

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

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94-12 The City Council convened in an informal "B" Session at 10:00 A.M., City Hall, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF.

A. San Antonio Building and Fire Codes.

After briefing and discussion, the City Council asked that approval of these two new Codes be moved to the "A" Session agenda of March 24, 1994.

B. San Antonio Empowerment Zone and Enterprise Communities Program Application.

Briefing only.

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94-12 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-12 Invocation - Reverend William Strickland, Harlandale United Methodist Church.
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94-12 Pledge of Allegiance to the flag of the United States.
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94-12 Minutes of the February 17, 1994 Regular City Council Meeting and the February 8 and 16, 1994 Special City Council Meetings were approved.
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94-12 FIRE DEPARTMENT "SAFEHOUSE"

The Phoenix Society, the Shriners and The Rehabilitation

Institute of San Antonio presented the City of San Antonio Fire Department with "The Safehouse", a trailer-mounted simulated two-story home to be used as an educational tool for the department's use in teaching children how to escape from home fires.

Presentation ceremonies took place in the City Council parking lot, prior to the start of the regular City Council meeting at 1:00 P.M.

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94-12

TEXAS ACADEMIC DECATHLON

Mayor Wolff stated that Oliver Wendell Holmes and Lackland High Schools recently competed in the Texas Academic Decathlon competition, and both were first-place winners in their respective categories. He noted that, as overall winner, Holmes now will represent the state of Texas in the upcoming national competition. He further stated that both schools' teams have been invited to City Council meeting today, to be recognized for their outstanding achievements.

He then read the Citation for Holmes High School and presented it to representatives of the school, along with special T-shirts for each student competitor present.

Each member of the Holmes team then came forward to identify themselves and speak to their achievements in recent competitions, as well as to identify their future colleges or universities, if applicable.

Mayor Wolff then read the Citation for Lackland High School and presented it to representatives of the school, along with special T-shirts for each student competitor present.

School district officials and team coaches thanked the Mayor and City Council members for the award.

Each member of the Lackland team then came forward to identify themselves and speak to their achievements in recent competitions, as well as to identify their future colleges or universities, if applicable.

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94-12

STUDENTS RUN SAN ANTONIO

Mayor Wolff introduced Mr. John Purnell, President, South Texas Track & Field, noting that Mr. Purnell is here today to unveil a new program for San Antonio's young people, ages eight to 18. He noted that the program, called "Students Run San Antonio", is designed to promote a healthy, goal-oriented alternative to the negative influences facing our city's young people today. He also noted that it is patterned after a very successful program established in Los

Angeles.

Mr. Purnell spoke to details of the successful Los Angeles program, and invited the Mayor and City Council members to a special kickoff breakfast to be held March 28, 1994, at which the originator of the Los Angeles program will be the keynote speaker. He further stated that the San Antonio program will be working especially with members of "The COalition" program for young people here.

The Mayor and various City Council members each congratulated the group for an outstanding youth program for San Antonio.

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94-12

HIRE A VETERAN DAY

Mayor Wolff noted that five local military installations and other organizations in the community have come together to hold a "job fair" for military personnel, family members and civilian employees who are leaving the federal service and beginning a job search in the private sector. He then introduced Mr. Denver McClendon, Job Fair Coordinator, and read the proclamation designating "Hire A Veteran Day" in San Antonio, and presented it to the delegation present.

Mr. McClendon spoke to the downsizing of the current military service, and the consequent departure of a number of persons from military and federal services to new jobs in civilian life. He then spoke to the great participation in the upcoming Job Fair.

Members of the official delegation then identified themselves and spoke to the need to integrate these former military and federal service personnel into civilian life and workforce.

City Council members spoke to the opportunities available through this Job Fair.

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94-12

SAN ANTONIO CHRISTIAN SCHOOL; JEFFERSON HIGH SCHOOL

Mayor Wolff noted the presence at City Hall today of groups of students from San Antonio Christian School and from Jefferson High School, and welcomed them both.

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94-12

CONSENT AGENDA

Mr. Larson made a motion to approve Agenda Items 7 through 33b, constituting the Consent Agenda, with items 7, 9, 13, 14, 15 and 19 being pulled for individual consideration. Ms. McClendon seconded the motion.

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

AN ORDINANCE 79,756

ACCEPTING THE LOW QUALIFIED BIDS OF WATSON DISTRIBUTING, INC., MENCO, INC., D/B/A GRAVELY SALES & SERVICE COMPANY, AWD LAWN & TURF, GOLDTHWAITE'S OF TEXAS, INC., AND ALAMO FORD NEW HOLLAND, INC. FOR A COMBINED TOTAL OF \$287,367.00 TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH TURF MAINTENANCE EQUIPMENT FOR USE AT GOLF COURSES, RIVER OPERATIONS AND PARKS MAINTENANCE APPLICATIONS.

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AN ORDINANCE 79,757

ACCEPTING THE PROPOSAL OF SOFTWARE AG OF NORTH AMERICA, INC. TO RENEW ITS SOFTWARE LICENSE AGREEMENT WITH THE CITY OF SAN ANTONIO INFORMATION SERVICES FOR A TOTAL OF \$6,612.50.

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AN ORDINANCE 79,758

ACCEPTING THE LOW QUALIFIED BIDS OF SAGE COMPUTER RESOURCES, TELOS FIELD ENGINEERING, NBA COMPUTER SERVICE, DIGITAL REPAIR CORPORATION, SOUTH CROSS ENTERPRISES D/B/A TRC COMPUTER SERVICES, AND SOUTH TEXAS COMPUTER REPAIR CENTER FOR A COMBINED TOTAL OF APPROXIMATELY \$8,200.00 MONTHLY TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH MAINTENANCE OF DATA PROCESSING EQUIPMENT.

