 3F and 4
NCB 15663, the east 100 feet of Parcel 2F
NCB 15663, the east 100 feet of Parcel 3H
NCB 15663, Parcel 9A2 (7.524 acres)
NCB 15663, Parcel 11B (4.358 acres)
NCB 15663, Parcel 12 (0.752 acres)
NCB 15663, Parcel 13 (0.875 acres)
NCB 15664, Parcel 14D
NCB 15664, Parcel 14G
NCB 15664, Parcel 18, save and except the south 760 feet
NCB 18008, Block 1, Lot 1
NCB 18163, Parcel 15
NCB 18198, parcels 1A and 3
NCB 18198, the west 200 feet of Parcels 7A and 8
NCB 18198, Parcel 100
NCB 18199, Parcels 3C and 8A
NCB 18231, Block 1, Lot 1

NCB 19080, Block 1, Lot 1, from Temporary "R-1" Single Family Residence to "B-3" Business District;

NCB 18163, a 12.81 acre tract of land out of Parcel 15D, from Temporary "R-1" Single Family Residence District to "B-3R", Restrictive Business District;

NCB 15479, Parcels 30 and 31A, from Temporary "R-1" Single Family Residence District to "B-3" SUP for a construction company with outside storage;

NCB 15663, the east 100 feet of Tract 4, from Temporary "R-1" Single Family Residence District to "B-3" SUP Business District with special use permit for outside storage;

NCB 15663, Parcels 1D, 1H, 2, 2A, 2E, 2G, 3G and 3J
NCB 15663, Parcel 2F, save and except the east 100 feet
NCB 15663, Parcel 3H, save and except the east 100 feet
NCB 15663, Tract 4, save and except the east 100 feet, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District.

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.

Mayor Wolff stated that this is a contested case and that there would be speakers.

(Mayor Wolff left the Council chambers. Mayor Pro Tem Avila presided.)

The following citizens appeared to speak:

Mr. Forester J. Mills, owner of 6.2 acres on Braun Road, spoke to Parcel 4B & 4C, asking that 1.5 acre tract be zoned "B-3", and 4.7 acre tract be zoned "R-6". He asked for individual consideration.

Mr. Ed Harrington, 602 W. Rhapsody, stated he had worked with the City and the Neighborhood Association in developing the 3/4 mile Thoroughfare, which connects to 1604. He asked for an exception to hear this part of the zoning case if the overall zoning fails.

Discussion took place on the minutes when this zoning consideration took place.

Mr. Dale Swint, 10490 Hwy 1604 West, spoke in opposition to the zoning case, asking that Lots 1E and 1G, Parcel 6, be referred to the Zoning Commission.

Gabriele E. Biering, RR2, Box 227L, Helotes, Texas, wants a buffer on the south 100 feet of Parcels 14D and 18, NCB 15664.

Dr. Thornton discussed a shared buffer between properties to avail both property owners.

Mr. Mark Hatfield spoke in favor of a compromise.

Mr. George A. Aldrich, 11049 Bandera Road, 14A & 17, NCB 15664, requested a change to "B-2"

Mr. R. Larry Thompson, representative Parcel 5 and Parcel 6 owners, asked for "B-3" for Parcel 6, NCB 18199.

Mr. Ken Leusing, 8803 Rustling Branches, Braun Oak Homeowners Association, spoke in opposition to any "B" zoning on Braun Road.

Mr. Bob O'Dell, 9700 Braun Road, Parcel 4A, NCB 18163, spoke in favor of the zoning.

Mr. Joe Nix representing tracts 7A, NCB 15664, asked the zoning case to be reconsidered.

(At this time, Mayor Wolff returned to the Chambers.)

Dr. Thornton spoke to 350 parcels being zoned at one time. He stated he and Mr. Ross met with the neighborhoods. Dr. Thornton emphasized the zoning of 1604 and Bandera Road must be done correctly.

(Mayor Wolff left the Chambers. Councilwoman McClendon presided.)

Dr. Thornton made a motion for approval of the Zoning Commission's recommendation on Case Z94052, Oak Grove/Bandera Annexation

area, save and except the following properties:

That the following be pulled and referred back to the Zoning Commission for individual zoning consideration at a later date:

1. Parcels 14A and 17 NCB 15664
2. Parcel 7A NCB 15664
3. Parcel 6, NCB 18199

To be Zoned to "R-1":

1. Parcel 16 NCB 18163
2. Parcel 17 NCB 15479
3. Parcel 1 NCB 18230
4. Parcel ID and 3B NCB 18198
5. Parcels 4B and 4C NCB 18163
6. Parcel 4A NCB 18163

To be Zoned "R-5"

The one acre tracts on both corners of Tezel Road and Braun Road.

The following to be pulled and postponed to a later date to prepare deed restrictions.

1. Parcel 77 NCB 17508 on Bandera Road between Camino Bandera and the drainage easement.
2. Parcel 2 NCB 17507
3. Parcel 82 NCB 18008
4. A 3.76 acres out of NCB 15664
5. A 6.87 acres out of NCB 15664

And that there be a buffer of "B-2" on the south 100' of Parcels 14D and 18 NCB 15664.

The motion was seconded by Mr. Avila.

