

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY JANUARY 13, 1994.

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94-02 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: McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON; ABSENT: PEREZ, WOLFF.

- 1) Comprehensive Nutrition Program.
- 2) Eastside San Antonio Community Revitalization Agency.

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94-02 The formal City Council meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro-Tem Billa Burke, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON. Absent: WOLFF. (Mayor Wolf arrived at the City Council meeting later during the meeting, to preside.)

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94-02 Invocation - Reverend Hector Grant, Bethel United Methodist Church.

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94-02 Pledge of Allegiance to the flag of the United States.

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94-02 Minutes of the December 21, 1993 Regular City Council Meeting were approved.

94-02 PART-TIME MUNICIPAL COURT JUDGES

Mayor Pro-Tem Billa Burke noted that City Council recently appointed Ms. Mary Elizabeth Fuentes, Mr. Ed Minarich, and Mr. Jesse A. Sepulveda, Jr. as part-time Municipal Court judges. She further stated that the new judges have been invited to today's City Council meeting to be formally sworn-in, and spoke to the presence also of Presiding Municipal Court Judge Ms. Stella Kyle and various members of the judges' families, in the audience today.

City Clerk Norma S. Rodriguez then administered the formal Oath of Office to the new part-time judges and congratulated them.

Judge Kyle and Mr. Larson, chairman of the City Council's Municipal Court Committee, also congratulated the new judges.

Ms. Ayala, Mr. Ross and Mr. Avila spoke to the selection process for the part-time judges and the high quality of all applicants for those three available positions.

Mr. Thornton lauded the excellent work done by Judge Kyle as Presiding Judge of Municipal Court.

Each of the three new judges thanked the City Council for their appointments and introduced members of their respective families, present in the audience.

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94-02

CONSENT AGENDA

Mr. Larson made a motion to approve Agenda Items 6 through 25, constituting the Consent Agenda, with Items 18 and 20 having been pulled earlier by the City Manager. Item 22 was pulled for individual consideration. Mr. Solis seconded the motion.

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

AN ORDINANCE 79,412

ACCEPTING THE PROPOSAL OF H. W. WILSON COMPANY FOR RENEWAL OF TITLE INDEX SUBSCRIPTIONS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$12,458.00.

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AN ORDINANCE 79,413

ACCEPTING THE LOW QUALIFIED BID OF WHEELED COACH IN THE AMOUNT OF \$8,998.50 TO PROVIDE AMBULANCE STRETCHERS FOR EMERGENCY MEDICAL SERVICE BY THE SAN ANTONIO FIRE DEPARTMENT.

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AN ORDINANCE 79,414

ACCEPTING THE LOW BID OF ACCUTRONICS, INC. IN THE AMOUNT OF \$3,157.00 TO PROVIDE A PHOTO IDENTIFICATION CAMERA SYSTEM FOR USE AT THE SAN ANTONIO POLICE DEPARTMENT.

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AN ORDINANCE 79,415

ACCEPTING THE LOW QUALIFIED BID OF WITTEK GOLF RANGE SUPPLY COMPANY, INC. IN THE AMOUNT OF \$4,800.00 TO PROVIDE THE SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH A GOLF BALL WASHER AND GOLF BALL PICKER.

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AN ORDINANCE 79,416

ACCEPTING THE LOW BID OF NATKIN SERVICE COMPANY IN THE AMOUNT OF \$17,575.00 TO PROVIDE PARTS, MATERIALS, AND LABOR TO OVERHAUL A CENTRIFUGAL CHILLER AT THE SAN ANTONIO INTERNATIONAL AIRPORT CENTRAL PLANT.

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AN ORDINANCE 79,417

ACCEPTING THE LOW BID OF MISSION SALES & JANITOR SUPPLY, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH WASTE RECEPTACLES FOR A TOTAL AMOUNT OF \$11,460.90.

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AN ORDINANCE 79,418

ACCEPTING THE PROPOSAL OF AUSTIN BUSINESS MACHINES FOR MAINTENANCE OF FACSIMILE MACHINES FOR THE CITY OF SAN ANTONIO FOR A TOTAL OF APPROXIMATELY \$6,000.00.

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AN ORDINANCE 79,419 .

ACCEPTING THE LOW BID OF GRAPHIC ARTS PRINTING COMPANY IN THE AMOUNT OF \$16,000.00 FOR PRINTING OF EVENTS LITERATURE FOR THE CITY OF SAN ANTONIO CARVER COMMUNITY CENTER.

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AN ORDINANCE 79,420 .

CANCELLING THE CONTRACT WITH SWARCO INDUSTRIES AND AWARDING A CONTRACT TO THE NEXT LOW QUALIFIED BIDDER, PATHMARK TRAFFIC PRODUCTS OF TEXAS, INC., TO PROVIDE THE CITY OF SAN ANTONIO WITH PAVEMENT MARKING BUTTONS FOR A TOTAL COST OF \$8,800.00.

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AN ORDINANCE 79,421 .

