

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY FEBRUARY 10, 1994.

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94-07 The City Council convened in an informal "B" Session at 10:00 A.M., City Hall, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF.

- A) Downtown Transportation Partnership Program.
- B) Board/Commission Work Session.
- C) Eastside San Antonio Community Revitalization Agency Report

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94-07 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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94-07 Invocation - Reverend Stan Wright, Alamo Heights Christian Church.

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94-07 Pledge of Allegiance to the flag of the United States.

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94-07 Minutes of the January 20, 1994 Regular City Council Meeting were approved.

94-07 CERTIFICATE OF COMMENDATION

Mayor Wolff recognized Oscar Gonzalez, from the group, Oscar G. Y Grupo Sol, for the time he has given of his talent and time to help community organizations in the San Antonio area, and presented him with a Certificate of Commendation.

Mr. Gonzalez thanked different Council members for their help and for the recognition.

Mayor Wolff spoke of plans in the works for a CD to be made up of local talent for the Council to present to visitors as a special gift from the City.

Councilmembers congratulated Mr. Gonzalez, not only for his talents as a teacher, but also for working with our youth.

Mr. Avila spoke of his involvement and sacrifice to our community.

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94-07

MR. GUARACY MINGARDI, BRAZIL

Mr. Guaracy Mingardi, from the University of Sao Paulo, Brazil, through United States escort interpreter, Mr. Louis V. Riggio, explained he was in San Antonio to meet with members of the San Antonio Police Department to discuss programs aimed at improving community relations between Police and citizens.

Councilwoman McClendon invited him to visit the Eastside sub-station where they are implementing two programs; 1) COP Program, and 2) Trail the Minister Program.

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94-07

RECOGNITION OF MARC RODRIGUEZ

Mr. Marc Rodriguez, Intergovernmental Officer, was congratulated by the City Council on his new job outside City government, and recognized for his dedication in his work with the City of San Antonio.

Mayor Wolff and Councilwoman Ayala presented Mr. Rodriguez with a plaque and thanked him for his hard work.

City Manager Alexander Briseno stated the City was fortunate to get Marc back about three years ago.

Councilmembers spoke of the manner in which Mr. Rodriguez had negotiated various City/County contracts and his work in the legislature on many important pieces of legislation.

Mr. Rodriguez then recognized Veronica Zertuche, Assistant City Attorney, for her many hours of help with his projects.

94-07 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 7 through 32b, constituting the Consent Agenda, with Item 10 being pulled for individual consideration. Mr. Solis seconded the motion.

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

AN ORDINANCE 79,559

ACCEPTING THE LOW BID OF OUBRE DISTRIBUTING IN THE AMOUNT OF \$8,316.00 TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT SOIL AMENDMENT FOR CEDAR CREEK GOLF COURSE PUTTING GREENS.

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AN ORDINANCE 79,560

ACCEPTING THE LOW QUALIFIED BIDS OF O. M. SCOTT & SONS COMPANY, BWI SCHULENBURG, WILBUR ELLIS COMPANY, SOUTHERN DIVISION, AND LESCO, INC. FOR A TOTAL AMOUNT OF \$34,219.19 TO PROVIDE THE CITY OF SAN ANTONIO WITH HERBICIDES FOR THE CITY'S GOLF COURSES.

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AN ORDINANCE 79,561

RATIFYING THE ACTION OF CITY STAFF IN OBTAINING THE SERVICES OF FLO-AIRE, INC. FOR EMERGENCY REPLACEMENT OF TWO HEATING AND AIR CONDITIONING UNITS AT THE GARZA RECREATION CENTER FOR A TOTAL OF \$18,591.00.

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AN ORDINANCE 79,562

ACCEPTING THE LOW BID OF ACME SECURITY SERVICE, INC. IN THE AMOUNT OF \$2,945.00 MONTHLY TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH SECURITY SERVICE AT THE DWYER AVENUE CENTER ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 79,563

ACCEPTING THE LOW QUALIFIED BID OF NATIONAL GUARDIAN SECURITY IN THE AMOUNT OF \$12,620.00 TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A SECURITY SYSTEM FOR THE GROWDEN ROAD VEHICLE STORAGE FACILITY.

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AN ORDINANCE 79,564

ACCEPTING THE LOW BIDS OF ATHERTON MACHINERY COMPANY, INC., LTD., HOLT COMPANY OF TEXAS, AND WAUKESHA-PEARCE INDUSTRIES, INC. IN THE TOTAL AMOUNT OF \$686,787.00 TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH HEAVY EQUIPMENT; AND AUTHORIZING THE SALE OF CERTAIN HEAVY EQUIPMENT TO BRYCE BRITSCH FOR \$7,250.00.

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AN ORDINANCE 79,565

ACCEPTING THE LOW QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY AND SOUTHWEST GOLF CAR FOR A TOTAL AMOUNT OF \$128,015.00 TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH UTILITY VEHICLES.

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AN ORDINANCE 79,566

ACCEPTING THE QUALIFIED BID OF ALAMO FORD NEW HOLLAND, INC. IN THE AMOUNT OF \$198,745.22 TO PROVIDE THE CITY OF SAN ANTONIO WITH MOWING EQUIPMENT FOR USE BY THE PUBLIC WORKS AND PARKS AND RECREATION DEPARTMENTS.

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AN ORDINANCE 79,567

RATIFYING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$3,330.00 PAYABLE TO KLECK ENVIRONMENTAL CONTRACTORS, INC. FOR ADDITIONAL WORK REQUIRED IN CONNECTION WITH THE DORIE MILLER CENTER DEMOLITION IMPROVEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT.

