

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, APRIL 27,  
1995.

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95-18 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: AVILA.

A. Presentation on the Eastside Cemeteries MasterPlan - Council gave its concensus to have the staff proceed with their proposed plan.

B. Briefing on the proposed Underground Utilities Program - Council gave its approval of the staff recommendations as outlined in their presentation:

1. To have on the May 4 agenda a Resolution to City Public Service; and

2. To have on the May 4 agenda a Resolution of Intent for previously discussed/approved: San Pedro Park; Mission Trail; and UTSA Downtown Campus.

The above recommendations were approved with the direction that CPS present alternatives and options at the A Session next week, as well.

C. Library Staffing Issues - Council took no action to deviate from Staff's recommendations on this matter.

Adjourned 12:00 Noon.

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95-18 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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95-18 Invocation - Rabbi Barry Block, Temple Beth-El.

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95-18 Pledge of Allegiance to the flag of the United States.  
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95-18 SPURS PROCLAMATION

Mayor Wolff stated that the city of San Antonio is proud of the San Antonio Spurs, who finished their regular season with the best record in the National Basketball Association. He further stated that the Greater San Antonio Chamber of Commerce has mounted a community-support effort for the Spurs as they begin the first round of the Playoffs on Friday.

Mayor Wolff noted that the City has a Proclamation to present to the Spurs and read the proclamation. He then presented it to Mr. Tullos Wells, Chairman, Greater San Antonio Chamber of Commerce, and representatives of the Spurs organization, present in the audience.

Mr. Wells spoke to his organization's plans to honor the Spurs for their contributions to the community, and he briefly outlined those plans.

Mr. David Robinson, representing the Spurs, thanked the Mayor and City Council for the honor, and addressed the Spurs' love for San Antonio and the organization's civic-mindedness.

Mayor Wolff then introduced other members of the Spurs/Chamber delegation.

Mayor Wolff and other members of City Council then individually congratulated the Spurs for their attainments this season, and wish them well as they prepare to enter the Playoffs.

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95-18 KING ANTONIO

Mayor Wolff introduced the new King Antonio, Mr. Andrew Jackson Lewis III, and members of his royal court, present in the audience.

Mr. Lewis also recognized members of his court and entourage, and spoke to the schedule for Fiesta Week visits, as well as the charitable contributions made by the Texas Cavaliers, many in the name of the Mayor and City Council.

Members of the King's Court then distributed special gifts and medals to the Mayor and City Council, who in turn thanked the King and the Texas Cavaliers for the gifts and for the charitable donations made in the name of City Council.

DELEGATION FROM MONTERREY, MEXICO

Mayor Wolff introduced Sr. Jesus Hinojosa, Mayor of the City of Monterrey, Nuevo Leon, Mexico, and his 10-member delegation, and welcomed them all to City Hall. He noted that the delegation is in San Antonio to learn about the logistical planning involved when coordinating such events as Fiesta Week, and spoke to Monterrey's 1996 celebration of that city's 400th anniversary, which is being planned by Mayor Hinojosa and other members of this delegation.

Mayor Wolff then read the formal proclamation designating Sr. Hinojosa an Alcalde de La Villita, and presented it to him.

Sr. Hinojosa addressed the reasons for his delegation's presence in San Antonio, and invited the Mayor and City Council members to take part in that celebration in 1996.

Sr. Hinojosa then presented the City with a special painting, which Mayor Wolff accepted on behalf of San Antonio.

Mayor Wolff and City Council members then individually welcomed members of the delegation, and spoke to the close working relationship between San Antonio and Monterrey.

Mayor Wolff then presented Mr. Hinojosa with a framed photograph of Mission San Juan Capistrano, and with a San Antonio tie.

95-18      CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 7 through 28, constituting the Consent Agenda, with Agenda Item 11 being pulled for individual consideration. Mr. Avila seconded the motion.

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

AN ORDINANCE 82,104

ACCEPTING THE LOW QUALIFIED BIDS OF PUBLIC ASSEMBLY EQUIPMENT COMPANY AND THE MONROE COMPANY TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH FOLDING TABLES AND ORCHESTRA RISERS FOR A TOTAL OF \$48,087.80.

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AN ORDINANCE 82,105

ACCEPTING THE LOW QUALIFIED BIDS OF Menco, Inc.,

D/B/A GRAVELY SALES & SERVICE COMPANY, MISSION EQUIPMENT, WATSON DISTRIBUTING COMPANY, INC. AND GOLDTHWAITES OF TEXAS, TO FURNISH THE CITY OF SAN ANTONIO WITH GOLF COURSE AND MOWING EQUIPMENT FOR A TOTAL OF \$161,151.98.

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AN ORDINANCE 82,106

SELECTING O'NEAL, CONRAD AND OPPELT, ARCHITECTS TO PREPARE PLANS AND SPECIFICATIONS FOR THE LION'S FIELD SENIOR/AUDIT CENTER ADDITIONS FUNDED OUT OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$36,000.00; APPROPRIATING FUNDS AND ESTABLISHING A BUDGET; PROVIDING FOR PAYMENT; AND ESTABLISHING A \$4,000.00 ARCHITECTURAL CONTINGENCY.

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AN ORDINANCE 82,107

SELECTING JAMES Y JUAREZ, ARCHITECTS TO PREPARE PLANS AND SPECIFICATIONS FOR THE SONNY MELENDREZ COMMUNITY CENTER ADDITIONS FUNDED OUT OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$45,000.00; APPROPRIATING FUNDS AND ESTABLISHING A BUDGET; PROVIDING FOR PAYMENT; AND ESTABLISHING A \$5,000.00 ARCHITECTURAL CONTINGENCY.

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AN ORDINANCE 82,108

ACCEPTING THE LOW QUALIFIED BID OF SHANNON-MONK, INC. IN THE AMOUNT OF \$88,105.00 FOR EMERGENCY REPAIRS TO THE DRAINAGE CHANNEL BORDERING THE LARKSPUR SUBDIVISION; AUTHORIZING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$8,105.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,109

ACCEPTING A PROPOSAL FROM ATSER LLC TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES AT STINSON MUNICIPAL AIRPORT; AUTHORIZING ENGINEERING FEES IN THE AMOUNT OF \$9,395.00; AUTHORIZING AN ADDITIONAL

\$1,000.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,110 .

SELECTING FORD, POWELL AND CARSON, INC. TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE CITY-WIDE AMERICANS WITH DISABILITIES ACT (ADA) MODIFICATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$49,560.00 FOR SUCH PURPOSE.

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AN ORDINANCE 82,111 .