ACCEPTING THE LOW BID OF PRO LINE VIDEO IN THE AMOUNT OF \$223,113.00 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH AN AUDIO VISUAL SYSTEM FOR THE CITY COUNCIL CHAMBERS; AND PROVIDING FOR AN ADDITIONAL 10% FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES.

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AN ORDINANCE 79,422 .

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$23,914.81, WITH MEDELLIN ENGINEERING, INC., TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE RUNWAY 14-32 LIGHTING UPGRADE AT STINSON MUNICIPAL AIRPORT; AUTHORIZING AN ADDITIONAL \$2,394.19 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR ADMINISTRATIVE EXPENSES; APPROVING A BUDGET FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,423 .

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$114,000.00, WITH LOCKWOOD, ANDREWS AND NEWNAM, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE PROPOSED GENERAL AVIATION SERVICE CENTER CONSTRUCTION AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$11,400.00 FOR A CONTINGENCY ACCOUNT;

AUTHORIZING \$2,000.00 FOR ADMINISTRATIVE EXPENSES;
APPROVING A BUDGET FOR THE PROJECT; APPROPRIATING
FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,424

AMENDING ORDINANCE NO. 78106, PASSED AND APPROVED
ON JUNE 10, 1993, TO REVISE THE BUDGET OF THE
HOUSING AND URBAN DEVELOPMENT (HUD) COUNSELING
PROGRAM GRANT TO REFLECT THE ACTUAL AMOUNT OF GRANT
FUNDS RECEIVED, IN THE AMOUNT OF \$17,950.00 FOR
FISCAL YEAR 1993-94.

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AN ORDINANCE 79,425

AMENDING ORDINANCE NO. 78716, PASSED AND APPROVED
ON SEPTEMBER 15, 1993, BY TRANSFERRING \$48,326.00 IN
GENERAL FUNDS TO THE COMMUNITY ACTION DIVISION OF
THE DEPARTMENT OF COMMUNITY INITIATIVES TO
ADMINISTER THE EMERGENCY FINANCIAL ASSISTANCE
PROGRAM; AND APPROVING A BUDGET FOR SAID PROGRAM.

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AN ORDINANCE 79,426

AUTHORIZING THE ACCEPTANCE OF A \$5,000.00 GRANT FROM
THE PACE ROBERTS FOUNDATION TO SUPPORT A PUBLIC ART
EDUCATION PROGRAM THAT INCLUDES PUBLIC FORUMS AND
PRESENTATIONS WITH CITY STAFF AND COUNCIL.

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AN ORDINANCE 79,427

APPOINTING MR. STAN GEORGE (DISTRICT 7) TO THE
BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON
JULY 31, 1995.

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AN ORDINANCE 79,428

APPOINTING MR. TRISTAN CASTANEDA, JR. (DISTRICT 5)
TO THE SAN ANTONIO CENTRO 21 TASK FORCE FOR A TERM
OF OFFICE TO EXPIRE ON DECEMBER 31, 1995.

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AN ORDINANCE 79,429

APPROVING THE GRANTING OF A PARADE PERMIT BY THE CHIEF OF POLICE TO THE MARTIN LUTHER KING, JR. MEMORIAL COMMISSION FOR THE PURPOSE OF HOLDING THE MARTIN LUTHER KING FREEDOM MARCH ALONG MARTIN LUTHER KING, NEW BRAUNFELS, AND HOUSTON STREETS ON MONDAY, JANUARY 17, 1994, BETWEEN THE HOURS OF 10:00 A.M. UNTIL 12:00 NOON; AND DECLARING AN EMERGENCY.

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94-02

CONSENT AGENDA ITEMS

After discussion, it was the concensus of City Council members present to ask the Council's Plans & Policy Committee, chaired by Mr. Solis, to look into the possibility of restricting Consent Agenda items to those items expending less than \$100,000.00.

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,430

AUTHORIZING THE CONTRIBUTION OF \$20,000.00 FROM THE CITY OF SAN ANTONIO TO THE RECYCLING COLLECTION CENTER OF SAN ANTONIO TO SUPPORT THE ADMINISTRATIVE EXPENSES OF THE CENTER.

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

Ms. Billa Burke lauded the work done by the Recycling Center of San Antonio.

Mr. Joe Rodriguez, Assistant Director of Public Works, spoke to a history of the Recycling Center.

Mr. Curtis Bushnell, representing the Recycling Center, spoke to the value of the center to the recycling effort, noting that it disposed of an estimated \$29,000.00 worth of recyclable materials, thus far. He stated further that the center recycles some eight tons of materials each day, materials that otherwise would have been disposed of in the City's solid waste disposal operations. He then spoke to the need for the City's financial support of the center.

In response to a question by Mr. Solis, Mr. Bushnell addressed the center's budgeting procedures which should preclude having a funding shortfall again, similar to last year. He noted that most of the outlay is for employees' salaries.

Mr. Solis urged the Recycling Center to prepare and show a budget which would preclude having a funding shortfall before the end of the fiscal year.

