

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, NOVEMBER
10, 1994.

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94-53 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, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: BILLA BURKE.

A. Staff presentation on issues of casino gambling.

B. Presentation on potential health implications of cellular transmission towers.

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94-53 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.

94-53 Invocation - Dr. John Braulick, Shepherd King Lutheran Church.

94-53 Pledge of Allegiance to the flag of the United States.

94-53 RESOLUTION OF RESPECT - MICHAEL C. O'NEAL

The City Clerk read the following Resolution of Respect:

A RESOLUTION NO: 94-53-51

WHEREAS, ON OCTOBER 1, 1994, DEATH BROUGHT TO A CLOSE THE LIFE OF A VALUED AND RESPECTED PUBLIC SERVANT -- MICHAEL C. O'NEAL; AND

WHEREAS, BORN IN RAPID CITY, SOUTH DAKOTA, MR. O'NEAL SERVED
HIS COUNTRY HONORABLY IN THE UNITED STATES AIR
FORCE; FOR THE PAST TWENTY YEARS, HE HAD MADE SAN
ANTONIO HIS HOME; AND

WHEREAS, IN 1980, HE JOINED THE CITY OF SAN ANTONIO'S
PLANNING DEPARTMENT AND, OVER THE YEARS, CAME TO BE
A WIDELY RESPECTED COMPREHENSIVE PLANNER, WHO SERVED
AS A GUIDING FORCE BEHIND MANY OF THE IMPORTANT
PLANNING INITIATIVES UNDERTAKEN IN THE CITY IN THE
LAST DECADE; AND

WHEREAS, MR. O'NEAL EARNED THE RESPECT OF ALL THOSE WITH
WHOM HE CAME INTO CONTACT, FROM PUBLIC OFFICIALS TO
ADMINISTRATORS TO FELLOW EMPLOYEES; HIS DEATH
LEAVES A VOID IN OUR CITY FAMILY; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION-1. THAT WITH THE DEATH OF MICHAEL C. O'NEAL THE CITY
HAS LOST A VALUABLE ASSET TO ITS PAST, PRESENT AND
FUTURE.

SECTION-2. THAT THE CITY JOINS WITH HIS FAMILY AND FRIENDS IN
THEIR SORROW OVER HIS DEATH, AND EXTENDS ITS
SINCEREST SYMPATHY AND PRAYER OF COMFORT TO THOSE
WERE NEAR HIM.

SECTION-3. AND IT IS HEREBY DIRECTED THAT A COPY OF THIS
RESOLUTION BE PRESENTED TO HIS FAMILY AS A TOKEN OF
OUR DEEPEST SYMPATHY.

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

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

Mayor Wolff and Mr. Peak jointly presented the Resolution of
Respect to Mr. O'Neal's mother, Ms. Lea York, and to Mr. Jimmie
Contreras.

Mr. Peak spoke to his remembrances of Mr. O'Neal and his work
with the City of San Antonio, and addressed Mr. O'Neal's impact upon
the City's planning efforts.

Mayor Wolff addressed Mr. O'Neal's work and its importance.

Ms. York thanked the Mayor and City Council for the recognition and spoke to her son's work with the City of San Antonio.

Mr. Peak and Mr. David Pasley, Director of Planning, presented Ms. York with a special gift from the Department of Planning.

Ms. McClendon spoke to Mr. O'Neal's good work on several projects with which she was involved.

94-53 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 7 through 23b, constituting the Consent Agenda, with Agenda Item 16 being pulled for individual consideration.

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

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AN ORDINANCE 81,116

ACCEPTING THE PROPOSAL OF XEROX CORPORATION TO RENEW ITS MAINTENANCE CONTRACT FOR A LASER PRINTING SYSTEM FOR THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT FOR A TOTAL OF APPROXIMATELY \$85,541.00

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AN ORDINANCE 81,117

ACCEPTING THE LOW, QUALIFIED BIDS OF DUSTLESS AIR FILTERS, INC. AND PURE-AIR FILTER TO PROVIDE THE CITY OF SAN ANTONIO WITH AIR CONDITIONING FILTERS ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$40,000.00.

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AN ORDINANCE 81,118

ACCEPTING THE LOW BIDS OF CENTURY PAPERS AND NATIONWIDE PAPERS TO PROVIDE THE CITY OF SAN ANTONIO WITH CUSTODIAL PAPER PRODUCTS FOR A TOTAL OF \$235,225.70.

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AN ORDINANCE 81,119

AUTHORIZING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$10,096.08 TO THE CONTRACT WITH G.G. & G. GENERAL CONSTRUCTION, INC., FOR THE TREVINO STREET IMPROVEMENT PROJECT; AUTHORIZING THE TRANSFER OF \$10,096.08 FROM THE SPECIAL REVENUE RESERVE FUNDS; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 81,120

APPROVING THE SUPPLEMENTAL FINAL FIELD ALTERATION IN THE AMOUNT OF \$66,860.00 TO THE CONTRACT WITH H. B. ZACHRY COMPANY IN CONNECTION WITH THE STOCKYARD/PRODUCE AREA STREETS PROJECT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,121

RATIFYING CITY STAFF'S ACTIONS IN ACCEPTING A PROPOSAL IN THE AMOUNT OF \$5,085.76 FROM HAYWOOD, JORDAN, MCCOWAN, SAT, INC., FOR GEOTECHNICAL ENGINEERING SERVICES RELATED TO THE CARVER BRANCH LIBRARY RENOVATIONS & ADDITIONS PROJECT.

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AN ORDINANCE 81,122

DESIGNATING POZNECKI-CAMARILLO & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE EDGEWOOD PLACE HOUSING PUBLIC IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$4,950.00 FOR ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$24,750.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,123

ACCEPTING THE LOW, QUALIFIED BID OF ROBINSON CONSTRUCTION, INC. IN THE AMOUNT OF \$63,325.32 IN CONNECTION WITH THE MINTER FROM LEAL TO RUIZ COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$6,332.53 FOR CONSTRUCTION CONTINGENCIES, \$2,659.66 FOR

PROJECT OVERSIGHT COSTS AND \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,124 .

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$522,191.00 TO TONY C. QUINTANILLA, INC. IN CONNECTION WITH THE JOHNSTON BRANCH LIBRARY ADDITIONS AND RENOVATIONS; AUTHORIZING \$52,219.10 FOR CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,125 .