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AN ORDINANCE 79,568

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$47,090.63 WITH JAVCO FOR THE PAVING OF CONCRETE CART PATHS AT FOUR (4) MUNICIPAL GOLF COURSES; AUTHORIZING \$5,000.00 FOR CONSTRUCTION CONTINGENCIES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,569

SELECTING LLOYD WALKER JARY & ASSOCIATES, INC. TO DESIGN PLANS FOR THE COPERNICUS PARK IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; DIRECTING STAFF TO NEGOTIATE AND EXECUTE A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$12,000.00; REVISING THE PROJECT BUDGET; AUTHORIZING \$1,200.00 FOR ARCHITECTURAL CONTINGENCIES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,570

AUTHORIZING AN ADDITIONAL PAYMENT OF \$6,659.58 TO JPR, INC., FOR ENGINEERING SERVICES RELATED TO SEVEN (7) FIELD ALTERATIONS IN CONNECTION WITH THE WHITEWOOD FROM MEDINA BASE ROAD TO S. W. MILITARY RECONSTRUCTION PROJECT.

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AN ORDINANCE 79,571

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$42,017.53 WITH V. K. KNOWLTON PAVING CONTRACTOR, INC., IN CONNECTION WITH THE VIA BUS ROUTE IMPROVEMENT PROJECT.

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AN ORDINANCE 79,572

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$97,581.80 WITH V. K. KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH THE VIA BUS ROUTE IMPROVEMENTS PROJECT.

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AN ORDINANCE 79,573

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE WITH CONQUEST AIRLINES CORPORATION FOR SPACE IN TERMINAL 2 AT THE SAN ANTONIO INTERNATIONAL AIRPORT BY RELOCATING AND INCREASING THE LEASED AREA TO 319 SQUARE FEET AND INCREASING THE MONTHLY RENTAL TO \$1,032.23.

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AN ORDINANCE 79,574

AUTHORIZING THE AMENDMENT OF AGREEMENT WITH AIRPORT EXCHANGE, INC. WHICH WILL APPROVE AND RATIFY THE RELOCATION OF THE CURRENCY EXCHANGE ASSIGNED AREA IN TERMINAL 2 AT THE SAN ANTONIO INTERNATIONAL AIRPORT, SUCH RELOCATION BEING NECESSARY FOR THE DEVELOPMENT OF A TERMINAL 2 INTERNATIONAL COMMUTER WING.

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AN ORDINANCE 79,575

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FOR A LICENSE FEE OF \$2,500.00 FROM THE CITY OF SAN ANTONIO TO WASTE MANAGEMENT OF NORTH AMERICA, INC., TO ERECT A SIGN DIRECTING THE PUBLIC TO THE NEW COVEL GARDENS LANDFILL.

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AN ORDINANCE 79,576

CLOSING , VACATING AND ABANDONING PARKRIDGE DRIVE FROM WESTERN AVENUE ON THE WEST TO U. S. HIGHWAY 281 ON THE EAST AND WESTERN AVENUE FROM LOOP 410 ON THE NORTH TO A SOUTHERN TERMINUS FORMED BY A WESTWARD EXTENSION OF THE SOUTH LINE OF LOT 22, BLOCK 6-A, NEW CITY BLOCK 11959, AND AUTHORIZING THE QUITCLAIMING OF SUCH VACATED STREET RIGHTS OF WAY TO OWNERS OF PROPERTIES ABUTTING THEREON.

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AN ORDINANCE 79,577

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,496.25 FOR TITLE SERVICES ON THE BABCOCK ROAD PROJECT - NORTH AND SOUTH OF HUEBNER ROAD, BABCOCK ROAD PROJECT - HUEBNER ROAD TO HAMILTON WOLFE, SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II, RITTIMAN ROAD RECONSTRUCTION PROJECT - I.H. 35 TO RITTIMAN PLAZA

AND CASTROVILLE ROAD RECONSTRUCTION PROJECT -
GENERAL MCMULLEN TO ACME ROAD; AND A PROCESSING FEE
FOR SOUTH FLORES STREET DRAINAGE #70-70A, PHASE II;
AND APPROPRIATING FUNDS.

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AN ORDINANCE 79,578

AUTHORIZING THE EXPENDITURE OF THE SUM OF UP TO
\$43,400.00 OUT OF CERTIFICATES OF OBLIGATION;
ACQUIRING TITLE TO LOT 19, BLOCK 6, NCB 8572, BEXAR
COUNTY, TEXAS, PAYING FOR APPRAISAL SERVICES AND
ESTABLISHING A FUND FOR RELOCATION COSTS AND TITLE
SETTLEMENT CHARGES FOR THE LADDIE PLACE PROJECT.

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AN ORDINANCE 79,579

APPROVING A 25-YEAR LICENSE AGREEMENT BETWEEN THE
CITY OF SAN ANTONIO AND MCCOMBS ENTRPRISES, INC. TO
INSTALL AN UNDERGROUND DATA COMMUNICATIONS LINE
UNDER AND ACROSS PUBLIC RIGHT-OF-WAY, SPECIFICALLY
MOCKINGBIRD ROAD (BETWEEN I.H. 10 AND GREATVIEW
DRIVE), FOR A TOTAL LICENSE FEE OF \$2,500.00.