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AN ORDINANCE 79,759

ACCEPTING THE LOW BID OF PRINTED SUPPLIES, INC. IN THE AMOUNT OF \$6,727.20 TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PATIENT CARE FORMS FOR USE BY EMERGENCY MEDICAL SERVICE PERSONNEL.

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AN ORDINANCE 79,760

ACCEPTING THE LOW, QUALIFIED BID OF L & R BUILDERS,

INC. IN THE AMOUNT OF \$451,393.70 IN CONNECTION WITH THE ARBOR PLACE FROM 24TH TO TOPAZ COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$45,061.33 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCIES, AND \$1,799.14 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,761

AUTHORIZING NO. 16 IN THE AMOUNT OF \$42,028.00 PAYABLE TO M. J. BOYLE GENERAL CONTRACTOR, INC. IN CONNECTION WITH THE MAIN PLAZA RENOVATION/DISABILITY ACCESS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,762

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$740.00 OUT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; ACQUIRING TITLE TO TWO PARCELS; AND ACCEPTING THE DEDICATION TO ONE PARCEL IN CONNECTION WITH THE BUSTILLOS DRIVE CDBG PROJECT - KELLY TO ROOSEVELT.

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AN ORDINANCE 79,763

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$23,235.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SOUTH FLORES STREET DRAINAGE PROJECT #70-70A, PHASE II; AND ACQUIRING A LEASEHOLD INTEREST IN CONNECTION WITH THE F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO HUEBNER ROAD.

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AN ORDINANCE 79,764

AUTHORIZING A LICENSE TO USE A PUBLIC RIGHT-OF-WAY OVER A PORTION OF WURZBACH ROAD (ACCESS ROAD) LOCATED EAST OF MERKENS DRIVE AND DIRECTLY FRONTING THE SHEPHERD OF THE HILLS LUTHERAN CHURCH FOR PARKING PURPOSES.

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AN ORDINANCE 79,765

AUTHORIZING A RELEASE OF A DRAINAGE CHANNEL EASEMENT FROM THE CITY OF SAN ANTONIO TO MILLER BROTHERS PARTNERSHIP LOCATED AT F.M. 1604 AT U.S. HIGHWAY 281 NORTH SO THAT THE PARTNERSHIP MAY BETTER DEVELOP ITS ADJOINING PROPERTIES.

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AN ORDINANCE 79,766

AUTHORIZING THE EXECUTION OF AN ESTOPPEL CERTIFICATE AND ANY NECESSARY DOCUMENTS, AS FIRST REVIEWED AND APPROVED BY THE CITY ATTORNEY, REGARDING THE STATUS OF THE LEASE (FOR LEASE OF THE "GERMAN-ENGLISH SCHOOL" LOCATED AT 421 S. ALAMO STREET) ENTERED INTO BETWEEN THE CITY OF SAN ANTONIO, AS LESSOR, BETWEEN THE CITY OF SAN ANTONIO, AS LESSOR, AND PLAZA NACIONAL GROUP LTD. DATED FEBRUARY 9, 1978 AND LATER ASSIGNED TO PLAZA NACIONAL-SAN ANTONIO LIMITED, A CALIFORNIA LIMITED PARTNERSHIP, ON JULY 30, 1980 AND AMENDED OCTOBER 3, 1985, INCLUDING THE CITY'S CONSENT TO THE FURTHER ASSIGNMENT OF THE LEASE TO LRP SAN ANTONIO LIMITED PARTNERSHIP, AS ASSIGNEE, AND THE MORTGAGING OF THE ASSIGNEE'S INTEREST TO HELLER FINANCIAL, INC. OR ONE OF ITS AFFILIATES, IN CONNECTION WITH THE SALE OF THE PLAZA SAN ANTONIO, HOTEL.

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AN ORDINANCE 79,767

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS), ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION 19-68(b) TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULE FOR "STOP" SIGNS, "YIELD RIGHT-OF-WAY" SIGNS, "PROHIBITED PARKING AT ALL TIMES" SIGNS, AND "PROHIBITED TURN" SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE THAN \$200.00, AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-225 (ADMINISTRATIVE ADJUDICATION OF STOPPING, STANDING,

AND PARKING VIOLATIONS).

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AN ORDINANCE 79,768

AUTHORIZING THE TRANSFER OF \$40,266.00 FROM THE SPECIAL REVENUE RESERVE FUNDS TO THE OTHER CAPITAL PROJECTS FUNDS; APPROPRIATING FUNDS; AUTHORIZING PAYMENTS FOR EXPENSES INCURRED IN THE MILAM PARK REDEVELOPMENT PROJECT AND FOR IMPLEMENTING PROJECTS OF THE PARKS & RECREATION FACILITIES IMPROVEMENT AND MAINTENANCE PROGRAM.

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AN ORDINANCE 79,769

AUTHORIZING SUBMISSION OF A 1994 SMALL BUSINESS ADMINISTRATION NATIONAL TREE PLANTING PROGRAM GRANT APPLICATION IN AN AMOUNT OF \$19,950.00 TO PURCHASE AND PLANT 70 TREES AT THE NEW MUNICIPAL BASEBALL STADIUM.

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AN ORDINANCE 79,770

RATIFYING THE EMERGENCY PURCHASE OF TWO VAREC FLAME ARRESTERS AT THE WEST AVENUE LANDFILL FROM COLLIER EQUIPMENT CORPORATION IN THE AMOUNT OF \$7,873.00 BECAUSE OF A METHANE RECOVERY SYSTEM FAILURE; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,771

AMENDING ORDINANCE NO. 78757, PASSED AND APPROVED ON SEPTEMBER 23, 1993 TO MODIFY THE ALLOCATION OF JTPA 8 PERCENT EDUCATION COORDINATION FUNDS FOR FY 93 FROM THE TEXAS EDUCATION AGENCY BY ALLOCATING \$14,000.00 TO SAN ANTONIO POSITIVE SOLUTIONS, INC.

