

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, APRIL 10, 1997.**

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97-15 The City Council convened in an informal "B" Session at 10:00 a.m.,
Municipal Plaza Building, "B" Room, to consider the following items(s):

A. Update on the River Walk Noise and Queuing Ordinances
Implementation - Six month evaluation by the staff update on the River Walk Noise
and Queuing Ordinance implementation

B. Presentation on the Speed Humps Program - Council Approved
Alternative 3 Rating Summary with direction to staff to come back to Council for
funding of more projects as monies become available.

The Council members present were: Flores, Billa Burke, Vasquez, Herrera, Ross,
Marbut, Peak, Webster; Absent: Lott, Avila, Thornton.

Adjourn: 11:25 A.M.

97-15 The regular meeting was called to order at 1:00 p.m. by the Presiding
Officer, Mayor William E. Thornton, with the following members present: Flores,
Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster and Thornton;
Absent: Lott.

97-15 Invocation - Reverend Paul Van Coillie, Our Lady of Good Counsel.

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97-15 Approval of the minutes of the Regular Council Meeting of January 9 and 16, 1997.

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CEREMONIAL ITEMS

SHRIEVPORT LOUISIANA CITY OFFICIALS

Mayor Thornton introduced City Officials from Shrievport, who had come to observe and investigate the Council Chambers, as they are getting ready to renovate their own Council Chambers.

Mayor Thornton spoke of many uses by civic groups, as well as by Councilmembers.

He then explained the meaning of Rey Feo (Ugly King) and introduced City Councilwoman Billa Burke as "The Mud Queen". He spoke to forthcoming Fiesta events.

FIESTA SAN ANTONIO COMMISSION

Mayor Thornton introduced Mr. Nick Garza, President of Fiesta San Antonio Commission, who thanked San Antonio for their support. He provided the Council with information on Fiesta events which begin April 18 through April 27, 1997.

The Fiesta Commission then presented the official Fiesta Medals to Mayor Thornton and Councilmembers, and invited them to participate.

97-15 MOMENT OF SILENCE FOR MAYOR THORNTON'S MOTHER

On a Point of Personal Privilege, Councilman Webster asked the Council and audience to observe a moment of silence to pray for Mayor Thornton's mother who just suffered injuries in an automobile accident.

97-15 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 7 through 21, constituting the Consent Agenda, with items 10, 16 having been pulled by the City Manager. Mr. Webster seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Billa Burke, Vasquez, Herrera, Ross, Marbut, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott; Avila, Peak.

AN ORDINANCE 85849

ACCEPTING THE LOW, QUALIFIED BID OF TEXAS SPECIALTY MAINTENANCE TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH REPLACEMENT OF A HEATING UNIT AT THE NATATORIUM, FOR A TOTAL OF \$19,850.00.

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AN ORDINANCE 85850

ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES, INC. IN THE AMOUNT OF \$639,694.30 IN CONNECTION WITH THE JOE BLANKS OUTFALL DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$47,386.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES;

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AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85851

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING FUNDS IN THE AMOUNT OF \$6,800.00 PAYABLE TO VICKREY & ASSOCIATES, INC. IN CONNECTION WITH THE SALADO CREEK WATERSHED STUDY: WHEATLEY HEIGHTS LEVEE PROJECT; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79945 DATED APRIL 7, 1994)

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AN ORDINANCE 85852

AUTHORIZING THE EXPENDITURE OF \$1,359.00 FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C; AND ACQUIRING TWO TEMPORARY EASEMENTS IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80.

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AN ORDINANCE 85853

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO PORTIONS OF LOTS 1, 2, 3 AND 6, BLOCK 8, NEW CITY BLOCK 790, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF SAN PEDRO AVENUE - QUINCY TO ROMANA, A METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 85854

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

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AN ORDINANCE 85855

AUTHORIZING STANDARD CITY OPERATING AGENCY CONTRACTS WITH TWELVE (12) COMMUNITY BASED ORGANIZATIONS TO OPERATE TWENTY-THREE (23) OF THE TOTAL ONE-HUNDRED AND EIGHT (108) SUMMER RECREATION SITES IN CONNECTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 1997 SUMMER RECREATION PROGRAM FOR A TOTAL OF \$100,000.00; AND AUTHORIZING PAYMENT TO THE ORGANIZATIONS FOR SERVICES PROVIDED UNDER SAID CONTRACTS.