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ACE FREIGHT EXPRESS, INC. DBA TEAM AIR EXPRESS FOR LEASE OF 27,066 SQUARE FEET OF GROUND AREA AND 6,018 SQUARE FEET OF BUILDING SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR AN ANNUAL RENTAL OF \$15,949.65.

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AN ORDINANCE 82,112 .

AUTHORIZING THE EXECUTION OF A SUBLEASE AGREEMENT FOR 103,875 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT FROM EDWARD J. SWEARINGEN TO SINO-SWEARINGEN, L.P.

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AN ORDINANCE 82,113 .

AMENDING ORDINANCE NO. 80888 AND ORDINANCE NO. 81219 TO CORRECT ERRONEOUS FINANCIAL ACCOUNT DESIGNATIONS IN CONNECTION WITH THE COLONIA SANTA CRUZ STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, PHASE I AND PHASE II; AND AUTHORIZING THE FINANCE DEPARTMENT TO TRANSFER CURRENT ENCUMBRANCES AND EXPENDITURES TO THE CORRECT ACCOUNT.

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AN ORDINANCE 82,114 .

DECLARING A PUBLIC NECESSITY TO ACQUIRE LOT 3, BLOCK

15, NCB 13776, MORNINGSIDE PARK SUBDIVISION, BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES TO CONSTRUCT STREET AND DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE WURZBACH PARKWAY, P.A.S.S. PROJECT; AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION THEREOF.

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AN ORDINANCE 82,115

DECLARING A PUBLIC NECESSITY TO ACQUIRE A TRACT CONTAINING APPROXIMATELY 0.367 OF AN ACRE OF LAND OUT OF THE JUAN MANUEL URRIEGAS SURVEY NO. 32, ABSTRACT NO. 769, N.C.B. 15647, SAN ANTONIO, BEXAR COUNTY, TEXAS (IN THE VICINITY OF SAVA ST. AND ROOSEVELT AVE.) AS PART OF THE VILLA CORONADO PROJECT, PHASE II AND AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 82,116

RATIFYING THE SUBMISSION OF A \$216,937.00 GRANT APPLICATION TO THE CENTERS FOR DISEASE CONTROL TO FUND A CHILDHOOD LEAD POISONING PREVENTION PROGRAM TO BE OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR A PERIOD OCTOBER 1, 1995, THROUGH SEPTEMBER 30, 1996.

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AN ORDINANCE 82,117

AUTHORIZING THE EXECUTION OF A \$142,948 CLINICAL RESEARCH AGREEMENT WITH AMVAX, INC., FOR THE PERIOD MAY 1, 1995 THROUGH SEPTEMBER 30, 1995 TO FUND A CLINICAL TRAIL OF ACELLULAR PERTUSSIS VACCINE ON CHILDREN ENROLLED IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S IMMUNIZATION PROGRAM; ESTABLISHING A FUND; ADOPTING A BUDGET; AUTHORIZING PERSONNEL POSITIONS; AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 82,118

AUTHORIZING PAYMENT OF \$26,516 TO THE AIRPORTS COUNCIL INTERNATIONAL FOR 1995 MEMBERSHIP DUES.

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AN ORDINANCE 82,119

ACCEPTING THE PROPOSAL OF RELIABLE AMUSEMENT COMPANY, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE GAME ROOM CONCESSION AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TERM BEGINNING ON MAY 1, 1995 AND ENDING O DECEMBER 31, 1997 AND PROVIDING FOR PAYMENT TO THE CITY OF THIRTY FIVE PERCENT OF ALL GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 82,120

AUTHORIZING THE EXECUTION OF A STANDARD CITY OPERATING AGENCY GRANT FUND CONTRACT IN THE AMOUNT OF \$20,000 WITH TEXAS ANIMAL DAMAGE CONTROL ASSOCIATION, INC. FOR THE PROVISION OF WILDLIFE DAMAGE MANAGEMENT SERVICES AND DISEASE SURVEILLANCE ACTIVITIES IN SAN ANTONIO AND BEXAR COUNTY FOR THE PERIOD MAY 1, 1995 THROUGH SEPTEMBER 30, 1995; REVISING THE BUDGET FOR THE PUBLIC HEALTH SUPPORT REVENUE FUND; AND AUTHORIZING PAYMENT TO CONTRACTOR.

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AN ORDINANCE 82,121

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, "PROHIBIT 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 VIOLATION 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 82,122

AUTHORIZING THE TEMPORARY CLOSURE OF N. MAIN AVENUE BETWEEN WOODLAWN AVENUE TO MAGNOLIA AVENUE, STARTING

AT 6:00 A.M. TO 6:00 P.M. ON MAY 7, 1995, FOR THE MONTE VISTA BLOCK PARTY.

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AN ORDINANCE 82,123

AUTHORIZING THE TEMPORARY CLOSURE OF GILLETTE ROAD BETWEEN HIGHWAY 16 AND PALO ALTO ROAD STARTING AT 8:00 A.M. UNTIL 12:00 MIDNIGHT ON SUNDAY, JUNE 4, 1995 FOR THE ANNUAL SPRING FESTIVAL OF THE ST. BONAVENTURE CATHOLIC COMMUNITY.

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AN ORDINANCE 82,124

APPOINTING DAVID W. MARSHALL (DISTRICT 5) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1995.

95-18 Ms. Billa Burke made a motion to approve a proposed ordinance accepting the low qualifying bid of McQuay Service International for a construction contract in the amount of \$132,876.00 for a Facility Improvement and Maintenance Program; authorizing a construction contingency in the amount of \$13,287.00; appropriating funds; and providing for payment. Mr. Avila seconded the motion.

Mr. Joe Rodriguez, Assistant Director of Public Works, explained the proposed work on the air-conditioning chiller of Municipal Plaza Building and the reasons why one bidder was disqualified.

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

The following persons appeared to speak:

Mr. Richard Flores, representing Airstream Services, spoke to the alleged disparity in his bid, relative to certification of workers to perform the required work. He stated that a trained employee now is in school for this certification and will be back in San Antonio in five days. He stated his belief that City Council should review the bids, inasmuch as he will be able to comply with the bid specifications before a contract is signed. He also stated his belief that the other firm is from out of town.

Mr. Kenneth Morgenroth, representing McQuay Services International, stated his contention that the school involved in training the technician in question is a non-recognized facility.

Mr. John German, Director of Public Works, noted that both firms involved have local offices. He stated that he feels the staff's judgement was correct.

Mr. Dean Alderman, consultant, stated that the specifications were not met by Airstream Services at the time of the bid opening, inasmuch as a 'certified technician' was not on the staff at that time. He then addressed work performed by both of the firms.