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AN ORDINANCE 79,772

AMENDING ORDINANCE NO. 78395, PASSED AND APPROVED ON JULY 29, 1993 BY AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$4,203.08 IN JTPA TITLE III/ECONOMIC DISLOCATED WORKER ADJUSTMENT ASSISTANCE ACT (EDWAA) FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE TO BE

USED TO PROVIDE EMPLOYMENT AND TRAINING ASSISTANCE OF AREA DISLOCATED WORKERS FOR THE REMAINING PROGRAM YEAR 1993 (JULY 1, 1993 - JUNE 30, 1994).

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AN ORDINANCE 79,773

AMENDING ORDINANCE NO. 78548, PASSED AND APPROVED ON AUGUST 26, 1993 BY AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$92,934.00 IN JTPA TITLE III/ECONOMIC DISLOCATED WORKER ADJUSTMENT ASSISTANCE ACT (EDWAA) RAPID RESPONSE FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE TO EXTEND JOB PLACEMENT AND TRANSITION ASSISTANCE FOR THE WORKERS LAID OFF FROM AUGAT ALTAIR, WINNS STORES, QUALITY BEVERAGE AND DILLARDS DISTRIBUTION CENTER FOR THE PERIOD OF JANUARY 1, 1994 TO APRIL 30, 1994.

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AN ORDINANCE 79,774

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH NORTHCOAST ADMINISTRATIVE CONSULTANTS, INC. IN THE AMOUNT OF \$24,000.00 FOR THE DESIGN AND DEVELOPMENT OF THE JTPA ACCOUNTING FINANCIAL SYSTEM.

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AN ORDINANCE 79,775

APPOINTING DEBORAH STEEL (DISTRICT 8) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1995.

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AN ORDINANCE 79,776

REAPPOINTING ED BARRON (DISTRICT 8) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1996.

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AN ORDINANCE 79,777

CLOSING MISTLETOE STREET BETWEEN N. ST. MARY'S AND KING'S COURT ON SUNDAY, MAY 22, 1994, FROM 8:00 A.M. UNTIL MIDNIGHT FOR THE PURPOSE OF HOLDING A PARISH

FESTIVAL AS REQUESTED BY OUR LADY OF SORROWS CHURCH.

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AN ORDINANCE 79,778

AUTHORIZING THE TEMPORARY CLOSURE OF PRESA STREET, BETWEEN NUEVA AND MARKET, FROM NOON FRIDAY, MARCH 18, 1994, UNTIL 8:00 P.M. SUNDAY, MARCH 20, 1994, IN ORDER THAT THE HEALY-MURPHY CENTER MAY HOLD ITS MURPHY'S IRISH FEST; AND DECLARING AN EMERGENCY.

* * * *

94-12 The Clerk read a proposed ordinance accepting the low bid of Wilber Ellis, Southern Division in the amount of \$93,875.00 to provide the City of San Antonio Public Works Department with herbicides for the control of noxious vegetation in drainage areas throughout the City.

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

Mr. Archie Titzman, Director of Purchasing & General Services, explained the proposed purchase of herbicides for the Public Works Department, for use in drainage areas, and the selection of the "all or none" low bidder.

Mr. Randy Fair, representing Estes, Inc., stated his belief that the "all or none" low bidder had actually bid the wrong price, based upon last year's prices for herbicides.

Mr. Larson noted that Estes, Inc. was a local firm, and he addressed the matter of the "all or none" bidding situation used by the apparent low bidder. He stated his belief that the local firm should receive the bid, and moved to grant Estes, Inc., the number one item. Mr. Solis seconded the motion.

Mr. Titzman explained the City's bidding process, and noted that, in this case, the bid cannot be split.

After discussion, Mr. Larson withdrew the substitute motion. Mr. Solis concurred with the withdrawing of the motion.

Mr. Larson then made a substitute motion to reject all bids, and to ask the City Manager to re-advertise this matter with a stipulation that each segment of the bid is to be bid on an individual "low item" basis only. Mr. Solis seconded the motion.

Mr. Solis spoke to the process of favoring award of bids to local firms, where bids are equal.

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

After consideration, the main motion, as substituted, to reject all bids and readvertise a stipulation of individual "low item basis" only, prevailed by the following vote: AYES: Perez, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Billa Burke.

Direction was then so given to staff.

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94-12 Ordinance No. 79,779 is Void.

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94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,780

ACCEPTING THE LOW BID OF ADT SECURITY SYSTEMS, SOUTHWEST, INC. IN THE AMOUNT OF \$49,514.00 TO PROVIDE THE CITY OF SAN ANTONIO MUNICIPAL COURT WITH A CLOSED CIRCUIT TELEVISION SYSTEM.

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

Mr. Archie Titzman, Director of Purchasing & General Services, explained the award of this bid to the lowest bidder.

Mr. Quentin Porter, Director of Municipal Courts, detailed the new security system for Municipal Courts.

In response to a question by Mr. Solis, Mr. Joe Rodriguez, Assistant Director of Public Works, spoke to details of a new traffic signal system at the entrance to the Municipal Courts Building.

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

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94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,781

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATION & ELECTRONICS, INC. IN THE AMOUNT OF \$24,896.00 TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH SUBMERSIBLE PORTABLE RADIOS FOR USE BY THE RESCUE TEAMS.

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

Mr. Archie Titzman, Director of Purchasing & General Services, explained details of the proposed purchase of eight submersible portable radios.

In response to a question by Mr. Perez, Fire Chief Robert Ojeda addressed the need for these radios in order to insure complete communications by Fire Department rescue teams.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,782

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH F. A. NUNNELLY COMPANY IN THE AMOUNT OF \$99,357.00 IN CONNECTION WITH THE FOUNDATION REPAIRS TO FIRE STATION NO. 15 PROJECT; AUTHORIZING \$14,903.55 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, explained the need for foundation repair to Fire Station No. 15, due to damage caused by a water-line break.

