

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY JANUARY 27, 1994.

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94-04 The meeting was called to order 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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94-04 Invocation - Monsignor (Msgr) John Flynn, St. Matthews Catholic Church, and Pledge of Allegiance.

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94-04 Pledge of Allegiance to the flag of the United States.

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94-04 "GO WESTERN, GO RODEO"

Mayor Wolff read a proclamation designating the start of the rodeo and presented it to Joel Klein, chairman of the Go Western, Go Rodeo committee for the North San Antonio Chamber of Commerce, and other member of the North San Antonio Chamber.

Mr. Klein accepted the proclamation and spoke of the many events taking place prior to the start of the rodeo. He then introduced Mr. Alton Moczygemba, Cowboy Breakfast chairman. Mr. Moczygemba invited all to attend this free breakfast starting a 6:00 A.M. on Friday February 4, 1994 at Central Park Mall. He also announced that Mr. Willard Scott will once again be attending the breakfast this year. He told of the contests that will be held during the breakfast.

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94-04 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 7 through 26d, constituting the Consent Agenda. Mr. Avila seconded the motion.

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

AN ORDINANCE 79,486

ACCEPTING THE PROPOSAL OF INGRAM LIBRARY SERVICES, INC. IN THE AMOUNT OF \$4,308.83 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARIES WITH BOOKS RECORDED ON AUDIO TAPES.

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AN ORDINANCE 79,487

ACCEPTING THE PROPOSAL OF MERCK, U.S. HUMAN HEALTH DIVISION IN THE AMOUNT OF \$4,977.00 TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH HEPATITIS B VACCINE FOR AT RISK POLICE DEPARTMENT EMPLOYEES.

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AN ORDINANCE 79,488

ACCEPTING THE LOW BID OF DEALER'S ELECTRIC SUPPLY IN THE AMOUNT OF \$7,827.70 TO PROVIDE THE SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH LIGHTING FIXTURES FOR THE O.P. SCHNABEL PARK PAVILION.

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AN ORDINANCE 79,489

ACCEPTING THE LOW QUALIFIED BIDS OF ESTES, INC., LESCO, INC., TERRA INTERNATIONAL, INC., WILBUR ELLIS COMPANY, AND SOUTHERN DIVISION FOR A TOTAL AMOUNT OF \$9,852.36 TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH INSECTICIDES AND FUNGICIDES FOR CONTROL OF NOXIOUS VEGETATION AT THE CITY'S GOLF COURSES.

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AN ORDINANCE 79,490

ACCEPTING THE LOW BID OF ARMSTRONG MEDICAL INDUSTRIES IN THE AMOUNT OF \$6,640.00 TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH THERMOMETERS AND PROBE COVERS FOR USE IN THE CITY'S AMBULANCES.

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AN ORDINANCE 79,491

ACCEPTING THE LOW BID OF ALAMO FORD NEW HOLLAND, INC. IN THE AMOUNT OF \$9,547.42 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A FLAT BED TRAILER FOR TRANSPORTING CONSTRUCTION EQUIPMENT.

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AN ORDINANCE 79,492

ACCEPTING THE LOW BID OF SPECIALTY OIL COMPANY IN THE AMOUNT OF \$3,703.62 TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH AUTOMOTIVE COOLANT/ANTI-FREEZE FOR CITY VEHICLES.

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AN ORDINANCE 79,493

ACCEPTING THE LOW QUALIFIED BID OF ANCIRA WINTON CHEVROLET, INC. IN THE AMOUNT OF \$2,148,216.19 TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH 1994 POLICE PATROL AUTOMOBILES.

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AN ORDINANCE 79,494

ACCEPTING THE LOW QUALIFIED BIDS OF ANCIRA WINTON CHEVROLET, INC., HENDRIX GMC, RED MCCOMBS FORD AND SOUTHWAY FORD IN THE TOTAL AMOUNT OF \$1,803,417.24 TO PROVIDE THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH LIGHT DUTY TRUCKS.

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AN ORDINANCE 79,495

RATIFYING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$18,463.00 AND FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$20,221.00 TO THE CONTRACT WITH H. A. LOTT, INC., IN CONNECTION THE CONSTRUCTION OF THE NEW CENTRAL LIBRARY; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,496

ACCEPTING A PROPOSAL IN THE AMOUNT OF \$2,950.00 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FROM SLAY

ENGINEERING CO., INC. IN CONNECTION WITH THE FRIO STREET FROM GUADALUPE TO BUENA VISA RECONSTRUCTION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,497

AMENDING A SAN ANTONIO INTERNATIONAL AIRPORT LEASE WITH SANTEX HANGARS UNIT TWO, INC. TO UPDATE CERTAIN STANDARD PROVISIONS AND TO PROVIDE FOR A MONTH TO MONTH EXTENSION FOR A PERIOD NOT TO EXCEED SIX MONTHS AND, CONTINGENT UPON CERTAIN BUILDING REPAIRS HAVING BEEN PERFORMED, A FURTHER LEASE TERM EXTENSION OF FIVE YEARS.

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AN ORDINANCE 79,498

AUTHORIZING THE EXECUTION OF A MONTHLY LEASE AGREEMENT FOR A PERIOD NOT TO EXTEND BEYOND DECEMBER 31, 1998 AT A MONTHLY RENTAL OF \$287.98 WITH WACKENHUT AIRLINE SERVICES, INC. FOR 89 SQUARE FEET OF OFFICE SPACE IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT TO BE USED IN SUPPORT OF LESSEE'S SECURITY SERVICE PROVISION.