After discussion, Mr. Larson made a substitute motion to postpone consideration of this item for one week, after re-evaluation of the bids received. Mr. Avila seconded the substitute motion.

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

The main motion, as substituted, then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Wolff.

Agenda Item 11 was postponed for one week.

95-18

ZONING HEARINGS

3A. CASE #Z95062 - to rezone and reclassify a 87.39 acre tract of land out of NCB 14615, Prue Road, from "R-1" Single Family Residence District and "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1(R-1)" Planned Unit Development Single Family Residence District and "P-1"(R-1) ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District. Property is located north of the intersection of Prue Road and Old Prue Road, having 1,817.95 feet of Prue Road and a depth of 2,841.10 feet.

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

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

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

AN ORDINANCE 82,125

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 87.39 ACRE TRACT OF LAND OUT OF NCB 14615, PRUE ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO

"P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT AND "P-1"(R-1) ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3B. CASE #Z95076 - to rezone and reclassify 22.4785 acres out of NCB 15824, Prue Road and Springtime Drive, from "B-1" Business District and "R-3" Multiple Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located northwest of the intersection of Prue Road and Springtime Drive, having 1,843.65 feet on Prue Road and 488.87 feet on Springtime Drive.

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

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

AN ORDINANCE 82,126

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 22.4785 ACRES OUT OF NCB 15824 PRUE ROAD AND SPRINGTIME DRIVE, FROM "B-1" BUSINESS DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3C. CASE #Z95021 (CC) - to rezone and reclassify 31.81 acres out of NCB's 13833, and 13834, 14900 Block of Henderson Pass, from Temporary "A" Single Family Residence District and "R-1" Single Family Residence District to "R-1" CC Single Family Residence District with special City Council approval for athletic fields. Property is located on the southeast side of Henderson Pass, 303 feet southwest of the intersection of Henderson Pass and Moss Briar, having 118.26 feet on Henderson Pass and a depth of 3,302.43 feet.

Mr. Andy Guerrero, Land Development Services, noted that nine notices mailed out were returned in favor of the proposed rezoning, and 40 were against. He further stated that, because of the opposition involved, it will require nine votes of City Council in order to grant the requested rezoning.

The following persons appeared to speak:

Fr. Kevin Ryan, representing St. Mark the Evangelist Catholic Church, appeared as spokesperson for those in favor of the rezoning, and spoke to the importance of having an athletic field for youth.

Mr. Lloyd Anders, 1602 White Oaks, spoke to expansion plans for the church that will cause its present athletic fields to be displaced by new construction. He stated that the church has no intention of installing lights on the new athletic field, and will hold down the noise by placement of the fields themselves and the location of grandstands. He then spoke to other actions planned to minimize problems for adjacent residential areas.

Mr. John White, owner of the property in question, spoke in support for the rezoning.

Mr. Val Ruiz, 2227 Blueberry Hill; Ms. Alice Harrison, 12111 Orchid Blossom; Ms. Patricia Walter, 206 Village Circle; and Mr. Greg Davis, the project architect, all spoke in support for the proposed rezoning.

Speaking in opposition:

Mr. Joe Ramos, 13807 Chittum Woods, noted that this property in question is impacted by residential areas on all sides. He spoke to the zoning history of this property and his reasons for opposition, noting that three neighborhood organizations also are in opposition. He presented petitions with more than 150 signatures in opposition, and discussed traffic, drainage and the overall impact the planned usage would have on adjacent residential areas.

Chaplain (COL) McRoberts, 2315 Oak Castle, stated his belief that nearby homeowners may have to move if the athletic fields are approved for this property.

Mr. Philip M. Hunter, 2406 Brookglade, narrated a presentation of the case against the rezoning, with nine key points stressed.

Mr. Clay Jarvis, area builder, spoke to the residential development of this area and against the requested rezoning because of the impact it would have on property values, traffic and noise.

Ms. Constance St. Claire, 13827 Chittum Woods, stated her belief that athletic fields would not be appropriate for this property, and she spoke to the flooding dangers to the users of the property. She

stated her belief that locating athletic fields there would be an unfair burden on area neighbors. She again cited flooding dangers, other safety concerns and destruction of trees as reasons she feels the subject property is not desirable for the proposed development.

Mr. Ramos summarized the concerns of others in opposition.

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

In rebuttal, Mr. Anders addressed the concerns about floodplain problems and the number of planned athletic fields (3).

Mayor Wolff stated that this is a difficult issue, with good points on both sides of the issue. He spoke to the need for family recreation on the city's north side, and addressed the need for a compromise or other solution to the issue at hand.

Mr. Peak spoke to the difficulty of the issue, and the lack of public recreational areas in the neighborhood. He addressed possible impacts of traffic, noise and flooding, noting that the City drainage engineer has cited problems with development of this property because it is within the 100-year floodplain. He stated his belief that this is a land-use issue.

After consideration, Mr. Peak made a motion to deny the requested rezoning. Mr. Larson seconded the motion.

Mr. Peak stated his willingness to work to help find a more appropriate site.

Mr. Ross spoke to the importance of helping the youth of San Antonio.

Mr. Ross made a substitute motion to continue this case until May 25, 1995 to allow further discussion of the issues. Ms. McClendon seconded the substitute motion.

A discussion followed on the matter of procedure.

Mr. Peak spoke against a 30-day continuance, stating his belief that both sides of the issue appear firm in their convictions.

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

The main motion, as substituted, then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: None.

Zoning Case Z95021 (CC) was continued until May 25, 1995.

Mayor Wolff urged both sides of this issue to work it out over the next 30 days.

3D. CASE #Z95049 - to rezone and reclassify Lot 1, save and except the west 50' feet, Block 1, NCB 15829, Jones Maltsberger Road and Oblate Drive, from "0-1" Office District to "B-2" Business District. Property is located on the south side of Oblate Drive, between Skipper Drive East and Jones Maltsberger Road, having 230.56 feet on Oblate Drive, 507.78 feet on Skipper Drive East and 484.75 feet on Jones Maltsberger Road.

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

In response to a question by Mr. Peak, Mr. Andrew Johnston, the proponent, spoke to agreements reached with neighborhood residents.

Mr. Peak made a motion to approve the requested rezoning, provided that the agreed-to deed restrictions are filed, as approved. 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, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez.

AN ORDINANCE 82,127

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, SAVE AND EXCEPT THE WEST 50' FEET, BLOCK 1, NCB 15829, JONES MALTSBERGER ROAD AND OBLATE DRIVE, FROM "0-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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95-18      TEXAS SECRETARY OF STATE MR. ANTONIO O. GARZA, JR.