In response to a question by Mr. Peak, Fire Chief Robert Ojeda noted that the Fire Department Master Plan will be coming before City

Council for consideration in a few weeks, and he noted that two fire stations being repaired under terms of ordinances to be approved today are not scheduled to be phased out, under terms of that Master Plan.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,783

ACCEPTING THE LOW QUALIFIED BID OF SUPERIOR ROOFING & CONSTRUCTION COMPANY; AUTHORIZING A CONSTRUCTION CONTRACT WITH SAID COMPANY IN THE AMOUNT OF \$42,475.00 IN CONNECTION WITH THE ROOF REPLACEMENT AT THE SAN ANTONIO FIRE DEPARTMENT SERVICE CENTER; AUTHORIZING \$6,371.25 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND \$600.00 FOR ADVERTISING EXPENSES.

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

Mr. Solis noted that nearby neighbors are concerned with loud noises emanating from the Fire Department Service Center at times, such as the testing of sirens during the nighttime hours.

Fire Chief Robert Ojeda stated that his office is working to curb the problem of such noise factors affecting the neighborhood, such as instructing that firefighting apparatus must be driven away to a remote location for siren testing, during nighttime hours.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,784

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN PARCELS OF LAND LOCATED WITHIN THE FORT

SAM RESIDENTIAL SELECT HOUSING TARGET AREA (SHTA)
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR
A TOTAL AMOUNT OF \$25,000.00.

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

In response to a question by Ms. McClendon, Mr. Andrew Cameron, Director of Housing & Community Development, briefly explained details of the proposed ordinance.

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

94-12 It was the concensus of City Council members present to undertake consideration of Agenda Item 39 at this time.

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,785

DECLARING SURPLUS AND APPROVING THE SALE OF 3.647 ACRES OF LAND TO THE SAN ANTONIO HOUSING DEVELOPMENT CORPORATION, A NONPROFIT INSTRUMENTALITY OF THE SAN ANTONIO HOUSING AUTHORITY FOR THE DEVELOPMENT OF A 48 UNIT LOW INCOME SENIOR CITIZENS APARTMENT PROJECT AND AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER OR THE ASSISTANT TO THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS.

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

Mr. Roland Lozano, Director of Asset Management, briefly explained the proposed sale of surplus City property so that the Housing Authority of San Antonio might construct a 48-unit low-income senior citizens apartment project.

Ms. Lillie Lopez, representing Christ the King Communities Organized for Public Service, spoke to the need for these senior citizen apartments.

In response to a question by Mr. Perez, Mr. Apolonio Flores, Executive Director, Housing Authority, addressed the funding for this

project.

Discussion followed concerning the project and its need.

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

At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.

94-12

ZONING HEARINGS

4A. CASE Z94026CC - to rezone a 0.909 acre tract of land out of NCB 15669, U. S. Highway 281 North and Loop 1604 Expressway, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" ERZD CC Business Edwards Recharge Zone District with special City Council approval for an automobile repair facility, property being located 600 feet northwest of the intersection of U. S. Highway 281 North and Loop 1604 Expressway, having a width 198.00 feet and length of 200.00 feet.

Mr. Andy Guerrero, Land Development Services, stated that the proponent in this case has asked this case be withdrawn from consideration.

Zoning Case Z94026 CC was withdrawn.

4B. CASE Z94029 - to rezone 6.1739 acres out of NCB 17857, Huebner Road, from "B-3" ERZD Business Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Edwards Recharge Zone District, property being located on the northwest side of Huebner Road, 1,765.51 feet southwest of the intersection of Huebner Road and Bitters Road, having 318.70 feet on Huebner Road and a depth of 921.94 feet.

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

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

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

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

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

AN ORDINANCE 79,786

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 6.1739 ACRES OUT OF NCB 17857, HUEBNER ROAD from "B-3" ERZD Business Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Edwards Recharge Zone District, PROVIDED THAT THE SEVEN (7) RECOMMENDATIONS OF THE AQUIFER STUDIES DIVISION ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z94036 - to rezone Lots 31, 32 and the east 31' of Lot 33, Block 2, NCB 8674, 102 Parkridge Drive, from "A" Single Family Residence District to "B-3" Business District, properties being located on the northside of Parkridge Drive, having 119' on Parkridge Drive and a depth of 222.6'

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

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

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

AN ORDINANCE 79,787

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 31, 32 AND THE EAST 31' OF LOT 33, BLOCK 2, NCB 8674, 102 PARKRIDGE DRIVE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, "THE PENALTY FOR VIOLATION IS A

FINE NOT TO EXCEED \$1,000.00."

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4D. CASE Z94028 - to rezone Lots 11, 12 and 13, Block 10, NCB 15700, 12823 and 12827 Nacogdoches Road, from "B-2" Business District to "B-3R" Restrictive Business District, property being located 81' southwest of the intersection of Erin Blvd. and Nacogdoches Road, having 240' on Nacogdoches Road 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 the proposed rezoning request.

Mr. Larson stated his desire to have this case postponed, inasmuch as he has received a petition from area citizens who have expressed a desire to work out certain existing problems with reference to this rezoning matter with the proponent. He also noted that the proponent has not met with him or his office to discuss this matter.

Mr. Larson made a motion to postpone the rezoning request until April 14, 1994. Mr. Solis seconded the motion.

Mr. Larson asked to meet with both sides in this matter, before the case is reconsidered.

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

Zoning case Z94028 was postponed until April 14, 1994.

94-12 Discussion was held, during which the Land Development Services Division of the Planning Department was asked to inform zoning-case proponents to contact the affected City Council representative before the case comes before the City Council for consideration.

4E. CASE Z94035 - to rezone Lots 3 and 4, Block 11, NCB 15701, 12739 Nacogdoches Road, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District, property being located on the northwest side of Nacogdoches Road, 179 feet southwest of the intersection of Nacogdoches Road and Bell Drive, having 50 feet on Nacogdoches Road and a depth of 120 feet.