ACCEPTING A GRANT FROM THE LEVI STRAUSS & COMPANY CHILD CARE FUND IN THE AMOUNT OF \$30,000.00 FOR THE PURPOSE OF PROVIDING SECOND YEAR OPERATING SUPPORT FOR THE KIDCARE HELPLINE, A CHILD CARE RESOURCE AND REFERRAL SERVICE OPERATED BY THE DEPARTMENT OF COMMUNITY INITIATIVES; APPROVING A BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 81,126 .

ACCEPTING A GRANT FROM THE OFFICE OF COMMUNITY SERVICES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE AMOUNT OF \$32,481.00 FOR THE PURPOSE OF IMPLEMENTING THE FAMILY VIOLENCE EDUCATION PROJECT; AND AMENDING THE BUDGET IN ORDINANCE NO. 80528 PASSED AND APPROVED ON JULY 28, 1994 TO REFLECT THE AMOUNT OF FUNDS ACTUALLY AWARDED.

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AN ORDINANCE 81,127 .

ACCEPTING AN AWARD OF FIVE VISTA VOLUNTEERS FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, FORMERLY KNOWN AS ACTION; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CORPORATION.

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AN ORDINANCE 81,128 .

AUTHORIZING THE ACCEPTANCE OF A \$296,934.00 GRANT

FROM THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE (TCADA) TO CONTINUE FUNDING OF THE MATERNAL RESIDENTIAL TREATMENT PROJECT IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); ESTABLISHING A FUND; ADOPTING A BUDGET; AUTHORIZING PERSONNEL POSITIONS; AND AUTHORIZING A SUB-CONTRACT UNDER THIS AWARD.

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AN ORDINANCE 81,129 .

AUTHORIZING THE EXECUTION OF A CONTRACT OF SALE IN THE AMOUNT OF \$6,000.00 WITH GLOBAL TRAINING ACADEMY, INC., TO TRAIN ONE (1) SAN ANTONIO POLICE OFFICER TO HANDLE AND MAINTAIN AS A PARTNER A NARCOTICS K-9 SNIFFING DOG TO ASSIST IN NARCOTICS INVESTIGATIONS; AND APPROVING AIRPORT POLICE CONFISCATED PROPERTY FUNDS FOR PAYMENT.

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AN ORDINANCE 81,130 .

REAPPOINTING HARRIET O. KELLY (DISTRICT 2) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1996.

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AN ORDINANCE 81,131 .

REAPPOINTING CATHY LITTLE (DISTRICT 2) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1996.

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AN ORDINANCE 81,132 .

REAPPOINTING JANICE A. WILLIAMS (DISTRICT 2) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1996.

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AN ORDINANCE 81,133 .

REAPPOINTING MRS. JOHN ETTA SLAUGHTER (DISTRICT 2) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 15, 1996.

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AN ORDINANCE 81,134

REAPPOINTING JESSE LEWIS (DISTRICT 9) AND ROBERT SANCHEZ (DISTRICT 6) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 1996.

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AN ORDINANCE 81,135

APPOINTING FRANK DAVILA (DISTRICT 9) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 1995.

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AN ORDINANCE 81,136

APPOINTING VICTOR C. WRIGHT (DISTRICT 2) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 1996.

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AN ORDINANCE 81,137

APPOINTING GEORGE CLARK (DISTRICT 2) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 1996.

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AN ORDINANCE 81,138

AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO, BETWEEN HOUSTON AND CROCKETT, FROM 5:00 P.M. TO 8:00 P.M. ON FRIDAY, NOVEMBER 25, 1994, SO THAT THE CITY OF SAN ANTONIO AND THE ALAMO PLAZA ASSOCIATION MAY CONDUCT THE ANNUAL CHRISTMAS TREE LIGHTING CEREMONY IN ALAMO PLAZA; AND WAIVING THE STREET CLOSURE FEE.

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AN ORDINANCE 81,139

AUTHORIZING THE TEMPORARY CLOSURE OF AUDITORIUM CIRCLE FROM 12:01 A.M. ON NOVEMBER 14, 1994, TO MIDNIGHT ON NOVEMBER 27, 1994, SO THAT OZUNA & ASSOCIATES, INC. MAY CONSTRUCT THE KOREAN WAR

MEMORIAL; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,140

AUTHORIZING THE NEGOTIATION OF A CONTRACT WITH "KEEP SAN ANTONIO BEAUTIFUL, INC." TO PROVIDE ASSISTANCE TO THE CITY IN CONDUCTING NEIGHBORHOOD CLEAN-UP PROGRAMS; AND AUTHORIZING THE PAYMENT OF \$20,000.00 FROM THE SOLID WASTE OPERATING BUDGET FOR SUCH SERVICES.

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

Mr. John German, Director of Public Works, explained the proposed \$20,000.00 with Keep San Antonio/Bexar County Beautiful, Inc. to help the Public Works Department in neighborhood cleanup programs.

Mr. Ross spoke to this important work.

Mr. Tony Kuberski, representing Keep San Antonio/Bexar County Beautiful, Inc., spoke to the numerous honors received by the organization.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,141

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$58,202.85, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 45 TAX ACCOUNTS.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,142

ESTABLISHING FILING PROCEDURES FOR CANDIDATES FOR CITY COUNCIL AND REPEALING ORDINANCE 76981.

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City Clerk Norma S. Rodriguez, briefly explained the importance of this proposed ordinance to the elections process.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,143

ACCEPTING A DONATION IN THE AMOUNT \$750.00 FROM TARGET STORES FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT IN COORDINATING WITH THE CELLULAR ON PATROL PROGRAM.

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

In response to a question by Mr. Peak, Deputy Police Chief Gilbert Sandoval, San Antonio Police Department, thanked Target Stores for the donation and spoke to how the funds will be spent.

A representative of Target Stores spoke to the company's pledge to donate a portion of its revenues to non-profit uses and organizations such as this.

Ms. McClendon, Mr. Larson and Mr. Avila addressed the importance of corporate donations in making the Cellular On Patrol program run smoothly.

Ms. Carla Zanee spoke to the rapid spread of the Cellular On Patrol program in San Antonio, and its example being copied by other cities.

Mr. Thornton addressed the close cooperation between the Police Department and citizens in order to make this program work.

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

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94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,144

SELECTING THE GREATER SAN ANTONIO SAFETY COUNCIL TO PROVIDE DRIVING SAFETY TRAINING COURSES FOR CITY EMPLOYEES FOR A 23 MONTH PERIOD BEGINNING NOVEMBER 1, 1994 THROUGH SEPTEMBER 30, 1996; AND AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$24,000.00.