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AN ORDINANCE 79,580

AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES
CONTRACTS IN CONNECTION WITH THE CHILD ABUSE
COUNSELING AND CASE MANAGEMENT PROGRAM WITH DR.
JOSUE GONZALS IN THE AMOUNT OF \$4,675.00 AND DR.
RICHARD CHAPPELL IN THE AMOUNT OF \$6,885.00 TO
PROVIDE CLINICAL SUPERVISION AND CONSULTING SERVICES
AND WITH MARCIA E. NILSON-BLAKE IN THE AMOUNT OF
\$7,020.00 TO PROVIDE DIRECT GROUP THERAPY; AND
AMENDING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 79,581

RATIFYING AND CONFIRMING ALL ACTION TAKEN BY THE
CITY STAFF IN CONNECTION WITH THE ADVERTORIAL ON SAN
ANTONIO IN WORLD TRADE MAGAZINE, DECEMBER 1993 ISSUE
IN THE AMOUNT OF \$17,144.50; AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 79,582

ACCEPTING THE NEGOTIATED PROPOSAL OF AMDAHL CORPORATION TO MODIFY EXISTING CONTRACT TO FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH REPLACEMENT OF THE CITY'S HOST PROCESSOR, DATED AUGUST 31, 1992, APPROVED BY ORDINANCE 75933, DATED JUNE 11, 1992, BY SUBSTITUTING UPGRADES TO ONE AMDAHL DISK CONTROL UNIT, ADDING FOUR CHANNEL ADAPTERS, AND INSTALLATION OF ONE AMDAHL 6390-A34 DASD UNIT, IN LIEU OF PROVIDING THE DYNAMIC RECONFIGURATION MANAGER (DRM) FUNCTION.

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AN ORDINANCE 79,583

APPOINTING CLARA DE LA GARZA-ERNST (DISTRICT 6) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 1996.

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AN ORDINANCE 79,584

APPOINTING KEITH MIRRER (DISTRICT 8) TO THE SAN ANTONIO CENTRO 21 TASK FORCE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1995.

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94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,585

ACCEPTING THE LOW QUALIFIED BID OF SOUTHWEST GOLF CAR IN THE AMOUNT OF \$382,838.00 TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH GASOLINE AND ELECTRIC GOLF CARS FOR THE CITY'S GOLF COURSE OPERATIONS.

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Mr. Archie Titzman, Director of Purchasing and General Services Department, presented details of the bids submitted for this contract.

The following persons then appeared to speak:

Mr. Billy Claggett, E-Z-GO Golf Cars, stated why his company

met all specifications.

Mr. Stephen Hendrix, Performance Sales, Yamaha Golf, presented a handout to the Mayor and City Council, and explained why his company merits award of the bid.

In response to a question by Mr. Larson, Mr. Archie Titzman, explained details of the Ordinance, and stated if the specifications were changed to reduce the dimensions of the golf cars, it would not be to the City's advantage.

In response to a question by Ms. Ayala, Mr. Titzman spoke to what is most environmentally safe, and stated they are purchasing electronic golf cars in order to protect the environment.

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

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,586

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH STAR SHUTTLE-GTI-SAN ANTONIO AIRPORT SHUTTLE JOINT VENTURE FOR THE AIRPORT SHUTTLE SERVICE CONCESSION AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A FIVE YEAR TERM AND FOR PAYMENT OF THE GREATER OF 10% OF GROSS REVENUE GENERATED THEREUNDER OR A MINIMUM ANNUAL GUARANTEE OF \$50,000.

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(Mr. Solis left the meeting at this time so as not to participate in the discussion and would be abstaining from the vote.)

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

Mr. Michael Kutchins, Director of Aviation, presented details of the Ordinance.

In response to questions by Mr. Larson, Mr. Kutchins explained reasons for differences in revenues generated in 1989 of

\$116,000, in 1992 of \$79,500, and in 1993 of \$82,000. In addition, Mr. Kutchins stated that the City has not had the complaints experienced with the last providers.

In answer to Mr. Peak's questions, Mr. Kutchins verified the cost was \$250.00 per month, per location, which was an additional \$1,000.00 per month.

Mr. Ross stated he would abstain from the vote as well.

Ms. Ayala stated she will vote in favor of this Ordinance, and the the Star Shuttle has shown a lot of dedication in their performance.

Mr. Jon Walker, President, Star Shuttle, explained details of maintenance, stated they are considering alternative fuels to protect the environment.

In response to questions by Mr. Thornton, Mr. Roger Perez, Chairman of City Council Transportation Committee, explained key details of this ordinance.

In response to questions by Mr. Avila, Mr. Perez spoke to the driving record of this company for the last two years.

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

94-07

ARGENTINA UNIVERSITY STUDENTS

Mayor Wolff read a welcome address in Spanish to a delegation of University students from Argentina. Their visit to Texas was coordinated by the LBJ School of Public Affairs Austin and the San Antonio Council for International Visitors.

Mayor Wolff spoke of the NAFTA Agreement and the fact that there are many connections to Mexico today. He expressed the hope that other cities will follow in this multi-culture heritage.

A representative of the Argentina students thanked the Mayor and Council for receiving them and that over 1,000 young people applied for this trip.

Mayor Wolff had the guests come forward and introduce themselves, and presented each with a San Antonio pin.

94-07

ZONING HEARINGS

4A. CASE Z94020 - the rezoning and reclassification of Lots 3 and 4, Block 1, NCB 16631; Lots 5, 6 and 7, Block 2, NCB 16632; Lots 5, 6 and 7, Block 3, NCB 16633 and Lot 4, Block 4, NCB 16634 Roadrunner Way, Playground Street and The Drag, located between UTSA Boulevard, Hausman Road and Buckthorn Parkway, from "R-3" Multiple Family Residence District, and "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District to "B-2" Business District and "B-2" ERZD Business Edwards Recharge Zone 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.

(At this time Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

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

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

AN ORDINANCE 79,587

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 3 AND 4, BLOCK 1, NCB 16631; LOTS 5, 6 AND 7, BLOCK 2, NCB 16632; LOTS 5, 6 AND 7, BLOCK 3, NCB 16633 AND LOT 4, BLOCK 4, NCB 16634, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT AND "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" BUSINESS DISTRICT AND "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE Z93226 - to rezone 20 acres out of NCB 14862, 6200 and 6300 Blocks of Prue Road, from "R-3" Multiple Family Residence District to "P-1(R-3)" Planned Unit Development Multiple Family Residence District, located on the northside of Prue Road, 1,140 feet east of the intersection of Babcock Road and Prue Road, having 908 feet on Prue Road and a depth of 949 feet.