Mayor Wolff noted the presence in the audience of Mr. Antonio O. Garza, Jr., the new Secretary of State for Texas, appointed to that position by Gov. George W. Bush and officially sworn into office as Texas' 99th Secretary of State on January 18, 1995. He stated that Mr. Garza also has been asked to serve as senior advisor to the Bush administration and to act as its lead liaison on border and Mexico affairs.

Mr. Garza stated that he is in San Antonio to speak with local students, and is working on voter registration and a 'get out the vote' campaign. He noted that Texas has had some 16,000 newly-registered

voters since January, with about 11,000 coming about as a result of drivers license renewals. He then spoke briefly to his work with border issues and matters dealing with Mexico.

Mr. Thornton spoke to Mr. Garza's expertise with border issues, and addressed his background as a judge in Cameron County.

Mayor Wolff presented Mr. Garza with a San Antonio tie as a memento of his visit to City Hall.

95-18

ZONING HEARINGS (CONTINUED)

3E. CASE #Z95077 - to rezone and reclassify Parcel 2-B and Parcel 6, NCB 15676, 15777 Jones Maltsberger Road, from "R-2A" Three and Four Family Residence District to "P-1(R-2A)" Planned Unit Development Three and Four Family Residence District. Properties are located on the northwest side of Jones Maltsberger Road, 700 feet northeast of the intersection of Jones Maltsberger Road and Pebble Park, having 418.42 feet on Jones Maltsberger Road and a depth of 1,346.46 feet.

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

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

AN ORDINANCE 82,128

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 2-B AND PARCEL 6, NCB 15676, 15777 JONES MALTSBERGER ROAD, FROM "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT TO "P-1(R-2A)" PLANNED UNIT DEVELOPMENT THREE AND FOUR FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3F. CASE #Z95083 - to rezone and reclassify 1.683 acres out of NCB 15722, Nacogdoches Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the southeast side of Nacogdoches Road, 747.60 feet southwest of the

intersection of Nacogdoches Road and O'Connor Road, having 321.86 feet on Nacogdoches Road and a depth of 483.74 feet.

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

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

AN ORDINANCE 82,129

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 1.683 ACRES OUT OF NCB 15722, NACOGDOCHES 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."

\* \* \* \*

3G. CASE #Z95051 - to rezone and reclassify Lot 30 and the east 25 feet of Lot 29, Block 1, NCB 15732, 216 Remount Road, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the north side of Remount Road, 818.9 feet west of the intersection of Fratt Road, and Remount Road, having 75 feet on Remount Road and a depth of 270 feet.

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

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

AN ORDINANCE 82,130

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 30 AND THE EAST 25 FEET OF LOT 29, BLOCK 1, NCB 15732, 216 REMOUNT ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

3H. CASE #Z95073 - to rezone and reclassify 8.9 acres out of NCB 17730, Walzem Road, from temporary "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District. Property is located south of the intersection of the Southern Pacific railroad right of way and 379 feet on Walzem Road.

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

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

AN ORDINANCE 82,131

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 8.9 ACRES OUT OF NCB 17730, WALZEM ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

3I. CASE #Z95068 - to rezone and reclassify P-15C, NCB 18048, 8403 Grissom Road, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the northwest side of Grissom Road, 460 feet northeast of the intersection of Culebra Road and Grissom Road, having 400 feet on Grissom Road and a depth of 200 feet.

Ms. Billa Burke made a motion to approve the requested rezoning. Mr. Avila seconded the motion.

Ms. Ayala stated her desire to have this rezoning case continued for 30 days.

Mr. Floyd McOsker, the proponent, stated that he had failed to file for non-conforming rights on this property when it was annexed into the city.

Ms. Ayala spoke against having any more junkyards in this area.

Ms. Ayala made a substitute motion to continue this rezoning case to May 25, 1995. Mr. Solis seconded the motion.

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

The main motion, as substituted, then prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Solis, Ayala, Wolff. NAYS: None. ABSENT: Perez, Ross, Thornton, Peak, Larson.

Zoning Case Z95068 was continued until May 25, 1995.

Ms. Ayala asked City staff to inspect this property prior to the May 25, 1995 Council meeting.

95-18 CASE #Z95064 - to rezone and reclassify Lots 23, Block 2, NCB 8594, 130 Jasmine Lane, from "B-3R" Restrictive Business District to "R-1" Single Family Residence District. Property is located on the east side of Jasmine Lane, 445.7 feet south of the intersection of Castroville Road and Jasmine Lane, having 50 feet on Jasmine Lane and a depth of 206.8 feet.

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

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

AN ORDINANCE 82,132

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 23, BLOCK 2, NCB 8594, 130 JASMINE LANE, FROM "B-3R" RESTRICTIVE BUSINESS

DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT.  
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED  
\$1,000.00."

\* \* \* \*

3K. CASE #Z95075 - to rezone and reclassify 6.84 acres out of NCB 10346, Block 10, NCB 10347, Block 11, NCB 10348, Block 12 and NCB 10349, Block 13, Groff Avenue, from "C" Apartment District to "R-1 (R-7)" Planned Unit Development Small Lot Home Residence District. Properties are located between Groff Avenue and Maridel Avenue, 117.62 feet west of the intersection of Dolores Avenue and Groff Avenue, having 750.37 feet on Groff Avenue, 868.32 feet on Maridel Avenue and 350.04 feet between these two streets.

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

In response to a question by Mr. Ross, Mr. Tom Redian, representing the proponent, stated that Habitat For Humanity was in the process of constructing 43 new homes on this property.

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

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

AN ORDINANCE 82,133

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 6.84 ACRES OUT OF NCB 10346, BLOCK 10, NCB 10347, BLOCK 11, NCB 10348, BLOCK 12 AND NCB 10349, BLOCK 13, GROFF AVENUE, FROM "C" APARTMENT DISTRICT TO "R-1 (R-7)" PLANNED UNIT DEVELOPMENT SMALL LOT HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

Mayor Pro Tem Solis declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Housing and Community Development, described the proposed reprogramming of Community Development Block Grant funds, project by project. A copy of the City staff's proposed reprogramming is made a part of the papers of this meeting.

The following persons appeared to speak:

Ms. Rowena Rodgers, representing U.U. Housing Assistance Corporation, spoke to the organization's background since its formation in 1988, and spoke in favor of the reprogramming of CDBG funds for the Beacon Hill project in District 1.

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

Mr. Alfred Villareal, President, Beacon Hill Neighborhood Association, spoke in support for neighborhood projects and the need for rehab funding.

Ms. June Kachtik, also representing the U.U. Housing Assistance Corporation, addressed details of the group's project.