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

Ms. Nora Chavez, Director of Finance, explained the committee's recommendation of the Greater San Antonio Safety Council for providing City employees with Driving Safety Training courses, and spoke to how that recommendation was reached, addressing a comparison of the competing firms involved. She stated that the non-certification of a Commercial Driving Course by one of the firms weighed heavily in the recommendation of the committee. She also spoke to the fee differences.

Mr. Robert A. Draper, representing National Traffic Safety Institute, Austin, spoke to the two nationally-recognized programs involved, and provided Council members with a handout of materials, a copy of which is made a part of the papers of this meeting. He then addressed statistics comparing the various programs in the 'New York study', and spoke to the advantages of having his program conduct the Commercial Driving training.

Mr. Albert D. Perez, Austin, spoke in endorsement of the NTSA program as the most effective.

Mr. Jim Harford, representing Community Alliance for Traffic Safety (CATS), noted that his program has helped reduce the number of traffic accidents in Bexar County, and spoke to highlights of his program and its training.

Mr. Howard Athas, representing the New Braunfels Safe City Commission, spoke to the advantages of the CATS program.

Mr. Patrick Dowd, research psychologist and CATS board member, stated his belief that the CATS program is the best qualified, and spoke to examples.

Mr. Ross spoke in support for the City staff recommendation, and addressed the reasons why he asked that this item be postponed for action last week. He thanked Ms. Chavez for preparing a matrix of comparison of the proposals involved and urged that such a matrix approach be used for all future City Requests For Proposal.

Mr. Peak also spoke in support for City staff recommendation and the need for the matrix on future RFPs.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,145

AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO EXTEND THE EXISTING VISTA FIBERS CONTRACT TO RECEIVE, PROCESS, AND SELL MUNICIPAL WASTE RECYCLABLE MATERIALS FOR THE PERIOD MARCH 1, 1995 THROUGH JULY 25, 1999; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED AGREEMENT TO MAKE THE RECYCLING PROGRAM CITYWIDE IN ITS COVERAGE.

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

Mr. John German, Director of Public Works, spoke to reasons for exercising an option to extend an existing contract with the current contractor firm, which processes recyclable materials. He noted that the program will cost the City of San Antonio some \$132,000.00 per year to sort recyclable materials.

Mr. Tom Lyons, representing Vista Fibers, spoke to his firm's recycling process.

In response to a question by Mr. Larson, Mr. German spoke to a recent incident during which privately-collected recyclable materials were not able to be handled at Covell Gardens landfill site, and were not recycled.

Mr. Peak spoke to the seriousness of the recycling effort and the need to avoid any such incident where such recyclable materials are discarded rather than recycled properly. He also spoke to the need to conduct an Open House for citizens to see recycling at work.

Mr. Solis addressed the proposed program where the recyclable materials are collected together and later sorted at a central location.

Mr. Ross stated his belief that the news media who reported, in error, that the City was disposing of recyclable materials, should retract that error.

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

94-53

ZONING HEARINGS

CASE# Z94140 (CC) - to rezone and reclassify 4.377 acres out of Lot 5, Blk 2, NCB 16600 off of 16424 Babcock Road, from "ED" ERZD Entertainment Edwards Recharge Zone District to "ED" ERZD Entertainment Edwards Recharge Zone District with City Council approval for vehicle maintenance and repair with bulk fuel, oil and antifreeze storage; greenhouse and landscaping materials, equipment, fertilizer, herbicide storage and welding. Property is located 125' northeast of the intersection of Babcock Road and Chase Hill Boulevard, being 870' east of Babcock Road, having a width of 367.76' and depth of 651.14'.

Mr. Andy Guerrero, Land Development Services, briefly explained the proposed rezoning.

Mr. Doug Leonhard, Senior Vice-President, La Cantera Development Company, explained his firm's request for rezoning, for a golf course maintenance facility over the Edwards Aquifer recharge zone. He then provided the Council members with a handout of related materials.

The developer of the golf course in question spoke to the planned development of La Cantera Golf Course, emphasizing the sensitivity of the firm to environmental concerns.

Mr. Gene Dawson, Jr., representing Pape-Dawson Engineers, addressed specifics of the fuel storage facility and environmental protection considerations, committing to a third-party monitoring by Southwest Laboratories.

Mr. Ray Hamilton, Northside Neighborhoods for Responsible Development, addressed his group's concerns that actual construction of this facility already has begun, prior to approval of any rezoning request. He spoke in support for third-party monitoring.

Mr. George Rice, hydrologist, spoke against the storage of hydrocarbons over the recharge zone, and addressed specifics of certain concerns with the La Cantera development. He provided a handout of materials for City Council members and spoke to alleged violations of water pollution abatement program requirements.

Ms. Danielle Milam, representing Aquifer Guardians in Urban Areas (AGUA), provided materials for the City Council members and addressed her group's concerns with storage of hazardous materials over the recharge zone. She stated her belief that economics is driving the request for this permit, and asked the City Council to withhold approval until certain conditions are met. She also spoke to those conditions, and in support for third-party monitoring and testing.

Ms. Bonnie Connor, representing several neighborhood groups, stated their concerns that work on this project was done without rezoning approval, first. She asked for a delay in approval until certain concerns are addressed.

Ms. Martha Mangum, representing the Real Estate Council of San Antonio, urged Council approval for the request, stating her belief that work on the golf course maintenance facility was carried out in an environmentally-sensitive matter.

Mr. Ernie Falcone, representing Braun Station West Neighborhood Association, asked the Council to delay approval until other environmental concerns are settled, first.

Mr. Homer Bain, representing Metro Alliance, stated that the recharge zone must be protected, and he spoke against approval, absent strict controls on possible pollution and monitoring controls.

Mr. Leonhard addressed the expressed concerns and reasons why the work was performed, since consideration of the rezoning case had been delayed. He spoke to the monitoring and testing proposals and agreed to all but one of AGUA's recommendations.

Mr. Dawson spoke of how his firm will comply with the recommendations, and stated that he would be willing to place them into the deed records of Bexar County.

Mayor Wolff noted that he had asked La Cantera to postpone its rezoning request for some time, til now, and he addressed the Water Task

Force recommendations to be considered by City Council at next week's "B" Session. He spoke in favor of incorporating AGUA's recommendations with any approval of the requested rezoning today, and the recording of certain deed restrictions.

In response to a question by Mr. Thornton, Mr. Guerrero noted that City Council can reconsider any approval granted today, upon six signatures of City Council members.