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

AN ORDINANCE 80,810

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 NCB 16051, PARCEL 7B, (6.249 ACRES) FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE AGRICULTURE DISTRICT;

NCB 15663, PARCEL 2B (57.3435 ACRES) NCB 15663, PARCELS 14, 15 AND 16, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-A" CC RESIDENCE AGRICULTURE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A HORSE STABLE/EQUESTRIAN CENTER;

NCB 15479, PARCELS 4G, 4, 17, 29, 31, 32, 34, 33A AND 34A NCB 15663, PARCEL 1 (22.36 ACRES) NCB 15663, PARCELS 1F, 2D, 3B, 3D, 17 AND 18 NCB 15664, THE NORTH 800 FEET OF THE NORTHEAST 180 FEET OF PARCEL 2 NCB 15664, LOT 5 AND PARCEL 5A NCB 15664, PARCELS 7 NCB 15664, PARCELS 14, 14E, 15, 15B, 16, AND 16B NCB 15664, THE SOUTH 760 FEET OF PARCEL 18 NCB 15664, PARCELS 88 AND 104 NCB 16047, PARCEL 1 (2.409 ACRES) NCB 16047, PARCEL 1C (0.650 ACRES) NCB 16047, PARCEL 2 (2.316 ACRES) NCB 16047, PARCEL 18 (4.491 ACRES) NCB 16051, PARCEL 4 (17.230 ACRES) NCB 16051, PARCELS 12, 13, 14 AND 15 NCB 18006, PARCEL 105 NCB 18007, BLOCK 1, LOTS 1 AND 4 NCB 18163, PARCELS 4A, 4B AND 4C NCB 18163, LOT 16 NCB 18198, PARCELS 1D, 3A, 3B AND 8 NCB 18199, PARCELS 3, 3A, AND 3B NCB 18230, PARCELS 1 AND 4 NCB 18235, BLOCK 11, LOT 81 NCB 18280, BLOCK 1, LOT 1 NCB 19046, ALL OF NCB NCB 19047, ALL OF NCB NCB 19048, ALL OF NCB NCB 19049, ALL OF NCB NCB 19050, ALL OF NCB NCB 19051, ALL OF NCB NCB 19052, ALL OF NCB NCB 19053, ALL OF NCB NCB 19054, ALL OF NCB NCB 19055, ALL OF NCB NCB 19056, ALL OF NCB NCB 19057, ALL OF NCB NCB 19058, ALL OF NCB NCB 19070, ALL OF NCB NCB 19071, ALL OF NCB NCB 19072, ALL OF NCB NCB 19073, BLOCK 4, LOTS 1 THRU 29 NCB 19076, ALL OF NCB NCB 19077, ALL OF NCB NCB 19079, ALL OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT;

NCB 15664, PARCEL 5-ADJACENT TO QUITE LAKE AND DWIGHTS CREEK NCB 15664, A 216.71 ACRE TRACT OF LAND OUT OF NCB NCB 15664, PARCEL 104B NCB 18006, PARCEL 104A NCB 18163, PARCELS 15A, 15B, 15C AND 15D, SAVE AND EXCEPT THE 12.81 ACRE TRACT OF LAND OUT OF PARCEL 15D NCB 18198, PARCEL 7 NCB 18198, PARCEL 7A, SAVE AND EXCEPT THE WEST 200 FEET NCB 18198, PARCEL 8, SAVE AND EXCEPT THE WEST 200 FEET NCB 19059, ALL OF NCB NCB 19060, ALL OF NCB NCB 19061, ALL OF NCB NCB 19062, ALL OF NCB NCB 19063, ALL OF NCB NCB 19064, ALL OF NCB NCB 19065, ALL OF NCB NCB 19066, ALL OF NCB NCB 19067, ALL OF NCB NCB 19068, ALL OF NCB NCB 19069, ALL OF NCB NCB 19073, BLOCK 4, LOTS 30 THRU 39 NCB 19078, BLOCK 9, LOTS 1 THRU 6 NCB 19074, BLOCK 5, LOT 1 NCB 19075, BLOCK 6, LOT 1 NCB 19080, ALL OF NCB NCB 19081, ALL OF NCB NCB 19082, ALL OF NCB NCB 19083, ALL OF NCB NCB 19084, ALL OF

NCB NCB 19085, ALL OF NCB NCB 19086, ALL OF NCB NCB 19087, ALL OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT;

NCB 18220, ALL OF NCB NCB 18221, ALL OF NCB NCB 18222, ALL OF NCB NCB 18223, ALL OF NCB NCB 18224, ALL OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT;

NCB 15664, A 22.62 ACRE TRACT OF LAND OUT OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT;

NCB 15479 AND NCB 18280, A 2.15 ACRE TRACT OF LAND NCB 15663, PARCELS 9A1 AND 11A NCB 15664, A 13.14 ACRE TRACT OF LAND OUT OF PARCEL 2 NCB 15664, THE SOUTH 100 FEET OF THE NORTH 1180 FEET OF PARCEL 18 NCB 17508, PARCEL 77, SAVE AND EXCEPT THE PART BETWEEN CAMINO BANDERA AND THE DRAINAGE EASEMENT NCB 18230, LOT 24 NCB 19079, PARCELS 83 AND 101 NCB 19080, BLOCK 1, LOT 2, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT;