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AN ORDINANCE 79,499

AUTHORIZING A SIX-MONTH LICENSE AGREEMENT WITH HIGHLAND INTERNATIONAL LITTLE LEAGUE BASEBALL CO., INC., A TEXAS NON-PROFIT CORPORATION, TO USE CERTAIN BALL FIELDS IN THE SOUTHSIDE LIONS PARK FOR LITTLE LEAGUE BASEBALL AND RECREATIONAL PURPOSES AND AUTHORIZING THE DIRECTOR, DEPARTMENT OF PARKS AND RECREATION, TO EXTEND SUCH AGREEMENT ON A SEASON BY SEASON BASIS NOT TO EXCEED A TOTAL TIME PERIOD OF THREE (3) YEARS OR UNTIL A PERMANENT LOCATION FOR SAID LITTLE LEAGUE IS ESTABLISHED, IF SOONER THAN THREE (3) YEARS.

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AN ORDINANCE 79,500

CLOSING, VACATING AND ABANDONING PARKRIDGE DRIVE FROM JONES MALTSBERGER ROAD ON THE WEST TO WESTERN AVENUE ON THE EAST, HALLMARK DRIVE BETWEEN JONES MALTSBERGER ROAD ON THE WEST AND U. S. HIGHWAY 281

ON THE EAST, WESTERN AVENUE BETWEEN CHULIE DRIVE ON THE SOUTH AND A NORTHERN 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 CONCOURSE 410 LIMITED.

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AN ORDINANCE 79,501

DECLARING SURPLUS TO THE NEEDS OF THE CITY OF SAN ANTONIO A CERTAIN 7.5-FOOT WIDE STRIP OF LAND WITHIN LOT 24, BLOCK 5, NEW CITY BLOCK 3410, SAN ANTONIO, BEXAR COUNTY, TEXAS, PREVIOUSLY USED FOR STORM DRAINAGE PURPOSES, AND AUTHORIZING THE EXECUTION OF A QUITCLAIM OF SAID PROPERTY TO AURELIO MACIAS, JR. AND WIFE, MARY M MACIAS FOR A CONSIDERATION OF \$190.00.

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AN ORDINANCE 79,502

AUTHORIZING THE SUBMISSION OF THE CITY'S APPLICATION TO THE TEXAS HIGHWAY DEPARTMENT OF PUBLIC SAFETY, AS ADMINISTRATORS OF THE FEDERAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM, FOR A ONE-HALF COST REIMBURSEMENT IN THE AMOUNT OF \$64,606.00 FOR THE CITY'S 1993/94 EMERGENCY MANAGEMENT OFFICE OPERATION; AUTHORIZING THE ACCEPTANCE OF THE PROGRAM REIMBURSEMENT; AND EMERGENCY MANAGEMENT PLAN AND CITY PARTICIPATION IN THE 1993/94 FEDERAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM (FEMA).

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AN ORDINANCE 79,503

AUTHORIZING THE ACCEPTANCE OF A CONTRACT FROM THE TEXAS DEPARTMENT OF HEALTH RAISING THE BILLING LIMIT ON TITLE XX FAMILY PLANNING FUNDS TO \$181,868.00 IN SUPPORT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S FAMILY PLANNING PROJECT; AND AMENDING THE FAMILY PLANNING PROJECT BUDGET ESTABLISHED IN ORDINANCE 78425 PASSED AND APPROVED ON AUGUST 5, 1993.

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AN ORDINANCE 79,504

AUTHORIZING PAYMENT TO THE TEXAS MUNICIPAL LEAGUE (TML) IN THE AMOUNT OF \$5,000.00 FOR SHUTTLE SERVICES DURING THE TML CONFERENCE HELD IN SAN ANTONIO NOVEMBER 1993.

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AN ORDINANCE 79,505

APPOINTING COUNCILMAN JUAN F. SOLIS, III TO THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR A TERM OF OFFICE TO RUN CONCURRENT WITH HIS COUNCIL TERM AND TO EXPIRE ON MAY 31, 1995.

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AN ORDINANCE 79,506

APPOINTING MR. JEROME HARRIS TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 1995.

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AN ORDINANCE 79,507

APPOINTING MARY ANN CANAMAR (DISTRICT 10) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM TO EXPIRE ON SEPTEMBER 15, 1995.

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AN ORDINANCE 79,508

APPOINTING OMAR GREENE (DISTRICT 10) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 1996.

94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,509

ORDINANCE AUTHORIZING THE ISSUANCE AND DELIVERY OF "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1994B AND NEW SERIES 1994C"; AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT, AN ESCROW AGREEMENT, AND A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE FORM OF AN OFFICIAL STATEMENT; CALLING CERTAIN OUTSTANDING

ELECTRIC AND GAS SYSTEMS REVENUE BONDS FOR
REDEMPTION; APPROVING AND AUTHORIZING ALL OTHER
INSTRUMENTS AND PROCEDURES RELATED THERETO; AND
DECLARING AN EMERGENCY.

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

Mr. Howard Freeman, Assistant General Manager for Finance, City Public Service, explained the nature of this ordinance and the financial impact that the issuance of the refunding bonds will have in debt service savings to the City. This savings will be passed on to the rate payer.

In answer to a question by Ms. McClendon, Mr. Freeman stated that 6 of the 16 firms involved in this sale are minority firms.

The Mayor stated that some of the Law firms working closely with the sale of these bonds are minority law firms.

In answer to a question by Mr. Solis, Mr. Freeman explained the procedure for the selection of the CPS Board members. Mayor Wolff gave more detail on the appointment procedure and stated that the Council has the right to reject or approve any appointment. Mr. Freeman stated that all new series bonds will follow the new policy that takes effect in 1997. He then explained the interest rate with the old and new bond series and how the reserve fund will service the old debt.