In response to a question by Mr. Thornton, Mr. Dawson spoke to certain legally-required provisions under the water pollution abatement plan, and stated that he will include AGUA's recommendations in that plan for this project and any legal filings required.

Mr. Guerrero noted that these conditions can be added to the zoning case.

Mr. Thornton made a motion to approve the rezoning request, subject to the recommendations as submitted by AGUA. Mr. Ross seconded the motion.

Mr. Thornton spoke to the above-ground petroleum storage tanks in this project and the multiple redundancies in the water pollution abatement plan.

Mr. Peak stated his belief that the work already meets current regulations, and spoke to the redundancies in containment plans for any petroleum spill.

Ms. McClendon spoke in support for the motion, subject to the stated recommendations.

Mr. Larson emphasized that the firm is complying with current regulations.

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.

AN ORDINANCE 81,146

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 4.377 ACRES OUT OF LOT 5, BLK 2, NCB 16600 OFF OF 16424 BABCOCK ROAD, FROM "ED" ERZD ENTERTAINMENT EDWARDS RECHARGE ZONE DISTRICT TO "ED" ERZD ENTERTAINMENT EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR VEHICLE MAINTENANCE AND REPAIR WITH BULK FUEL, OIL AND ANTIFREEZE STORAGE; GREENHOUSE AND LANDSCAPING MATERIALS,

EQUIPMENT, FERTILIZER, HERBICIDE STORAGE AND
WELDING. "THE PENALTY FOR VIOLATION IS A FINE NOT
TO EXCEED \$1,000.00."

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94-53 City Council departed from zoning case consideration at this time in order to undertake a Public Hearing and consideration of an ordinance dealing with amendments to Unified Development Code provisions regulating underground storage tanks.

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94-53 UNDERGROUND STORAGE TANKS

Mayor Wolff declared the Public Hearing to be open.

Ms. Rebecca Q. Cedillo, Vice-President for Planning, San Antonio Water System, spoke to the proposed new recommendations for amendments to the Unified Development Code regulating underground storage tanks, and provided Council members with a packet of materials, a copy of which is made a part of the papers of this meeting.

Ms. Danielle Milam, representing AGUA, noted that the Water Quality Task Force has been meeting regularly to produce these recommendations, and spoke to them, including a ban on underground storage tanks over the Edwards Aquifer recharge zone and its adjacent areas. She then spoke to the penal provisions of the proposed new ordinance.

Mr. Ray Hamilton, Northside Neighborhoods For Responsible Development, spoke to his group's support of these protections of the Edwards Aquifer.

Mr. Homer Bain, Metro Alliance, stated that his group also supports the recommendations.

Ms. Maria Dominguez addressed her concerns with possible aquifer pollution.

Mayor Wolff stated his belief that the City Council is moving in the right direction to protect the aquifer, and addressed his feeling that there is a need to place regulations on all areas over the Edwards Aquifer.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,147

AMENDING CHAPTER 35 ("UNIFIED DEVELOPMENT CODE") OF THE CITY CODE REGULATING UNDERGROUND STORAGE TANKS OVER THE EDWARDS AQUIFER; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 FOR VIOLATIONS OF THE PROVISIONS HEREIN.

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

Ms. McClendon spoke in support for the recommendations as being good for the aquifer.

In response to a question by Mr. Peak, Ms. Cedillo spoke to adjusting the proposed ordinance's effective date to be December 22, 1994 in order to bring more underground storage tanks into compliance.

Mr. Peak made an amended motion to adjust the ordinance's effective date to December 22, 1994. Ms. McClendon seconded the motion.

In response to a question by Mr. Ross, Ms. Cedillo spoke to the necessary upgrade of currently-in-place underground storage tanks, if they must be replaced in the future.

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

After consideration, the main motion as amended, 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.

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

94-53 ZONING HEARINGS (CONTINUED)

CASE #294218 - to rezone and reclassify 17.51 acres out of NCB 17586 U.S. Hwy 281 North, from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the southeast side of U.S. 281 North, 550 feet southeast of the intersection of U.S. North and Encino Rio, having 1,418.59 feet on U.S. 281 North and a depth of 670.09 feet.

Mr. Ken Gindy, representing the applicant, asked for a 60-day postponement in this rezoning request.

Mr. Peak made a motion to postpone the case for 60 days. Mr. Solis seconded the motion.

After consideration, the motion to postpone the case for 60 days prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Larson; NAYS: None; ABSENT: Thornton, Wolff.

Zoning Case 294218 was postponed for 60 days.

Mr. Solis noted that the proponent is building fewer apartment units than allowed.

94-53 CASE #294222 - to rezone and reclassify 237.10 acres out of NCB 18215. Evans Road and Caliza Drive, from "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District, "B-2" ERZD and "B-3" ERZD Business Edwards Recharge Zone Districts and Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District. Property is located between Evans Road, Caliza Drive and Encino Rio.

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

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

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

AN ORDINANCE 81,148

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 237.10 ACRES OUT OF NCB 18215. EVANS ROAD AND CALIZA DRIVE, FROM "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "B-2" ERZD AND "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICTS AND TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "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."

* * * *

94-53 CASE #Z94211 - to rezone and reclassify Lots 8 and 27, NCB 11924 139 Hiler Road, from "A" Single Family Residence District to "0-1" Office District. Property is located northwest of the intersection of Hiler Road and Nacogdoches Road, having 69.5' on Hiler Road and 243' on Nacogdoches Road.

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

Mr. Thomas McDermott, representing the applicant, stated that his client would be willing to accept an R-1 zoning, with City Council approval for a child day-care center. He noted that Parent-Child, Inc. has indicated that it will lease this property for a day-care center next year.

Mr. Peak spoke in support for the R-1 zoning on the property, but not for City Council approval yet until a firm use for the property is assured.

Ms. Cynthia Riddell, 134 Knibbe, spoke against the request, and spoke to reasons why.

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

Mr. McDermott stated that his client will need rezoning to an R-1CC before Parent-Child, Inc. will sign any lease.

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; NAYS: None; ABSENT: Wolff.

