

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 26, 1993.

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93-36 The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, AVILA, SOLIS, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: BILLA BURKE, AYALA.

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93-36 Invocation - Reverend Ricardo Hernandez, Antioquia Baptist Church.

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93-36 Pledge of Allegiance to the flag of the United States.

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93-36 Minutes of the July 22, 1993 Regular City Council Meeting were approved.

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93-36 "SHOTS FOR TOTS" PROGRAM

Mayor Wolff noted that San Antonio 2000, the City of San Antonio and Bexar County have begun to recognize successful programs committed to youth and youth values. Those programs are screened by San Antonio 2000, and the City Council is honoring the "Shots For Tots" Program at this week's meeting.

Mayor Wolff stated that KTSA/KTFM, the Gonzaba Medical Group, Drug Emporium and the San Antonio Metropolitan Health District, in a collaborative effort, have provided free vaccinations for infants as well as school-age children in order to prepare them to enter school. To date, almost 500 have been immunized under this program.

A representative of San Antonio 2000 then spoke briefly to details of the "Shots For Tots" Program.

Mayor Wolff then introduced representatives of the four groups being honored today, as City Council members came forward to present awards to each. Accepting the certificates were Ms. Shelly Fox and Ms. Desiree Alcoser of KTSA/KTFM, Ms. Christine Gonzaba of Gonzaba Medical Group, Ms. Belinda Gudmundsson for Drug Emporium, and Ms. Kathryn Woehler for San Antonio Metropolitan Health District.

93-36

LITERARY AWARENESS MONTH

Mayor Wolff noted that Mr. Joe Carrol Rust, Chairman of the San Antonio Commission on Literacy, is present in the audience today to receive a proclamation on "Literacy Awareness Month". He then read the official proclamation and presented it to Mr. Rust.

Mr. Rust spoke to the many activities planned for Literacy Awareness Month in San Antonio, and spoke of the significant step taken by City Council when it created the Commission on Literacy. He then briefly addressed the progress being made in locating new Literacy Centers around the city.

Mayor Wolff and Mr. Solis both spoke to the inroads being made in the fight against illiteracy in San Antonio, and thanked City staff for its hard work on the literacy effort.

93-36

COLLECTIVE BARGAINING PETITIONS

Mayor Wolff spoke to the receipt of a group of petitions seeking an election on the question of whether or not collective bargaining would be continued for firefighters and police officers in the City of San Antonio, and of the Texas Secretary of State's written opinion relative to the number of signatures required on those petitions in order to mandate an election in San Antonio on this issue. He noted that, in order for the City to comply with all facets of the Voting Rights Act governing elections in Texas, the City Council would have had to call an election not later than August 12, 1993.

Mayor Wolff stated his opinion that to call an election on this matter would precipitate legal challenges by both fire and police unions, and he stated his belief that the Homeowner-Taxpayers Association should collect new signatures that comply with the Secretary of State's legal opinion, if it wished.

Mr. Van Henry Archer, President, Homeowner-Taxpayers Association, stated his opinion that, under the law, citizens have the right to petition to get something on the ballot, and further stated his belief that HTA had gathered sufficient signatures on the petitions in question. He stated his belief that the state law involved calls for petitions totalling at least "five per cent of the registered voters in the last general election" of the City of San Antonio, which he feels was the municipal election of May, 1993.

Mr. Archer then spoke to the actions of the firefighters union to get a limit placed on the timeliness of such petitions by the state legislature, and again stated his opinion that the City Council should call for this election. He then spoke to the matter of political contributions made to City Council members by both fire and police unions.

Mayor Wolff again spoke to the Secretary of State's legal opinion in this matter, and expressed his belief that new petitions would allow for a 'cleaner election', in his opinion. He further noted that, should HTA go to court on this matter and subsequently prevail, the City of San Antonio will comply with the court order.

Mr. Ross noted that the state's chief election officer, the Secretary of State, ruled that the petitions in question do not contain sufficient signatures to mandate the election call, in his legal opinion, and expressed his belief that the courts are the proper place to decide this issue.

Mr. Larson took exception to charges that all Council members take contributions from fire and police unions, and expressed his belief that such an election, if called, would cost the City some \$300,000.00. He noted that the City accepts the Secretary of State's legal opinion, and expressed concern with spending City tax monies on elections and lawsuits. He expressed his belief that HTA could get sufficient new signatures on petitions in this matter in days, and stated his feeling that it is not rational to go against the state's chief election officer in this regard.

Mr. Avila spoke in support for the Secretary of State's opinion, and stated that contributions to his political campaign by fire and police unions does not affect his decisions as a City Council member.

Mayor Wolff stated that he would not call such an election at this time, unless the City Council wishes to make a formal motion otherwise. He again noted that, should the courts order such an election, the City would comply.

93-36      CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 8 through 32, constituting the Consent Agenda. Mr. Perez seconded the motion.

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

AN ORDINANCE 78,526

AUTHORIZING PAYMENT TO THE DICTAPHONE CORPORATION IN THE AMOUNT OF \$11,504.00 FOR MAINTENANCE OF DICTAPHONE EQUIPMENT FOR THE SAN ANTONIO POLICE DEPARTMENT.

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AN ORDINANCE 78,527

ACCEPTING THE LOW BID OF CONSOLIDATED OFFICE SYSTEMS COMPANY TO FURNISH THE CITY OF SAN ANTONIO ARTS & CULTURAL AFFAIRS DEPARTMENT WITH THE PRINT OF ARTSTECH CATALOGS FOR A TOTAL OF \$4,100.00.

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AN ORDINANCE 78,528

ACCEPTING THE LOW BID OF PEERLESS FARMS, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH TREES FOR THE DOWNTOWN AND RIVERWALK AREAS FOR A TOTAL OF \$5,880.

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AN ORDINANCE 78,529

ACCEPTING THE LOW BID OF YELLOWROC CONSTRUCTION COMPANY FOR ROOF REPLACEMENT AT THE BOTANICAL CENTER FOR A TOTAL OF \$3,242.00.

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## AN ORDINANCE 78,530 .

ACCEPTING THE PROPOSAL OF H.W. WILSON COMPANY TO RENEW A SUBSCRIPTION FOR CD-ROM DATABASES FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$8,465.00.