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AN ORDINANCE 85856

AUTHORIZING THE SUBMISSION OF A \$514,390.00 GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE 1997

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SUMMER FOOD SERVICE PROGRAM OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION; AUTHORIZING THE ACCEPTANCE OF THE GRANT IF AWARDED; APPROPRIATING FUNDS; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AUTHORIZING THE PAYMENT OF DUMPSTER FEES IN CONNECTION WITH THIS PROJECT; AND AUTHORIZING THE ACCEPTANCE OF ADDITIONAL FOOD SUPPORT IF AWARDED DURING THE TERM OF THIS PROJECT.

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AN ORDINANCE 85857

AUTHORIZING THE EXECUTION OF THE 1997/1998 PUBLIC HEALTH STATE SUPPORT GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE AIDE TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) WITH AN INITIAL AWARD OF \$480,454.00 TO SUPPORT ON-GOING HIV/AIDS AND SEXUALLY TRANSMITTED DISEASE (STD) COUNSELING, EDUCATION AND PARTNER ELICITATION ACTIVITIES PROVIDED BY THE SAMHD; ESTABLISHING A GRANT FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 85858

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 94-CI-16879 IN THE 73RD JUDICIAL DISTRICT COURT, STYLED GEORGE COULTER, ET. AL. V. CITY OF SAN ANTONIO, , IN THE AMOUNT OF \$225,000.00.

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AN ORDINANCE 85859

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,503.60 TO XIMENES & ASSOCIATES, INC. FOR CHARGES FOR THE PROVISION OF SUPPORT

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SERVICES FOR THE MAYOR'S CHARTER REVIEW COMMITTEE,
INCLUDING EXPENSES ON RENTAL OF FACILITIES AND EQUIPMENT.

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AN ORDINANCE 85860

AUTHORIZING THE TEMPORARY CLOSURE OF TENTH STREET
BETWEEN AVENUE B AND THE DEAD END AT V.F.W. SAM HOUSTON
POST NO. 76, INC. BEGINNING AT 8:00 A.M., THURSDAY, APRIL 24, 1997
UNTIL 8:00 A.M., MONDAY, APRIL 28, 1997 FOR A FUND RAISER EVENT
FOR V.F.W. POST NO. 76.

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AN ORDINANCE 85861

AUTHORIZING THE TEMPORARY CLOSURE OF KENTUCKY STREET
BETWEEN ELMENDORF AND ZARZAMORA STREETS BEGINNING AT
8:00 A.M., SATURDAY, APRIL 19, 1997 UNTIL 11:00 P.M., SUNDAY, APRIL
20, 1997 FOR THE LITTLE FLOWER PARISH "FRIENDSHIP FESTIVAL."

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97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85862

SELECTING DAVIS DURAND-HOLLIS RUPE ARCHITECTS FOR
ARCHITECTURAL SERVICES IN CONNECTION WITH THE NEW STONE
OAK FIRE STATION; AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED
\$74,250.00; AUTHORIZING \$47,987.00 FOR ADDITIONAL SERVICES;
AUTHORIZING \$12,000.00 FOR ARCHITECTURAL CONTINGENCY

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EXPENSES; AUTHORIZING \$1,600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, explained details of the ordinance, which accepts a proposal and authorizes a 1986 Certificates of Obligation funded professional services contract in connection with the New Stone Oak Fire Station located in Council District 9.

The following person spoke:

Mr. Faris Hodge 140 Dora, asked that people be made aware in advance of things like the "Fire Master Plan", and asked questions regarding manpower for the fire stations.

In response to a question by Councilman Ross, Mr. German spoke to details of the timetable for completion of the contract that runs through 1999.

Councilman Peak spoke to a temporary versus a permanent station and verified that the Stone Oak annexation will be completed by January 1998, with the fire service, both equipment and personnel, being ready.

Councilman Herrera inquired about the Westover Hills station, located at Highway 151 and Westover Hills, and its status.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott, Avila.

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97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85863

AUTHORIZING THE TRANSFER OF \$85,063.00 IN CARRYOVER FUNDS FROM THE 1996 SUMMER NUTRITION PROJECT INTO THE DEPARTMENT OF PARKS AND RECREATION, RECREATION ACTIVITY TO FUND SIXTY-ONE (61) SITES FOR THE 1997 SUMMER RECREATION PROGRAM; AUTHORIZING BUDGET REVISIONS IN SAID ACTIVITY; AND AUTHORIZING A THREE (3) MONTH LEASE OF SPACE FOR THIS PROGRAM.

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

The following person spoke:

Mr. Faris Hodge, Jr., 140 Dora, suggested that nutrition centers should charge \$.50 to \$1.00.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Vasquez, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott, Avila, Herrera.