Mr. Rodriguez noted that Mr. David Schott, Director of the Recycling Center, presented the City with such a budget last year, and he addressed program income and expenditures at the center.

Mr. Solis made an amended motion to ask the Recycling Center to report back to the City in six months with a written budget of its income and expenditures. Mr. Thornton seconded the motion.

A discussion took place concerning funds allocated to the center in past years by the City, and the effects of the recycling markets on receipts at the center.

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

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

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,431

RATIFYING FIELD ALTERATION NO. 39 IN THE AMOUNT OF \$191,887.00 FOR THE CONSTRUCTION CONTRACT WITH MATTHEWS/BUCKNER CONSTRUCTION, INC. FOR WORK ON THE ALAMODOME: PACKAGE 8A - PLUMBING SYSTEMS, AMENDING THE CONSTRUCTION CONTINGENCY BY \$57,243.75, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Office of Dome Development, explained details of the proposed field alteration, the result of negotiations over certain plumbing work at the Alamodome involving roof drains. He noted that the work was done on a 'time and materials' basis.

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

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,432

RATIFYING ACTION OF STAFF IN OBTAINING ADDITIONAL WORK FROM AMERICAN ECOLOGY/WASTE PROCESSOR INDUSTRIES, INC. ON THE ALAMODOME: PACKAGE 14B - STABILIZATION AND ON-SITE DISPOSAL; AND APPROVING PAYMENT IN THE AMOUNT OF \$25,496.39 FOR SUCH ADDITIONAL WORK, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Office of Dome Development, explained the amendment dealing with encapsulation of some 12,000 cubic yards of dirt material, containing high levels of lead. He noted that this particular amendment deals with actions taken to berm and otherwise secure the dirt-site at the Alamodome, work which was ordered by the staff of the Texas Water Commission, successor agency to the Texas Natural Resources Conservation Commission (TNRCC).

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

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,433

RATIFYING ACTION OF STAFF IN OBTAINING ADDITIONAL WORK FROM AMERICAN ECOLOGY/WASTE PROCESSOR INDUSTRIES, INC. ON THE ALAMODOME: PACKAGE 14B - STABILIZATION AND ON-SITE DISPOSAL; AND APPROVING PAYMENT IN THE AMOUNT OF \$247,073.62 FOR SUCH ADDITIONAL WORK, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Mr. Gabriel Perez, Office of Dome Development, explained the additional work necessary for encapsulation of Alamodome dirt containing high levels of lead. He noted that City staff is now working on the report and letter sought by the Texas Natural Resources Conservation Commission concerning answers to its findings relative to the south side parking lot at the Alamodome.

In response to a question by Mr. Larson, Mr. Perez stated that final asphaltting of the parking lot remains to be completed, and spoke to its planned 1,338 parking spaces.

Mr. Roland Lozano, Director of Asset Management, discussed revenue losses at the Alamodome because these parking spaces are not available for use, at an estimated loss in revenues of some \$6,000.00 per event at the Alamodome.

Mr. Larson spoke to the need to complete the project and to get on with the solution to the lead problems at a site on Petroleum Drive and at Pearsall Road landfill.

Mr. Lozano discussed negotiations that have taken place with TNRCC and the Environmental Protection Agency concerning the landfill problems with contaminated dirt.

In response to a question by Mr. Thornton, Mr. Lozano discussed possible future actions that can be taken by EPA or TNRCC, including an order to remove the contaminated soil entirely, if those agencies find fault with it.

A discussion then ensued concerning the Agreed Order with TNRCC on this matter.

Mr. Ross stated his opinion that further discussion of this matter should be withheld until TNRCC's report is received, and noted that this proposed ordinance merely pays for work already performed.

In response to a question by Ms. McClendon, Mr. Lozano spoke to a chronology of work performed, after discussions with TNRCC.

Ms. McClendon stated her opinion that proper construction on the south side parking lot at the Alamodome would have precluded the loss of parking-space revenues now being realized.

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

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
ESTABLISHING THE FREDERICKSBURG ROAD URBAN CORRIDOR DISTRICT:

Mayor Pro-Tem Billa Burke declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, explained the proposed establishment of the Fredericksburg Road Urban Corridor District and its ramifications.

Mr. Sam Jorrie, 4503 Shavano Park, asked that consideration be given to running City Public Service utility lines underground in this proposed new District, and stated his belief that property owners in the area might help pay for this.

There being no further citizens signed to speak to this matter, Mayor Pro-Tem Billa Burke declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 79,434

AMENDING SECTION 35-3167 OF CHAPTER 35 OF THE CITY CODE OF THE CITY OF SAN ANTONIO IN ORDER TO CREATE THE FREDERICKSBURG ROAD URBAN CORRIDOR DISTRICT; ESTABLISHING A FINE NOT TO EXCEED TWO THOUSAND DOLLARS FOR VIOLATIONS OF SAID SECTION.

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

Mr. Ross spoke to details of certain concerns expressed by property owners and business owners in this affected area, especially those with zero-lot-lines.

Mr. Pasley noted that such persons would have non-conforming rights.