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## AN ORDINANCE 78,531 .

ACCEPTING THE PROPOSAL OF WITTIGS OFFICE INTERIORS TO FURNISH THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH MODULAR FURNITURE FOR A TOTAL OF \$34,573.80.

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## AN ORDINANCE 78,532 .

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 1993-94 FISCAL YEAR FOR APPROXIMATELY \$880,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE).

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## AN ORDINANCE 78,533 .

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH S.A. QUALITY FENCE & WELDING COMPANY, INC. IN THE AMOUNT OF \$4,477.00 FOR RELOCATING APPROXIMATELY 520 FEET OF CHAIN LINK FENCE TO THE NEW PROPERTY LINE ON FREDERICKSBURG ROAD IN CONNECTION WITH THE DEDICATION OF RIGHT-OF-WAY FROM USAA; AND AUTHORIZING \$500.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES.

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## AN ORDINANCE 78,534 .

AUTHORIZING AN ADDITIONAL \$4,088.49 FOR ENGINEERING SERVICES PAYABLE TO MACINA, BOSE, COPELAND & ASSOCIATES, INC. IN CONNECTION WITH THE ELDRIDGE FROM HWY 90 TO ACME ROAD RECONSTRUCTION PROJECT;

AUTHORIZING \$530.00 FOR ADVERTISING EXPENSES;  
REVISING THE PROJECT BUDGET; AND PROVIDING FOR  
PAYMENT.

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AN ORDINANCE 78,535

AUTHORIZING AN ADDITIONAL \$6,800.00 FOR ENGINEERING  
SERVICES PAYABLE TO JPR, INC. IN CONNECTION WITH  
THE "H" & "I" STREETS FROM TWOHIG TO CLARK  
RECONSTRUCTION PROJECT; REVISING THE PROJECT BUDGET;  
AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,536

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN AN  
AMOUNT NOT TO EXCEED \$1,300.00 WITH HARVEY S.  
TAMON, MAI, FOR THE PROVISION OF CERTAIN REAL ESTATE  
APPRAISAL SERVICES RELATED TO THE QUINTARD FROM  
BRISTOL TO BELDON AND SAYERS TO HARLAN  
RECONSTRUCTION PROJECT; REVISING THE PROJECT  
BUDGET; APPROPRIATING FUNDS; AUTHORIZING \$900.00  
FOR TITLE FEES AND \$4,000.00 FOR LAND ACQUISITION  
COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,537

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES  
CONTRACT WITH CIVIL ENGINEERING CONSULTANTS IN AN  
AMOUNT NOT TO EXCEED \$5,080.00 FOR ENGINEERING  
SERVICES IN CONNECTION WITH THE RECONSTRUCTION OF  
HUEBNER ROAD FROM FREDERICKSBURG ROAD TO LEON VALLEY  
CITY LIMITS.

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AN ORDINANCE 78,538

AUTHORIZING THE EXECUTION OF A "CONSTRUCTION &  
MAINTENANCE AGREEMENT FOR BRIDGE REPLACEMENT OF  
REHABILITATION OFF THE STATE SYSTEM" WITH THE TEXAS  
DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF  
\$554,000.00 FOR THE REPLACEMENT OF THE BRIDGES ON E.  
SOUTHCROSS BLVD. AT SALADO CREEK.

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## AN ORDINANCE 78,539 .

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 8  
IN THE AMOUNT OF \$113,031.41 WITH H.B. ZACHRY  
COMPANY IN CONNECTION WITH THE STOCKYARD/PRODUCE  
MARKET AREA IMPROVEMENT PROJECT.

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## AN ORDINANCE 78,540 .

AUTHORIZING THE EXPENDITURE OF CONTINGENCY FUNDS IN  
THE AMOUNT OF \$9,727.70 IN ACCORDANCE WITH THE TERMS  
OF THE CITY OF SAN ANTONIO'S CONTRACT WITH THE  
MISSOURI PACIFIC RAILROAD EXECUTED IN CONNECTION  
WITH THE STOCKYARD/PRODUCE MARKET AREA STREET AND  
DRAINAGE IMPROVEMENTS PROJECT.

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## AN ORDINANCE 78,541 .

RATIFYING AND APPROVING TASKS B, C, & D FOR A  
PROFESSIONAL SERVICES CONTRACT WITH PROFESSIONAL  
SERVICES INDUSTRIES, INC. IN THE AMOUNT OF  
\$4,889.57 IN CONNECTION WITH GEOTECHNICAL SERVICES  
RELATED TO THE CROCKETT/CENTER STREET PARKING LOTS  
LIGHTING, AND PAVING PROJECT.

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## AN ORDINANCE 78,542 .

ACCEPTING THE LOW, QUALIFIED BID OF KESSLER BROS.  
CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF  
\$16,639.00 IN CONNECTION WITH THE DAWSON COMMUNITY  
CENTER PARK PICNIC UNITS PROJECT; AUTHORIZING A  
CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING  
\$172.16 FOR CONSTRUCTION CONTINGENCIES, \$1,014.34  
FOR BID ADVERTISING EXPENSES AND \$174.50 FOR  
PRINTING COSTS; AND PROVIDING FOR PAYMENT.

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## AN ORDINANCE 78,543 .

APPROVING AMENDMENT NUMBER ONE TO THE AGREEMENT  
RELATED TO THE LEASE OF THE BORGLUM STUDIO TO  
STUBBLEFIELD AND ASSOCIATES, INC., ARCHITECTS, AIA,  
ESTABLISHING A FAIR MARKET RENTAL RATE OF \$535.00  
PER MONTH ON SAID FACILITY FOR THE REMAINING EIGHT

YEARS OF THE LEASE FOR A TOTAL OF \$51,360.00 PLUS ADJUSTMENTS BASED ON THE CONSUMER PRICE INDEX, AND MAKING TECHNICAL CORRECTIONS TO ACCOMMODATE CHANGES WHICH HAVE EVOLVED SINCE ORIGINAL LEASE APPROVAL ON DECEMBER 19, 1985.