In answer to a question by Ms. Ayala, Mr. Freeman stated that the CPS Board looks at the performance of Bond Companies and their ranking in the city and state. He stated that the city needs the best marketing of the bonds possible.

Mr. Thornton complimented the Mayor on the openness of the CPS Board and noted the City has the highest rating by bond companies in New York as well as locally.

Mr. Ross spoke in support of the positions taken by CPS and spoke of his concern that the City may lose some CDBG funds for construction of homes due to CPS lines that need to be put in.

Ms. Ayala requested a report on the status of the underground utilities fund.

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

94-04 PRESENTATION: ALAMODOME OPERATIONS FINANCIAL REPORT AND
MANAGEMENT REVIEW:

Mr. Alex Briseno, City Manager, presented a detail financial report on the Alamodome. (A copy of this report is made a part of the papers of this meeting.) In this report he spoke of additional expenses dues to construction delays, still on-going construction, parking, delayed program implementation and VIA agreement amendments.

He then introduced Mr. Frank Stromboe, Information Services Department, who headed his management team and asked Mr. Stromboe to report to Council the findings of the task force members. Mr. Stromboe introduced the technical assistance team that reviewed the finances of the Dome. He then explained that the management review concentrated around five major categories: management issues, internal controls, operating procedures, communications and segregation of duties.

In conclusion Mr. Briseno made the following recommendations:

- 1) Establish a separate department
- 2) Install automated systems support
- 3) Provide a Technical Assistance Team
- 4) Institute a strong marketing program
- 5) Develop a Client/Customer Service program
- 6) Review of utility expenditure issues
- 7) Approve revised operating budget for FY 93-94
- 8) Proceed with VIA to amend agreements and construction budget

Mr. Briseno then distributed copies of the 5 year forecast and stated his plans will be to come before Council in about two weeks with the revised budget for this year.

Mayor Wolff praised Mr. Briseno on the detailed report he had presented. He also thanked Mr. Stromboe and his team for their extra efforts and time spent in compiling this report. He spoke of the responsibilities now placed on the City Manager to get this facility in excellent running order. Mayor Wolff also spoke about the learning experiences in construction and operation of this facility.

Mr. Larson spoke in favor of the recommendations Mr. Briseno has made. He cautioned about the environmental issues that are not resolved and are hard to calculate.

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

In answer to a question by Mr. Larson, Mr. Stromboe stated that Spectacor Management has had a lot of experience in the marketing field and asked Mr. Edward Garcia to answer Mr. Larson's questions.

Mr. Edward Garcia, Convention Center Facilities Director, told of the number of events that Spectacor has brought to the City. He stated that their contract will come up for renewal in July. Mr. Larson recommended that some adjustments be made in the marketing of the Dome and the other facilities as well. He also would like to see the marketing monitored closely and reports be given to Council periodically. Mr. Larson stated that he will resign from the Dome development committee and asked that Ms. Ayala be named to replace him.

Mr. Briseno addressed the issues concerning payment of certain construction costs that VIA has refused to pay. The VIA Metropolitan transit board has refused to pay any dome construction cost overruns at this time. Mr. Briseno gave examples of request for payments regarding the construction and equipment budget.

Mr. Thornton spoke of his concerns about who is responsible for the accountability of the losses. He noted that VIA seems to be totally immuned to any accounting.

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

In answer to a question by Mr. Thornton, Mr. Briseno stated his reasons for not being able to present a report before now. He stated the reports are now set on a quarterly review.

Mr. Briseno then gave the composition of the DAC Committee and its functions. He noted that staff had recommended Pace Management and DAC recommended Spectacor. Mr. Briseno presented Council with a copy of the minutes of the regular VIA Metropolitan Transit Board meeting that addressed some of the cost overruns on the construction of the Dome.

Ms. McClendon spoke to her concerns about the City and VIA communicating through the press. She spoke of the serious issues we are facing concerning the Dome.

Mr. Perez and Ms. Ayala thanked Mr. Briseno for his report and stated that they would like to see the problems addressed so the City can move forward.

Mr. Ross noted that it is important to realize that the function of VIA is transportation. He stated he strongly recommends the establishment of a separate department and installment of the equipment needed to monitor the Dome operations.

Mr. Peak then made a motion for the City Manager to establish a separate department and to begin advertisement for a director and to install the needed equipment. Mr. Larson seconded the motion.

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

94-04 SECOND PUBLIC HEARING ON THE SAN ANTONIO BOND ISSUE PROGRAM:

Mayor Wolff opened the Public Hearing.

The following citizens appeared to speak:

Ms. Lila Cockrell, San Antonio Museum of Art, came before the Council to request funds for the Latin American Art Center. She spoke of the multi culture heritage in the City and the need to provide permanent space for Latin American Art.

Dr. Marion Oettinger, Currier of Latin American Art at the San Antonio Museum of Art, presented the proposed plans to house the Splendors Exposition permanently.

Mr. Greg Pastor, Friends of Friedrich Wilderness Park, presented a plan for future development of this Wilderness Park and asked that the Council please consider allocating some of the Bond funds for this project.

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

Ms. Emily Scott, a guide in Friedrich Wilderness Park, read letters from children that had toured the park and requested funds so that more children can benefit from these walks in nature.

Ms. Molly Houck, Friends of Friedrich Wilderness Park, stated this park is an excellent nature center.

Mr. Homer Bain, Metro Alliance and Ms. Pat Ozuna, COPS Organizations asked that the basic needs be addressed. They requested necessities such as flooding be addressed in the bond issue to give people a quality life. They thanked the Council members who attended their meeting to explain the bond package.