The Zoning Commission has recommended that this request of

change of zone be approved by the City Council.

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

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

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

AN ORDINANCE 79,588

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND ZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 20 ACRES OUT OF NCB 14862, 6200 AND 6300 BLOCKS OF PRUE ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "P-1(R-3)" PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z94021 - to rezone Lot 1, Block 1, NCB 14614, 10402 Bandera Road, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District, located northwest of the intersection of Bandera Road and Prue Road, having 119.65 feet on Bandera Road and 134.99 feet on Prue 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 rezoning request.

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

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

AN ORDINANCE 79,589

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 1, NCB 14614, 10402 BANDERA ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE Z93156 - to rezone 7.04 acres out of Lot 1, NCB 13826, Central Parkway North, from "B-3R" Restrictive Business District to "B-2" Business District, as listed in the Field notes.

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 rezoning request.

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

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

AN ORDINANCE 79,590

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 7.04 ACRES OUT OF LOT 1, NCB 13826, CENTRAL PARKWAY NORTH, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, AS PER FIELD NOTES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE Z93333 - to rezone Lot 9, Block 84, NCB 7219, 906 Alamos, from "B" Residence District to "B-2" Business District, located 50 feet west of the intersection of Alamos Street and Blanco Road, having 50 feet on Alamos Street and 140 feet on Blanco 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 details of the

Ordinance.

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

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

AN ORDINANCE 79,591

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 9, BLOCK 84, NCB 7219, 906 ALAMETOS, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE Z94010 - to rezone Lots A, B, C, and D, NCB 2739, 602 and 604 Labor Street, from "R-5" Single Family Residence District to "B-2" Business District, located southeast of the intersection of Labor Street and Leigh Street, having 78.55 feet on Labor Street and 215 feet on Leigh Street.

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

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

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

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

AN ORDINANCE 79,592

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 A, B, C, AND D, NCB 2739, 602 AND 604 LABOR STREET, FROM "R-5" SINGLE FAMILY

RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4G. CASE Z94013 - to rezone Lot 68, Block 3, NCB 11260, 7314 New Laredo Highway, from "B" Residence District to "B-3NA" Non Alcoholic Sales Business District, located on the southeast side of New Laredo Highway, being 280 feet southwest of the intersection of Briggs Avenue and New Laredo Highway, having 70 feet on New Laredo Highway and a depth of 210 feet.

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

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

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

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

AN ORDINANCE 79,593

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 68, BLOCK 3, NCB 11260, 7314 NEW LAREDO HIGHWAY, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE Z94014 - to rezone 5.351 acres out of NCB 15007, Mainland Road, from "R-1" Single Family Residence District to "B-3" Business District, and to rezone 31.367 acres out of NCB 15007, Mainland Road, from "R-1" Single Family Residence District to "R-7" Small Lot Home District, located on the south side of Mainland Road, 1055.95 feet southwest of the intersection of Montego Road and Mainland Road, having 942.82 feet on Mainland Road and a depth of 435.22 feet; the "R-1" portion being immediately south and having a width of 1,493.36 feet and depth of 1,166.20 feet.

The Zoning Commission has recommended that this request of

change of zone be approved by the City Council.

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

In response to a question by Mr. Ross, the applicant explained why "B-3" was being requested.

After discussion, Mr. Ross made a motion to deny the recommendation of the Zoning Commission, and, instead, to approve the 5.351 acres out of NCB 15007, as "B-3NA" Non Alcoholic Sales Business District. Mr. Perez seconded the motion.

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

AN ORDINANCE 79,594

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 5.351 ACRES OUT OF NCB 15007, MAINLAND ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT, AND TO REZONE 31.367 ACRES OUT OF NCB 15007, MAINLAND ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE Z94015 - to rezone Lot 2 and the east irregular 126.33 feet of Lot 1, NCB 8989, Old U. S. Highway 90 West and S.W. 39th Street, from "B-3R" Restrictive Business District to "B-3NA" Non Alcoholic Sales Business District, located northeast of the intersection of Old U. S. Highway 90 West and S. W. 39th Street, having 391.2 feet on Old U. S. Highway 90 West and a depth of 333.4 feet.

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

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

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

After consideration, the motion, carrying with it the passage

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

AN ORDINANCE 79,595

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 2 AND THE EAST IRREGULAR 126.33 FEET OF LOT 1, NCB 8989, OLD U. S. HIGHWAY 90 WEST AND S.W. 39TH STREET, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4J. CASE Z94016 - to rezone 3.813 acres out of NCB 8267, NCB 8536 and NCB 8537, 4200 Block of West Commerce Street, from "J" Commercial District to "B-3NA" Non Alcoholic Sales Business District, located on the northside of West Commerce Street, 435.9 feet east of the intersection of West Commerce Street and Matyear, having 179.64 feet on West Commerce Street and a depth of 886.16 feet.

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

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

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

In answer to a question by Mr. Peak, Mr. Guerrero stated the zoning changes are to update the area as this is City-owned property.

Ms. Aurora Garza, Real Estate Supervisor, Asset Management, explained the reappraisal process, and going out for bid on the properties.

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

AN ORDINANCE 79,596

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 3.813 ACRES OUT OF NCB 8267, NCB 8536 AND NCB 8537, 4200 BLOCK OF WEST COMMERCE STREET, FROM "J" COMMERCIAL DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT, "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4K. CASE Z94017 - to rezone Lots 10 thru 16, Block 7, NCB 3139, I.H. 35 Expressway and Tilden, from "C" Apartment District to "B-3NA" Non Alcoholic Sales Business District located between I.H. 35 Expressway, Panam Highway North and Tilden Street, having 356.09 feet on I.H. 35 Expressway, 350 feet on Panam Highway North and 118.35 feet on Tilden Street.