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AN ORDINANCE 78,544

ACCEPTING A DONATION BY SPECIAL WARRANTY DEED FROM THE RESOLUTION TRUST CORPORATION, AS RECEIVER FOR FIRST STATE FEDERAL SAVINGS ASSOCIATION OF A 10,097 ACRE TRACT OF LAND IN NEW CITY BLOCK 7657 AND AUTHORIZING AND DIRECTING THE CONVEYANCE OF SAID TRACT TO THE UNITED STATES NATIONAL PARKS SERVICE FOR INCLUSION IN THE SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK.

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AN ORDINANCE 78,545

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE SOUTHSIDE YOUNG MEN'S CHRISTIAN ASSOCIATION ("YMCA") TO MAINTAIN THE SOFTBALL FIELD, SOCCOR FIELD, AND RESTROOM AT SOUTHCROSS PARK IN RETURN FOR WHICH THE SOUTHSIDE BRANCH OF THE YMCA MAY USE SAID FIELDS ON A FIRST COME, FIRST SERVED BASIS WITHOUT PAYMENT OF ESTABLISHED USE FEES.

\* \* \* \*

AN ORDINANCE 78,546

AUTHORIZING THE ACCEPTANCE OF \$35,777.00 IN IN-KIND SUPPORT ASSISTANCE FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS) TO CONTINUE THE OPERATION OF THE INTEGRATED ELIGIBILITY PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING PAYMENT NOT TO EXCEED \$35,777.00 TO THE TDHS FOR A PERSONNEL COMPLEMENT; ESTABLISHING A FUND; AND ADOPTING A BUDGET.

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15917

## AN ORDINANCE 78,547

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,000.00 OUT OF THE CONVENTION & VISITORS BUREAU FUNDS TO HOST THE TEXAS TRAVEL SUMMIT '93, LUNCHEON ON SEPTEMBER 27, 1993, IN HOUSTON, TEXAS.

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## AN ORDINANCE 78,548

ACCEPTING AND ALLOCATING JTPA TITLE III ECONOMIC DISLOCATED WORKER ADJUSTMENT ASSISTANCE ACT (EDWAA) RAPID RESPONSE FUNDS IN THE AMOUNT OF \$189,765.00 FROM THE TEXAS DEPARTMENT OF COMMERCE TO PROVIDE JOB PLACEMENT AND TRANSITION ASSISTANCE FOR THE WORKERS LAID OFF FROM AUGAT ALTAIR AND KROGER FOODS; AUTHORIZING THE EXECUTION OF A LEASE WITH CONTROL DATA BUSINESS AND TECHNOLOGIES CENTER; APPROVING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND DECLARING AN EMERGENCY.

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## AN ORDINANCE 78,549

APPOINTING OPHELIA CERVANTES (DISTRICT 1) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 1995.

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## AN ORDINANCE 78,550

APPOINTING ROBERT SANCHEZ (DISTRICT 6) TO SERVE AS TRUSTEE AND DIRECTOR FOR THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE AS TRUSTEE TO EXPIRE ON MAY 9, 1995, AND AS DIRECTOR ON MAY 9, 1994.

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## AN ORDINANCE 78,551

AUTHORIZING THE CLOSURE OF ALAMO PLAZA EAST FROM HOUSTON STREET TO CROCKETT STREET ON AUGUST 30, 1993, FROM 10 A.M. TO 8 P.M., AS REQUESTED BY THE JAMES GANG PRODUCTION COMPANY FOR THE PURPOSES OF FILMING THE TEXAS DEPARTMENT OF COMMERCE'S TOURISM COMMERCIALS AND DECLARING AN EMERGENCY.

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93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,552

SETTING A PROPOSED TAX RATE FOR FISCAL YEAR 1993-94 (TAX YEAR 1993) AND SETTING A PUBLIC HEARING ON SUCH PROPOSED TAX RATE FOR THURSDAY, SEPTEMBER 9, 1993 AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS AT CITY HALL.

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

Mr. George K. Noe, Director of Management Services, stated that this is the first step in complying with the law on setting of the City tax rate for fiscal year 1993-94, and briefly explained the proposed tax rate.

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.

93-36 On a Point of Personal Privilege, Mr. Ross and Mr. Solis asked that agenda item 50, being a proposed ordinance adopting scheduling and operating guidelines for the usage of the Convention and Visitors Bureau and Convention Facilities Department Executive Suites in the Alamodome, be postponed for one week in order to allow Council members more time to study those proposed guidelines before formally voting on them.

Mr. Ross made a motion to postpone action on Agenda Item 50 for one week. Mr. Solis seconded the motion.

After discussion, the motion to postpone action on Agenda Item 50 for one week, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Billa Burke, Ayala.

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,553

APPROVING THE BEXAR METRO 911 NETWORK DISTRICT  
PROPOSED FISCAL YEAR 1994 OPERATING BUDGET.

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

Mr. George K. Noe, Director of Management Services, briefly explained the Bexar Metro 911 Network District budget for 1994.

In response to a question by Mr. Thornton, Mr. Jerry Marshall, Manager of the 911 Network District, spoke to the increases and enhancements of the 911 system, over the years.

Mr. James Hassloch, President, Bexar Metro 911 Board of Managers, spoke to the history of the 911 system and its contributions to the safety of this area.

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

93-36 ZONING HEARINGS

4A. CASE Z93134 (CC) - TO REZONE THE EAST IRREGULAR 264.91 FEET OF LOTS 2 AND 3, BLOCK 7, NCB 18387, BLANCO ROAD, FROM "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH UNDERGROUND GASOLINE STORAGE TANKS, LOCATED ON THE WEST SIDE OF BLANCO ROAD, 338 FEET SOUTHWEST OF THE INTERSECTION OF BLANCO ROAD AND BROOKSTONE, HAVING 168.88 FEET ON BLANCO ROAD AND A DEPTH OF 264.91 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, provided that the recommendation of the Aquifer Studies Office are met.

Mr. Andy Guerrero, Land Development Services, noted that nine affirmative votes of the City Council would be required to approve the requested rezoning.