NCB 15663, PARCELS 2C, 3, 3F AND 4 NCB 15663, THE EAST 100 FEET OF PARCEL 2F NCB 15663, THE EAST 100 FEET OF PARCEL 3H NCB 15663, PARCEL 9A2 (7.524 ACRES) NCB 15663, PARCEL 11B (4.358 ACRES) NCB 15663, PARCEL 12 (0.752 ACRES) NCB 15663, PARCEL 13 (0.875 ACRES) NCB 15664, PARCEL 14D NCB 15664, PARCEL 14G NCB 15664, THE NORTH 1180 FEET OF PARCEL 18, SAVE AND EXCEPT THE SOUTH 100 FEET NCB 18008, BLOCK 1, LOT 1 NCB 18163, PARCEL 15 NCB 18198, PARCELS 1A AND 3 NCB 18198, THE WEST 200 FEET OF PARCELS 7A AND 8 NCB 18198, PARCEL 100 NCB 18199, PARCELS 3C AND 8A NCB 18231, BLOCK 1, LOT 1 NCB 19080, BLOCK 1, LOT 1, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE TO "B-3" BUSINESS DISTRICT;

NCB 18163, A 12.81 ACRE TRACT OF LAND OUT OF PARCEL 15D, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R", RESTRICTIVE BUSINESS DISTRICT;

NCB 15479, PARCELS 30 AND 31A, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" SUP FOR A CONSTRUCTION COMPANY WITH OUTSIDE STORAGE;

NCB 15663, THE EAST 100 FEET OF TRACT 4, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" SUP BUSINESS DISTRICT WITH SPECIAL USE PERMIT

FOR OUTSIDE STORAGE;

NCB 15663, PARCELS 1D, 1H, 2, 2A, 2E, 2G, 3G AND 3J
NCB 15663, PARCEL 2F, SAVE AND EXCEPT THE EAST 100
FEET NCB 15663, PARCEL 3H, SAVE AND EXCEPT THE EAST
100 FEET NCB 15663, TRACT 4, SAVE AND EXCEPT THE
EAST 100 FEET, FROM TEMPORARY "R-1" SINGLE FAMILY
RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

* * * *

(Mayor Wolff returned and presided over the Council meeting.)

94-45 The Clerk read the following Resolution:

A RESOLUTION NO. 94-45-47

RECOMMENDING THAT THE LAW FIRM OF HEARD, GOGAN,
BLAIR, AND WILLIAMS PROCEED TO TAX FORECLOSURE OF
THE TAX JUDGMENT IN CAUSE NO. 92-TA1-2428, BEXAR
COUNTY, ET AL VS. CARL SAM PARK, A JOINT VENTURE,
ON PROPERTY COMMONLY KNOWN AS 138 AND 106 DREW AVE.,
105 AND 106 BAXTER AVE., 146, 141, AND 101 AMBROSIA
AVE., AND 102 FARGO AVE., AND IN THE EVENT THAT THE
SUBJECT PROPERTY IS NOT PURCHASED AT THE FORECLOSURE
AUCTION, TITLE TO SAID PROPERTY TO BE CONVEYED TO
THE CITY OF SAN ANTONIO IN TRUST FOR THE THREE
TAXING UNITS/JUDGMENT CREDITORS, FOR THE PURPOSE OF
REMOVAL OF ASBESTOS AND DEMOLITION OF DANGEROUS
STRUCTURES.

* * * *

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

Ms. Jelynn Burley, Special Projects Officer,
Intergovernmental Relations, explained the proposal and spoke to the
history of this property.

The following citizens appeared to speak:

Mr. Wray C. Hood, 482 Hub Street, Coliseum Willow Park
Neighborhood Association, spoke in favor of the Resolution on behalf of
the neighborhood.

Mr. Frank Bell, Jr., 315 Hub Avenue, President of the Coliseum

Willow Park Neighborhood Association, inquired when legal action will be taken.

Ms. Nannie Foley, 215 Fargo Avenue, a resident in the area, asked that the area be cleaned up.

Mr. Isaac R. McPherson, 210 Marmok Avenue, expressed a desire to have the area cleaned up.

Ms. McClendon spoke to a video of the area showing the need for having the Resolution passed in order to begin proceedings to foreclose on the tax judgment on the Coliseum Park properties and move forward with asbestos removal and the demolition of the remaining deteriorated and dilapidated structures.

Mr. Karl Hays, a representative of Heard, Gogan, Blair, and Williams, responded to Ms. McClendon, stating the properties will be addressed and in the City's control. He also spoke to the procedure to be used to foreclose on these properties.

Mayor Wolff stated that the City has made a determination to go forward and take control of this area.

Mr. Ross expressed concern of delay in accomplishing the project.

In response to Mr. Ross, Ms. Burley, Special Projects Officer, stated they are in process of putting a policy together now so agencies can move on the properties, which will allow the City to handle the problem to speed up the process.

In response to another question by Mr. Ross, Ms. Burley assured him the property owners have up to two years to redeem their property if they pay all the taxes due, and all weed and demolition liens plus 25 per cent penalty the first year, or 50 per cent penalty the second year.

A discussion took place on the numerous violations recorded by Code Compliance, and the demolitions of unsafe structures which have already taken place. Mr. Rodriguez spoke to the legal problems involved in demolishing the rest of the structures which include the need to abate asbestos in those structures.

In response to Mr. Peak, Ms. Burley stated that other governmental entities have liens they are in agreement with the demolition in that the property will be redeveloped for the improvement of the land, the value of which is approximately \$100,000.00.

Discussion took place on the monies and bids that could possibly be secured with sale through public auction.

The property will be focused for affordable housing for "Habitat for Humanity".