The Zoning Commission has recommended that this request of

change of zone be approved by the City Council.

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

Mr. Larson noted that neighbors have a problem with the requested rezoning, but have not yet met with the proponent to discuss those problems. He asked Ms. Liz Saunders, representing the proponent, to meet with him and with concerned neighbors in his office, to discuss these problems.

Mr. Larson made a motion to postpone the rezoning request until April 14, 1994. Mr. Solis seconded the motion.

After consideration, the motion, to postpone until April 14, 1994, prevailed by the following vote: AYES: Perez, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson; NAYS: None; ABSENT: McClendon, Wolff.

Zoning Case Z94035 was postponed until April 14, 1994.

4F. CASE Z94038 - to rezone Lot 21, Block 83, NCB 7218, 3117 Blanco Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, property being located southwest of the intersection of Blanco Road and Lee Hall Street, having 125 feet on Blanco Road and 127.8 feet on Lee Hall Street.

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

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

Mr. Perez 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, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: McClendon, Wolff.

AN ORDINANCE 79,788

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, BLOCK 83, NCB 7218, 3117 BLANCO ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, "THE PENALTY

March 10, 1994

alh

FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4G. CASE Z94037 - to rezone 3.8625 acres out of NCB 18305 and 4.6421 acres out of NCB 18306, Tezel Road and Wilder Drive, from "B-2" Business District, "B-2NA" Non-Alcoholic Sales Business District and "O-1" Office District to "R-1" Single Family Residence District, with the 3.8625 acres being located southwest of the intersection of Wilder and Tezel Road, having 379.78 feet on Wilder and 345.54 feet on Tezel Road; the 4.6421 acres being located on the west side of Tezel Road, 421.21 feet south of the intersection of Wilder and Tezel Road, having 876.31 feet on Tezel Road and a depth of 284.49 feet.

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

Ms. Ayala stated her intention to abstain from either discussion or vote on this case, because of her employment by RAYCO. She then left the Council chambers.

Mr. Jim Lassiter, Austin, representing Lumbermens' Investment Corporation, briefly explained the rezoning request.

Mr. Victor Laurel, 9302 Laurel Grove, speaking in opposition to the request, noted that this property originally was zoned R-1 Single Family Residence District, then rezoned to B-2NA and O-1 some six years ago. He spoke to several objections to the current rezoning request, and addressed his concern with perceived quality differences between builders of existing homes in the immediate neighborhood and any new homes to be constructed on this property in question. He stated his desire was to achieve a uniformity of such house construction. He also spoke to his concerns for traffic safety in the neighborhood and addressed proposed ingress and egress to the area from major traffic arteries.

Mrs. Pat Laurel, 9302 Laurel Grove, presented petitions in opposition to the rezoning, copies of which are made a part of the papers of this meeting. She voiced her concern with the possible loss of property valuation, should this area be rezoned.

Mr. Lassiter spoke to the history of this subdivision and addressed the reputation of the homebuilder in question. He addressed the matter of building restrictions in the neighborhood, and the prospective builder's plan to exceed those building restrictions in new-home construction. He stated his belief that the Council cannot restrict this matter solely on the basis or which homebuilder constructs new homes there.

Mr. Ross noted that the City Council is only rezoning the property for the current owner, Lumbermens' Investment Corporation, and spoke to the general neighborhood desire for residential, rather than commercial, zoning there.

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

Mr. Solis spoke in objection to arguments against any one homebuilder, by name, and noted that the home-buyer dictates neighborhood property ownership. He spoke in support for the pending motion.

In response to a question by Mr. Thornton, Mr. Bill Bledsoe, architect, spoke to plans for ingress and egress into and out of the neighborhood in question. He further noted that the deed restrictions in this area are similar to those in the adjoining neighborhood.

Mr. Lassiter noted that homeowners in this new neighborhood will be members of the Great Northwest Homeowners Association.

In response to a question by Mr. Thornton, Mr. Andy Guerrero, Land Development Services, spoke to commercial uses allowed in the property in question, under its present zoning.

Mr. Thornton spoke in support of the motion, and asked the developer of the property to work with neighborhood homeowners.

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

AN ORDINANCE 79,789

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 3.8625 ACRES OUT OF NCB 18305 AND 4.6421 ACRES OUT OF NCB 18306, TEZEL ROAD AND WILDER DRIVE, FROM "B-2" BUSINESS DISTRICT, "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND "O-1" OFFICE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4H. CASE Z94039 - to rezone 2.032 acres out of Block 1, NCB 18620, 5429 Grissom Road, from "B-2" Business District to "B-3R" Restrictive Business District, property being located 147.20 feet northeast and 118.61 feet southeast of the intersection of Grissom Road and Timberhill Drive having 136.58 feet on Grissom Road and 299.88 feet

on Timberhill 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 the proposed rezoning request.

Mr. Ross made a motion to approve the recommendation of the Zoning Commission, but as "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, Solis, Ross, Peak; NAYS: None; ABSENT: Avila, Ayala, Thornton, Larson, Wolff.

AN ORDINANCE 79,790

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 2.032 ACRES OUT OF BLOCK 1, NCB 18620, 5429 GRISSOM ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT, "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE Z93019 - to rezone Parcel 11, NCB 10626, IH-10 East Expressway and Upland Road, from "A" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, property being located southwest of the intersection of Upland Road and IH-10 East Expressway, having 150 feet on Upland Road and 469.41 feet on IH-10 East Expressway.

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

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

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

AN ORDINANCE 79,791

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 PARCEL 11, NCB 10626, IH-10 EAST EXPRESSWAY AND UPLAND ROAD, FROM "A" 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."