Mr. Ray Hamilton, Northside Neighborhoods for Organized Development, requested that some funds from these Bonds focus on the flooding and drainage problems in Council District 8. He stated that correcting these problems will benefit areas further down stream. He urged that everyone vote for the bond issue.

Mr. Walt Schumann spoke in favor of the bond issue. His desire would be to promote Eco-tourism and nature centers at Friedrich Wilderness Park.

Mr. Tony Kuberski, Beautify San Antonio, asked for help to develop O. P. Schnabel Park.

Mr. Ed Davis, President, Beautify San Antonio Commission, spoke to the new pavilion at O.P. Schnabel park and the need for additional funding.

Ms. June Reedy, Historic Civic Center Task Force, requested funding for the Historic Civic Center project and master plan.

(At this point in the meeting Mr. Perez relinquished the chair to Mr. Peak.)

(Mayor Wolff returned to the meeting to preside.)

Ms. Dixie Watkins, Open Space Advisory Board, asked funding for Salado Parkway corridor.

Ms. McClendon stated she is very pleased with the work being done on Salado Creek.

Ms. June Kachtik, Chairman of the Open Space Advisory Board, asked that Salado Creek be a top priority in the designation of funds from the bond issue.

Ms. Danielle Milam, 213 Hamitt, stated different uses for open space. She requested that each Council district be appropriated funds for land acquisition to assist in development of flood plains.

Walter Barfield, listed four open space goals and requested support from the Bond project to be able to meet these goals and to acquire more open space.

Mr. Reid Myers, President of the San Pedro Playhouse Foundation, requested funds to restore the Playhouse. He explained that the building is a resource for children's educational and recreational activities.

Several of the people who spoke presented documentation in favor of their requests. These documentations are made a part of the papers of this meeting.

Mayor Wolff declared the Public Hearing closed.

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

3A. CASE Z93051 (SUP) - the rezoning and reclassification of the southwest 120 feet of Lot 4, Block 4, NCB 14258, 3500 Oakgate Drive, from "R-2" Two Family Residence District to "R-2" SUP Two Family Residence District with special use permit for parking.

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. Thornton made a motion to resubmit this case to the Zoning Commission with the recommendation of "R-3" Residential zoning coupled with deed restrictions which will prevent utilization of the subject property for any use other than parking of the present residences now in place. Mr. Perez seconded the motion.

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

Zoning Case Z93051 (SUP) was resubmitted to the Zoning Commission.

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3B. CASE Z93229 - to rezone Lot 4, Block A, NCB 10033, Eureka Drive from "B" Residence District to "B-2" Business District, located on the northside of Eureka Drive, 206.94 feet, east of the intersection of Goliad road and Eureka Drive, having 70 feet on Eureka Drive and a depth of 140 feet.

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

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

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

AN ORDINANCE 79,510

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 4, BLOCK A, NCB 10033, EUREKA DRIVE 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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3C. CASE Z93221 - to rezone 3.75 acres out of Lot 33, NCB 11688, 1802 Jackson Keller Road, from "B-3" Business District to "I-1" Light Industry District, located on the southwest side of Jackson Keller Road, 840 feet southeast of the intersection of West Avenue and Jackson Keller Road, 50 feet southwest of Jackson Keller Road, having a maximum width of 477.62 feet and a depth of 454.40 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 details of the Ordinance.

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

Mr. Lee Hernandez, 6800 Park Ten, representing the applicant gave a brief history of the nature of this zoning case. He stated that this case was postponed in December 1993 in order to allow the applicant to meet with the adjacent property owners. He noted that they have met and have resolved concerns expressed by the residents. He stated that many deed restrictions have been prepared which address the residents concerns.

Mr. Lawrence Rubenstein, representing Lincoln Village Apartments, stated that they have reached a compromise in the form of protective covenants on the property.

The following people appeared to speak in opposition of this zoning change:

Mr. Ray Hamilton, 2523 Wilderness Hill, stated the need for inner City cooperation and asked it be denied.

In answer to a question by Mr. Perry Burnham, 111 Roletto Drive, Mr. Larson explained the procedure for conducting zoning hearings. Mr. Burnham presented petitions to the Council signed by concerned citizens requesting that this change of zoning be denied.

(At this point in the meeting Mayor Pro-Tem Billa Burke presided.)

Mr. Burnham stated that the City of Castle Hills has never had industrial zoning. He felt that the zoning will reduce the value of

homes in the area. He asked that if Council does approve the rezoning that a deed restriction that a 200 foot buffer zone be added.

Ms. Jeanne Holloway, 1803 Jackson Keller, stated that since this is an established residential area that the change of zoning be denied.

Ms. Ru Ewald, 1801 Jackson Keller, stated that her property abuts the Garcia property. She is concerned about odors and heavy traffic.

Mr. Bill Martin, Mayor of Castle Hills, spoke against the zoning change citing heavy traffic on Jackson Keller.

Mr. Hernandez, then addressed the point that there is no zoning classification that truly applies to this type business. He stated that he has tried on several occasions to meet with the residents in that area.

In answer to a question by Mr. Perez, Mr. Hernandez stated that there are no plans contemplated for the new area and the deed restrictions will provide screening for the apartment residents. There will not be heavy traffic on Jackson Keller. The truck drivers have been instructed to not travel on Jackson Keller.

In answer to a question by Mr. Thornton, Mr. Guerrero explained the zoning that surrounds this area. Some of the property is listed under the old zoning codes. Mr. Thornton stated that he will be in support of the zoning change.