Ms. Vanessa Williams, 227 Acme Road, President, Community Workers Council, asked for funding to complete the Acme Road project with sidewalks and curbs.

There being no further citizens signed to speak to this matter, Mayor Wolff declared the Public Hearing to be closed.

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

Mr. Perez spoke in favor of the UUHAC effort.

Mr. Perez made an amendment to take \$28,000 from the allocation for the U.U. Housing Assistance Corp. rehab program in District 1 and to allocate that amount to the Mainstreet-Hildebrand/Blanco Area project. Mr. Solis seconded the motion.

Ms. Ayala offered a second amendment to allocate \$37,000 from the City-wide Contingency and allocate it to the Athel Street Project in District 6. Mr. Solis seconded the motion.

The amendment made by Ms. Ayala prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: None.

The first amendment, made by Mr. Perez, then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: None.

Ms. McClendon then made a motion to take \$40,000 from the Alamodome Neighborhood Shortfall and apply it to Programmatic. Mr. Perez seconded the motion.

After discussion, the motion was withdrawn by the maker and seconder of the motion.

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

AN ORDINANCE 82,134

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$1,670,177.30 AVAILABLE FROM PREVIOUSLY COMPLETED PROJECTS, PROGRAM INCOME, AND CITYWIDE CONTINGENCIES TO FUND EXISTING PROJECT SHORTFALLS AND COMMITMENTS, TO INITIATE PROJECTS, TO EXPAND THE SCOPE OF WORK TO THE ROYAL GATE PARK PROJECTS, TO MODIFY THE SOUTHCROSS AT HURON TRAFFIC SIGNAL PROJECT, TO CLOSE THE SPRINGVIEW BOYS AND GIRLS CLUB PROJECT AND TO ADDRESS THE EASTSIDE BOYS AND GIRLS CLUB PROJECT SHORTFALL; REVISING THE APPROPRIATE CDBG BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

\* \* \* \*

95-18 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Wolff declared the Public Hearing to be open.

Mr. Avila made a motion to approve an ordinance regulating the locations available for sexually oriented businesses by requiring a distance of 1000 feet or more from other sexually oriented businesses and 1000 feet from residential property, religious worship facilities, schools, and parks; requiring application for nonconforming rights; requiring statement of intent to use a location for sexually oriented business on application for Certificate of Occupancy, and requiring a certified survey of distances from protected use/zoned property and affidavit of ownership; replacing two and adding additional definitions applicable to City Code Section 35-3305, entitled "Adult Entertainment", expanding such zoning regulations to include all sexually oriented businesses; prohibiting such businesses in the Central Business District; making violations a misdemeanor crime and providing

penalty providing for severalty; and declaring an effective date. Mr. Perez seconded the motion.

Mr. Lloyd Garza, City Attorney, reviewed the proposed ordinance and its background.

Mr. Steve Arronge, Assistant City Attorney, detailed certain key points of the proposed ordinance and its drafting, and spoke to the case law involved. He then discussed the matter of non-conforming rights for sexually oriented businesses, Type A and Type B, and their differences.

Mr. Arronge then offered into the Minutes a staff memorandum relating to sexually oriented businesses in Austin and in Garden Grove, California, a copy of which is made a part of the papers of this meeting.

The following persons appeared to speak:

Mr. Alan E. Thorn Bacon, representing Committee For Alternatives, submitted a paper for inclusion in the papers of this meeting, and spoke to the separation of church and state in deciding this issue.

Mr. Scott Dollar, 25 Burwood Lane, spoke to statistics allegedly linking sexually oriented businesses, crime, and property losses in neighborhoods, and spoke in support for the ordinance regulating such businesses.

Mr. Thayer Phillips, 25 Burwood Lane, stated his belief that sexually oriented businesses attract repeat customers, and addressed the need for regulation of those businesses.

Mr. Rufus Johnson, 25 Burwood Lane, stated his opinion that sexually oriented businesses have increased at a rapid rate in San Antonio, and he spoke to the need to restrain them.

Mr. Benjamin Gray, 25 Burwood Lane, thanked the City for the proposed ordinance and spoke to the need to curtail sexually oriented businesses in order to reduce crime and restore property values in neighborhoods.

Ms. Amber Burleson, 25 Burwood Lane, spoke against pornography and cited statistics on sex crimes.

Mr. Rob George, 25 Burwood Lane, equated sexually oriented businesses with pornography and spoke in support for the proposed ordinance.

Ms. Sally Buchanan, Paseo del Rio Association, stated her opinion that the River Walk must remain family-oriented, and she spoke against allowing any sexually oriented businesses along the River Walk.

Ms. Claudette Mullen, board member, Downtown Residents Association, spoke against sexually oriented businesses on the River

Walk and in the downtown area. A copy of her remarks is made a part of the papers of this meeting.

Mr. Robert L. Autry, 232 Lowell, spoke in support for the proposed ordinance.

Mr. Jack M. Finger, P.O. Box 12048, stated his belief that the ordinance was a long time in preparation.

Ms. Maria Dominguez lauded the stand taken by these young people who have spoken today, and urged passage of the proposed ordinance.

Ms. Catherine Varella spoke to the growth of sexually oriented businesses and their impact upon the community.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Larson presided in the temporary absence of the Mayor Pro Tem.)

Mr. Alex Crank, 14790 Cassiano, spoke against sexually oriented businesses for allegedly corrupting peoples' minds.

Ms. Deane Aguirre, P.O.Box 2910360, noted that sexually oriented businesses already affect young minds, and spoke to her daughter's experiences with gentlemen's clubs. She spoke to the need for strict regulations on sexually oriented businesses.

Ms. Sara Sherblom, representing the San Antonio Conservation Society, stated that her group supports the ordinance and its provisions.

Mr. Nick Calzoncit, representing the Harlandale Independent School District, read from a letter written by Superintendent Richard Marquez, in support of the proposed ordinance.

Ms. Teresa Ramirez, representing the Archdiocese of San Antonio, spoke in support for the proposed ordinance.

Ms. Lynn Weesner, 14211 Rowe, spoke in support for zoning restrictions on sexually oriented businesses.

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

Ms. Jennifer Freeman, 3823 Deerfield, spoke to her concern about the effect of gentlemen's clubs on neighborhoods and schools.

Dr. Charles Kemble, 6585 Heath Road, reiterated comments made by previous speakers, and spoke to having counselled families affected by sexually oriented businesses. He spoke against allowing any 'grandfather clauses' in the ordinance.

Ms. Anna Riojas, 7805 Clegg, spoke to a petition drive to close a sexually oriented business in her neighborhood, and noted her favor for the proposed ordinance.