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

Mr. Andy Guerrero, Senior Planner, explained details of the Ordinance.

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

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

AN ORDINANCE 79,597

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 THRU 16, BLOCK 7, NCB 3139, I.H. 35 EXPRESSWAY AND TILDEN, FROM "C" APARTMENT DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,598

DESIGNATING THE TEXAS RESEARCH AND TECHNOLOGY FOUNDATION INDUSTRIAL DISTRICT WITH FIRE PROTECTION

SERVICES FOR AN ADDITIONAL FIVE YEARS ENDING FEBRUARY 4, 1999; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INDUSTRIAL DISTRICT NON-ANNEXATION RENEWAL AGREEMENT AND A FIRE PROTECTION SERVICES AGREEMENT.

* * * *

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

Mr. Clinton Bolden, Director of Economic and Employment Development, explained details of the Ordinance.

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

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,599

ACCEPTING THE PROPOSAL OF DEBRA J. DOCKERY, ARCHITECT, P.C., FOR THE PROVISION OF CERTAIN ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE BERTHA ALMAGUER CENTER IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$6,900.00; REVISING THE PROJECT BUDGET; AUTHORIZING \$690.00 FOR ARCHITECTURAL CONTINGENCIES; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Ron Darner, Director, Parks and Recreation, explained details of the Ordinance.

Mr. Ross remarked that the City monies are being augmented through fund raisers and personal commitment.

After consideration, the motion, carrying with it the passage

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,600

JOINING WITH OTHER TEXAS LOCAL GOVERNMENTS IN A CLASS ACTION LAWSUIT FOR MONETARY DAMAGES FROM MANUFACTURERS OF ASBESTOS CONTAINING BUILDING MATERIALS UTILIZED IN PUBLIC BUILDINGS, AND ENGAGING THE LAW OFFICE OF MARTIN DIES TO REPRESENT THE CITY IN THIS ACTION.

* * * *

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

Mr. Tom Finlay, City Attorney, explained the lawsuit.

In response to a question by Mr. Larson, Mr. Finlay stated that other cities are also joining in on this Class Action law suit.

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

94-07 At this time, Mayor Wolff, on a Point of Personal Privilege, introduced his son-in-law, Del Starbeck, granddaughter, Taylor, and daughter, Lenny.

94-07 Mayor Wolff announced that Items 37 - 40 would be taken up at 4:00 P.M.

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,601

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 91-CI-15202 STYLED JANIE C. SERRANO VS. THE CITY OF SAN

ANTONIO IN THE TOTAL AMOUNT OF \$50,000.00 PLUS COURT COSTS.

* * * *

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

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

(At this time, Mayor Wolff was obliged to leave the meeting and Mayor Pro Tem Billa Burke presided.)

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

94-07 The Clerk read the following Resolution:

A RESOLUTION NO. 94-07-07

IN SUPPORT OF THE TEXAS DEPARTMENT OF TRANSPORTATIONS PROJECT TO CONSTRUCT A FULLY-DIRECTIONAL FOUR-LEVEL INTERCHANGE AT INTERSTATE HIGHWAY 410 NORTH AND U. S. 281.

* * * *

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

Mr. David Pasley, Director of Planning, explained that this Resolution is intended to show continued support for improvements made by the Texas Department of Transportation. Mr. Peak will attend next week's Public Hearing and present the Resolution.

In response to a question by Mr. Larson, Mr. Peak stated the time frame is staged to the year 2000, with the first phase of construction to be an Interchange at IH 410 and U.S. 281, in the vicinity of the San Antonio International Airport.

Ms. Ayala stated the importance of this project to San Antonio.

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

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

94-07 The Clerk read a proposed ordinance declaring a sixty (60) day moratorium on the lease of City-owned facilities for gun shows while the City formulates a policy concerning the use of its property for such purposes; and declaring an emergency.

Mr. Ross made a motion to approve the proposed ordinance. Ms. McClendon seconded the motion.

Ms. Paula Dlugosz, Assistant City Attorney, explained details of the proposed ordinance.

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

The following persons appeared to speak:

Mr. Tom Beno, 3519 Oakhorne, spoke of restricting freedom by eliminating gun shows.

Mr. Mike Morris, 1100 Crestway, stated that Congressman Frank Tejeda does not support a moratorium. Shows are carefully monitored and no one under 18 years of age can get in without a parent. He spoke of the economic impact to the City as a result of gun shows.

Mr. Larry Tatom, National Rifle Association, South Texas Field Representative, stated the judicial system is lacking, and a Crime Program is needed. He also stated that stolen and bartered-for guns are normally what is used in killings, not legal weapons, as sold in gun shows.

Mr. George Mandry, Jr., 8901 Timber Elm, expressed distress at City Council taking away these rights. He stated over 22,000 gun laws have been passed since 1962, and that the system is letting criminals back out on the streets.

Mr. Cliff Lindsay, Prayers For America, spoke of the ACLU's actions in this matter.

Mr. W. B. English, 2815 Lake Meadow, stated that "old fashioned law and order," is needed.

* * * *

Mayor Wolff thanked the persons in the audience for being here today. He spoke of Congress changing the laws in 1986 and allowing easy access to guns. He reported 177 guns were used in murders in San

Antonio last year. Twelve San Antonio citizens were shot with assault weapons, 70 were killed by drive-by shootings, 18 were felled with shotguns, 20 with revolvers, and 1 with a hunting rifle.

Mayor Wolff recognized National Rifle Association as having a good name, however, people have been caught outside gun shows giving out guns they bought inside gun shows. Congress will look at local manufacturers that produce cheap guns.

Mr. Larson spoke of the need to have the National Rifle Association (NRA) and staff sit together. He stated he had a serious problem with assault weapons. He suggested the gun show people pay for police officers to monitor the show. We need photo ID's, and need registration lists to San Antonio Police Department.