A discussion then took place concerning the lifting of current sign restrictions in this area, as a result of this proposed action.

Mr. Peak spoke to CPS' annual funds allocation to pay for moving utility lines underground, and possible allocation of such funds for projects such as this.

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.

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4A. CASE Z93061 - to designate both sides of Fredericksburg Road, an arterial, between Martinez Creek and Santa Barbara Street for a distance of two hundred (200 feet) from the street right-of-way as an Urban Corridor.

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

Mr. Andy Guerrero, Land Development Services, explained the relationship of this proposed ordinance to the ordinance immediately preceding, designating Fredericksburg Road as an Urban Corridor.

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

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

AN ORDINANCE 79,435

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 BOTH SIDES OF FREDERICKSBURG ROAD, AN ARTERIAL, BETWEEN MARTINEZ CREEK AND SANTA BARBARA STREET FOR A DISTANCE OF TWO HUNDRED (200 FEET) FROM THE STREET RIGHT-OF-WAY AS AN URBAN CORRIDOR. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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

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

4C. CASE Z93190 (PP) - to rezone 2.991 acres out of NCB 13733, Budding Boulevard from "B-2" Business District to "R-1" Single Family Residence District, located on the northeast side of Budding Blvd., 150 feet southeast of the intersection of Jones Maltsberger Road and Budding Blvd., having 304.19 feet on Budding Boulevard and a depth of 526.63 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. Avila seconded the motion.

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

AN ORDINANCE 79,436

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 2.991 ACRES OUT OF NCB 13733, BUDDING BOULEVARD FROM "B-2" BUSINESS DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE Z93220 - to rezone 10.785 acres out of NCB 16329, Blanco Road, from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District, located on the southeast side of Blanco Road, 860 feet southwest of the intersection of F.M. 1604 and Blanco Road, having 325.99 feet on Blanco Road and a depth of 960 feet.

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

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

AN ORDINANCE 79,437

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 10.765 ACRES OUT OF NCB 16329, BLANCO ROAD, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE Z93228 - to rezone Lot 1, Block 7, NCB 18387, 16585 Blanco Road from temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District, located west of the intersection of Blanco Road and Brookstone, having 650 feet on Brookstone and 338 feet on Blanco Road.

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

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

AN ORDINANCE 79,438

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 7, NCB 18387, 16585

BLANCO ROAD FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE Z93332 (CC) - to rezone Lot 22, Block 1, NCB 18341, Bitters Road and Huebner Road, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" CC ERZD Business Edwards Recharge Zone with special City Council approval for a service station with carwash, located northeast of the intersection of Bitters Road and Huebner Road, having 185.17 feet on Bitters Road and 153.71 feet on Huebner Road.

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

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

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

Mr. Ruben Cervantes, representing Pape-Dawson Engineers and FARMCO, noted that the property in question is directly across from an existing Sigmor Shamrock facility, and he spoke to his work with the homeowners association concerning certain landscaping amenities, and of having secured all applicable technical requirements.

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

AN ORDINANCE 79,439

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 FROM * ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" CC ERZD BUSINESS EDWARDS RECHARGE ZONE WITH SPECIAL CITY COUNCIL APPROVAL FOR A SERVICE STATION WITH CARWASH, "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4G. CASE Z93217 - to rezone Lots 36, 38, 39, 42, 43 and 44, Block 3, NCB 11967, Wolfe Road, from "A" Single Family Residence District to "B-3" Business District, located northwest of the intersection of Wolfe Road and U. S. 281 North Expressway, having a total of 255.6 feet on Wolfe road and 219.06 feet on U. S. 281 North 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 details of the Ordinance.

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

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

AN ORDINANCE 79,440

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 36, 38, 39, 42, 43 AND 44, BLOCK 3, NCB 11967, WOLFE ROAD, 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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4H. CASE Z93219 - to rezone Lot 9, NCB 12057, 907 North Coker Loop Road from "A" Single Family Residence District to "I-1" Light Industry District, located on the northeast side of North Coker Loop Road, being 570 feet southeast of the intersection of West Coker Loop

and North Coker Loop Road, having 96.12 feet on North Coker Loop Road and a depth of 195.30 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. Ms. McClendon seconded the motion.

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

AN ORDINANCE 79,441

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 9, NCB 12057, 907 NORTH COKER LOOP ROAD FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4I. CASE Z93181 - to rezone the southeast 79.38 feet of Lot 6, Block 37, NCB 11753, from "A" Single Family Residence District to "B-1" Business District, located west of the intersection of Larkspur Drive and West Avenue, having 79.38 feet on Larkspur Drive and 125.00 feet on West 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. Larson seconded the motion.