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

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

AN ORDINANCE 78,554

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 THE EAST IRREGULAR 264.91 FEET OF LOTS 2 AND 3, BLOCK 7, NCB 18387, BLANCO ROAD, FROM "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH UNDERGROUND GASOLINE STORAGE TANKS, LOCATED ON THE WEST SIDE OF BLANCO ROAD, 338 FEET SOUTHWEST OF THE INTERSECTION OF BLANCO ROAD AND BROOKSTONE, HAVING 168.88 FEET ON BLANCO ROAD AND A DEPTH OF 264.91 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE Z93143 - TO REZONE LOT 198, BLOCK 9, NCB 11165, 1022 BERNARD DRIVE, FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, LOCATED ON THE SOUTHSIDE OF BERNARD DRIVE, 375 FEET EAST OF THE INTERSECTION OF ELY DRIVE AND BERNARD DRIVE, HAVING 75 FEET ON BERNARD DRIVE AND A DEPTH OF 244.94 FEET.

The Zoning Commission has recommended denial and approval of "R-2" SUP Two Family Residence District with a special use permit for a barber shop.

Mr. Andy Guerrero, Land Development Services, noted that the Zoning Commission has recommended denial of the requested rezoning, and spoke briefly to details of the case, which involves location of an existing small barbershop in a residential area.

Mr. Larson made a motion for R-2 SUP. Mr. Avila seconded the motion.

Mr. Guerrero explained the rationale for the Zoning Commission's denial recommendation.

A discussion ensued concerning the \$600.00 cost for renewal of the Special Use Permit when the current one, to be voted upon shortly, expires.

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

AN ORDINANCE 78,555

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 198, BLOCK 9, NCB 11165, 1022 BERNARD DRIVE, FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "R-2" SUP TWO FAMILY RESIDENCE DISTRICT, LOCATED ON THE SOUTHSIDE OF BERNARD DRIVE, 375 FEET EAST OF THE INTERSECTION OF ELY DRIVE AND BERNARD DRIVE, HAVING 75 FEET ON BERNARD DRIVE AND A DEPTH OF 244.94 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z93129 - TO REZONE "B" TO "O-1" THE WEST 25 FEET OF LOT 3 AND THE EAST 30 FEET OF LOT 4, BLOCK 8, NCB 10943, "B" TO "I-1" LOT 11, BLOCK 8, NCB 10943, "B-1" TO "I-1" LOT 12, BLOCK 8, NCB 10943, 1009, 1017, AND 1013 HOT WELLS BLVD, FROM "B" RESIDENCE DISTRICT AND "B-1" BUSINESS DISTRICT TO "O-1" OFFICE DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT, LOCATED ON THE NORTHSIDE OF HOT WELLS BLVD, 120 FEET EAST OF PYLE ROAD, HAVING 184 FEET ON HOT WELLS BLVD. AND A DEPTH OF 150 FEET.

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

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

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

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

AN ORDINANCE 78,556

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 "B" TO "O-1" THE WEST 25 FEET OF LOT 3 AND THE EAST 30 FEET OF LOT 4, BLOCK 8, NCB 10943, "B" TO "I-1" LOT 11, BLOCK 8, NCB 10943, "B-1" TO "I-1" LOT 12, BLOCK 8, NCB 10943, 1009, 1017, AND 1013 HOT WELLS BLVD, FROM "B" RESIDENCE DISTRICT AND "B-1" BUSINESS DISTRICT TO "O-1" OFFICE DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT, LOCATED ON THE NORTHSIDE OF HOT WELLS BLVD, 120 FEET EAST OF PYLE ROAD, HAVING 184 FEET ON HOT WELLS BLVD. AND A DEPTH OF 150 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE Z93135 - TO REZONE 20.00 ACRES OUT OF NCB 14862, 6200 AND 6300 BLOCKS OF PRUE ROAD, FROM "B-2" BUSINESS DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE NORTH SIDE OF PRUE ROAD, 1139.79 FEET EAST OF THE INTERSECTION OF BABCOCK ROAD AND PRUE ROAD, HAVING 908.21 FEET ON PRUE ROAD AND A DEPTH OF 949.10 FEET.

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

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

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

AN ORDINANCE 78,557

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 20.00 ACRES OUT OF NCB 14862, 6200 AND 6300 BLOCKS OF PRUE ROAD, FROM "B-2" BUSINESS DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE NORTH SIDE OF PRUE ROAD, 1139.79 FEET EAST OF THE INTERSECTION OF BABCOCK ROAD AND PRUE ROAD, HAVING 908.21 FEET ON PRUE ROAD AND A DEPTH OF 949.10 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE Z93141 - TO REZONE LOT 4, BLOCK 29, NCB 8480, 2322 WEST OLMOS, FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, LOCATED ON THE SOUTHEAST SIDE OF WEST OLMOS DRIVE, BEING 150 FEET NORTHEAST OF THE INTERSECTION OF FREDERICKSBURG ROAD AND WEST OLMOS DRIVE, HAVING 50 FEET ON WEST OLMOS DRIVE AND A DEPTH OF 125 FEET.

Mr. Perez asked that this case be postponed for three weeks in order to allow time for a meeting between the bank representatives and the neighbors.

Mr. Perez made a motion to postpone Zoning Case Z93141 for three weeks. Ms. McClendon seconded the motion.

Zoning Case Z93141 was postponed until the Council meeting of September 23, 1993.

4F. CASE Z93140 CC - TO REZONE LOTS 1 AND 2, BLOCK 5, NCB 2880, 401 ADAMS STREET, HISTORIC "R-2" TWO FAMILY RESIDENCE DISTRICT TO HISTORIC "R-2" TWO FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A BED AND BREAKFAST, LOCATED BETWEEN ADAMS STREET AND WICKES STREET, 350 FEET NORTHWEST OF BARBE STREET, HAVING 90.84 FEET ON ADAMS STREET, 90 FEET ON WICKES STREET AND 145 FEET BETWEEN THESE TWO STREETS.

Mr. Andy Guerrero, Land Development Services, noted that nine affirmative votes of City Council would be required to approve the requested rezoning, due to the percentage of opposition in this case.

Mr. Arthur Link, 401 Adams, the proponent, asked that the case be postponed until a full Council is present to hear the case.

Mr. Perez asked that the case be heard today, as scheduled.