Captain Kevin Sandoval spoke of drive-bys and innocent people being hurt. He also stated that the Violent Crime Section of SAPD has been tracking assault weapons and where they are coming from. Eighteen and nineteen-year old gang members buy guns at gun shows and also at flea markets.

Mayor Wolff firmly stated more control is needed.

Captain Sandoval agreed that more visibility of police at gun shows would be a possible detriment to sale of guns to gang members and other youths.

Mr. Larson emphasized they want to work out a policy amiable to all.

Mr. Avila expressed concern on the need for monitoring of gun shows.

Mr. Larry Tatom responded that the Brady Law goes into effect the 28th of February.

Captain Sandoval again spoke to the fact that a handgun can only kill one target; but assault weapons kill many innocents. He emphasized the importance of having purchasers fill out an Alcohol, Tobacco, Firearms (ATF) program so they can track them.

Mr. Mike Morris, TWCA Gun Shows, offered to set an age limit at future TWCA Gun shows. He stated they do exactly what the Task Force asks them to do at the shows.

Mr. Ross stated that there is agreement that something has to be done, and that we need to work together in the next 60 days and set an example. The National Rifle Association (NRA), Gun Show organizations, the Council and City must work together.

Ms. Billa Burke stated she supports hunting, but not Oozies and AK47's.

Several Council members again spoke of the need for regulation of gun shows.

In response to a question by Mr. Peak, Ms. Paula Dlugosz outlined a proposed policy which would have the following items;

- 1) Have only licensed dealers in gun shows.
- 2) No ammunition to be sold at gun shows.
- 3) Have plain clothes police mingling.
- 4) Have extra police protection paid for by promoters.

It was also suggested that the insurance be raised and require that firing pins be removed from guns.

Mr. Peak made a substitute motion to direct City staff to not book any additional gun shows in City Facilities until the City adopts a City policy on gun shows in City facilities, or until April 11, 1994, whichever comes first. The motion was seconded by Mr. Larson.

(At this time, Mayor Wolff was obliged to leave the meeting. Mr. Larson presided.)

Mr. Larson stated his support of Mr. Peak's substitute motion, stating the City is void of policies on gun shows, and he is opposed to assault-type weapons being sold within the City limits. He urged more forcible regulations of flea markets also, since 170 out of 220 deaths last year were caused by gunshots.

Mr. Perez spoke in support of the substitute motion, again delineating the Brady Bill effective 2-28-94.

Mr. Eddie Garcia, Director of the Convention Center Facilities, stated that the gun shows held in the Convention Center have only licensed vendors.

Mr. Tatom again appeared to speak about the Brady Bill.

Mr. Morris explained that handguns will not be delivered at the gun show when purchased. Instead, the purchased guns will be delivered to a licensed storefront to be held for five days while information on the purchaser is being verified. At the end of five days the gun can then be picked up by purchaser.

Mr. Perez spoke of the number of purchases of deer rifles compared to AK47's and assault weapons.

After consideration, the substitute motion, directing City staff to not book any additional gun shows in the City facilities until the City adopts a City policy on gun shows in City facilities or until April 11, 1994, whichever comes first, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Solis.

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

AN ORDINANCE 79,602

DIRECTING STAFF NOT TO BOOK ANY ADDITIONAL GUN SHOWS IN CITY FACILITIES UNTIL THE CITY COUNCIL ADOPTS A POLICY ON GUN SHOWS IN CITY FACILITIES OR UNTIL APRIL 11, 1994, WHICHEVER COMES FIRST; AND DECLARING AN EMERGENCY.

* * * *

Mayor Wolff appointed Linda Billa Burke, Bob Ross, Lyle Larson, and Howard Peak to work with staff and Mr. Mike Morris.

Mr. Ross, on a Point of Personal Privilege, again reiterated that all parties must work together on this issue.

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,603

APPOINTING MEMBERS TO THE BOND STEERING COMMITTEE.

* * * *

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

Mr. Perez asked that the District 1 Appointee be changed from Manuel Galindo to Elvia Perez, 1511 W. Rosewood Avenue, 78201.

Ms. McClendon thanked all those involved, including Mayor Cockrell, Reverend Daley, and Helen Ayala.

Mr. Thornton emphasized the importance of the passage of this General Obligation Bond Issue in the May election, and stated that an informational brochure is needed.

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,604

ORDERING A BOND ELECTION TO BE HELD ON THE 7TH DAY OF MAY, 1994, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ON A PROPOSED BOND ISSUE FOR STREETS, DRAINAGE, PARKS AND PUBLIC SAFETY IMPROVEMENTS; AND MAKING PROVISION FOR THE HOLDING OF SAID ELECTION.

* * * *

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,605

APPROVING A CONTRACT WITH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR TO HOLD A JOINT SPECIAL BOND ELECTION ON SATURDAY, MAY 7, 1994.

* * * *

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,606

AMENDING, REVISING AND ESTABLISHING CITY VOTING PRECINCTS ADOPTED BY COMMISSIONERS' COURT.

* * * *

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

94-07

APPEAL OF DR. SAUL WILEN

Mr. David Pasley, Director of Planning, stated Dr. Saul Wilen had appeared before the Historic and Design Review Commission three times during "Citizens to be Heard" regarding the erection of "No Parking" signs on the streets around his office. The signs were erected by City Council Ordinances 76917, Section 5 and 77075, Section 10. On February 3, 1993 the Historic and Design Review Commission made a motion to have the signs removed. A legal opinion was requested and it was determined that this request was beyond the jurisdiction of the Commission.

Mr. Pasley then introduced Mr. Bob Dunlop, Chair of the Historic & Design Review Committee. Mr. Dunlop explained the ten votes opposing the cutting of nine trees, stating the applicant is unwilling to change the parking design of the proposed parking lot, in order to save trees, and, in fact, is unyielding to any proposed changes.