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

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING UNIMPROVED ALLEY BETWEEN NORTH PINE AND WILLOW STREETS

Mayor Wolff opened the Public Hearing.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,811

CLOSING, VACATING, AND ABANDONING AN UNIMPROVED 12-FOOT WIDE ALLEY LOCATED BETWEEN NORTH PINE AND WILLOW STREETS AND AUTHORIZING QUITCLAIMS TO THE OWNERS OF PROPERTY ABUTTING SUCH VACATED ALLEY.

* * * *

The following citizens appeared to speak:

Mr. Joe Gindman, 1723 N. Pan Am Expressway, spoke against the Ordinance, stating it was never an alley.

Mr. Roland Lozano, Director of Assets Management, explained details of the Ordinance concerning the said 12-foot wide unimproved alley.

Mr. Mario Rodriguez, citizen, spoke to undesirable characters, in the area, and that a chainlink fence would allow water flow, but also prevent criminal activity.

* * * *

Mayor Wolff declared the public hearing closed.

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

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

(At this time, Mayor Wolff left the Chambers and Mayor Pro Tem Avila presided.)

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING PORTION OF CAMARON STREET

Mayor Pro Tem Avila opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Pro Tem Avila declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,812

CLOSING, VACATING AND ABANDONING THAT PORTION OF CAMARON STREET BETWEEN CROFT TRACE LANE ON THE SOUTH AND NORTH FLORES STREET ON THE NORTH TO ACCOMMODATE THE SAN ANTONIO RIVER AUTHORITY'S DESIGN AND CONSTRUCTION OF THE SAN PEDRO CREEK CHANNEL PROJECT AND AUTHORIZING THE EXECUTION OF A QUITCLAIM COVERING AN AREA OF APPROXIMATELY 2,122 SQUARE FEET TO THE OWNERS OF LOTS 1 AND 3, NEW CITY BLOCK 202, WHICH ABUT ON THE EAST SIDE OF CAMARON STREET.

* * * *

Mr. Roland A. Lozano, Acting Director, Asset Management Department, explained details of the proposed Ordinance.

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

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

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING A PORTION OF UNIMPROVED PAISANO ALLEY

Mayor Pro Tem Avila opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Pro Tem Avila declared the Public Hearing closed.

Mr. Roland Lozano, Acting Director, Assets Management Department, explained details of the proposed Ordinance.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,813

CLOSING, VACATING, AND ABANDONING A PORTION OF UNIMPROVED PAISANO ALLEY LOCATED BETWEEN GUADALUPE AND ELVIRA STREETS AND AUTHORIZING A QUITCLAIM TO THE OWNER OF PROPERTY ABUTTING SUCH VACATED ALLEY.

* * * *

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

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

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO REPROGRAM PREVIOUS YEARS' CDBG FUNDS

Mayor Pro Tem Avila opened the Public Hearing.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,814

AUTHORIZING THE REPROGRAMMING OF PREVIOUS YEARS' CDBG FUNDS IN THE AMOUNT OF \$956,515.11 TO COVER EXISTING PROJECT SHORTFALLS; RATIFYING A HUD 108 LOAN DEFAULT PAYMENT TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN THE AMOUNT OF \$117,002.65 IN ACCORDANCE WITH ATTACHMENT; AUTHORIZING THE TWENTIETH (20TH) YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; DESIGNATING THE 20TH YEAR CDBG PROGRAM FUNDS; APPROPRIATING PROGRAM FUNDS IN THE AMOUNT OF \$23,469,341.25; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AND AUTHORIZING EXECUTION OF CONTRACTS AND AUTHORIZING EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION WITH SAID 20TH YEAR CDBG PROGRAM.

* * * *

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

There were no citizens signed up to speak.

Mr. Andrew Cameron, Director, Housing & Community Development, explained details of the proposed Ordinance.

Mr. Ross expressed concern regarding the reprogramming of \$7 million dollars and the need for getting an extension from HUD for its use.

In response to Mr. Ross, Mr. Cameron gave a status report of the \$7 million, explaining the HUD Guidelines, and the fact that the City had several projects only partially funded.

(At this time Mayor Wolff returned and presided over the Council meeting.)

Mr. Cameron explained the history on the exceptions taken by HUD and the need to spend the HUD monies which were encumbered but not spent. He spoke to proposed corrective action.

In response to Mr. Ross, Mr. Cameron explained where these monies are derived from. He also explained how programs are added and the allocations to different districts.

Mr. Ross expressed concern that the City Manager be advised of those projects which are determined ineligible. Mr. Perez expressed the same concerns about the projects in each District being declared ineligible.

Ms. Ayala made a motion to direct staff to reprogram \$30,000 from District 6 contingency for the purpose of funding the development of a Community and Housing Development Agency (CHODO) for District 6. Ms. McClendon seconded the motion.

Mr. Perez made a motion to postpone the item for two weeks. Mr. Solis seconded the motion.

After discussion, Mr. Perez withdrew the motion to postpone. Mr. Solis withdrew his second.

Mr. Avila made a motion to direct staff to reprogram \$100,000 from the District 4 Contingency Fund for the purpose of funding a Housing and Community Development Corporation in District 4. Mr. Solis seconded the motion.

After consideration, the motion, directing staff to reprogram \$30,000 from District 6 Contingency, prevailed by the following vote:
AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak,

Larson, Wolff; NAYS: None; ABSENT: Thornton.

After consideration, the motion, directing staff to reprogram \$100,000 from the District 4 Contingency Fund, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson, Wolff; NAYS: None; ABSENT: Thornton.