Mr. Link spoke to the major improvements made to the house in question, and distributed to City Council a series of photographs of the house and property, showing its 'before and after' condition. He then spoke to additional plans to further improve the property, and spoke to a brief review of the rezoning request involved. He also spoke to the proliferation of 'bed and breakfast' operations in the King William area.

Ms. Ellenor Link, 401 Adams, spoke to plans for use of this property for an owner-occupied 'bed and breakfast', and stated her belief that this request for rezoning is being used as a test-case by the King William Neighborhood Association, which desires a moratorium on 'bed and breakfast' operations in this area.

Ms. Anita Anderson, 829 E. Guenther, spoke against using this rezoning request as a test-case for a moratorium on 'bed and breakfast' operations in the King William area.

Ms. Edith Stockhardt, 302 King William, spoke in support of the rezoning request, and stated her desire to continue operating her own 'bed and breakfast' as an asset to this neighborhood.

Ms. Paula Ann Gaddis, 414 Adams, spoke to the improvements made to the property by the Links, and spoke in support of their requested rezoning. She submitted petitions bearing some 86 signatures in favor of the rezoning, including some letters received today in the Council chambers, noting that many of those signees feel left out of the operations of the King William Association. She stated her belief that a small group of people seeks to impose its own will upon a larger group of people in this area, and asked that this case be 'grandfathered' from any moratorium action. She also asked that Mr. Perez excuse himself from any vote on this matter.

Mr. Alan "Lee" Copeland, 1011 South Alamo, stated his belief that the King William Association does not represent everyone in the neighborhood.

Ms. Ellen Garza, 824 E. Guenther, stated her belief that a regulated 'bed and breakfast' would be an asset to the neighborhood.

Ms. Marty Knight, 422 Adams, stated that she would welcome this 'bed and breakfast' to the neighborhood.

Ms. Marie Ann Smith, 1019 South St. Mary's Street, read for the record a letter from Ms. Sylvia R. Garza, supporting the rezoning request.

Mr. James Hoog, 222 Adams, also spoke in support for this particular 'bed and breakfast'.

The following persons spoke in opposition:

Ms. Kristen Casey, 331 Adams, noted that the immediate neighbors are in opposition to a 'bed and breakfast' on this property, and stated her desire to see this immediate area kept residential in nature.

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

Ms. Caroline Mathews, 525 Madison, spoke in opposition to the request for a 'bed and breakfast' operation in a residential area. She then spoke to the income generated by such an operation in the King William area, a copy of which is made a part of the papers of this meeting.

Mr. Ed Day, 421 E. Guenther, representing the King William Association, spoke to the polarization of neighborhood residents on this matter. He noted that some 17 'bed and breakfast' operations already exist in this area, and his board is seeking a moratorium on any additional such uses until some solution is found to the basic issue of how many is enough for the King William area.

(At this point, Mayor Wolff returned to the meeting to preside.)

Ms. Roselyn Cogburn, 528 King William, spoke to her concern that the neighborhood is becoming too commercial, and asked for a moratorium on any further 'bed and breakfast' operations there until the question of their impact upon the residential neighborhood is resolved.

\* \* \* \*

Ms. Link, speaking in rebuttal, stated her belief that it is not right to stop a 'bed and breakfast' in mid-development, and she reiterated that her 'bed and breakfast' would be owner-occupied and restricted to three bedrooms for such usage.

After discussion, Mr. Perez made a motion to deny the proposed Ordinance. Mr. Thornton seconded the motion.

Mr. Perez noted that more than 100 commercial properties in this immediate area are available for use as a 'bed and breakfast' site, and he spoke against the rezoning request.

Mr. Thornton noted that, under the existing zoning on this property, the Links could have as many as four renters.

In response to a question by Mr. Thornton, Mr. Link stated that he has invested some \$175,000.00 in renovations to the property, and may well have to build a second structure on the property and rent it out, as well as the house, rather than reside there, himself, if the

rezoning is defeated. He also noted that the King William Association is not a 'neighborhood association'.

Mr. Ross spoke in support for the pending motion.

Mayor Wolff stated that he hoped for a follow-up and some resolution to the question of 'bed and breakfast' guidelines in residential neighborhoods.

Mr. Perez stated that he would ask, through the City Manager, that the Planning Department come up with a plan, in consonance with neighborhood groups.

A discussion then took place concerning the decision of the King William Association board of directors relating to 'bed and breakfast' operations in the area, and the neighbors' wishes in this matter, both pro and con.

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

Zoning Case Z93140CC was denied.

Mayor Wolff spoke to a number of concerns that he has with this decision and urged that a study of this whole issue be undertaken.

93-36 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING ALLEY BETWEEN WHITTIER AND GROVE AVE:

Mayor Wolff opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Wolff declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 78,558

AUTHORIZING THE CLOSING, VACATING, ABANDONING AND QUITCLAIMING OF A PORTION OF AN UNIMPROVED ALLEY LOCATED BETWEEN WHITTIER STREET AND GROVE AVENUE AS REQUESTED BY FLORENCE A. KOLODZIEJ AND OTHER ADJACENT PROPERTY OWNERS, TO STOP BURGLARIES, LOITERING AND POSSIBLE DRUG RELATED PROBLEMS IN THE NEIGHBORHOOD.

\* \* \* \*

Mr. Bill Toudouze, Real Estate Division, Public Works Department, explained the proposed closure of an unimproved alley.

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

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,559

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$2,500.00 CONTRIBUTION FROM THE JUNIOR LEAGUE OF SAN ANTONIO, INC. FOR USE IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S MATERNAL SUBSTANCE ABUSE PROJECT; AND AMENDING THE PROJECT BUDGET TO REFLECT THE CONTRIBUTION.

\* \* \* \*

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

Dr. Fernando Guerra, Director, Metropolitan Health District, thanked the Junior League of San Antonio for its contribution to the funding of the Maternal Substance Abuse Project.

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

93-36 City Clerk Norma S. Rodriguez advised the Mayor and City Council that, because of a tie between two prospective contractors for security service for Mission del Lago and Cedar Creek Municipal Golf Courses, it would be necessary to cast lots to select the winner.

Mayor Wolff stated that, for this purpose, the highest numbered ball drawn would be declared the winner.