AN ORDINANCE 81,149

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 AND 27, NCB 11924 139 HILER ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "0-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94201 - to rezone and reclassify Tracts B and C, save and except the northeast 250 feet, NCB 13732. from Temp. "A" to "R-3" Temporary "A" Single Family Residence District to "R-3" Multiple Family Residence District, Properties are located 1,090.07 feet southeast of the intersection of Jones Maltsberger Road and Thousand Oaks Drive, being 250 feet southwest of Thousand Oaks Drive, having a width of 691.92 feet and depth of 1,217.77 feet; and The northeast 250 feet of tracts B and C, NCB 13732. from Temp. "A" to "B-3" Business District. Properties are located on the southwest side of Thousand Oaks Drive, 1,090.07 feet southeast of the intersection of Jones Maltsberger Road and Thousand Oaks Drive, having 691.92 feet on Thousand Oaks Drive and a depth of 250 feet.

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

Mr. Phil Garay, representing the proponent, explained the need for B-3 zoning, but stated that his client would accept a B-2 zoning, as recommended by the Zoning Commission. He also stated that his client is willing to self-impose a 25-foot landscaped buffer on the southwest property line.

A discussion ensued concerning plans to minimize the impact of this rezoning request upon single-family residence owners nearby by virtue of limiting the number of curb-cuts, tree preservation, and landscaping.

Mr. Peak, made a motion to approve the Zoning Commission recommendation, provided that a 25-foot landscaped buffer is erected and maintained along the southwest property line. Mr. Larson 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, Solis, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Avila, Ayala, Wolff.

AN ORDINANCE 81,150

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 TRACTS B AND C, SAVE AND EXCEPT THE NORTHEAST 250 FEET, NCB 13732. FROM TEMP. "A" TO "R-3" TEMPORARY "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, AND THE NORTHEAST 250 FEET OF TRACTS B AND C, NCB 13732. FROM TEMP. "A" TO "B-3" BUSINESS DISTRICT. PROVIDED THAT A 25-FOOT LANDSCAPED BUFFER IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST

PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94176 - to rezone and reclassify 7.637 acres out of Blk H, NCB 14660 6400 Blk of Hollyhock and 6500 Blk of Kitchener Road, from "R-1" Single Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located west of the intersection on Kitchener Road and Hollyhock Road, having 1004.24' on Kitchener Road and 561.00' on Hollyhock Road.

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

In response to a question by Mr. Ross, Mr. Allan Polunsky, representing the proponent, stated that the neighborhood association concerned agrees with the rezoning request, subject to certain deed restrictions that have been agreed to. He stated that his client will comply with these deed restrictions and will record them with the County Clerk.

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

AN ORDINANCE 81,151

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 7.637 ACRES OUT OF BLK H, NCB 14660 6400 BLK OF HOLLYHOCK AND 6500 BLK OF KITCHENER ROAD, FROM "R-1" SINGLE 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."

* * * *

94-53 CASE #Z94205 - to rezone and reclassify 42.567 acres out of NCB 18556. Guilbeau Road, from "R-1" Single Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Properties is located on the south side of Guilbeau Road, 840 Feet east

of the intersection of Olde Village Drive and Guilbeau Road, having 2,190.81 feet on Guilbeau Road and a depth of 1,005.59 feet.

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

Mr. Ross made a motion to approve the recommendation of the Zoning Commission. Mr. 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, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 81,152

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 42.567 ACRES OUT OF NCB 18556. GUILBEAU ROAD, FROM "R-1" SINGLE 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."

* * * * *

94-53 CASE #Z94243 - to rezone and reclassify 0.801 acre tract of land out of Block 5, NCB 17951. 8200 Block of Bandera Road, from "B-2" Business District to "B-3NA" Non Alcoholic Sales Business District. Properties is located on the northeast side of Bandera Road, 192.9 feet southeast of the intersection of Bandera Road and Bristlecone, having 192.46 feet on Bandera Road and a depth of 200 feet.

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

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

AN ORDINANCE 81,153

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.801 ACRE TRACT OF LAND OUT OF BLOCK 5, NCB 17951. 8200 BLOCK OF BANDERA 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."

* * * *

94-53 CASE #Z94244 - to rezone and reclassify 22.04 acres out of NCB 17975. Mainland Drive, from Temporary "R-1" Single Family Residence District and "B-3" Business District to "R-5" Single Family Residence District. Property is located 1,097.29 feet northeast of the intersection of Bandera Road and Mainland Drive, having 77.17 feet on Mainland Drive and a depth of 1,138.61 feet.

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

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

AN ORDINANCE 81,154

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 22.04 ACRES OUT OF NCB 17975. MAINLAND DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "B-3" BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94230 - to rezone and reclassify 3.2447 acres out of NCB 18283 Reed Road, from "B-2" Business District and "R-3" Multiple Family Residence District. Property is located on the southeast side of Reed Road, 210 feet southwest of the intersection of Reed Road and Culebra Road, having 494.21 feet on Reed Road and a depth of 270.65 feet.

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

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

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

AN ORDINANCE 81,155

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 3.2447 ACRES OUT OF NCB 18283 REED ROAD, FROM "B-2" BUSINESS DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94192 - to rezone and reclassify 0.939 acres out of NCB 15381 S.W. Military Drive & Marbach Road, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District. Property is located on the west side of S.W. Military Drive, between Woodgate Drive and Marbach Road, having 240.00' on Woodgate Drive, 100' on S.W. Military Drive and 115.52' on Marbach Road.

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

Ms. Ayala stated that she would like to see B-3NA zoning on this particular property.

Mr. Ed Ford, representing Ford Engineering, spoke to the need for B-3R zoning to include the sale of alcoholic beverages on the property for off-premises consumption only.

Ms. Ayala spoke against allowing sale of alcoholic beverages close to a park area, such as Westwood Park, while she stated would soon be expanded.

A discussion ensued concerning the possibility of rezoning only the proposed store's footprint to a zoning classification compatible with sale of alcoholic beverages for off-premises consumption only, with the remainder of the subject property being zoned B-3NA.

Mr. David Dar, representing the applicant, explained the need for B-3R zoning on the property.

Ms. Ayala made a motion to approve B-3NA zoning on the property. Solis seconded the motion.

A discussion took place concerning the possibility of amending this rezoning at a later date, after a site-plan is developed to show possible double-zoning as discussed earlier in this case.

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

AN ORDINANCE 81,156

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.939 ACRES OUT OF NCB 15381 S.W. MILITARY DRIVE & MARBACH 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."

* * * *

94-53 CASE #Z94214 - to rezone and reclassify Lot 1 and the east 6.5 feet of Lot 2, Blk 6, NCB 2299, 2302 W. Houston Street, "B" Residence District to "R-3" Multiple Family Residence District. Property is located southwest of the intersection of W. Houston Street and 125 feet on N. Sabinas Street.