* * * *

4J. CASE Z93101.B - to rezone Lots 2, 4, 5 and 6, NCB 1387, 112-116-122 S. Monumental Street, from "D" Apartment District to "B-3" Business District or "R-2" Two Family Residence District, property being located northeast of the intersection of Monumental Street and Montana Street, having 119.5 feet on Monumental Street and 132.6 feet on Montana Street.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council as "B-3" on Lot 4 and as "R-2" on Lots 5 and 6.

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

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

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

AN ORDINANCE 79,792

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, NCB 1387, FROM "D" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT, AND LOTS 5 AND 6, NCB 1387, FROM "D" APARTMENT DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT, 112-116-122 S. MONUMENTAL STREET. "THE PENALTY FOR VIOLATION

IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4K. CASE Z93101.C - to rezone the east 86.5 feet of Lot 10, Block 1, NCB 1697, 301 Piedmont Avenue, from "D" Apartment District to "B-2" Business District or "R-2" Two Family Residence District, property being located southwest of the intersection of Wyoming Street and Piedmont Avenue, having 86.5 feet on Wyoming Street and 50 feet on Piedmont Avenue.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council as "B-2" Business District.

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

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

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

AN ORDINANCE 79,793

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 86.5 FEET OF LOT 10, BLOCK 1, NCB 1697, 301 PIEDMONT AVENUE, FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4L. CASE Z93101.E - to rezone Lot 19, Blk. 2, NCB 616, 132 Dashiell Street, from "D" Apartment District to "B-2" Business District or "R-2" Two Family Residence District, property being located southwest of the intersection of S. Mesquite Street and Dashiell Street, having 47.33 feet on Dashiell Street and 90 feet on S. Mesquite Street.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council as "B-3NA" Non Alcoholic Sales Business District.

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

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

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

AN ORDINANCE 79,794

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 19, BLK. 2, NCB 616, 132 DASHIELL 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."

* * * *

4M. CASE Z93101.F - to rezone the north 58.18 feet of Lot 11, Block 12, NCB 608, 327 S. Mesquite Street, from "D" Apartment District to "B-3" Business District or "R-2" Two Family Residence District, property being located on the westside of the Mesquite Street, being 80 feet north of the intersection of Wyoming Street and Mesquite Street, having 58.18 feet on Mesquite Street and a depth of 50 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, as "R-2" Two Family Residence District.

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

Ms. McClendon made a motion to approve "B-3NA" Non Alcoholic Sales Business District. Mr. Avila seconded the motion.

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

AN ORDINANCE 79,795

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 NORTH 58.18 FEET OF LOT 11, BLOCK 12, NCB 608, 327 S. MESQUITE 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."

* * * *

94-12 PUBLIC HEARING ONLY ON QUITCLAIMING OF IMPROVED NAPIER AVENUE, MISSION ROAD AND WOODHULL DRIVE.

Mayor Wolff declared the Public Hearing to be open.

No citizen appeared to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The City Clerk read a proposed ordinance authorizing the closing, vacating, abandoning and quitclaiming of improved Napier Avenue, Mission Road and Woodhull Drive in exchange for the relocation of Napier Avenue and Mission Road in connection with the proposed development of a new Visitor Center by the National Park Service.

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

Mr. Roland Lozano, Director of Asset Management, noted that the Planning Commission, which by City Charter must recommend action on this matter to City Council, has expressed a desire to have additional public hearings held before they made a formal recommendation to City Council, and he spoke to the commission's actions at its meeting yesterday. He further noted that, since January 1993, some 39 hearings have been held on this matter. He then noted that the Planning Commission also has expressed a desire to have property owners within 300 feet of the subject properties be formally notified of hearings, rather than the present 200-foot limit.

Ms. Billa Burke spoke to the many neighborhood meetings already held on this matter, and spoke to her desire to move ahead with the project, stating her belief that the City has more than fulfilled its requirements.

Mr. Lozano stated that, if Council wishes, he will ask the Planning Commission for its formal recommendation at its next meeting; meanwhile, City staff recommends that City Council proceed with formal approval today of Agenda Item 43, in order to begin the

street-realignment work involved. He then explained how the City can proceed with the streets contract involved, and ask the Planning Commission to make its formal recommendation to City Council on closure of the affected streets.

Ms. Ayala noted that County Commissioner Robert Tejeda wants to have another public hearing in the area, and she spoke in support of that request. She noted that Commissioner Tejeda recently had moved into this area, and she spoke in favor of holding another hearing in the area, if it will not adversely affect the project.

Mr. German noted that City staff would be holding another area hearing on this matter, anyway.

Ms. Ayala made an amendment to the motion that a Public Hearing be scheduled in the area, before actual construction begins on the project. Mr. Solis seconded the motion.

Mr. Solis noted that the Planning Commission meets again in two weeks, and expressed his belief that there is plenty of time to approve the streets work today, then hold another public hearing in the area before actual construction begins.

Ms. Billa Burke voiced her concern with holding up this project of the National Park Service.

Mr. Lozano noted that, due to the wording of the City Charter relative to a Planning Commission formal recommendation on this issue, the City Council today can only hold its required public hearing, but cannot take formal action on closing the affected streets until that Planning Commission recommendation is received.

Mr. Alan Cox, Acting Superintendent, Missions of San Antonio National Historic Park, stated his opinion that one more public hearing probably will not jeopardize the project.

After discussion, the maker and seconder of the main motion agreed to withdraw their motion at this time.

Ms. Ayala then made a new main motion to provide direction to City staff to ask the Planning Commission to hold a public hearing at Mission Center as soon as possible, then make its formal recommendation to City Council on closure of affected streets. Mr. Solis seconded the motion.

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

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

It was the desire of City Council members present to undertake discussion of Agenda Item 43 at this time, inasmuch as it is related to the previous agenda item discussed.