Mr. Peak made a motion to allocate \$200,000 from the District 9 Contingency Account to assist in the financing of the rehabilitation of a structure on Elmhurst Avenue for the purpose of providing housing units.

After consideration, the motion, to allocate \$200,000 from the District 9 Contingency Account, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson, Wolff; NAYS: None; ABSENT: Thornton.

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

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON INTERNATIONAL BANK OF COMMERCE/SOUTHWESTERN BELL CORPORATION REINVESTMENT ZONE.

Mayor Wolff opened the Public Hearing.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,815

DESIGNATING A TRACT OF LAND LEGALLY DESCRIBED AS 2.283 ACRES OF LAND, NCB 403, LOCATED AT 175 E. HOUSTON STREET SPECIFICALLY DESCRIBED IN EXHIBIT A ATTACHED HERETO, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AS THE INTERNATIONAL BANK OF COMMERCE/SOUTHWESTERN BELL CORPORATION REINVESTMENT ZONE PURSUANT TO THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

* * * *

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

Mr. Clinton Bolden, Director, Economic Development, explained the purpose of this project and gave details of the Ordinance.

There were no citizens present to speak.

Mayor Wolff declared the public hearing closed.

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

94-26 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE APPROVING A TAX ABATEMENT AGREEMENT.

Mayor Wolff opened the Public Hearing.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,816

APPROVING A TAX ABATEMENT AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH MANN ROAD, INC., A NEVADA CORPORATION, DBA INTERNATIONAL BANK OF COMMERCE CENTRE, A CORPORATION AUTHORIZED TO DO BUSINESS IN THE STATE OF TEXAS, TO EXEMPT FROM AD VALOREM TAXATION SPECIFIED REAL PROPERTY IMPROVEMENTS LEGALLY DESCRIBED AS 2.283 ACRES OF LAND, NCB 403, LOCATED AT 175 EAST HOUSTON STREET, MORE SPECIFICALLY DESCRIBED IN ATTACHMENT A ATTACHED HERETO, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, PURSUANT TO THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

* * * *

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

There were no citizens to be heard.

Mayor Wolff declared the public hearing closed.

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

94-45 AMENDMENT TO NOISE NUISANCE DISCUSSION

The Clerk read a proposed ordinance (for discussion only) making it a misdemeanor crime to play an amplified sound system or other

noise producing instrument or device in a vehicle while driving or stopped on a public right-of-way with a volume that disturbs the peace of persons of reasonable sensibilities who are at a distance of fifty feet or more; providing for a penalty of not more than \$2,000.00 upon conviction of each violation; and amending city code section 21-51, entitled "Noise Nuisance Enumeration." subsection (1), to add said violation as a second paragraph "(B); placing joint enforcement responsibility in the Code Compliance Department, the Park Rangers, Airport Police, and the Police Department & amending Sec. 21-56 of City Code to so reflect; providing for severability of any court invalidated portion of this ordinance; and declaring an effective date.

Councilman Lyle Larson, Chairman of San Antonio Greater Crime Prevention Commission, explained details of the proposed ordinance.

Mr. Ray Hamilton, Neighborhood Task Force, spoke in favor of the proposed ordinance, stating boomboxes were a safety violation in public right of ways. Although more general ordinances exist, he felt that a specific ordinance is needed so that authorities could cite violations. He stated this was not an ethnic issue.

Mr. Lloyd Garza, City Attorney, spoke to the City Code Chapter 21, Article III, Section 21-51 through 21-67, as being general in context. Currently there are provisions for noise nuisance enforcement through police and through Code Compliance officers. An improvement would be to clarifications and to its enforceability.

In response to a question by the Mayor, Mr. Garza assured him the draft ordinance is available now, and they can have the final ordinance ready for presentation in two weeks.

Comments were received by the following citizens:

Mr. Gus Wieters, 9510 Hillsboro, Perrin Park Homeowners Association, spoke in favor of an ordinance to control boomboxes, stating the problems encountered by the general public.

Mr. Tom DeChant spoke of a need for a specific ordinance because sirens on emergency vehicles cannot be heard.

Mr. Larson called on Deputy Chief Al Phillipus, Uniform Division Commander, to explain the danger of boomboxes.

Mr. Larson made a motion to bring back in two weeks, a more specifically designed ordinance to replace the already general ordinance. The motion was seconded by Ms. Billa Burke.

In response to a question by Mr. Solis, Mr. Martin Rodriguez, Director of Code Compliance, stated that the Noise Nuisance Ordinance would enable motorists to be cited.

Mr. Solis stated that people can already be cited. He is concerned about selective enforcement if this type of ordinance should

be approved. Levels should be addressed; not the type of music. Mr. Solis is concerned about duplication, and suggested that perhaps the present existing ordinance could be enforced.

After consideration, the motion, to bring an ordinance to "A" Session in two weeks, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson, Wolff; NAYS: None; ABSENT: Thornton.

94-45 MEETING OF THE BOARD OF DIRECTORS OF THE
CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY (CSAIDA)

City Council recessed its regular meeting at 6:40 P.M., in order to convene a meeting of the Board of Directors of the City of San Antonio Industrial Development Authority (CSAIDA).

The meeting of the Board of Directors of CSAIDA was called to order by Mayor Wolff, President of the Board, with the following members present: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson, Wolff; ABSENT: Thornton.