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

AN ORDINANCE 79,511

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 3.75 ACRES OUT OF LOT 33, NCB 11688, 1802 JACKSON KELLER ROAD, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3D. CASE Z93224 - to rezone Lot 26, Block 9, NCB 278, In the rear of 716 S. Frio Street, from "R-3" Multiple Family Residence District to "B-3NA" Non Alcoholic Sales Business District, located on the southwest side of San Fernando Street, 130 feet southeast of the

intersection of S. Frio Street and San Fernando Street, having 65 feet on San Fernando Street and a depth of 260 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 details of the Ordinance.

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

Mr. James Black, business owner told the nature of his business.

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

AN ORDINANCE 79,512

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 26, BLOCK 9, NCB 278, IN THE REAR OF 716 S. FRIO STREET, FROM "R-3" MULTIPLE FAMILY 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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4E. CASE Z93230 - to rezone Lot 21, NCB 8693, 1130 Austin Highway, from "F" Local Retail District to "B-3NA" Non Alcoholic Sales Business District, located between Austin Highway and Rittiman Road, 416 feet west of the intersection of Austin Highway and Exeter Road, having 160.48 feet on Austin Highway, 176.84 feet on Rittiman road and a distance of 636.4 feet between these two right-of-ways.

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

AN ORDINANCE 79,513

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 21, NCB 8693, 1130 AUSTIN HIGHWAY, FROM "F" LOCAL RETAIL 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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3F. CASE Z94004 - to rezone 0.760 acre tract of land out of NCB 11067, from "B" Residence District to "B-2" Business District and to rezone 0.158 acre tract of land out of NCB 11067, from "B" Residence District to "B-3NA" Non Alcoholic Sales Business District, 9222 Poteet-Jourdanton Highway, located northeast of the intersection of Gillette Boulevard and Poteet-Jourdanton Highway, having 200 feet on Gillette Boulevard and 200 feet on Poteet-Jourdanton Highway.

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. He explained that the applicant has requested "B-3NA" and that staff recommends "B-2".

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

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

AN ORDINANCE 79,514

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 0.760 ACRE TRACT OF LAND OUT OF NCB 11067, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND TO REZONE 0.158 ACRE TRACT OF

LAND OUT OF NCB 11067, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT, 9222 POTEET-JOURDANTON HIGHWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4G. CASE Z93515 - to rezone Lots 1 and 2, Block 1, NCB 6227, 2147 East Hildebrand Avenue, from "B" Residence District to "B-1" Business District, located northwest of the intersection of E. Hildebrand Avenue and N. New Braunfels Avenue, having 105 feet on E. Hildebrand Avenue and 135 feet on N. New Braunfels Avenue.

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

AN ORDINANCE 79,515

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 1 AND 2, BLOCK 1, NCB 6227, 2147 EAST HILDEBRAND AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3H. CASE Z94003 (CC) - to rezone 255.399 acres out of NCB 17055, Bitters Road, from Temporary "R-1" Single Family Residence to "R-1" CC Single Family Residence District with special City Council approval for a golf course, located on the southeast side of Bitters Road and River Park, having 570 feet on Bitters 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. 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, Billa Burke, Avila, Solis, Ayala, Peak; NAYS: None; ABSENT: McClendon, Ross, Thornton, Larson, Wolff.

AN ORDINANCE 79,516

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 255.399 ACRES OUT OF NCB 17055, BITTERS ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A GOLF COURSE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3I. CASE Z94006 - to rezone 6.582 acres out of NCB 17035, Southwest of Bluff Manor Drive, from Temporary "R-1" Single Family Residence District to "B-3" Business District, located 175 feet southwest of Bluff Manor Drive, having a maximum width of 520 feet and a maximum length of 780 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 details of the Ordinance.

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

AN ORDINANCE 79,517

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 6.582 ACRES OUT OF NCB 17035,

SOUTHWEST OF BLUFF MANOR DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3J. CASE Z94008 - to rezone Lot 2, Block 5, NCB 17875, 1431 Cable Ranch Road, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, located 304.44 feet north and 520 feet west of the intersection of Garden Brook and Cable Ranch Road, having 515 feet on Garden Brook and 373.81 feet on Cable Ranch 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.

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

AN ORDINANCE 79,518

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, BLOCK 5, NCB 17875, 1431 CABLE RANCH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3K. CASE Z94012 - to rezone Lot 1, Block 3, NCB 18282, 7940 Pipers Creek Road, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, located on the southwest side of Pipers Creek, approximately 525 feet southwest of the intersection of Culebra Road and Pipers Creek, having approximately 1,250 feet on Culebra Road and a maximum depth of 475 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 details of the Ordinance.

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

AN ORDINANCE 79,519

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 3, NCB 18282, 7940 PIPERS CREEK ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

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

3L. CASE Z93231 - to rezone Lots 11 and P-4C, Block 7, NCB 17332, Cable Ranch Road and Waters Edge Drive, from Temporary "R-1" Single Family Residence District to "B-3" Business District, located northeast of the intersection of Cable Ranch Road and Waters Edge Drive, having 1,452.33 feet on Cable Ranch Road and 1,057.52 feet on Waters Edge Drive.

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. Ayala made a motion to approve a "B-3NA" Non-Alcoholic Sales Business District. 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, Solis, Ayala, Peak, Wolff; NAYS: None; ABSENT: Ross, Thornton, Larson.

AN ORDINANCE 79,520

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 11 AND P-4C, BLOCK 7, NCB 17332, CABLE RANCH ROAD AND WATERS EDGE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3M. CASE Z93225 - to rezone Lot 52, save and except 121.97 feet and the south 200 feet of the east 120 feet, Block 1, NCB 15877, 6015 Thornwood Drive, from "B-3" Business District to "I-1" Light Industry District, located 100 feet south of the intersection of Rittiman Road and Thornwood, being 10 feet east of Thornwood Drive, having a length of approximately 400 feet and a width of 182.58 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 details of the Ordinance.