The Clerk read the following Ordinance:

AN ORDINANCE 79,796

AUTHORIZING THE CITY MANAGER TO EXECUTE MODIFICATION NO. 3 TO THE UTILITY CONTRACT WITH NATIONAL PARK SERVICE IN CONNECTION WITH THE MISSION SAN JOSE PARK STREET REALIGNMENT PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$868,679.40 WITH R. L. JONES COMPANY, INC.; ENGINEERING EXPENSES; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. John German, Director of Public Works, stated his desire to have the City proceed with the beginning of construction activities on the Mission San Jose Park Street Realignment Project, even though formal action still is pending on closure of affected streets, as discussed earlier.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,797

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$73,826.38, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 43 TAX ACCOUNTS.

* * * *

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,798

AUTHORIZING THE ALLOCATION OF \$279,073.00 IN PROGRAM YEAR 1992 AND 1993 JOB TRAINING PARTNERSHIP ACT TITLE IIA FUNDS TO PROJECT QUEST FOR THE CONTINUATION OF PARTICIPANTS CURRENTLY ENROLLED IN TRAINING FOR THE PROGRAM YEAR 1993 (JULY 1, 1993 - JUNE 30, 1994).

* * * *

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

Mr. Ronald Fleming, Director of the Job Training Partnership Act (JTPA) Department, noted that the San Antonio Works Board has approved this allocation.

Ms. McClendon addressed her concern over the City's possible liability exposure as a result of the Office of Inspector General audit report on the JTPA program. She asked that the City Council be briefed on the OIG draft audit report during next week's Executive Session, if possible.

Mr. Rolando Bono, Assistant City Manager, noted that it will be 30-45 days before that report is complete, and the written report goes to Washington, D.C. first.

After discussion, City staff was instructed, through the City Manager, to prepare a summary briefing of that draft report for City Council next week.

Discussion then took place concerning JTPA expenditures relative to legal fees.

City staff then was directed to add this matter to next week's Executive Session.

Discussion then ensued concerning the latest Project Quest funding.

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

None; ABSENT: Billa Burke, Avila.

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,799

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE STATE CRIMINAL JUSTICE DIVISION (CJD) FOR \$225,325.00 IN FINANCIAL ASSISTANCE TO AUGMENT THE SAN ANTONIO POLICE GANG RESISTANCE EDUCATION AND TRAINING (GREAT) PROGRAM; AND TO ACCEPT SAID FUNDS IF AWARDED BY THE CJD.

* * * *

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

Lt. Rudy Gonzales, San Antonio Police Department, briefly explained the San Antonio Police Gang Resistance Education and Training Program (GREAT), and addressed the success of the DARE Program at Sul Ross Middle School, where it has been implemented.

Officer Tom Preston, San Antonio Police Department, spoke to how the DARE program works as an eight-week course at Sul Ross Middle School, and he briefly explained the curriculum involved.

Mr. Larson and Officer Preston then discussed the effects of the DARE program and similar programs for younger students, developed by the Phoenix Police Department.

Mr. Larson stated that he would like to meet with representatives of the various local school districts, to seek implementation of the GREAT program as a teaching-tool in all 49 local area middle schools within the greater San Antonio area.

Discussion then took place concerning how many local school districts now have implemented these programs and how best to effect this implementation in as many middle schools as possible.

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

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,800

AUTHORIZING THE ACCEPTANCE OF A WEED AND SEED BRIDGE FUNDING GRANT IN THE AMOUNT OF \$200,000.00 FROM THE BUREAU OF JUSTICE ASSISTANCE TO AUGMENT AND ENHANCE THE POLICE DEPARTMENT EFFORTS IN FIGHTING COMMUNITY CRIME.

* * * *

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

A discussion took place concerning expansion of the Weed & Seed Program into other areas of the city.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,801

AUTHORIZING THE EXECUTION OF A CONTRACT WITH GARBAGE GOBBLER, A DIVISION OF WASTE MANAGEMENT OF TEXAS, INC. IN THE AMOUNT OF \$692,000.00 TO PROVIDE SOLID WASTE COLLECTION, DISPOSAL, AND RECYCLING SERVICE FOR THE GREAT NORTHWEST AREA OF THE CITY FOR THE PERIOD APRIL 1, 1994 TO MARCH 31, 1995, AND AUTHORIZING THREE ONE-YEAR OPTIONS FOR RENEWAL OF SAID CONTRACT.

* * * *

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

Mr. John German, Director of Public Works, briefly explained the provision of solid waste collection, disposal and recycling service to some 7,700 homes in the Great Northwest area, and noted that Garbage Gobbler was the lowest of the five bidders.

Mr. Peak spoke to his desire to investigate possible expansion of this type of private service to other areas of the city, and asked that a report on this be prepared for City Council, for a

later date.

A discussion ensued concerning privatization of garbage pickup.

On a Point of Personal Privilege, Ms. Ayala stated her belief that a majority of City Council members is necessary in order to give formal direction to City staff to perform such a study and report.

City Attorney Lloyd Garza spoke in agreement with that statement.

Mr. Larson spoke in comparison with Garbage Gobbler's services with those provided by City of San Antonio garbage pickup services, and discussed the relative costs involved.

In response to a question by Mr. Larson, Mr. Dan Cardenas, Assistant Director of Public Works for Solid Waste, spoke to the City's plans to upgrade its garbage pickup equipment, in order to perhaps bid against private contractors for pickup services.

Mr. Larson spoke in support of this ordinance, and cited his belief that the City does not have the requirements of liability as does a private firm, from the manpower aspect.

In response to a question by Mr. Larson, Mr. Cardenas stated that Garbage Gobbler, under the provisions of this ordinance, will be adhering to the same holiday pickup schedule as does the City pickup service.

In response to a question by Ms. Ayala, Mr. German explained the costs to be borne by the residents of the Great Northwest for this service, which is the same cost borne by citizens outside the Great Northwest area.

In response to a question by Mr. Ross, Mr. German explained the reason why this charge is the same for the Great Northwest area as for other areas of the city.

Mr. Ross asked for a report on what these citizens are getting in the way of services for the extra \$3.00 fee.