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

AN ORDINANCE 79,442

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 SOUTHEAST 79.38 FEET OF LOT 6, BLOCK 37, NCB 11753, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4J. CASE Z93338 - to rezone the southwest 119 feet of the northwest 340 feet of Tract B, NCB 8405, at the rear of 5118 Loma Linda Drive from "B" Residence District to "R-2A" Three and Four Family Residence District, located 360 feet northwest of the intersection of Loma Linda Drive and Coyle Place, being 151 feet southwest of Loma Linda Drive, having a length of 340 feet and width of 119 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. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

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

AN ORDINANCE 79,443

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 SOUTHWEST 119 FEET OF THE NORTHWEST 340 FEET OF TRACT B, NCB 8405, AT THE REAR OF 5118 LOMA LINDA DRIVE FROM "B" RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4K. CASE Z93216 - to rezone Lots 4, 5, and 6, Block 6, NCB 9783, 1100 Block of McCauley Boulevard from "B" Residence District of "B-3NA" Non Alcoholic Sales Business District and Lot 7, Block 6, NCB 9783, 1100 Block of McCauley Boulevard from "B" Residence District to "O-1" Office District, located southeast of the intersection of McCauley Boulevard and IH 35 South Expressway, having 120 feet on McCauley Boulevard and 190 feet on IH 35 South Expressway.

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

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

Mr. Avila stated his desire to impose a non-access easement along Lots 4, 5, and 6, fronting onto McCauley Avenue.

Mr. Avila made a motion to approve the request of change of zoning subject to imposition of a non-access easement along McCauley Avenue. Mr. Larson 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, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: McClendon, Solis, Wolff.

AN ORDINANCE 79,444

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 4, 5, AND 6, BLOCK 6, NCB 9783, 1100 BLOCK OF MCCAULEY BOULEVARD FROM "B" RESIDENCE DISTRICT OF "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT AND LOT 7, BLOCK 6, NCB 9783, 1100 BLOCK OF MCCAULEY BOULEVARD FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG MCCAULEY AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4L. CASE Z93223 - to rezone Lots 11 and 12, NCB 2964, 536 East Courtland Place from "D" Apartment District to "B-2" Business District, located southwest of the intersection of Courtland Place and Kendall Street, having 64.5 feet on Courtland Place and 156 feet on Kendall Street.

Mr. Perez stated that the applicant has asked for a postponement of this case in order to try to work out a suitable solution to opposition to this rezoning request.

A discussion ensued concerning opposition present in the audience, including area homeowners and neighborhood association.

Mr. Jon Thompson, representing the Tobin Hill Neighborhood Association, spoke to the extent of opposition to this rezoning request.

Mr. Perez made a motion to postpone consideration of this case. Ms. Ayala seconded the motion.

Mr. Larson stated that if the use of the property in question has violated the City Code, he cannot support a postponement.

Mr. Thornton and Mr. Avila both stated that they would oppose postponement for the same reason.

Mr. Andy Guerrero, Land Development Services, spoke to alleged City Code violations on use of the property in question.

Ms. Lisa Asvestas, wife of the proponent, spoke to her notification of City Code violations, and stated her desire to work something out in this matter.

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

Mayor Wolff spoke of his desire to get on with disposition of this case.

After consideration, the motion to postpone this zoning case failed by the following vote: AYES: Perez, NAYS: Billa Burke, Avila, Ayala, Thornton, Peak, Larson, Wolff; ABSENT: McClendon, Solis, Ross.

Mr. Perez made a motion to deny the requested rezoning. Ms. Billa Burke seconded the motion.

Ms. Lisa Asvestas, 536 East Courtland Place, stated that she would like to have the property rezoned to "B-2" in order to have a delicatessen on that site. She then distributed copies of the North St. Mary's Street Redevelopment Project Feasibility Study to the City Council. (A copy of which is made a part of the papers of this meeting.) She spoke to reasons for the rezoning request, and addressed support for plans for use of the property by neighborhood residents. She then presented copies of a petition in support of the requested rezoning, signed by some 145 persons. (A copy of which is made a part of the papers of this meeting.)

Mr. Ralph Medina, 2317 McCullough Avenue, member of both the Tobin Hill and Monte Vista Neighborhood Associations, spoke in support for the Asvestas' plans for use of the property.

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

Mr. Jon Thompson, 215 East Park, President of Tobin Hill Neighborhood Association, spoke to the background of this case and a history of the rezoning request. He spoke to the need for the City Council to support the Master Plan of the neighborhood association, and stated his belief that granting this rezoning would create a 'domino effect' in the neighborhood.

Ms. Marianne Jones, representing San Antonio Conservation Society, spoke against the rezoning request.

Mr. Frank Davila, 105 West King's Highway, President of Monte Vista Neighborhood Association, spoke to the importance of City Council's support for the neighborhood association's Master Plan. He noted that this case has been ongoing for some three years, and he spoke to the alleged City Code violations that have occurred.

Mr. Dave Curtis, President of the San Antonio Coalition of Neighborhood Associations, asked that the request be denied as a threat to every neighborhood in the city.

Ms. Tertia Emerson, 415 East Huisache Avenue, also representing SACNA, spoke against the rezoning request.

Ms. Kathy Bailey, representing the Alta Vista Neighborhood Association, spoke to the numerous Code violations on this property.