Mayor Wolff then drew ball number 37 for Acme Security and ball number 33 for Gonzaba Security.

Mayor Wolff declared Acme Security to be the winner.

City Clerk Norma S. Rodriguez then read the following Ordinance:

AN ORDINANCE 78,560

AWARDING A CONTRACT FOR SECURITY SERVICE FOR MISSION DEL LAGO & CEDAR CREEK MUNICIPAL GOLF COURSES FOR A TOTAL AMOUNT OF \$4,080.00 PER MONTH FOR THE PERIOD OF OCTOBER 1, 1993 THROUGH SEPTEMBER 30, 1994. (ACME SECURITY SERVICES, INC.)

\* \* \* \*

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

93-36 The Clerk read the following Resolution:

A RESOLUTION 93-36-60

EXPRESSING THE CITY COUNCIL'S INTENT TO ENTER INTO A TAX PHASE-IN AGREEMENT WITH VAUGHAN & SONS, INC. AND PAN AMERICAN LOGISTICS CENTER, INC., IN SUBSTANTIALLY SIMILAR TERMS AS THE BEXAR COUNTY TAX PHASE-IN AGREEMENT, IF THE LAND LOCATED ON FOSTER RIDGE ROAD (A 280.83 ACRE, 22.22 ACRE, AND 287.05 ACRE TRACTS OF LAND OUT OF THE J.J. SANCHEZ SURVEY NO. 34, ABSTRACT NO. 665, COUNTY BLOCK 5100, BEXAR COUNTY, TEXAS) IS ANNEXED INTO THE SAN ANTONIO CITY LIMITS.

\* \* \* \*

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

Mr. Clint Bolden, Director of Economic Development, explained the proposed 10-year tax phase-in agreement for this \$75 million project, which will create some 150 new jobs for San Antonio. He noted that Bexar County Commissioners Court agreed on July 6, 1993 to a similar tax phase-in agreement, and City staff recommends approval.

Mr. Curtis Vaughn <sup>800</sup> Vaughn & Sons, Inc., spoke to plans for the first phase of the Pan American Logistics Center.

Mayor Wolff equated this initiative with the Texas Research Park for possible impact upon San Antonio, and spoke to the large amount of business interchange between San Antonio and Mexico.

Ms. McClendon addressed the potential of this project to the east side of the city.

Mr. Perez, Mr. Thornton, Mr. Ross and Mr. Larson spoke to the significance and potential for the project.

Mr. Ross spoke in favor of a "tax-free zone" for such endeavors.

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

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,561

AUTHORIZING THE AMENDMENT AND REVISION OF SAN ANTONIO FOREIGN-TRADE ZONE (FTZ) NO. 80 GRANTEE/PROPERTY OWNER AGREEMENT WITH VAUGHAN & SONS, INC. AND PAN AMERICAN LOGISTICS CENTER, INC. AS THE CURRENT AND AUTHORIZING THE EXECUTION OF A GRANTEE/OPERATOR AGREEMENT WITH PAN AMERICAN LOGISTICS CENTER, INC. TO OPERATE THE FTZ PROGRAM WITHIN THE PARK.

\* \* \* \*

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

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

93-36 PRESENTATION & STATUS REPORT - CITY'S YOUTH INITIATIVES PROGRAM

Mr. Sergio Soto, Manager of Youth Initiatives, submitted the 1993-94 Youth Initiatives Report, a copy of which is made a part of the papers of this meeting. He spoke to the successes of the City's youth strategy, and its results. He then addressed the various initiatives by City department involved and their levels of commitment, and the matter of employment and training.

Captain Al Phillipus, San Antonio Police Department, spoke to the two-year report on the youth curfew, including an analysis that shows juvenile victimization for all crimes has decreased in greater proportion the second year of the curfew, when compared to the first year. He then addressed the status of the constitutionality challenge of the youth curfew in the city of Dallas, and discussed proposed new ordinances on the matter of youth for fiscal year 1993-94.

Mr. Soto then spoke to other new initiatives to be undertaken in fiscal year 1993-94.

Mr. Sonny Melendrez, spokesman for the Coalition, reported that, to date, more than 50,000 San Antonio youths have joined the CO, up more than 6,000 from last year. He also noted that sponsor participation has increased by 37 per cent, and he addressed the free services given to CO members over the summer months.

Several CO members then performed a 'rap' presentation of thanks to Mayor and City Council members for their support of the Coalition, after which special CO caps were presented to Council members.

A brief videotaped presentation outlined the various CO activities.

Mr. Alex Briseno, City Manager, spoke highly of the success of this program, unmatched around the nation.

Mayor Wolff and City Council members then discussed the increasing results of the Coalition program.

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93-36 INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS EXECUTIVE COMMITTEE

Mayor Wolff noted the presence of members of the Board of Directors of the International Institute of Municipal Clerks in the audience today, and noted that the group is in San Antonio for a board meeting with International President Norma S. Rodriguez, the City Clerk.

The Mayor and City Council members welcomed the group to San Antonio.

802

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93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,562

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,500.00 IN SETTLEMENT OF DARLENE CONTRERAS AND HUSBAND, MIGUEL CONTRERAS VS. CITY OF SAN ANTONIO, CAUSE NO. 93-CI-06831.

\* \* \* \*

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

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93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,563

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,500.00 PLUS COURT COSTS IN SETTLEMENT OF CHRISTINE GARZA VS. RICKY ALCALA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS AN OFFICER FOR THE CITY OF SAN ANTONIO, GALLAGHER BASSETT SERVICES, INC., CITY OF SAN ANTONIO, CAUSE NO. 93-CI-08292.

\* \* \* \*

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

Mr. Lloyd Garza, City Attorney, spoke to details of the lawsuit resulting from an accident with a police vehicle.

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

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93-36 (At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided.)

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,564

APPROPRIATING \$6,940.89 AUTHORIZING PAYMENT TO THE LAW FIRM OF SOULES & WALLACE OF \$3,712.00 FOR LEGAL SERVICES RENDERED AND \$3,228.89 FOR RELATED EXPENSES IN CONNECTION WITH THE APPEAL OF CAUSE NO. 91-CI-10839, VAN DE WALLE AGRICULTURAL PROPERTIES, LTD. VS. CITY OF SAN ANTONIO.