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

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

AN ORDINANCE 81,157

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 AND THE EAST 6.5 FEET OF LOT 2, BLK 6, NCB 2299, 2302 W. HOUSTON STREET, "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94236 - to rezone and reclassify Lots 2, 3, 4, and the west 12.5 feet of Lot 5, Block 45, NCB 1871. 1126 W. Craig, from "D" Apartment District to "B-2" Business District. Property is located on the south side of W. Craig Place, 115.58 feet east of the intersection of Fredericksburg Road and W. Craig Place, having 87.5 feet on W. Craig Place, having 87.5 feet on W. Craig Place and a depth of 125 feet.

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

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

AN ORDINANCE 81,158

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 2, 3, 4, AND THE WEST 12.5 FEET OF LOT 5, BLOCK 45, NCB 1871. 1126 W. CRAIG, FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94245 - to rezone and reclassify P-22, NCB 15863. 10750 Iota Drive, Temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located 391.89 feet southeast of the intersection of Wye Drive and Iota Drive, having 66.66 feet on Iota Drive and a depth of 752.4 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, Billa Burke, Solis, Ross, Thornton, Larson; NAYS: None; ABSENT: McClendon, Avila, Ayala, Peak, Wolff.

AN ORDINANCE 81,159

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 P-22, NCB 15863. 10750 IOTA DRIVE, TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94237 - to rezone and reclassify 2.7215 acres out of NCB 7665. 910 E. Southcross, from Historic "B-3NA" Non Alcoholic Sales District to Historic "I-1" Light Industry District. Property is located on the southeast side of E. Southcross Boulevard 115 feet northeast of the intersection of E. Southcross Boulevard and Mission Road, having 193.4 feet on E. Southcross Boulevard and a depth of 438.09 feet.

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

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

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

AN ORDINANCE 81,160

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 2.7215 ACRES OUT OF NCB 7665. 910 E. SOUTHCROSS, FROM HISTORIC "B-3NA" NON

ALCOHOLIC SALES DISTRICT TO HISTORIC "I-1" LIGHT
INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A
FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94238 - to rezone and reclassify the north 303 feet of the east 72.7 feet of the west 216.7 feet of Lot 10, NCB 11155, from "B" Residence District to "B-3" Business District. Property is located on the south side of E. Petaluma, 902 feet east of the intersection of Pleasanton Road and E. Petaluma, having 72.7 feet on E. Petaluma and a depth of 303 feet.

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

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

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

AN ORDINANCE 81,161

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 303 FEET OF THE EAST 72.7 FEET OF THE WEST 216.7 FEET OF LOT 10, NCB 11155, FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94242 (CC) - to rezone and reclassify 0.084 acre tract of land out of Block 32, NCB A-28. North of 1209 Steves Avenue, from "B-2" Business District to "B-3" CC Business District with special City Council approval for a communications transmission tower. Property is located 298.88 feet northwest of the intersection of Steves Avenue and Hackberry, being 83 feet north of Steves, having a width of 57.5 feet and length of 63.5 feet.

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

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

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

AN ORDINANCE 81,162

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.084 ACRE TRACT OF LAND OUT OF BLOCK 32, NCB A-28. NORTH OF 1209 STEVES AVENUE, FROM "B-2" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATIONS TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94221 - to rezone and reclassify Lot 16, Blk 22, NCB 13405 8206 Callaghan Road, from "0-1" Office District to "P-1(R-5)" Planned Unit Development Single Family Residence District. Property is located 590 feet northeast and 761 feet southeast of the intersection of Callaghan Road and Pinebrook Drive, having 260 feet on Callaghan Road and Pinebrook Drive.

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

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

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

AN ORDINANCE 81,163

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 16, Blk 22, NCB 13405 8206 Callaghan Road, from "0-1" Office District to "P-1(R-5)" Planned Unit Development Single Family

Residence District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94215 - to rezone and reclassify 14.71 acres out of NCB 16007 New Guilbeau Road from Temporary "R-1" Single Family Residence District to "P-1(R-5)" Planned Unit Development Single Family Residence District. Property is located southwest of the intersection of New Guilbeau Road and Jean Verte Street, having 1,532.94 feet on New Guilbeau Road and 265 feet on Jean Verte Street.

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

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

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

AN ORDINANCE 81,164

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 14.71 ACRES OUT OF NCB 16007 NEW GUILBEAU ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94220 - to rezone and reclassify 8.0825 acres out of NCB 14595 Fairhaven Drive, from "P-1(O-1)" Planned Unit Development Office District to "R-3" Multiple Family Residence District. Property is located 298.78 feet southeast of the intersection of Data Point Drive and Fairhaven Drive, having 464.30 feet on Fairhaven Drive and a depth of 1,360.23 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. Solis seconded the motion.

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

AN ORDINANCE 81,165

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 8.0825 ACRES OUT OF NCB 14595 FAIRHAVEN DRIVE, FROM "P-1(O-1)" PLANNED UNIT DEVELOPMENT OFFICE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94233 - to rezone and reclassify 0.689 acres out of Blk 29, NCB 13919 9500 Tioga Drive, from "B-1" Business District to "B-2NA" Non-Alcoholic Sales Business District. Property is located southeast of the intersection of Tioga Drive and IH-10 Expressway, having 112.71 feet on Tioga Drive and 149.13 feet on IH-10 Expressway.

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

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

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

AN ORDINANCE 81,166

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.689 ACRES OUT OF BLK 29, NCB 13919 9500 TIOGA DRIVE, FROM "B-1" BUSINESS DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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

* * * *

94-53 CASE #Z94216 - to rezone and reclassify 2.949 acres out of Blk 2, NCB 14864 Huebner Road, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located on the northwest side of Huebner Road, 365 feet southwest of the intersection of Prue Road and Huebner Road, having 178.90 feet on Huebner Road and a depth of 775.38 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. Ross seconded the motion.

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

AN ORDINANCE 81,167

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 2.949 ACRES OUT OF BLK 2, NCB 14864 HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94235 - to rezone and reclassify P-8 and P-8A, NCB 17844. 13325 and 13355 N.W. Military Hwy, from Temporary "R-1" Single Family Residence District to "B-3NA Non-Alcoholic Sales District. Property is located on the southwest side of N.W. Military Hwy., 315.24 feet northwest of the intersection of N.W. Military Hwy. and George Road, having approximately 105 feet on N.W. Military Hwy. and a depth of 415.06 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. Solis seconded the motion.