Ms. Nancy S. Maricles, 526 East Courtland, neighbor to the property in question, spoke to alleged Code violations on the property, despite City Council denial of an earlier rezoning request. She spoke against commercial intrusion into a residential area, and submitted copies of a new petition against the proposed rezoning, circulated only yesterday, for signatures to residents within one block of the subject property.

Mr. Pablo Bazan, 520 East Courtland, spoke to opposition to the rezoning request, and to commercial intrusion into a residential area.

Mr. Larry diMartino, former Chairman, SACNA, spoke to repeated Code violations on the property, and asked that the rezoning request be denied.

Mr. Jimmie Tucker, First Vice-President, SACNA, spoke against 'blockbusting' actions in residential neighborhoods, and stated his belief that rezoning of this property will set a precedent.

Ms. Diana Morin, President, Sunrise United Neighbors, spoke against the proposed rezoning.

* * * *

Mr. Roger Asvestas, brother of the proponent, addressed reasons why he feels the rezoning should be granted, and further stated his belief that the Master Plan for this neighborhood should be revised to include changes in the neighborhood.

Mr. Perez noted that this is a volatile case, and spoke to its history, to date. He then spoke to alleged Code violations that have occurred on the property, and expressed his belief that the business could succeed on another site, if moved. He then noted that he would be voting against any rezoning.

Mr. Peak spoke in support of the neighborhood planning process and noted that he would support the neighbors' wishes in this matter.

In response to a question by Mr. Thornton, Mr. Guerrero addressed the alleged Code violations on the property and citations written on those alleged violations.

Mr. Martin Rodriguez, Code Compliance Manager, spoke to the cases filed in Municipal Court on alleged violations on this property, as long ago as three years, cases which are still pending in Municipal Court for various reasons.

Mr. Thornton addressed his concern for a large propane storage tank located on the property, and alleged willful violation of City Codes.

In response to a question by Mr. Thornton, Ms. Asvestas spoke to instances of alleged Code violations on the property.

Mr. Avila stated that he would vote to deny the requested rezoning.

Mr. Ross spoke in support for denial, but noted that the Jefferson Area Neighborhood Association in his Council district currently is revising its neighborhood plan, and urged all neighborhood associations to re-examine their plans, as well.

Mayor Wolff stated that he would vote against the requested rezoning.

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

Zoning Case Z93223 was denied.

4M. CASE Z93218 - to rezone the east 150 feet of Lots 1 and 2, Block 3, NCB 12159 from "B-2" Business District to "B-3" Business District, located southwest of the intersection of Rachel Drive and South W.W. White Road, having 150 feet on Rachel Drive and 257 feet on South W.W. White 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. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Ms. McClendon seconded the motion.

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

AN ORDINANCE 79,445

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 150 FEET OF LOTS 1 AND 2, BLOCK 3, NCB 12159 FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4N. CASE Z93222 - to rezone Lots 8 thru 11 and 13 thru 16 and a 7.666 acre tract of land out of Block 105, NCB 18288 and a 3.316 acre tract of land out of NCB 18286, Micron Drive from temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, located east and west of Micron Drive at the intersection of M.G. Road and Micron Drive, having a total of 1,112.60 feet on Micron Drive, 1,234.10 feet on M.G. Road and 595.59 feet on Potranco 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. Larson seconded the motion.

Mr. Eric Freedland, attorney, representing the applicant, briefly described plans for apartments to be constructed on the property.

Ms. Ayala stated that she is pleased to see more housing such as this being built near military bases.

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

AN ORDINANCE 79,446

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 8 THRU 11 AND 13 THRU 16 AND A 7.666 ACRE TRACT OF LAND OUT OF BLOCK 105, NCB 18288 AND A 3.316 ACRE TRACT OF LAND OUT OF NCB 18286, MICRON DRIVE 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."

* * * *

40. CASE Z93227 (CC) - to rezone a 0.023 acre tract of land out of NCB 8693, 1022 Austin Highway from "F" Local Retail District to "B-3" CC Business District with special City Council approval for a communication transmission tower, located between Austin Highway and Rittiman Road, being 183 feet east of the intersection of Austin Highway and Rittiman Road, having 14 feet on Rittiman Road and a depth of 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.

Mr. Larson made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 79,447

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 A 0.023 ACRE TRACT OF LAND OUT OF NCB 8693, 1022 AUSTIN HIGHWAY FROM "F" LOCAL RETAIL DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER, "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4P. CASE Z93336 - to rezone Lots 1 and 2, NCB 8783, 3723 S. W. Military Drive, from "B-2" Business District to "B-3NA" Non Alcoholic Sales Business District, located on the northside of S. W. Military Drive, being 186.06 feet west of the intersection of S. W. Military Drive and Byrum Street, having 125 feet on S. W. Military Drive and a depth of 191.20 feet.

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

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

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

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

AN ORDINANCE 79,448

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, NCB 8783, 3723 S. W. MILITARY DRIVE, 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."