Ms. Teresa Weaver, Citizens Against Pornography, presented petitions in support for the proposed ordinance, and narrated a video presentation of certain statistics comparing sexually oriented businesses and crime in the cities of Austin and Indianapolis. She stated her belief that the proposed ordinance is Constitutionally-sound, and she spoke against 'grandfathering' of any gentlemen's clubs.

Mr. James Broherd, resident of District 4, spoke to the impact of sexually oriented businesses on neighborhoods.

Ms. Rita Davis, speaking for Ms. Mary W. White, 701 East Sunshine Drive, stated that the Catholic constituency feels that family values are eroding, and she spoke in support for the proposed ordinance regulating pornography.

There being no further citizens signed to speak to this matter, Mayor Wolff declared the Public Hearing to be closed.

Mayor Wolff spoke to the balance between individual rights and community values, noting that the nation for years has leaned in favor of the former. He addressed the erosion of many constitutional rights, and stated his belief that this proposed ordinance will stand up in court against challenge. He spoke the lobbying efforts that have taken place on behalf of 'gentlemen's clubs', and alleged threats to place such facilities into a certain City Council member's district where none presently exist if the proposed ordinance is enacted. He noted that this alleged threat is of concern to City Council members, and stated his further belief that members of City Council support the ordinance, with some form of non-conforming rights for some sexually oriented businesses.

In response to a question by Ms. McClendon, Mr. Arronge addressed areas on a city map where sexually oriented businesses could locate, if the proposed ordinance is enacted. He discussed the rights of sexually oriented businesses, noting that this proposed ordinance is a zoning ordinance, and non-conforming rights apply to it.

Ms. McClendon spoke in support of a 1500-foot limit, rather than the proposed 1000-foot limit, as outlined in the proposed ordinance.

(At this point, Mayor Wolff was obliged to leave the meeting. Ms. McClendon presided in the temporary absence of the Mayor Pro Tem.)

Mr. Ross noted that children need protection from this type of business, and stated his belief that the ordinance should allow just compensation, if it passes. He urged the Council to enact the ordinance as written, noting that it can be modified in the future, if necessary. He also stated his opinion that the downtown area should be kept closed to sexually oriented businesses.

In response to a question by Mr. Peak, Mr. Arronge spoke with regard to provisions being made to address certain 'name changes', noting that definitions as written into the proposed ordinance are very

definitive in order to preclude 'name changes' in order to get around the provisions of the ordinance.

Mr. Arronge also addressed the manner in which the river and the River Walk are protected in this proposed ordinance, and cautioned against the designation of the River Walk as a "park". He noted that if the River Walk is extended, the ordinance can be amended in order to protect it.

Mr. Peak spoke to his concern for any 'watering-down' of the proposed ordinance.

Mr. Perez stated that he is in overall support for the proposed ordinance, and asked for a verification since he has heard that the ordinance will precipitate litigation.

In reply, Mr. Arronge stated that this proposed ordinance is based upon Supreme Court and Fifth Circuit Court of Appeals decisions. He then spoke in comparison between this proposed ordinance and the one that was enacted by the City of Dallas, which has been challenged, stating his belief that this ordinance is more defensible.

Mr. Larson lauded City staff for the proposed ordinance and spoke of the impact of sexually oriented businesses on District 10. He stated his belief that such businesses are a challenge to the tourism industry in downtown San Antonio.

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

Mr. Solis stated his belief that this ordinance is long overdue, and he spoke to the City Council's bold steps in protecting the community. He questioned why sexually oriented businesses cannot be declared 'public nuisances', instead of waiting a year to act on them under zoning laws. He spoke of the need to work together to control such businesses everywhere in the city.

Mr. Thornton lauded Ms. Weaver for her tenaciousness.

Ms. Ayala asked if Sea World might be designated a special district, such as the downtown area, in order to keep out sexually oriented businesses, to which legal staff answered in the negative.

Ms. Ayala stated her belief that District 6 is the scapegoat for the rest of the city regarding sexually oriented businesses, stating her belief that such businesses are not welcome in District 6, inasmuch as their presence could severely impact that area of the city. She spoke to the need for state legislation to counter this, and asked Ms. Weaver to lead the fight at the state level, against sexually oriented businesses. She stated her belief that this proposed ordinance is a beginning, not an end.

Ms. McClendon asked City staff to look into a future amendment on 'family vacation centers', with an eye toward forbidding location of sexually oriented businesses there.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 82,135

REGULATING THE LOCATIONS AVAILABLE FOR SEXUALLY ORIENTED BUSINESS BY REQUIRING A DISTANCE OF 1000 FEET FROM RESIDENTIAL PROPERTY, RELIGIOUS WORSHIP FACILITIES, SCHOOLS, AND PARKS; REQUIRING APPLICATION FOR NONCONFORMING RIGHTS; REQUIRING STATEMENT OF INTENT TO USE A LOCATION FOR SEXUALLY ORIENTED BUSINESS ON APPLICATION FOR CERTIFICATE OF OCCUPANCY, AND REQUIRING A CERTIFIED SURVEY OF DISTANCES FROM PROTECTED USES/ZONED PROPERTY AND AFFIDAVIT OF OWNERSHIP; REPLACING TWO AND ADDING ADDITIONAL DEFINITIONS APPLICABLE TO CITY CODE SECTION 35-3305, ENTITLED "ADULT ENTERTAINMENT", EXPANDING SUCH ZONING REGULATIONS TO INCLUDE ALL SEXUALLY ORIENTED BUSINESSES; PROHIBITING SUCH BUSINESSES IN THE CENTRAL BUSINESS DISTRICT; MAKING VIOLATIONS A MISDEMEANOR CRIME AND PROVIDING PENALTIES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

\* \* \* \*

95-18 It was the concensus of City Council members present to undertake consideration of Agenda Item 40 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 95-18-30

OF THE CITY OF SAN ANTONIO SUPPORTING THE SAN ANTONIO WATER SYSTEM'S EXECUTION OF A LETTER OF INTENT TO JOINTLY PLAN FOR ALTERNATE WATER RESOURCES WITH THE GUADALUPE-BLANCO RIVER AUTHORITY, SAN ANTONIO RIVER AUTHORITY, BEXAR METROPOLITAN WATER DISTRICT, THE CANYON REGIONAL WATER AUTHORITY, AND NEW BRAUNFELS UTILITIES.

\* \* \* \*

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

Mr. Joe Aceves, President and General Manager, San Antonio Water System, spoke to the proposed joint plan for alternative water sources, focusing upon a two-phased inter-basin transfer from the Guadalupe-Blanco River Authority area. A memorandum outlining this presentation is made a part of the papers of this meeting. Mr. Aceves noted that this action tracks City Council direction given last year.