The City Clerk read a proposed Board Resolution authorizing the CSAIDA to contribute \$25,000.00 to the City of San Antonio General Fund for FY 1993-94.

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

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

The meeting of the Board of Directors of CSAIDA was adjourned at 6:41 P.M.

94-45 MEETING OF THE BOARD OF DIRECTORS OF THE
CITY OF SAN ANTONIO HEALTH FACILITIES DEVELOPMENT
CORPORATION (CSAHFDC).

The meeting of the Board of Directors of the City of San Antonio Health Facilities Development Corporation (CSAHFDC) was called to order by Mayor Wolff, President of the Board, with the following members present: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson, Wolff; ABSENT: Thornton.

The City Clerk read a proposed Board Resolution pertaining to

authorizing the CSAHFDC to contribute \$25,000.00 to the City of San Antonio's General Fund for Annual Contribution for F Y 1993-94.

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

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

- - -
94-45 The regular meeting of the City Council reconvened at 6:43 P.M.
- - -

94-45 APPEAL OF MR. ROBERT A. LIESMAN ON BEHALF OF
MACINA, BOSE, COPELAND AND ASSOCIATES, INC.

Mr. David Pasley, Director of Planning, explained the appeal process provided for in the moratorium ordinance and the circumstances of this particular case.

Mr. Lloyd Garza, City Attorney, also explained the process of the appeal.

Mr. Peak explained that all streets and utilities are in place.

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

The Clerk read the following Ordinance:

AN ORDINANCE 80,817

WAIVING THE PROVISIONS OF THE AQUIFER RECHARGE ZONE MORATORIUM ORDINANCE TO ALLOW THE DEVELOPER OF INWOOD HOLLOW, UNITS 1 AND 2, TO FILE FOR REPLATTING OF THE PROPERTY.

* * * *

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

- - -
94-45 Council recessed the "A" Session at 7:45 P.M. and reconvened at

8:00 P.M.

94-15 DISCUSSION-WATER QUALITY AND EDWARD'S AQUIFER PROTECTION

The Mayor declared the issue open for discussion.

The following persons appeared to speak:

Ms. Margaret Kemp, a citizen, expressed concern with the water issue and stated that SB 1477 should be taken off the table.

Mr. Ray Hamilton, Chairperson, Northside Neighborhood Association, spoke of common areas of concern; i.e. Reuse Consumption. He then spoke to the Matrix presented by San Antonio Water Systems. He stated that the Legislature must act on SB 1477 since the City has no jurisdiction on this bill.

Mayor Wolff spoke to the work of several organizations who have brought forward their comments. He stated he was very appreciative of the detailed work and the good response. He stated major issues were delineated.

In response to Mayor Wolff, Mr. Joe Aceves, CEO, San Antonio Water Systems, submitted a detailed report and spoke to the Matrix developed by the SAWS board based on comments and statements of several organizations. He then spoke to the timeframe in relation to the proposed items.

Mayor Wolff suggested January would be a good time for a hearing on these items.

Councilmembers then discussed the Matrix in detail.

In response to a question by Mr. Peak, Mayor Wolff stated there would be some discussions with the Court and Court Monitor.

Mr. Peak made a motion to bring the outline back in one week. Ms. McLendon seconded the motion.

Mr. Ross stated the City needs a Task Force to resolve the issue quickly.

Mayor Wolff then announced that appointments to the SAWS Board will be considered in two weeks.

After consideration, the motion, to bring back the outline in one week, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Peak, Wolff; NAYS: None; ABSENT: Billa Burke, Thornton, Larson.

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,818

APPROVING THE 1995-1999 ONE AND FIVE YEAR SERVICE AND ASSESSMENT PLAN FOR THE DOWNTOWN IMPROVEMENT DISTRICT IN ACCORDANCE WITH REQUIREMENTS IN THE PUBLIC IMPROVEMENT DISTRICT ASSESSMENT ACT; AND LEVYING SUPPLEMENTAL ASSESSMENTS ON PROPERTIES IN THE DISTRICT THROUGH THE YEAR 2002 WITH A TAX RATE OF \$0.105816 PER \$100.00 VALUATION FOR THE 1995 FISCAL YEAR.

* * * *

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

Mr. Frank Perry, Assistant Director, Parks and Recreation, explained details of the proposed Ordinance, explaining it was amended as variables have indicated.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,819

AUTHORIZING PAYMENT OF \$70,033.00 TO THE DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR ADMINISTRATIVE SERVICES FOR THE EIGHT YEAR OF THE DISTRICT, AND \$2,750.00 AS THE DIRECT COSTS OF PUBLISHING, PRINTING, AND MAILING NOTICES REQUIRED IN UPDATING THE ONE AND FIVE YEAR SERVICE ASSESSMENT PLANS, PURSUANT TO THE EXISTING CONTRACT FOR MANAGEMENT SERVICES FOR THE SAN ANTONIO DOWNTOWN IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT.

* * * *

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

Mr. Frank Perry, Parks and Recreation Department, explained details of the Ordinance.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,820

ACCEPTING A \$1,400,000.00 GRANT FROM THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY TO AUGMENT THE SAN ANTONIO POLICE DEPARTMENT'S EFFORTS IN REDUCING AUTO THEFT.

* * * *

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

Captain Tyrone Powers, Fiscal Management and Research Section, San Antonio Police Department, explained the need for the grant from the Texas Automobile Theft Prevention Authority. He gave details regarding the targeted areas in San Antonio and surrounding areas.