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

AN ORDINANCE 79,521

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 52, SAVE AND EXCEPT 121.97 FEET AND THE SOUTH 200 FEET OF THE EAST 120 FEET, BLOCK 1, NCB 15877, 6015 THORNWOOD DRIVE, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3N. CASE Z93101-A - to rezone Lots 15 and 16, Block 2, NCB 609, 933 Wyoming Street, from "D" Apartment District to "B-3" Business District or "R-2" Two Family Residence District, located northwest of the intersection of Hackberry Street and Wyoming Street, having 110 feet on Wyoming Street and 90 feet on Hackberry Street.

The Zoning Commission has recommended that "B-3NA" Non Alcoholic Sales Business District 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. 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, Solis, Ayala, Peak, Wolff; NAYS: None; ABSENT: Ross, Thornton, Larson.

AN ORDINANCE 79,522

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 15 AND 16, BLOCK 2, NCB 609, 933 WYOMING STREET, FROM "D" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-04 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
AMENDING CHAPTER 33 - VEHICLES FOR HIRE:

Mayor Wolff opened the Public Hearing.

Captain Tom Polonis, San Antonio Police Department, spoke about the needed changes in the vehicles for hire ordinance. He stated that these revisions were made after numerous meetings with the drivers as well as staff. He then gave a review of the current and proposed changes to the Council.

The following citizens appeared to speak:

Mr. John Ruiz, Guest Service Manager for the San Antonio Airport Hilton, spoke in favor of the current taxi reforms stating that these are important to the continued success of our tourism industry. He then made some suggestions for improvements in some of the taxi companies. (A copy of his speech is made a part of the papers of this meeting.)

Mr. Nick Avila, Metro Cab #2, stated that the drivers should have the right to inject their suggestions on the changes in the ordinance.

Ms. Kimberly Ellsworth, Yellow Cab #124, addressed the closing of the airport to certain taxis who do not meet the standards set out in this ordinance.

Mr. Mohammad H. Amrollah, stated that it would be hard to collect the additional downtown charges. He is concerned about the ordinance being changed every two years and the general safety requirements and inspections.

Ms. Catherine Arlege, Yellow Cab #95, stated that the taxi industry is for progress, but would like the freedom to be heard on the issues involving them. She asked that the Council think of all the people involved and the financial impact these changes will have on them.

Mr. James Munoz, spoke against the proposed fare charges and airport closure. He also stated that driver safety was not addressed at all.

Mr. Robert Gonzales, National Cab, stated that the Transportation Advisory Board had not given the taxi drivers any say about the proposed changes. He spoke against the closure of the airport and requested that the same restrictions be placed on the limos and courtesy cars operating at the airport. He requested that the taxi drivers be given the same rights as an average citizen in an adjudication process. He requested that drug testing be optional. He also spoke about the inspection fees.

Mr. Jaime Martinez, IVE-AFL-CIO, spoke about the failure of City Officials being able to involve the taxi drivers in collective bargaining. He requested that Council postpone action and allow the taxi drivers to negotiate.

Mr. Cruz Chavira, Taxi Alliance, informed Council that they will adopt an ordinance that will do harm to all taxi drivers. He then addressed each issue that he felt would do this harm. He requested that Council remove the filters between them and the drivers. He also stated that he felt the Airport is catering to the vans and shuttles and not giving the taxis equal treatment. (A copy of his speech is made a part of the papers of this meeting.)

(At this point Mayor Wolff was obliged to leave the meeting. Ms. Billa-Burke presided.)

Mr. Jim Fisher, Yellow and Checker Cabs, spoke about the increase in fees. He also spoke against hiring an outside firm for inspections and also maintaining an inspections department with the City at the same time.

Mr. Robert Liva, 9834 Boulder Hill, spoke against the regulations that are imposed on taxi drivers.

Mr. Jesse James Turner, Cab Co. Legal Defense Fund, stated that this ordinance will force the drivers to do things that are not right. He stated that he feels these proposals create a dictatorship.

Mr. Vincent Thompson, Alamo Taxi Service, stated that these amendments do not address all the issues of the taxi industry. He requested that the Council not put a cap on permits and allow free enterprise to work in the taxi industry.

Mr. Raymond Buento, spoke about his family and the financial impact this ordinance will have on his being able to support his family. He requested that Council please review the taxi drivers proposals before making a final decision.

Mr. Bill Stephens, spoke about the safety of the drivers who work in the evening.

Ms. Rosa Rosales, LULAC, spoke to the belief that Council is still not listening to the drivers. She requested that Council please give them the chance for meaningful input concerning safety and benefits for the drivers.

Mr. Azaz-ul-Ahsan, 11845 West Avenue, asked that Council reject this ordinance.

Mr. Luke Bourke spoke about his being able to work part time as a taxi driver and attend school full time. He stated he will not be able to do this if this ordinance is passed. He also took issue with the hotels calling two taxi companies for one fare.

Mr. Thomas Ragan, Taxi Express, spoke about certain issues already in the ordinance concerning time and mileage charges. He noted that it would be extremely difficult for the drivers to collect additional late hour charges. He questioned who will be paying the \$150.00 fee assessed at the airport.

Ms. Sylvia Bernal made a request to Council for a 'hand-up' instead of a 'hand-out'.

Ms. Nadine Campbell, City Cab #16, stated that there is no justice for taxi drivers because they have not been given a fair hearing.

Mr. Don Tucker, Taxi Express, showed frustration that the Council members are 'listening but not hearing' the drivers grievances.