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

AN ORDINANCE 81,168

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 P-8 AND P-8A, NCB 17844. 13325 AND 13355 N.W. MILITARY HWY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 CASE #Z94050 - to rezone and reclassify Temporary "R-1" Single Family Residence District to "R-A" Residence-Agriculture District, "R-1" Single Family Residence District, "R-2" Two Family Residence District, "R-5" Single Family Residence District, "R-6" Townhouse Residence District, "R-7" Small Lot Home District, "B-2", "B-3" Business Districts, "B-3R" Restrictive Business Districts and "I-1" Light Industry District. Target area is generally located on both sides of Loop 1604, south of New Guilbeau Road, west of Tezel Road and north of the old city limits line.

Mr. Andy Guerrero, Land Development Services, explained that this is an area rezoning, requested by the City of San Antonio itself, on property annexed into the City last year.

Ms. Sandra J. Loney, 9282 Ridge Post, spoke to a compromise to a B-2 on property in front of the subdivision.

Mr. Norman Dugas, the property owner, addressed details of the compromise on the subject properties in NCB 15478.

After discussion, a consensus of Council members present agreed to move this matter forward for a later official motion and vote, to grant the requested B-2 zoning on the property concerned, subject to certain deed restriction to be filed which will forbid on-premises consumption of alcoholic beverages.

Mr. Glen Howard, 12440 State Highway 16 North, Helotes, asked for I-1 zoning on Parcels 4A and 4E, NCB 16051 and Lot 1, NCB 19045.

Discussion ensued concerning appropriate zoning for this property and that of an adjacent property which is leased to a single business. It was noted that the proponent enjoys non-conforming uses on his property, which will accommodate his planned uses, but which will preclude him from future expansion.

Mr. W.J. Draker, 7355 Leslie Road, spoke in opposition to the request for I-1 zoning, and addressed his concerns for the negative impact such zoning would have on the nearby neighborhood.

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

Mr. Jerry Arredondo, representing Mr. Steven Garcia, 7281 Leslie Road, stated that his client would like to have a B-3 zoning with A Special Use Permit for 18-month operation of a flea market on P-16A, NCB 17635.

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

Discussion ensued concerning possible rezoning of this property, during which both sides agreed verbally to a B-3NA zoning.

Mr. Joe Nix, W.F. Castella & Associates, Engineering, 1039 West Hildebrand Avenue, representing Mr. Henry Daughtry, asked for an I-1 zoning on the southeast 141 feet of Lot 2, NCB 19045 (5.572 acres).

Mr. Guerrero noted that City staff recommends a B-3 SUP zoning for this property, with a Special Use Permit.

Mr. Nix stated that his client will accept that zoning, although he cannot expand his existing mini-warehouse without an I-1 zoning in the future.

Mr. Thornton stated that he favors a B-3 SUP on this property until actual expansion dictates the I-1 zoning.

Mr. Thornton made a motion to approve the recommendations of the Zoning Commission, with the exception of certain amendments as outlined. (His amendments are contained in a paper attached to the zoning case, and made a part of the papers of this meeting.) Mr. Larson seconded the motion.

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

AN ORDINANCE 81,169

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 TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE-AGRICULTURE DISTRICT, "R-1" SINGLE FAMILY RESIDENCE DISTRICT, "R-2" TWO FAMILY RESIDENCE DISTRICT, "R-5" SINGLE FAMILY RESIDENCE DISTRICT, "R-6" TOWNHOUSE RESIDENCE DISTRICT, "R-7" SMALL LOT HOME DISTRICT, "B-2", "B-3" BUSINESS DISTRICTS, "B-3R" RESTRICTIVE BUSINESS DISTRICTS AND "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-53 Mayor Pro Tem Perez declared the Public Hearing to be open.

No citizens were signed to speak to this matter.

Mayor Pro Tem Perez declared the Public Hearing to be closed.

Mr. Oscar Serrano, Asset Management Department, spoke to certain problems that have been experienced in this area, such as the dumping of trash, and destruction and desecration of graves in a nearby cemetery, and noted that his department is in favor of closing the street in question to thru-traffic.

Ms. McClendon spoke in support for the thru-traffic closure being proposed.

The Clerk read the following Ordinance:

AN ORDINANCE 81,170

CLOSING, VACATING, AND ABANDONING IMPROVED ST. ANTHONY STREET BETWEEN WYOMING AND DAKOTA STREETS AND WAIVING THE STREET CLOSING NOTIFICATION PROCEDURE REQUIRED UNDER CITY OF SAN ANTONIO ORDINANCE NO. 58880 IN CONNECTION THEREWITH.

* * * *

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

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

- - -
94-53 Agenda item 29, being a proposed ordinance designating KGME, Inc. to provide engineering services in connection with the South Texas Regional Environmental Enterprise Zone (STREEZ); authorizing the negotiation of a contract; and appropriating \$1,000,000.00 for such purpose, was earlier removed from consideration by the City Manager.
- - -

94-53 PRESENTATION OF THE REVISED 1994 BOND PROGRAM

Mr. George K. Noe, Director of Management Services, provided an overview explanation of the revised 1994 bond program. A copy of his presentation papers is made a part of the papers of this meeting. He noted in summary that no new tax changes are needed, despite certain modifications that have been made to the bond program.

Ms. Ayala addressed the time-lines for completion of certain bond projects, and thanked City staff for its work.

- - -
94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,171

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING AND DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION IN AN AMOUNT NOT TO EXCEED \$11,000,000; AND DECLARING AN EMERGENCY.

* * * *

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

Ms. Nora Chavez, Director of Finance, explained the recommended sequence of events to be followed in order to move forward with the proposed bond sale.

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,172

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS APPROVING THE FORM, CONTENT AND DISTRIBUTION OF THE OFFERING DOCUMENTS, INCLUDING THE OFFICIAL NOTICES OF SALE, OFFICIAL BID FORMS, ISSUE PRICE CERTIFICATES, AND PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF \$30,450,000 CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1994, AND \$10,600,000 CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1994; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS THEY ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS THEY DEEM NECESSARY IN CONNECTION WITH THE SALE OF SUCH OBLIGATIONS; AND DECLARING AN EMERGENCY.

* * * *

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

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

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,173

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS EXPRESSING OFFICIAL INTENT TO REIMBURSE WITH TAX-EXEMPT OBLIGATION PROCEEDS COSTS INCURRED RELATED TO THE IMPLEMENTATION OF THE HISTORIC CIVIC CENTER MASTER PLAN PRIOR TO THE ISSUANCE OF SUCH OBLIGATIONS.