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,821

AUTHORIZING PAYMENT OF THE JUDGEMENT OF CAUSE NO. 93-CI-03107, JAMES V. REINDERS V. CITY OF SAN ANTONIO; IN THE 37TH JUDICIAL DISTRICT; BEXAR COUNTY, TEXAS, IN THE AMOUNT OF \$83,471.00 PLUS PREJUDGMENT INTEREST OF \$23,551.00 FOR A TOTAL OF \$107,022.09, PLUS POST JUDGMENT INTEREST OF \$20.67 PER DIEM AND COURT COSTS.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained details of the Ordinance.

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

- - -
94-45 Item 34, being a proposed ordinance authorizing the settlement of the Property Claim of Martha Torres, Claim No. 73700000801-003, against the City of San Antonio in the amount of \$7,732.00, was pulled earlier by the City Manager.

- - -
94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,822

AUTHORIZING THE SETTLEMENT OF THE PROPERTY CLAIM OF TINA YOUNTS, CLAIM NO. 7300001524, AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$8,563.83.

* * * *

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

- - -
94-45 TRAVEL AUTHORIZATION - Granted:

Councilwoman Helen Ayala to travel to Washington, D. C. from October 1, 1994 to October 5, 1994, to travel with a delegation of civic and business leaders on the annual military appreciation trip to visit with Pentagon and Congressional lawmakers.

* * * *

94-45 TRAVEL AUTHORIZATION - Granted:

Councilman William E. Thornton to travel to Washington, D. C. from October 6, 1994 to October 9, 1994, to attend a FAIR Steering Committee meeting of the National League of Cities

* * * *

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,823

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 1 DISCRETIONARY FUNDS ACCOUNT TO COUNCILMAN ROGER A. PEREZ IN THE AMOUNT OF \$2,061.85 PR MONTH FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$16,494.80 FOR AN ADMINISTRATIVE SERVICE CONTRACT, AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTON BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN ROGER A. PEREZ.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,824

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 2 DISCRETIONARY FUNDS ACCOUNT TO COUNCILWOMAN RUTH JONES MCCLENDON IN THE AMOUNT OF \$1,700.00 PER MONTH FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$13,600.0 FOR AN ADMINISTRATIVE SERVICE CONTRACT; AUTHORIZING REIMBURSEMENT OF \$700.00 PER MONTH FOR EIGHT MONTHS FOR A TOTAL OF \$5,600.00 FOR RENTAL EXPENSES; AUTHORIZING REIMBURSEMENT OF \$115.00 PER MONTH FOR EIGHT MONTHS FOR A TOTAL OF \$920.00 FOR TELEPHONE EXPENSES; AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTION BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON.

* * * *

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

After consideration, the motion, carrying with it the passage

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,825

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 3 DISCRETIONARY FUNDS ACCOUNT TO COUNCILMEMBER LYNDA BILLA BURKE IN THE AMOUNT OF \$1,600.00 PER MONTH FROM OCTOBER 1, 1994 TO MAY 31, 1995, FOR A TOTAL OF \$12,800.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT, AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTION BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMEMBER LYNDA BILLA BURKE.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,826

AUTHORIZING REIMBURSEMENT TO COUNCILMAN HENRY AVILA, DISTRICT 4, IN THE AMOUNT OF \$1,500.00 FROM OCTOBER 1, 1994, TO OCTOBER 31, 1994, FOR A TOTAL OF \$1,500.00 FOR AN (FULL-TIME) ADMINISTRATIVE SERVICE CONTRACT AND \$728.00 MONTHLY FROM OCTOBER 1, 1994, TO MAY 31, 1995 FOR A TOTAL OF \$5,824.00 FOR AN (PART-TIME) ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 4 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,827

AUTHORIZING REIMBURSEMENT TO COUNCILMAN JUAN F. SOLIS, III, DISTRICT 5, IN THE AMOUNT OF \$1,550.00 MONTHLY FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$12,400.00 FOR AN (FULL-TIME) ADMINISTRATIVE SERVICE CONTRACT AND \$1,000.00 MONTHLY FROM OCTOBER 1, 1994, TO DECEMBER 31, 1994, FOR A TOTAL OF \$3,000.00 FOR AN (PART-TIME) ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 5 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR IMMEDIATE EFFECT UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,828

AUTHORIZING REIMBURSEMENT TO COUNCILWOMAN HELEN AYALA, DISTRICT 6, IN THE AMOUNT OF \$1,500.00 MONTHLY FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$12,000.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 6 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR IMMEDIATE EFFECT UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILWOMAN HELEN AYALA.