Mr. Jose Botello, LULAC, asked the Council to take one more week before passage of this ordinance to listen to the pleas of the taxi drivers and make all necessary changes.

Mr. Antranik Baldjian, addressed the drivers safety.

Mr. Gary Bamburg, stated that more cabs are needed at the airport. He further stated that he felt that extra cabs would help to build tourism.

Mr. Das Carabin, gave the ratio of cabs for the number of people. He requested that the City eliminate the cap.

Mr. Ruben Jimenez, 6840 San Pedro, #200, stated that the time to act is now. He stated that this ordinance is a starting point.

Ms. Beeper Smith, Greater San Antonio Chamber of Commerce, speaking in behalf of the customers of the taxi industry stated that this is the first step on the road to improvements of this industry. She urged passage of this ordinance.

Mr. Dyek Boles, San Antonio Airport Advisory Committee, addressed the taxi service at the airport and the proposed changes that will occur with the adoption of this ordinance.

Mr. Jovito Garduno, spoke to the accountability of the Council after the passage of this ordinance.

Mr. Neil Stone, North San Antonio Chamber of Commerce, spoke about the issues involving service to the citizens. He urged the Council to take a position. He spoke of the dispatch service and the new permits. He urged Council to make sure that the system is enforced and requested that a dialogue be kept open with the drivers. He also spoke to the safety of the drivers.

Mr. Roger Martinez and Ms. Laura Trivano addressed driver safety.

An unidentified speaker spoke of his own experiences of physical harm and also urged Council to include driver safety.

Ms. Virginia Reyes asked that she be given the opportunity to be able to drive her cab.

Mayor Wolff declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 79,523

AMENDING THE COMPREHENSIVE GROUND TRANSPORTATION ORDINANCE, CHAPTER 33 OF THE CITY CODE, BY ADOPTING ARTICLE IX REGULATING THE TAXICAB INDUSTRY; PROVIDING FOR ADMINISTRATIVE FINES OF NOT MORE THAN \$500 FOR VIOLATIONS OF THE PROVISIONS THEREOF; AUTHORIZING THE IMPOUNDMENT OF UNAUTHORIZED TAXICABS; MAKING THE OPERATION OF AN UNAUTHORIZED

TAXICAB A CRIMINAL OFFENSE PUNISHABLE BY A FINE OF NOT MORE THAN \$500; AND REPEALING ARTICLE II ("TAXICABS") OF SAID CHAPTER EFFECTIVE APRIL 1, 1994.

* * * *

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

(On a point of order, Mr. Ross was advised that this ordinance does include the revisions of January 26, 1994.)

Mr. Perez then spoke to the amendments made to the ordinance. He stated that these changes are needed to provide good service. He noted that this ordinance will require everyone to operate on the same level. He noted that there has been a lot of complaints concerning on time delivery and on time service. He stated that the Transportation Advisory Committee tried to look at all services available and to give opportunity to the small businesses as well as the larger ones. Mr. Perez then addressed issues that the advisory board felt needed to be changed in order to enhance this industry. He further noted that several suggestions that the taxi drivers have made were incorporated in this ordinance. He explained the rate increase, driver safety shields and the reasonable dress code. He stated that there will be an increase in the number of permits.

(At this time, Mayor Pro-Tem Billa Burke was obliged to leave the meeting. Mr. Peak presided.)

In closing Mr. Perez urged Council to pass this ordinance and addressed the positive changes that this new ordinance will bring:

- 1) A self policing business
- 2) Create and help small businesses
- 3) No more courtesy vehicles
- 4) Two year annual contracts instead of one.

(At this time Mayor Pro-Tem Billa Burke returned to the meeting to preside.)

Mr. Peak spoke in support and stated that he felt this ordinance would provide a safer and more attractive taxi service. He noted that the various safety features that can be installed in the taxis is not the responsibility of the City.

Mr. Solis congratulated Mr. Perez on his report and spoke in the support of the ordinance stating that this is a starting point.

Mr. Avila spoke in support of the ordinance with the condition that if it does not work revisions will be made.

Mr. Thornton thanked Mr. Perez for his work on these revisions and the many hours he has dedicated to these. He spoke to the intense desire to improve the quality of taxi service.

Mr. Ross stated that everyone has had a chance to voice their suggestions and stated that with this new ordinance the vehicles will operate properly.

Ms. Ayala spoke about the communications between the taxi drivers and the advisory committee. She suggested safety seminars as well as seminars to explain the changes made in the ordinance.

At this time the Clerk reread the caption.

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

* * * *

94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,524

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH LEMONBUSTERS, INC., IN CONNECTION WITH PROVIDING SAFETY INSPECTIONS OF VEHICLES FOR HIRE OPERATING IN SAN ANTONIO; AND PROVIDING FOR THE OWNERS OF SAID VEHICLES TO PAY AN INSPECTION FEE OF APPROXIMATELY \$40.00 FOR EACH TAXICAB AND LIMOUSINE, AND \$80.00 FOR ALL OTHER VEHICLES FOR HIRE.

* * * *

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

Mr. Perez explained that these independent inspectors are specifically trained and certified for internal testing required by the City Ground Transportation Department.

In answer to a question by Mr. Larson, Mr. Tom Polonis explained why these inspections cannot be done in-house. The inspectors working for the City will be rating the quality of service.

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, Larson; NAYS: None; ABSENT: Avila, Solis, Ayala, Wolff.

94-04

CITIZENS TO BE HEARD

DON WILKINS CASTILLO

Mr. Castillo spoke about the crime issue and the probation of criminals. He stated that it was time that the harden criminals are not granted probation and spoke of the murder of a citizen at an ATM machine.