* * * *

4Q. CASE Z93339 - to rezone lots 1 thru 5 and 22 t, Block 1, NCB 1924, Culebra Road and Zarzamora Road from "F" Local Mail District, "J" Commercial District and "C" Apartment District to "B-2" Business District, located between Culebra Road and Carter Street, being west of Zarzamora Road, having 226 feet on Zarzamora Road, 249.25 feet on Culebra Road and 274.25 feet on Carter Road.

Mr. Andy Guerrero, Senior Planner, stated that the applicant in this rezoning case has asked for its postponement.

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

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

* * * *

94-02 Mr. Thornton noted the presence in the audience of Mr. Mike McMahon, Chairman of the Zoning Commission, and noted that Mr. McMahon as well as other members of the Zoning Commission often visit the sites of rezoning cases.

94-02 TRANSLATORS

Mr. Thornton spoke to the periodic need for language translation services at City Council meetings, and noted that it is not fair that a City Council member have to provide that translation for other members of the Council.

City Clerk Norma S. Rodriguez volunteered to provide translation services from Spanish to English, as needed, during City Council meetings.

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,449

AUTHORIZING PAYMENT OF MEMBERSHIP DUES TO THE GREATER AUSTIN-SAN ANTONIO CORRIDOR COUNCIL IN THE AMOUNT OF \$50,000.00 FOR THE CITY'S PARTICIPATION IN SAID COUNCIL FOR FY 1993-94.

* * * *

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

Mayor Wolff stated that, in March, the Austin-San Antonio Corridor Council will sponsor a large trade show, and encouraged the City Council to support this proposed allocation of funds for membership dues in the organization.

Mr. Larson spoke against alignment with the City of Austin, noting that that city competes with San Antonio for both jobs and businesses. He stated his preference to rather align with other cities in South Texas, such as Laredo, and to use these funds for that new alignment or perhaps for pushing San Antonio exclusively in Mexico and in Washington, D.C., such as the "casa" programs in Mexico.

Ms. Ayala noted that she has similar concerns, and spoke to the need for San Antonio to perhaps take a new direction.

Mr. Don Van Stone, Executive Director of the Corridor Council, spoke to the need to maintain the link between San Antonio and Austin in the spirit of regionalism as 'the new engine of the Texas economy', as the link has been identified in the Los Angeles Times. He stated his feeling that San Antonio and Austin are not competitors for business and jobs, and he addressed several samples of instances in support of that contention.

Ms. Ayala spoke to the need to see some results of the City's membership in the Council, for the money it provides in dues.

Ms. McClendon spoke in support of the San Antonio-Austin coalition, despite some reservations.

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

Mr. Larson stated his preference to use the \$50,000.00 to promote San Antonio only.

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

Mr. Van Stone spoke to other funds leveraged by San Antonio's membership dues.

Mr. Wayne Fagin, representing the Corridor Council, spoke to the need for regional and economic cooperation.

Mr. Thornton addressed the need for change by the Council, and an emphasis on San Antonio.

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

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,450

REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$40,000.00 FROM THE DISTRICT 10 LITTLE LEAGUE PROJECT TO THE NORTHEAST YMCA PROJECT FOR CAPITAL IMPROVEMENTS AND PROGRAM FEES; REVISING THE APPROPRIATE BUDGETS; AND AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

* * * *

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

Mr. Andrew Cameron, Director of Housing & Community Development, briefly explained the proposed reprogramming of Community Development Block Grant funds, for programmatic needs of the Northeast YMCA.

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

94-02 The Clerk read the following Resolution:

A RESOLUTION NO. 94-02-03

CONSENTING TO THE SALE OF THE LACKLAND CITY WATER COMPANY TO THE BEXAR METROPOLITAN WATER DISTRICT AND THE TRANSFER OF LACKLAND CITY WATER COMPANY'S CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN NO. 01734) TO SAID DISTRICT.

* * * *

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

Ms. Ayala stated that she would abstain from this issue and would leave the Council chambers during its conduct, because of her employment with the parent firm of Lackland City Water Company. She then left the meeting.

Mr. Joe Aceves, President and Chief Executive Officer, San Antonio Water System, explained the proposed sale of Lackland City Water Company to Bexar Metropolitan Water District, and addressed the ramifications of that sale on future San Antonio annexations. He noted that approval of the sale on the part of the City of San Antonio is not a legal requirement, but the Texas Natural Resources Conservation Commission nevertheless has asked for the City's approval of that sale. He further stated that he has been informed by Bexar Metropolitan Water District that its new customers, secured by reason of this proposed sale, will not experience an immediate rate increase.

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

In response to a question by Mr. Thornton, Mr. Aceves spoke to two previous discussions between Lackland City Water Company and San Antonio Water System regarding purchase of the LCWC by SAWS, but noted that such purchase never came to pass.

In response to a question by Mr. Thornton, Mr. Tom Moreno, General Manager, Bexar Metropolitan Water District, discussed the makeup of the BMWD and its ability to service its new proposed \$21 million bonded indebtedness without raising rates to its new customers from LCWC. He also spoke to his district's source of water from Medina Lake.