Mr. Frank Davila, 105 W. Kings Hwy., President, Monte Vista Historic Association, spoke regarding destroying nine trees and laying asphalt which would not be conducive to continued growth of the remaining trees. He asked that Dr. Wilen not be allowed to savage property.

Dr. Wilen distributed and read his written statement, which is made part of the minutes of this meeting.

(At this time Mayor Wolff was obliged to leave the City Council meeting. Mr. Larson presided.)

Dr. Wilen stated he had parked on the street for the last 47 years, and asked that the illegal parking signs be removed or let him build his parking lot as requested.

Mr. Ed Etter, an Arborist, spoke of the trees on the property being an asset to the Monte Vista area, stating some of the trees have a diameter of two to five feet.

Mrs. Ruth Fagan, wife of Dr. Wylie, Professor of Our Lady of the Lake University, spoke of the 4,000 people who signed a petition to save the trees.

Mr. Peak stated the question of the parking signs is in litigation at this time and cannot be discussed.

(At this time Ms. Billa Burke returned and presided over the meeting.)

Mr. Robert Morales, Traffic, Public Works, spoke of 34 parking places being available without removing the trees.

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

Mr. Ronald Smudy, Parks and Recreation, stated a parking lot could possibly harm the trees, but it could be laid out and the lot monitored closely.

Mr. Peak spoke to environmentally sensitive alternative plans to consider reasonable on-site parking.

Mr. Peak made a motion to deny the appeal of Dr. Wilen. Mr. Thornton seconded the motion.

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

AN ORDINANCE 79,607

DENYING THE APPEAL OF DR. SAUL WILEN AS TO THE SPECIFIC PARKING PLAN SUBMITTED TO THE CITY HISTORIC AND DESIGN REVIEW COMMISSION TO CONSTRUCT AN ON-SITE 31-SPACE ASPHALT PARKING LOT FOR HIS MEDICAL OFFICE LOCATED AT 605 BELKNAP IN THE MONTE VISTA HISTORICAL DISTRICT; AND RECOMMENDING TO HIM THAT HE REDESIGN THE PARKING LOT LAYOUT AND CONSTRUCT SAID LOT IN SUCH A MANNER AS TO MAXIMIZE THE EFFORT TO SAVE THE TREES ON THE LOT AND MAINTAIN THEIR LONG-TERM HEALTH REQUIREMENTS, TO INCLUDE UTILIZING PAVING MATERIALS WHICH WILL FACILITATE THE CONTINUED HEALTH OF SAID TREES.

* * * *

Mr. Peak then made a motion to direct staff to remove the no-parking signs on the west side of Belknap, north of Dr. Wilens office. Mr. Thornton seconded the motion.

After consideration, the motion to direct staff to remove the no-parking signs on the west side of Belknap, north of Dr. Wilens office, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None;

ABSENT: Solis.

Mr. John German, Director of Public Works, stated they would come back before Council in two weeks to report on the progress of this issue.

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,608

AUTHORIZING THE USE OF CITY COUNCIL DISCRETIONARY FUNDS, AS REQUESTED BY COUNCILMAN ROGER A. PEREZ, FOR STREET CLOSURE EXPENSES INCURRED BY THE AMERICAN HEART ASSOCIATION "CARDIAC BED RACES"; AND AUTHORIZING THE CLOSURE OF PORTIONS OF BONHAM STREET, E. HOUSTON, CROCKETT, AND ALAMO PLAZA EAST, FROM 8:00 A.M. TO 11:30 A.M., SATURDAY, APRIL 9, 1994.

* * * *

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

Additional monies were donated as follows: Mayor Wolff, \$100; Mr. Ross, \$100; Mr. Peak, \$50; and Mr. Thornton, \$100.

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,609

AUTHORIZING THE REIMBURSEMENT OF \$250.00 TO COUNCILMAN WILLIAM E. THORNTON, DISTRICT 8, FROM THE DISTRICT 8 DISCRETIONARY FUNDS ACCOUNT FOR HIS CONTRIBUTION TO THE CLEAN-UP CITY FUND TO PURCHASE T-SHIRTS AND PAINT FOR GRAFFITI CLEAN-UP, AS REQUESTED BY COUNCILMAN WILLIAM E. THORNTON.

* * * *

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,610

AUTHORIZING THE USE OF CITY COUNCIL DISCRETIONARY FUNDS, AS REQUESTED BY COUNCILMAN WILLIAM E. THORNTON FOR STREET CLOSURE EXPENSES INCURRED BY THE MARCH OF DIMES ASSOCIATION "MARCH OF DIMES WALK AMERICA FOR HEALTHIER BABIES"; AND AUTHORIZING THE TEMPORARY CLOSURE OF BROADWAY FROM TULETA TO JONES ON SUNDAY, APRIL 10, 1994, FROM 8:30 A.M. TO 1:00 P.M.

* * * *

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,611

AUTHORIZING REIMBURSEMENT OF \$25,000.00 TO PETER J. MCBREEN & ASSOCIATES, AIRPORT LIABILITY INSURANCE CLAIMS ADJUSTER FOR THE PERIOD OCTOBER 1, 1991 THROUGH DECEMBER 31, 1992, PURSUANT TO THE DEDUCTIBLE CLAUSE OF THE INSURANCE POLICY.

* * * *

Ms. Billa Burke 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, Billa Burke, Ross, Thornton, Peak, Wolff; NAYS: Avila, Larson; ABSENT: Solis, Ayala.

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,612

AUTHORIZING THE CONVEYANCE TO VIA METROPOLITAN TRANSIT OF A TRACT OR PARCEL OF LAND CONTAINING AN AREA OF 0.9 OF AN ACRE AND COMPRISED OF THAT PORTION OF FORMER HOEFGEN AVENUE BETWEEN DURANGO BOULEVARD ON THE SOUTH AND NEVADA STREET ON THE NORTH AND THAT PORTION OF FORMER NEVADA STREET BETWEEN HOEFGEN AVENUE ON THE WEST AND WALNUT STREET ON THE EAST.