Ms. McClendon expressed her concern about the equal distribution of resources, noting that the Great Northwest gets brush collection pickup three times each year, whereas other areas of the city have pickup only twice each year. She spoke in support for parity in this matter.

Mr. German stated that the City's goal is to have brush pickup three times each year, and noted that the City is gearing up to accomplish this goal by adding more equipment and personnel. He also stated that recycling efforts would be expanded to other parts of the city.

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,802

AUTHORIZING PAYMENT OF THE CITY'S PORTION OF THE JUDGMENT IN THE CASE STYLED PADGETT USED CARS, INC. V. CITY OF SAN ANTONIO AND V. K. KNOWLTON PAVING CONTRACTOR, INC., CAUSE NO. 92-CI-10069, IN THE AMOUNT OF \$13,441.19 PLUS POST JUDGMENT INTEREST AND COURT COSTS.

* * * *

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

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,803

AUTHORIZING THE USE OF DISTRICT 3 DISCRETIONARY FUNDS FOR THE TEMPORARY CLOSURE OF SOUTH GOLIAD ROAD FROM CLARK TO S. E. MILITARY ON SATURDAY, MARCH 12, 1994 FROM 10:00 A.M. UNTIL NOON FOR A PARADE IN CONNECTION WITH THE CEREMONIAL STREET NAME CHANGE OF OFFER STREET TO BILL MILLER LANE, HONORING THE COMMUNITY INVOLVEMENT OF BILL MILLER, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE; AND DECLARING AN EMERGENCY.

* * * *

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

Mr. Larson asked that it be noted that Ms. Billa Burke is paying this entire cost out of her own personal funds.

After consideration, the motion, carrying with it the passage

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

94-12 The Clerk read the following Ordinance:

AN ORDINANCE 79,804

CLOSING 3200 EL PASO, 19TH TO MINTER, ON SUNDAY, MARCH 13, 1994, FROM 12:00 NOON UNTIL 11:00 P.M. FOR THE PURPOSE OF HOLDING THE SAN JUAN DE LOS LAGOS ANNUAL CHURCH FESTIVAL AS REQUESTED BY COUNCILMAN JUAN F. SOLIS; AND DECLARING AN EMERGENCY.

* * * *

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

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

94-12

CITIZENS TO BE HEARD

POLICE OFFICER DISCUSSION

Reverend Ronald Benson, Chairman of the Social Justice Committee, introduced other members of the Committee present, who are here to speak to the City Council about their concerns regarding their feelings that the African-American community is being left out of the top management echelon of the police department. They especially feel that the selection process for Deputy Clerks puts a glass ceiling on the African-American police officers aspiring to higher office. He then utilized charts before the City Council to further explain their concerns. He particularly cited Captain James Robinson who has 20 years of Command experience, but was not even interviewed. He stated that merit be considered to determine these promotions. He asked the City Council to review the selection process and that these positions be filled on a competitive basis. He also asked on behalf of the Committee that Chief Gibson resign his position.

Mr. Otis Thompson, Publisher of the Rally News, read a prepared statement to the Council, a copy of which is on file with the papers of this meeting, stating that there are too few Black Uniformed Police officers in position of authority across this nation. Of the 1,569 San Antonio Police officers, only 89 are Black.

Reverend W. K. Kelly, representing the Young Black People of San Antonio, reiterated comments made by Reverend Benson. He stated that role models are needed for the Black youth in the community. He asked that Chief Gibson be dismissed.

Reverend Benson stated that they want this resolved at this level, not at any other level. He stated that they plan to meet with the City Manager to see if the five (5) Deputy Chief positions can be further pursued and see if this may be the remedy.

Ms. McClendon thanked the persons for coming forward today. She stated that a Black Deputy Chief is needed as a role model for Black youths.

Mr. Solis stated that cooperation is important and all minorities should be considered, including women. He also stated that the important element to a solution is unity.

Mayor Wolff stated that there are certain circumstances, i.e. "filled" positions, the police contract which precludes the City Council from any action on this matter, and state law.

- - -
DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, expressed concern about EMS communication with hospitals.

- - -
BILL STEPHENS

Mr. Bill Stephens, Taxi Cab Driver, again spoke to the Council regarding his opposition to the adjudication of citation by City employees. He distributed a copy of the pertinent law and asked that they be allowed to go before Municipal Court judges.

- - -
94-12 City Council recessed its regular meeting at 5:55 P.M. for dinner, reconvening at 6:25 P.M.

- - -
94-12 City Council recessed its regular meeting at 6:26 P.M. to hold an Executive Session on:

A. Briefing on the settlement of Diane F. Gilliam, individually and as representative of the estate of Joris R. Gilliam, deceased vs. City of San Antonio, et al, Cause No. 90-CI-06878.

B. Briefing on Sheena Bassett vs. Mike Hermes et al and City of San Antonio, Cause No. 92-CI-13820.

C. Briefing regarding environmental remediation of Alamodome soil.

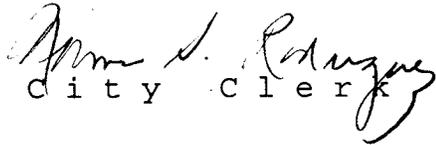
94-12 City Council reconvened in regular session at 8:00 P.M., at which time Mayor Pro Tem Billa Burke announced that no action was taken by City Council during Executive Session, other than direction to City staff.

94-12 There being no further business to come before the Council, the meeting was adjourned at 8:02 P.M.

A P P R O V E D


M A Y O R

Attest:


C I T Y C L E R K

94-12 PETITIONS:

March 10, 1994

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

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

February 18, 1994

Petition submitted by Mr. Steve Oettinger, 265 W. Thorain, San Antonio, Texas 78212-1229, requesting the City of San Antonio to address the drainage problem outlined in his letter.

/s/ Norma S. Rodriguez
City Clerk

March 10, 1994
alh