Mr. Thornton voiced his concern with potential future competition for water sources between SAWS and BMWD. He also expressed his belief that BMWD cannot service the \$21 million bonded indebtedness from this proposed purchase without raising its water rates.

A discussion ensued concerning reasons why the former City Water Board did not purchase Lackland City Water Company.

Mr. Moreno equated the water rates charged by both his district and SAWS, including his opinion that SAWS needs to adopt "inverted rates".

Mr. Thornton spoke to his concerns with the \$10 million difference between City Water Board's bid for LCWC and the \$21 million that Bexar Metropolitan Water District is willing to pay for it.

In response to a question by Mr. Perez, Mr. Aceves stated that SAWS customers are not affected by this proposed purchase.

In response to a question by Mr. Perez, Mr. George K. Noe, Director of Management Services, stated that the City of San Antonio's bond rating is not affected by this proposed action.

Mr. Peak noted that, through his proposed purchase, the number of water service agencies serving San Antonio's citizens is being reduced from three to two.

Mr. Ross discussed the matter of impact fees; the ability of BMWWD to provide sewer service in the future, if it wishes; and the use of Medina Lake water by BMWWD.

Ms. McClendon spoke to her concerns with the level of water service provided to the Camelot area by BMWWD, but stated that she will support this proposed sale.

In response to a question by Mr. Avila, Mr. Moreno discussed water system improvements on the city's south side by his agency.

In response to a question by Mr. Larson, Mr. Aceves spoke to SAWS' assessment of the purchase without the need for a rate increase.

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

In response to a question by Mr. Solis, Mr. Moreno addressed plans to avoid water rate increases for the immediate future, and spoke to certain improvements to the BMWWD system.

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

94-02 The Clerk read the following Ordinance:

AN ORDINANCE 79,451

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF MICHELLE JOCKERS, CLAIM NO. 010008-014070-AB-01 AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$7,500.00.

* * * *

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

Ms. Elisa Bernal, representing the City Attorney, briefly explained the settlement of this claim.

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

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94-02 TRAVEL AUTHORIZATION - Granted:

Mr. Juan Solis, III to travel to San Francisco, California from February 22, 1994 to February 27, 1994, to attend the International Conference of Making Cities Livable.

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94-02 CITY MANAGER'S REPORT

BOND ISSUE

Mr. Rolando Bono, Assistant City Manager, informed City Council that a Public Hearing on the proposed new bond issue program is on next Thursday's City Council agenda at 7:00 P.M.

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94-02 CITIZENS TO BE HEARD

CARRIE C. SMITH

Ms. Smith addressed the City Council on behalf of the Spiritual Assembly of the Bahá'í's of San Antonio. She spoke of the purpose of their religion and their desire to promote race unity in the City of San Antonio. (A copy of her statement is on file with the papers of this meeting). She pledged their support in any assistance they can be to the City of San Antonio.

Mayor Wolff stated that the City Council will be contacting religious groups to help curb the violence in our city and would appreciate her participation.

Other members of the City Council concurred with the Mayor's statements and welcomed their participation in this community effort.

* * * *

TAXICAB ISSUE

Mr. Perez, Chairman of the Council's Transportation Committee noted that a large delegation of taxicab drivers was in the audience and

he wanted to advise them that he had scheduled a meeting next Monday at 5:30 P.M. to discuss those issues brought up by the group at last week's Council meeting.

Several taxicab drivers then approached the City Council to speak:

Mr. Cruz Chavira, member of the Transportation Advisory Committee, thanked Mr. Perez for this opportunity and stated that they are willing to sit down and visit on those issues important to the taxicab drivers.

Mr. Robert Gonzales stated that he too is anxious to sit down and discuss those issues raised by the taxidrivers last week.

Mr. Bill Stephens stated that they are distrustful of the members of the staff and the Transportation Advisory Board and related incidents of alleged closed meetings by the staff.

Other cab drivers appeared to speak in opposition to the proposed new ground transportation rules and regulations and stated they fear for their health and safety:

Mr. Jovito Gardino
Mr. Raymond Buenteo
Mr. James Munoz

Mr. Anthony Baljohn also spoke of the incident he was involved in this week which necessitated him using a gun to protect himself from being killed by a passenger he had just picked up.

Mayor Wolff reiterated the comments made by Mr. Perez earlier in the meeting and urged them to attend this meeting.

Mr. Larson also asked the group to come up with a safety program which the city can review.

* * * *

MR. ALAN PARKER

Mr. Parker spoke to the Council against the policies of the City Public Service Board relative to the many firms which are given relief. He stated that CPS should give the relief to the needy not to the rich firms. He also spoke against tax rebates for these companies.

* * * *

MR. DON WILKINS CASTILLO

Mr. Castillo reported on a incident which occurred when he was riding a VIA Bus. He spoke of the violence in the streets and urged the City Council to work on alleviating this violence.

* * * *

94-02 There being no further business to come before the Council, the meeting was adjourned at 6:10 P.M.

A P P R O V E D

Nelson W. Wolff
M A Y O R

Attest:

Thomas S. Rodriguez
C i t y C l e r k