* * * *

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,829

AUTHORIZING REIMBURSEMENT TO COUNCILMAN BOB ROSS, DISTRICT 7, IN THE AMOUNT OF \$1,600.00 MONTHLY FROM OCTOBER 1, 1994, TO FEBRUARY 28, 1995, FOR A TOTAL OF \$8,000.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 7 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR IMMEDIATE EFFECT UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN BOB ROSS.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,830

AUTHORIZING REIMBURSEMENT TO COUNCILMAN WILLIAM E. THORNTON, DISTRICT 8, IN THE AMOUNT OF \$1,000.00 MONTHLY FROM OCTOBER 1, 1994, TO DECEMBER 31, 1994, FOR A TOTAL OF \$3,000.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT; AND OFFICE RENTAL FEE OF \$160.00 PER MONTH FOR EIGHT MONTHS, FOR A TOTAL OF \$1,280.00 FROM THE DISTRICT 8 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR IMMEDIATE EFFECT UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN WILLIAM E. THORNTON.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,831

AUTHORIZING REIMBURSEMENT TO COUNCILMAN HOWARD PEAK, DISTRICT 9, IN THE AMOUNT OF \$200.00 WEEKLY FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL AMOUNT NOT TO EXCEED \$6,920.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT, AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTION BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN HOWARD PEAK.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,832

AUTHORIZING REIMBURSEMENT TO COUNCILMAN LYLE LARSON, DISTRICT 10, IN THE AMOUNT OF \$1,350.00 MONTHLY FROM OCTOBER 1, 1994, TO MAY 31, 1995, FOR A TOTAL OF \$10,800.00 FOR AN ADMINISTRATIVE SERVICE CONTRACT; OFFICE RENTAL FEE OF \$390.00 PER MONTH FOR EIGHT MONTHS, FOR A TOTAL OF \$3,120.00; UTILITIES OF \$50.00 PER MONTH FOR EIGHT MONTHS, FOR A TOTAL OF \$400.00; AND TELEPHONE EXPENSES OF \$50.00 PER MONTH FOR EIGHT MONTHS, FOR A TOTAL OF \$400.00 FROM THE DISTRICT 10 DISCRETIONARY FUNDS ACCOUNT; AND PROVIDING FOR IMMEDIATE EFFECT UPON ADOPTION BY EIGHT AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN

LYLE LARSON.

* * * *

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

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

94-45 The Clerk read the following Ordinance:

AN ORDINANCE 80,833

AUTHORIZING THE TEMPORARY CLOSURE OF LA CANTERA PARKWAY, BETWEEN FIESTA TEXAS DRIVE AND A POINT 1.5 MILES WEST OF FIESTA TEXAS DRIVE, FROM 8:30 A.M. TO NOON ON SUNDAY, OCTOBER 2, 1994, SO THAT THE AMERICAN DIABETES ASSOCIATION CAN HOLD ITS PARADE/RUN FUNDRAISER.

* * * *

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

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

94-45 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Washington, D. C. from September 21, 1994 to September 21, 1994, to attend meetings with appointed and elected officials, regarding City projects requiring Federal Assistance.

* * * *

94-45 TRAVEL AUTHORIZATION - Granted:

Councilman Roger A. Perez to travel to El Salvador: Texistepeque, Tecoluca and Santa Elena, from September 24, 1994 to October 1, 1994, to attend Local Governance Program in El Salvador for

the National Democratic Institute.

* * * *

94-45 TRAVEL AUTHORIZATION - Granted:

Councilman William E. Thornton to travel to Austin, Texas, from September 26, 1994 to September 26, 1994, to attend a meeting of the Texas Municipal League Budget and Audit Committee.

* * * *

94-45

CITIZENS TO BE HEARD

CLINTON VITOUSEK

Mr. Clinton Vitousek spoke to an appeal to the City Council regarding the denial of his Electrician License by the Electrician Supervisory Board.

Mr. Gene Camargo, Director, Building Inspections, stated that the appeal is to be heard by the City Council at an upcoming Council meeting, at which time a determination will be made.

Mr. Peak stated he will follow up on Mr. Vitousek's questions and asked Mr. Vitousek to provide any documents necessary.

* * * *

RAY TORRES, ESO

Mr. Ray Torres, President, J. R. Associates, P.C., Founder of Starving Children's Foundation, spoke to the City Council with concern of the gang violence in San Antonio, especially with the 12-14 year age group. He spoke of the mortality rate and made several suggestions relative to his concerns.

* * * *

BILL STEPHENS

Mr. Bill Stephens, Taxi Driver, spoke about another cab driver being found dead and expressed concern about the lack of emergency equipment required in the cabs. He asked that City Council review these requirements.

* * * *

KAY TURNER

Ms. Kay Turner, expressed concern about appointments proposed for SAWS Board of Trustees, and objected to a handful of people dictating to the City Council. She spoke to Senate Bill 1477, and urged

the appointment of Kirk Patterson to the SAWS Board of Trustees. She asked the City Council to consider abandoning Senate Bill 1477.

* * * *

94-45 City Council recessed its regular meeting at 9:20 P.M. in order to convene in Executive Session to discuss the status of pending litigation in the matter of Settlement of Mary Helen Alderete vs. City of San Antonio, et al; and on Settlement of billboard business' claims against the City of San Antonio.

94-45 Mayor Wolff reconvened the "A" Session at 9:34 P.M. and announced that the City Council had been briefed on the above mentioned cases, but had not taken official action.

94-45 There being no further business to come before the Council, the meeting was adjourned at 9:35 P.M.

A P P R O V E D

Nelson W. Wolff
M A Y O R

Attest: *Arma S. Rodriguez*
C i t y C l e r k

September 22, 1994

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

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

September 07, 1994

Petition submitted by Ms. Marcie Brock, Neighborhood Watch Association, 411 Early Trail, San Antonio, Texas 78228, on behalf of area residents requesting various street, drainage and other improvements on the 300-400 blocks of Early Trail, 100-200 blocks of Oakwood, 100-200 blocks of Broadview, 4000 block of Rimrock, 100 block of Holman Dr. and 1600 block of W. Sunshine Drive as outlined in their letter.

/s/ Norma S. Rodriguez
City Clerk