\* \* \* \*

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

Mr. Lloyd Garza, City Attorney, explained the costs of the City's appeal of the Van De Walle lawsuit.

In response to a question by Mr. Larson, Mr. Garza spoke to the matter of negotiations in this case.

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

93-36 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Victoria, Tamaulipas, Mexico, from August 25, 1993 to August 25, 1993, to attend a meeting with Governor Cavazos-Lerma.

\* \* \* \*

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

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

93-36

The Clerk read the following Ordinance:

804

AN ORDINANCE 78,565

APPROVING THE REQUEST FOR AND AUTHORIZING THE EXPENDITURE OF \$2,500.00 FROM THE DISTRICT 2 DISCRETIONARY FUND TO DEFRAY THE EXPENSES INCURRED BY THE ALAMO YMCA AND THE EASTSIDE BOYS AND GIRLS CLUB IN HOSTING A BLOCK PARTY; CORRECTING ORDINANCE 78304, PASSED AND APPROVED ON JULY 5, 1993, TO PROVIDE FOR PAYMENT OF THE STREET CLOSING EXPENSES OF \$566.00 FROM THE DISTRICT 2 DISCRETIONARY FUND, AN ACTION INADVERTENTLY OMITTED.

\* \* \* \*

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

Ms. McClendon spoke to details of the "block party" involved.

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

93-36

The Clerk read the following Ordinance:

AN ORDINANCE 78,566

RATIFYING THE EXECUTION OF A THREE-YEAR LEASE AGREEMENT WITH BANK OF AMERICA FOR THE PLACEMENT OF TWO AUTOMATIC TELLER MACHINES AT THE ALAMODOME AT AN ANNUAL RENTAL NOT TO EXCEED \$8,000.00 PER MACHINE EACH YEAR.

\* \* \* \*

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

Mr. Edward C. Garcia, Director of Convention Facilities, explained the advantage of having automatic teller machines in the Alamodome.

In response to a question by Mr. Larson, Mr. Roland Lozano, Director of Dome Development, stated that City staff is working with the City Employees Federal Credit Union on the placement of ATMs in Municipal Court as well as in a number of other locations.

Mr. Larson stated his belief that the Alamodome had too few ticket-takers at last weekend's Houston-Dallas football game.

Mr. Garcia noted that City staff is working on that problem.

Mr. Solis stated his belief that the Alamodome's sound system still is not up-to-par.

Mr. Garcia stated that the problems appears to have been the direction that the various speakers were facing.

Mr. Thornton stated his concerns that the Alamodome's concourses apparently cannot handle heavy pedestrian traffic, at present, and he expressed his belief that more doors must be opened to allow crowds to exit the building.

(At this point, Mayor Wolff returned to the meeting to preside.)

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

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,567

RATIFYING FIELD ALTERATION NO. 51 IN THE AMOUNT OF \$36,154.00 FOR THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN-WRIGHT, FOR WORK ON THE ALAMODOME: PACKAGE 7A - ELECTRICAL SYSTEMS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

Mr. Gabriel Perez, Dome Development Office, explained revisions to the electrical wiring for exhaust fans in the Alamodome.

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

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,568

RATIFYING FIELD ALTERATION NO. 52 IN THE AMOUNT OF \$71,242.89 FOR THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN-WRIGHT, FOR WORK ON THE ALAMODOME: PACKAGE 7A - ELECTRICAL SYSTEMS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

Mr. Gabriel Perez, Dome Development Office, explained the provision of necessary electrical power to contractors involved in construction of the Alamodome.

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

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93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,569

RATIFYING FIELD ALTERATION NO. 37 IN THE AMOUNT OF \$32,500.00 FOR THE CONSTRUCTION CONTRACT WITH MATTHEWS/BUCKNER CONSTRUCTION, INC., FOR WORK ON THE ALAMODOME: PACKAGE 8A - PLUMBING SYSTEMS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

Mr. Gabriel Perez, Dome Development Office, explained the problems of having to remove excess water from the Alamodome construction site, so that necessary plumbing work could take place.

Ms. McClendon noted that the Dome Advisory Committee had heard concerns expressed by parents in the Alamodome area about the matter of contaminated soil on the site. She asked City staff to respond to various questions on this matter raised by the DAC.

Mr. Gabriel Perez spoke to staff plans to ask the Texas Water Commission and the Air Pollution Control Board to test the air in the Alamodome area, noting that the first such test should come within the next five days.

Dr. Fernando Guerra, Director, Metropolitan Health District, distributed copies of a memorandum outlining actions taken in response to concerns raised by citizens at the last Council meeting. A copy of the memorandum is made a part of the papers of this meeting. He then verbally outlined the actions taken with regard to environmental health assessment of the neighborhoods around the Alamodome site, with regard to lead contamination.

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

Ms. McClendon stated her belief that the plan, as presented by Dr. Guerra, needs to be revamped to make it more understandable to the general population. She asked that the City Council concur in placing an item on the agenda for the immediate future.

A discussion ensued concerning the amount of dirt remaining on the Alamodome site, and the capacity of the existing disposal site.

In response to a question by Mr. Solis, Dr. Guerra spoke to the costs of the lead testing and the additional outreach programs. He estimated the total cost to be in the range of approximately \$18-20,000.

Mr. Solis stated his opinion that the City staff has taken direction from the Dome Advisory Committee instead of the City Council in this matter.

Mr. Lozano stated that the report was being prepared at the request of Councilwoman McClendon, not the DAC.

A discussion then took place concerning the procedures to be followed in this regard.

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

Ms. McClendon made a motion to direct City staff to come back to City Council with a lead-testing program, and with an educational outreach, with the costs to administer same. Mr. Solis seconded the motion.

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

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,570

RATIFYING FIELD ALTERAITON NO. 50 IN THE AMOUNT OF \$32,110.00 FOR THE CONSTRUCTION CONTRACT WITH JWP BRANDT ENGINEERING COMPANY, INC., FOR WORK ON THE ALAMODOME: PACKAGE 8C - HVAC SYSTEMS, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Dome Development Officer, briefly explained the work involved.