The following persons appeared to speak:

Mr. Alan E. Thorn Bacon stated his desire to change the word 'alternate' to 'supplemental' in any such agreement.

Ms. Carol Patterson, 410 Larkwood, spoke to portions of the proposed Letter of Intent that she questions, narrating a video presentation. She stated her belief that some provisions are not acceptable, and stated her opinion that it gives the federal court a 'blank check' to take away our water. She stated her opinion that there are alternatives, and spoke to proposed new state legislation.

Mr. Kirk Patterson, 410 Larkwood, used a video presentation to illustrate how a drought affects Comal Springs in New Braunfels, and when those springs go into jeopardy. He stated his opinion that computer model of this question the federal court monitor's plan. He noted that SAWS supports a bill that tracks Senate Bill 1477, with an elected board. He stated his belief that Federal Judge Lucius Bunton should not be given control of our water, and noted that a US. Supreme Court case now pending would remove Judge Bunton's power over the Edwards Aquifer. He stated his belief that the Endangered Species Act is about to be modified, and asked the City Council not to pass the proposed Resolution.

A discussion took place concerning the effects of the 10-year drought of record that ended in 1957, upon the springflows in new Braunfels and San Marcos.

Mayor Wolff stated that the proposed Resolution only supports opening of talks on interbasin water transfers, and makes no commitment. He urged support for the proposed Resolution.

Mr. Peak addressed the need for a supplemental water supply to the Edwards Aquifer and a regional water plan.

Mr. Tom Culbertson, Regional Clean Air & Water, asked that the Resolution be tabled until other entities are contacted.

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

Mayor Wolff read a latter received from Mr. Cliff Morton, Chairman of the Board, San Antonio Water System, speaking to the three years he has served in this position and his intention to resign that position effective on or about May 31, 1995.

Mayor Wolff spoke to the highlights of Mr. Morton's tenure with and leadership of the SAWS board, and stated that he would accept Mr. Morton's resignation, noting that the next Mayor of the City of San Antonio will have input into the naming of a new SAWS chairman of the board.

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95-18 At this time, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided in the temporary absence of the Mayor Pro Tem.

- - -  
95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,136

AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH SANTILOS INVESTMENTS FOR THE CONSTRUCTION OF A PUBLIC STREET FROM EMBASSY OAKS, NEAR EMBASSY THEATERS, TO THE SOUTHBOUND FRONTAGE ROAD OF U.S. 281; AND AUTHORIZING THE APPROPRIATION OF FUNDS FOR AN AMOUNT NOT TO EXCEED \$100,000.00 AS THE CITY'S SHARE OF THE PROJECT COST.

\* \* \* \*

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

Mr. John German, Director of Public Works, explained the City's intention to participate in construction of this street from Embassy Oaks to the frontage road of U.S. 281. He stated that the City intends to contribute some \$100,000 to this project to construct a 30-foot-wide street, with the permission of the Planning Commission. he noted that the street will greatly assist with traffic in this area.

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

Mr. Peak spoke of this proposed action as a good first step in solving the area traffic problems.

Mr. Solis questioned spending \$100,000 so that patrons can exit a theater complex.

Mr. German noted that the funding will come from that

allocated for Metropolitan Planning organization funding, and spoke to the estimated total project cost of some \$550,000.

Ms. Ayala spoke to the lack of City funding for a certain District 6 project involving a Northside ISD school.

Mr. Alex Briseno, City Manager, explained the funding rationale.

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

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95-18 City Council recessed its regular meeting at 7:17 P.M. for dinner, reconvening at 7:47 P.M.

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95-18 CITIZENS TO BE HEARD

MR. ALAN E. THORN BACON

Mr. Bacon spoke to the matter of landfills and environmental degradation, and spoke of plans to submit an alternative to landfills as a Request For Proposal.

- - -

95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,137

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$82,681.84, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS RESULT OF A VALUE CHANGE ON 66 TAX ACCOUNTS.

\* \* \* \*

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

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

- - -

95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,138

RATIFYING THE SUBMISSION BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES, OF A THREE-YEAR GRANT APPLICATION IN THE AMOUNT OF \$1,035,860.00 TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF COMMUNITY SERVICES; AUTHORIZING ACCEPTANCE OF THE GRANT IF AWARDED; AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT WITH OUR LADY OF THE LAKE UNIVERSITY IN THE AMOUNT OF \$30,000.00; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, explained the three-year grant application.

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

95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,139

AUTHORIZING THE EMENDMENT OF AGREEMENTS WITH SCHEDULED AIR CARRIERS WHICH WILL MODIFY THE METHOD OF CALCULATION OF FEDERAL INSPECTION FACILITY CHARGES FROM \$7.19 TO \$4.71 PER PASSENGER FOR THE CURRENT FISCAL YEAR FOR INTERNATIONAL PASSENGERS UTILIZING SAN ANTONIO INTERNATIONAL PASSENGERS UTILIZING SAN ANTONIO INTERNATIONAL AIRPORT.

\* \* \* \*

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

Mr. Mike Kutchins, Director of Aviation, explained the proposed reduction in federal inspection station fees to the airlines.

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

- - -  
95-18 Agenda Item 32, being a proposed ordinance authorizing the submission of a \$1,200,000.00 grant application to the United States Department of Commerce, Economic Development Administration (EDA) for funding of capital improvements at Market Square, was earlier removed from consideration by the City Manager.

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95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,140 .

.  
RATIFYING THE SUBMISSION BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES AND ACCEPTANCE, IF AWARDED BY THE U.S. DEPARTMENT OF COMMERCE, OF AN EIGHTEEN MONTH GRANT TOTTALLING \$314,433 UNDER THE TELECOMMUNICATIONS AND INFORMATION INFRASTRUCTURE ASSISTANCE PROGRAM FOR: CATEGORY II, ACCESS PROJECTS; APPROVING A BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, briefly explained the need for the 18-month grant.

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

- - -  
95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,141 .

.  
DESIGNATING LANE & SMART, INC., WOODROW W. WOODS ARCHITECTS, INC., BENDER ASSOCIATES, AND DAVIS, DURAND-HOLLIS, RUPE ARCHITECTS, TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH ACOUSTICAL INSULATION OF CHURCHES, LIBRARIES AND NURSING HOMES NEAR SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION OF CONTRACTS IN A TOTAL AMOUNT NOT TO EXCEED \$758,937.50; APPROPRIATING FUNDS; AND REVISING THE BUDGET FOR THE PROJECT.

\* \* \* \*

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

Mr. Mike Kutchins, Director of Aviation, explained the project to improve the acoustical insulation in airport-area churches, libraries and nursing homes.