94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,525

AUTHORIZING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$265,139.12 WITH ADVANCED CHEMICAL TECHNOLOGIES, IN CONNECTION WITH THE MID-CITY PARKING GARAGE RESTORATION LOCATED AT 240 E. HOUSTON STREET; AUTHORIZING \$39,770.87 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$2,000.00 FOR ENGINEERING EXPENSES AND AN ADDITIONAL \$1,925.00 FOR ADVERTISING; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. John German, Director of the Public Works Department, explained that the cost of this proposed restoration work was considered at the time this garage was purchased by the City.

In answer to a question by Mr. Peak, Mr. German stated that this garage was built in to 1970's and the proposed improvements need to be made to bring this garage up to standards that are followed now.

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

94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,526

AUTHORIZING THE EXECUTION OF A TWENTY YEAR LEASE AGREEMENT AT STINSON MUNICIPAL AIRPORT WITH THE CONFEDERATE AIR FORCE FOR 27,259 SQUARE FEET OF GROUND SPACE AND A HANGAR CONTAINING 8,400 SQUARE FEET OF SPACE SITUATED THEREUPON FOR THE STORAGE AND MAINTENANCE OF WORLD WAR II MILITARY AIRCRAFT.

* * * *

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

Mr. Michael J. Kutchins, Director of Aviation, explained that this lease space will house World War II military aircraft. The lessee, Confederate Air Force, will use the leased premises for the storage and maintenance of such aircraft.

Mr. Richard Evans, Project Officer, stated that the first plane to be stored there will be the "Yellow Rose". He spoke of his appreciation for the support from the Council members.

Ms. Billa Burke thanked Mr. Peak for his time spent in insuring that this lease was executed.

Mr. Peak spoke with interest about the project and told of hopefully starting a precedent to bring more military aircraft to the City.

Mr. Thornton spoke about the restoration of the aircraft and stated a desire to see a public aviation museum. He introduced the other members of the Confederate Air Force present in the audience.

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

94-04 The Clerk read the following Resolution:

A RESOLUTION NO. 94-04-05

ADOPTING THE PRIORITY LIST OF SURFACE TRANSPORTATION PROGRAM PROJECTS AS ATTACHED AND FORWARDING SAME TO THE METROPOLITAN PLANNING ORGANIZATION FOR

CONSIDERATION AND INCLUSION IN THE TRANSPORTATION
IMPROVEMENT PROGRAM FOR FISCAL YEAR 1997.

* * * *

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

Mr. David Pasley, Director of Planning, stated that this resolution adopts the City's list of priority projects under the Surface Transportation Program and this list will be forwarded to the Metropolitan Planning Organization for submittal for federal funds.

Ms. Ayala requested a final list of the projects that will be included under this Act.

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

- - -
94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,527

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 2 DISCRETIONARY FUNDS ACCOUNT TO COUNCILWOMAN RUTH JONES McCLENDON IN THE AMOUNT OF \$900.00 PER MONTH FROM FEBRUARY 1, 1994 TO SEPTEMBER 30, 1994, FOR A TOTAL OF \$7,200.00 FOR AN ADMINISTRATIVE SERVICES CONTRACT, AS REQUESTED BY COUNCILWOMAN RUTH JONES McCLENDON.

* * * *

Mr. Peak made a motion to approve the proposed Ordinance. Mr. Thornton 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, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Avila, Solis, Wolff.

- - -
94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,528

AUTHORIZING THE USE OF \$400.00 FROM DISTRICT 5 DISCRETIONARY FUNDS, AS REQUESTED BY COUNCILMAN JUAN

F. SOLIS, III FOR RENTAL FEE OF THE PARKS AND RECREATION SHOWMOBILE TO BE USED TO STAGE SEVERAL BANDS FOR THE FRIENDSHIP FESTIVAL SPONSORED BY INNER CITY DEVELOPMENT, INC. ON SATURDAY, JULY 9, 1994, FROM 1:00 P.M. TO 12:00 MIDNIGHT.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Thornton 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, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Avila, Solis, Wolff.

94-04 The Clerk read the following Ordinance:

AN ORDINANCE 79,529

RATIFYING THE RETENTION OF CAMPOS, FIGUEROA, BARRERA & HARVEY P.C. TO REPRESENT THE CITY OF SAN ANTONIO IN LITIGATION REGARDING THE SAN ANTONIO HISPANIC POLICE OFFICERS ASSOCIATION AND AUTHORIZING PAYMENT NOT TO EXCEED \$180,000 FOR LEGAL FEES, EXPERT FEES AND ASSOCIATED COSTS.

* * * *

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

Mr. Steve Arronge, attorney in the City Attorney's Office, explained that the law firm hired has experience in civil rights matters. He noted that two attorneys from this firm have already been in litigation against this firm and has won.

In answer to a question by Mr. Peak, Mr. Arronge explained that this action requires the retention of legal counsel with specialization in labor law as the organization claims class wide discrimination. The amount includes funds anticipated for expert fees.

In answer to a question by Mr. Ross, there is no cap in any category as far as expenses.

In answer to a question by Mr. Larson, Mr. Arronge stated that the allegations include numerous civil rights violations against Hispanic Police Officers. He stated that we might be able to recover some of the court costs.

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

94-04

POINT OF PERSONAL PRIVILEGE

Ms. Ayala requested that the Council look at the memo circulated by her and consider the possibility of a lease purchase of the Finger Print system for the San Antonio Police Department. She discussed the possibility of this being included in the proposed Bond Issue.

94-04 There being no further business to come before the Council, the meeting was adjourned at 9:52 P.M.

A P P R O V E D

Robert W. Wolf
M A Y O R

Attest: *Arma J. Rodriguez*
c i t y c l e r k