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

93-36 (At this point, Mayor Wolff returned to the meeting to preside.)

93-36 The Clerk read the following Ordinance:

AN ORDINANCE 78,571

REAPPOINTING THE PRESIDING MUNICIPAL COURT JUDGE; REAPPOINTING SEVEN (7) FULL-TIME AND FIVE (5) PART-TIME MUNICIPAL COURT JUDGES; APPOINTING TWO (2) FULL-TIME JUDGES; ONE OF WHICH WILL BECOME EFFECTIVE ON NOVEMBER 1, 1993; DECLARING AN EFFECTIVE DATE OF SEPTEMBER 1, 1993 FOR ALL OTHER APPOINTMENTS; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Larson noted that the Council's Municipal Court Committee had met on this matter, and he briefly explained the changes being made regarding appointments to Municipal Court, noting that there are re-appointments of certain incumbents and some new appointments to be made. He asked for City Council concurrence in the committee recommendations.

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.

93-36

CITIZENS TO BE HEARD

MR. FAUSTO DANIEL AVALOS

Mr. Avalos, KVAR Spanish Radio, spoke to the City Council regarding a recent survey on their radio program that people were very concerned about the increase in electricity bills due to the breakdown of STNP.

Mayor Wolff explained that the partners are in litigation over this issue. If the partners prevail there will be a restitution but nothing is certain at this point. He also explained that the City of San Antonio will be pursuing this litigation. Mayor Wolff then stated that the STNP is expected to be back on line by the first of the year.

\* \* \* \*

MR. JOSE L. GARCIA

Mr. Garcia, 3835 San Fernando, also expressed concern about a person making minimum wage paying the high utility rates. He also took issue with the fact that they were not allowed to carry their signs in the chamber, however the members of the CO were allowed to do so. He then referred again to having to pay these high utility rates in spite of their low salaries.

Mr. Solis stated that he is familiar with this particular case and the problem facing people who live in the Housing Authority projects.

\* \* \* \*

MS. ELMA C. BERNERT

Ms. Bernert, HIV/AIDS Consortium, spoke to her work in the community especially the problem she is seeing with HIV/AIDS. She invited the City Council to attend a Community Awareness luncheon sponsored by the HIV/AIDS Consortium. She urged the City Council to attend in order to form a partnership to make the public aware of the AIDS epidemic.

\* \* \* \*

MS. CAROLYN COLE

Ms. Cole, 230 Madison, spoke to the City Council about her health license being revoked. She took issue with the requirements set out in the Unified Development Code relative to a Bed & Breakfast establishment and gave details of this particular situation.

Mr. Michael Darnell, Chief Sanitation, explained what had occurred in this instance, and, unfortunately they can not license this establishment because of the liabilities involved. He would be glad however, to meet with her to discuss how she can come into compliance.

In response to a Council question, Mr. Darnell also stated that guidelines should be developed and would want to meet with interested persons in order to alleviate this problem.

Dr. Guerra stated that the Health Department will allow Ms. Cole to continue to operate until the guidelines are worked out.

\* \* \* \*

MISS MARY JANE ALVARADO

Miss Alvarado, 120 Camargo Street, spoke about the Storm Water fee and then stated that the valuations of her property had gone up. In 1991 the property was rezoned to R-2, and she had requested that the property be changed to R-1, not R-2. The property has been designated as commercial although it's residential.

Mr. Larson asked Miss Alvarado to meet with representatives of SAWS to correct the designation from commercial to residential.

Mr. Larson explained that while he can't get personally involved in this case because he is a Board Member of the Appraisal District, he will direct her to the proper parties.

\* \* \* \*

MR. NORMAN POSEY

Mr. Posey, spoke to the City Council about the violations and harassment occurring at the Airport. He explained that he has been given many citations which are not warranted. He urged the City Council to investigate this case.

Mr. Efrain Gonzales, Assistant Director of Aviation, spoke to the recent legal opinion and their request for one of the citations to be dismissed. However Mr. Posey's vehicle is not up to standard and would not recommend dismissing all the citations.

Mr. Posey stated that he will be taking these matters to court.

\* \* \* \*

MS. NINFA CARDENAS

Ms. Cardenas, asked the City Council about the recent applications for the new Farmers Market.

In response to her question, Mr. Robert Tagle, Market Square Manager, spoke to the criteria to be used to evaluate the 211 applications received. He also stated that only 75 slots are available.

Mayor Wolff urged the City staff to provide a various mix of merchants in order to make the new Farmers Market successful.

\* \* \* \*

MR. DON WILKINS CASTILLO

Mr. Castillo, 1010 N. Frio Street, spoke to the City Council about his future predictions for each Councilmember.

\* \* \* \*

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93-36 City Council recessed its regular meeting for dinner at 7:16 P.M., reconvening at 7:58 P.M. in order to recess immediately into a Work Session on FY 1993-94 Budget matter.

City Council reconvened its regular meeting at 11:25 P.M., then recessed immediately into Executive Session for the purpose of:

A. Staff briefing on Peach Grove litigation of Leandro Y. Aguilar, et al vs. City of San Antonio, Cause No. 90-CI-03285.

B. Consultations between the City Council and its attorneys regarding pending and contemplated litigation and settlement proposals related to the environmental concerns in conjunction with the construction of the Fredericksburg Road Street and Drainage Project (Woodlief St. to Sandoval St.) and the proposed acquisition of real property associated therewith.

93-36 City Council adjourned the Executive Session and reconvened in regular meeting at 11:54 P.M., at which time Mayor Wolff announced that no action had been taken during the Executive Session.

93-36 There being no further business to come before the Council, the meeting was adjourned at 11:55 P.M.

A P P R O V E D

*Robert W. Wolff*  
M A Y O R

Attest: *Anna J. Rodriguez*  
C I T Y C L E R K

August 26, 1993

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:

August 6, 1993

Petition submitted by Ms. Eleanor L. Morris, 6823 Enchanted Springs, San Antonio, Texas 78249, on behalf of the homeowners of the Oxbow subdivision, requesting the placement of their subdivision on the next drainage improvement project list.

/s/ Norma S. Rodriguez  
City Clerk