The following person appeared to speak:

Mr. Alan E. Thorn Bacon stated his belief that churches are not eligible for this program, by charter, and spoke to other areas of the city which also are affected by aircraft noise.

\* \* \* \*

Mr. Larson spoke to the unique aircraft noise levels in some parts of District 10, and noted that the project is 80 per cent funded by the federal government. He spoke in support of all the involved entities in the ordinance.

Mr. Solis spoke to his concern with similar problems around Kelly Air Force Base.

Mr. Larson noted that Federal Aviation Administration funding cannot be used when military aircraft are causing the noise problem, and he spoke to the search for other funding sources.

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

- - -  
95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,142

SELECTING BRAUN INTERTEC TO PERFORM ENGINEERING SERVICES RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF A PILOT PAVEMENT MANAGEMENT SYSTEM IN THE CITY OF SAN ANTONIO, AUTHORIZING THE NEGOTIATION OF AN AGREEMENT COVERING THIS WORK; APPROPRIATING FUNDS IN THE AMOUNT OF \$175,347.00 FOR ENGINEERING FEES; APPROPRIATING AN ADDITIONAL \$14,027.00 FOR CONTINGENCY FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. John German, Director of Public Works, explained the proposed 'pavement management system', partially funded by the Metropolitan Planning Organization and the City of San Antonio. He noted that it eventually will cover all 3000 street-miles in the city.

A discussion took place concerning future alternatives to be developed by this system and its inventory.

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

- - -  
95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,143

SELECTING WILBUR SMITH ASSOCIATES TO PREPARE A COMPREHENSIVE DOWNTOWN TRANSPORTATION PLAN; AUTHORIZING THE NEGOTIATION OF AN AGREEMENT COVERING THIS WORK; APPROPRIATING FUNDS IN THE AMOUNT OF \$175,000.00 FOR SAID SERVICES; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. John German, Director of Public Works, spoke to downtown traffic planning, including pedestrian traffic and transit service.

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

- - -  
95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,144

AUTHORIZING THE EXPENDITURE OF DISCRETIONARY FUNDS FROM VARIOUS CITY COUNCIL DISCRETIONARY FUNDS ACCOUNTS TO ASSIST THE ST. MARY'S UNIVERSITY 1995 NATIONAL YOUTH SPORTS PROGRAM, AS REQUESTED BY COUNCILMAN BOB ROSS.

\* \* \* \*

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

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

95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,145

AUTHORIZING THE EXPENDITURE OF \$175.00 FROM THE MAYOR'S DISCRETIONARY ACCOUNT TO ASSIST WITH THE RESTORATION OF ELECTRICAL SERVICE AT THE SPANISH AMERICAN BASEBALL LEAGUE'S SANCHEZ-SPENCER FIELD AT 6030 PADRE DRIVE AS REQUESTED BY MAYOR NELSON W. WOLFF; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

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

95-18 Mr. Peak made a motion to approve a proposed Resolution urging the Bexar Appraisal District Board of Directors to keep its facility in the Central Business District and especially urging Councilman Lyle Larson, who was elected to the Board of Directors by votes cast by the City, to oppose the proposed relocation.

Mr. Peak spoke to the proposed plan to move the headquarters of the Bexar Appraisal District out of the downtown area and the need for City Council to urge BAD not to do so.

Mr. Larson, City representative on the BAD board of directors, noted that the district is looking for a facility with parking, which it cannot find in the downtown area. He spoke to the problems experienced with the current building, where the owner is asking for more rent. he stated that the district currently is looking at a site near IH 35 and Walzem Road, and noted that there is a 30-60-day "window" to find what the site that the district needs.

Ms. McClendon stated her belief that the site must be accessible by mass transit.

Mr. Perez stated his belief that the district is not likely to find 250 free parking spaces in the downtown area.

Mr. Peak made an amendment asking the district to reevaluate its criteria for space for its facilities by deleting the requirement for 250 free parking spaces. Mr. Thornton seconded the motion.

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

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

The Clerk read the following Resolution:

A RESOLUTION NO: 95-18-31

URGING THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS TO KEEP ITS FACILITY IN THE CENTRAL BUSINESS DISTRICT, AND ESPECIALLY URGING COUNCILMAN LYLE LARSON, WHO WAS ELECTED TO THE BOARD OF DIRECTORS BY VOTES CAST BY THE CITY, TO OPPOSE THE PROPOSED RELOCATION.

\* \* \* \*

95-18 The Clerk read the following Ordinance:

AN ORDINANCE 82,146

AUTHORIZING KELL MUNOZ WIGODSKY, INC., TO PROCEED WITH THE PURCHASE OF A PROJECT PROFESSIONAL LIABILITY INSURANCE POLICY FOR THE CONVENTION CENTER EXPANSION PROJECT AND APPROPRIATING FUNDS IN THE AMOUNT OF \$183,425.00 FOR THE FIRST PREMIUM PAYMENT OF SAID POLICY.

\* \* \* \*

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

Ms. Jelyne Burley, Director, Convention Center Expansion Office, spoke to the requirement for liability insurance on the Convention Center expansion project, noting that it was provided also on the Alamodome construction.

A discussion took place concerning the question of purchasing liability insurance for a contractor.

Mr. Alex Briseno, City Manager, stated that this is ~~only~~ the second time we have done this, and he explained the rationale.

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

- - -  
95-18      CONVICTION FOR CARRYING WEAPON ON SCHOOL PROPERTY OVERTURNED

In response to a question by Mr. Larson, Mr. Steve Arronge, Assistant City Attorney, explained the recent U.S. Supreme Court ruling, overturning the federal conviction of a San Antonio student for carrying firearms onto school property. He noted that the question was whether this was a case of 'interstate commerce', and the court ruled that it was not.

Mr. Larson asked City staff to look at a possible state law barring firearms within 1000 feet of a school.

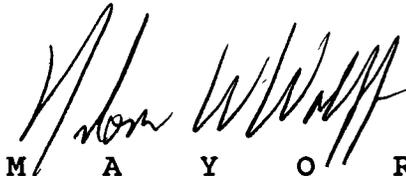
- - -  
95-18      City Council recessed its regular meeting at 8:35 P.M. in order to convene in Executive Session for:

    Status report and briefing on the Police contract negotiations.

- - -  
95-18      City Council adjourned its Executive Session and reconvened the regular meeting at 9:09 P.M., at which time Mayor Wolff announced that City Council had met on the topic noted above and had given staff direction, but had taken no official action.

95-18 There being no further business to come before the Council, the meeting was adjourned at 9:10 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