* * * *

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

Ms. Nora Chavez, Director of Finance, explained the need for the proposed ordinance, in order to commit monies and to schedule the reimbursement of those funds from the proceeds of the coming bond sale.

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; NAYS: None; ABSENT: Wolff.

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,174

AUTHORIZING EXECUTION OF A PURCHASE CONTRACT WITH EURO-ALAMO INVESTMENTS, INC. FOR THE PURPOSE OF THE 0.2394 ACRE TRACT OF LAND AT THE SOUTHEAST CORNER OF EAST COMMERCE AND SOLEDAD STREETS FOR A CONSIDERATION OF \$500,000.00 AS PART OF THE HISTORIC CIVIC CENTER MASTER PLAN AREA; AND AUTHORIZING PAYMENT FROM 29-008 CAPITAL IMPROVEMENTS RESERVE FUND TO ALAMO TITLE COMPANY IN THE AMOUNT OF \$500,225.00 TO INCLUDE THE PURCHASE PRICE AND CLOSING COSTS, IN CONNECTION THEREWITH; SUCH PURCHASE, HOWEVER, BEING CONTINGENT ON THE RESULTS OF A PHASE 1 ENVIRONMENTAL STUDY AND REPORT.

* * * *

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

Mr. John German, Director of Public Works, spoke to the needed acquisition of additional land for the Historic Civic Center Master Plan purposes.

Mr. Perez spoke in appreciation to City staff for its hard work in bringing this matter to fruition.

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; NAYS: None; ABSENT: Wolff.

94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,175

ACCEPTING A PROPOSAL FROM CLEAN ENVIRONMENTS, INC. IN THE AMOUNT OF \$1,700.00 TO CONDUCT A PHASE 1 ENVIRONMENTAL STUDY AND REPORT ON THE AFOREDESCRIBED PROPERTY AT THE SOUTHEAST CORNER OF EAST COMMERCE AND SOLEDAD STREETS PROPOSED TO BE ACQUIRED BY THE

CITY OF SAN ANTONIO FROM EURO-ALAMO INVESTMENTS,
INC., AND AUTHORIZING PAYMENT FOR SAID SERVICES.

* * * *

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

Mr. John German, Director of Public Works, explained the needed environmental study and report.

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; NAYS: None; ABSENT: Wolff.

- - -
94-53 TRAVEL AUTHORIZATION - Granted:

Councilman Howard Peak to travel to New York City, from November 12, 1994 to November 15, 1994, to attend a Bond Rating Trip.

* * * *

94-53 TRAVEL AUTHORIZATION - Granted:

Councilwoman Ruth Jones McClendon to travel to New York City, from November 12, 1994 to November 15, 1994, to attend a Bond Rating Trip.

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94-53 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to New York City, from November 10, 1994 to November 15, 1994, to attend a Bond Rating Trip.

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94-53 The Clerk read the following Ordinance:

AN ORDINANCE 81,176

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO SETTLE LITIGATION STYLED LYDA, INC. v. THE CITY OF SAN ANTONIO, A MUNICIPAL CORPORATION IN THE STATE OF TEXAS, CAUSE NO. 93-CI-06509, IN THE AMOUNTS OF \$533,551.00 FOR SETTLEMENT OF ALL ALAMODOME

CONSTRUCTION CLAIMS AND FUTURE CAUSES OF ACTION BY
LYDA, INC., FOR A TOTAL OF \$2,053.551.00.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the proposed ordinance in a brief review of details from City Council's briefing during a past Executive Session. He noted that the proposed ordinance includes approval of a pending field alteration, deducting the Alamodome's south parking lot from claims submitted by Lyda, Inc.

In response to a question by Mr. Avila, Mr. Garza stated that the proposed settlement deals only with closure of certain construction claims, but not other portions of the Alamodome project.

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; NAYS: None; ABSENT: Wolff.

94-53

CITY MANAGER'S REPORT

Mr. Alex Briseno, City Manager, spoke to details of the 'water cannon' incident during a recent Spurs game in the Alamodome. A copy of his report is made a part of the papers of this meeting.

Mr. Michael Abington, Director of the Alamodome, detailed the events surrounding the discharge of some 12,000 gallons of water from a fire protection 'water cannon' inside the Alamodome last Friday evening.

In response to a question by Mr. Larson, Mr. Garza discussed possible contractor liability in this matter.

Mr. Roland Lozano, Asset Management Department, discussed the continuing negotiations leading toward final formal acceptance of the Alamodome's fire-suppression system.

Discussion then ensued concerning a possible ban on future use of pyrotechnics in the Alamodome, until the fire-suppression system is formally accepted.

Mr. Abington stated that he would accept that as 'house policy', until that acceptance is complete.

In response to a question by Mr. Larson, Mr. Lozano discussed progress being made toward achievement of a final Certificate of Occupancy for the Alamodome.

Ms. Ayala spoke in favor of taking a close look at the use of pyrotechnics in the Alamodome, and stated her belief that this particular incident last Friday evening was handled well by City staff.

Mr. Avila thanked the City for processing claims promptly in this matter.

Discussion took place concerning the claims process in place to handle claims on this incident, as a matter of policy, including the fact that frivolous claims would not be paid.

Mr. Solis spoke to the publicity aspects of the incident for San Antonio.

Mr. Ross stated his belief that it was fortunate that the City's management team reacted rapidly, and thanked the staff for that hard work.

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94-53

REORGANIZATION OF CITY STAFF

Mr. Alex Briseno, City Manager, spoke briefly to a recent reorganization of the City staff, which was outlined in a memorandum sent to City Council members Monday last.

- - -
CITIZENS TO BE HEARD

MR. ALAN E. THORN BACON

Mr. Bacon, representing Committee For Alternatives, announced his candidacy for City Council District 8 and spoke to the issues which he intends to address on his platform.

- - -
94-53 City Council recessed its regular session at 6:15 P.M. to convene in Executive Session for a Briefing on the status of San Antonio Police contract negotiations, reconvening the regular meeting at 7:15 P.M., at which time Mayor Pro Tem Perez stated that Council had met in Executive Session on the above subject and gave staff direction, but took no formal action.

94-53 There being no further business to come before the Council, the meeting was adjourned at 7:16 P.M.

A P P R O V E D

Alan W. Wolf
M A Y O R

Attest: *Norm S. Ranney*
C I T Y C L E R K