* * * *

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

Mr. Roland Lozano, Director, Office of Dome Development, explained details of the ordinance.

Mr. Alexander Briseno, City Manager, spoke of the original agreement and the budget of Fall, 1988. He clarified that approval of this ordinance will comply with the requirements specified in the City-VIA Agreement approved by Ordinance No. 67967 on September 22, 1988.

Ms. McClendon asked that future information be given to them at an earlier timeframe, in order that they might be better informed prior to voting in Council meeting.

Mr. Briseno offered to postpone for a week, even though the numbers will not change.

Ms. McClendon stated that the Council is at a disadvantage.

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

94-07 City Council recessed its regular meeting at 5:52 P.M. in order to convene in Executive Session for a Legal Briefing and discussion regarding the selection of firms to undertake legal and engineering services associated with Dome soil issues pending before the EPA and the TNRCC, the scope of their services and implication of other legal issues associated to the selection.

94-07 The Council reconvened its regular "A" Session at 7:25 P.M., at which time Mayor Wolff announced that staff had been briefed and discussion took place regarding the selection of firms to undertake legal and engineering services associated with Dome soil issues.

The Clerk then read the following Ordinance:

AN ORDINANCE 79,613

AUTHORIZING THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH GARDERE & WYNNE P.C. AND LLOYD, GOSSELINK, FOWLER, BLEVINS & MATHEWS TO PROVIDE REPRESENTATION ON DOME ISSUES PENDING BEFORE THE ENVIRONMENTAL PROTECTION AGENCY AND THE TEXAS NATURAL RESOURCES CONSERVATION COMMISSION, RATIFYING THE PROVISION OF SERVICES HERETOFORE PROVIDED AND DESIGNATING A FUND TO PROVIDE FOR PAYMENT.

* * * *

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

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

Mayor Wolff explained about the hiring of outside law firms.

Mr. John German explained what the \$150,000.00 would cover.

Mr. Garza explained what the \$50,000.00 to the two law firms entails. He stated there is a strong possibility the City will need more funds.

In response to a question by Ms. McClendon, Mr. Garza stated that Mr. Roland Lozano and John German were serving on the selection committee.

Ms. McClendon expressed her desire to have a consultant look at the options.

Mr. Larson clarified this is an official response from the City. He stated that he would like staff to give a bi-weekly report, as the City Council needs their official stance on this.

Mr. Larson also expressed concern that the three Engineering firms have conflicting reports, and wishes the out-of-town firm be brought in to complete this issue.

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

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

94-07 The Clerk read the following Ordinance:

AN ORDINANCE 79,614

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH COOK-JOYCE, INC., ENVIRONMENTAL ENGINEERS TO PROVIDE ENGINEERING SERVICES RELATED TO CONTAMINATED SOILS FROM THE DOME PROJECT.

* * * *

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

94-07

CITIZENS TO BE HEARD

J. D. BUCHANAN

Mr. J. D. Buchanan, Owner of Woof N' Chirp, spoke to the need for public awareness on issues regarding any adoption of animals. He felt the Council stymied adoption by restricting accessibility.

Mr. Sam Sanchez, Sanitarian Services Manager of Environmental Services with Animal Control Facility, assured the Council that the Ordinance does not prohibit adoption if one is interested in a particular pet. It only keeps the general public from walking through.

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MS. BOBBIE LYONS

Ms. Bobbie Lyons, 4709 Palo Alto Drive, asked Council to reconsider the exclusion of pot bellied pigs from the new animal ordinance, as they are not dangerous.

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MR. CRUZ CHAVIRA

Mr. Cruz Chavira, 4223 Hall Park, spoke regarding the approval of the Ordinance granting the award to Star Shuttle.

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MR. TOM JOHNSON

Mr. Tom Johnson, 5202 Borchers, spoke to drivers of Star Shuttle being part-time (38 hours), and therefore, not being allowed benefits.

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MR. JOSE VERDEJO

Mr. Jose Verdejo, 635 Keytor Avenue, spoke about slag and where it has gone, stating it failed to show up on VIA's report. He expressed concern about the safety of children and wants it to be investigated.

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MR. MOHAMMAD AMROLLAH

Mr. Mohammad Amrollah, 11915 Holm Oaks, spoke regarding cab company transfers of permits, stating he has been operating since 1987.

Captain Tom Polonis, Commander of the Operational Support Section, Ground Transportation, stated he will work to help merge the two cab companies (one owned and one leased by Mr. Amrollah) in order to have seven permits, which is the minimum size that is allowed. This will occur after the April 1, 1994 moratorium.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, expressed sorrow of the death of Mr. Jesse Lozano, a parachutist at the opening of the Alamodome, who recently collided with another parachutist in the air.

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MR. BILL STEPHENS

Mr. Bill Stephens, taxi driver, expressed concern for the welfare of all taxicab drivers. He felt that Rule 841, which states a cab driver can't ask where someone is going before that fare gets into the cab, puts them at risk.

Mayor Wolff asked that staff look into this.

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94-07 There being no further business to come before the Council, the meeting was adjourned at 8:15 P.M.

A P P R O V E D


M A Y O R

Attest:


C i t y C l e r k

February 10, 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 City Manager for investigation and report to the City Council:

January 25, 1994

Petition submitted by Mr. Joe Carroll Rust, 115 Plaza de Armas, Suite 220, San Antonio, Texas 78205, on behalf of the Commission on Literacy, requesting that the Guadalupe Learning and Leadership Development Center be renamed "Margarita R. Huanes Learning and Leadership Development Center."

/s/ Norma S. Rodriguez
City Clerk