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97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85864

AUTHORIZING THE TEMPORARY CLOSURE OF CROCKETT STREET BETWEEN SOUTH PRESA AND NAVARRO STREETS BEGINNING AT 7:00 P.M. UNTIL 12:00 MIDNIGHT, SATURDAY, APRIL 12, 1997, FOR THE THIRD ANNUAL KTFM MASQUERADE PARADE AND SOUTH BANK

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BLOCK PARTY, SPONSORED BY WATERMAN BROADCASTING CORPORATION; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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Mr. Flores made a motion to approve the proposed Ordinance. Mr. Webster seconded the motion.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Vasquez, Herrera, Ross, Marbut, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott, Avila, Peak.

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97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85865

ACCEPTING THE PROPOSALS OF INFO/TEXAS AND NORTH COMMUNICATIONS, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH A MULTIMEDIA INTERACTIVE KIOSK SYSTEM FOR THE COMMUNITY LINK DECENTRALIZATION PROJECT FOR THREE (3) YEARS; AUTHORIZING THE EXECUTION OF A CONTRACT WITH INFO/TEXAS L.P. IN CONNECTION THEREWITH; AND AUTHORIZING PAYMENT OF UP TO \$212,169.00 FOR THE FIRST YEAR EXPENDITURES.

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

Mr. Antonio A. Bosmans, Director, Office of Community Relations, gave a presentation on details of the project, and spoke to the advantages of an English/Spanish multimedia system for the citizens. He further stated that staff recommended the first four kiosks would be placed at North Star Mall, Windsor Park Mall, South Park Mall and Ingram Park Mall, with possibly a fifth location

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being Las Palmas Mall. The next year would see the opening of four more locations, until, by the third year, there would be a total of 12 kiosks in operation.

In response to a question by Councilman Flores, Mr. Bosmans spoke to the introduction of the kiosks by Channel 21, TV, radio, newsletters, and news releases.

Councilman Flores expressed pleasure with seeing the progress occurring.

In response to Councilman Ross' question regarding the cost, Mr. Bosmans stated the cost of each kiosk will be \$2,200.00. Mr. Bosmans then clarified that each kiosk will have a timer in order to avoid abuse by any one citizen.

Mayor Thornton spoke to The City's Homepage being hooked to the Internet for the future. Mr. Bosmans spoke to our services already being on the Web.

Mr. Alexander E. Briseno, City Manager, spoke to the kiosk being accessible to Citizens who don't have home computers.

Mr. Frank Stromboe, Director of Information Services, stated that the kiosk is a direct link to City capabilities offering services not available on the Web.

Councilman Webster inquired as to the operation and maintenance being included in the flat cost of \$2,200.00.

City Manager Briseno stated the Staff at the Las Palmas operation would be bilingual.

Councilman Peak stated this was a promise for the future.

Councilman Vasquez congratulated the staff for the decentralization.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Avila, Vasquez, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott, Billa Burke, Herrera.

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After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85867

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 11, BLOCK 8, NCB 15698, 4727 ERIN DRIVE, FROM "B-2" BUSINESS DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT.

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4B. CASE # Z97055 - to rezone and reclassify Lot 5, Block 3, NCB 15693, 13018 Uhr Road, from "R-1" Single Family Residence District to "R-2" Two Family Residence District. Property is located on the southeast side of Uhr Road, 320 feet northeast of the intersection of Uhr Road and Bell Road, having 80 feet on Uhr Road and a depth of 140 feet.

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

Mr. Webster 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:** Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85868

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 5, BLOCK 3, NCB 15693, 13018 UHR ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE TO "R-2" TWO FAMILY RESIDENCE DISTRICT .

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4C. CASE #Z97076 - to rezone and reclassify Lot 22 and the south irregular 117.81 feet of Lot 19, Block 3, NCB 11214, 7100 - 7120 Blanco Road. Property is located northeast of the intersection of Blanco Road and Loop 410 Expressway, having 264.81 feet on Blanco Road and 202.21 feet on Loop 410 Expressway.

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

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

After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85869

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 22 AND THE SOUTH IRREGULAR 117.81 FEET OF LOT 19, BLOCK 3, NCB 11214, 7100 AND 7100

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AND 7120 BLANCO ROAD FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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4D. CASE #Z97082 - to rezone and reclassify Lot 230 thru 243, Block 1, NCB 17444, Budding Boulevard, from "R-1" Single Family Residence District to "R-5" Single Family Residence District. Properties are located on the northeast side of Budding Boulevard 155.61 feet southeast of the intersection of Budding Boulevard and Jones Maltsberger Road, having 318 feet on Budding Boulevard and a maximum depth of 522.63 feet.

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

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

After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85870

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 230 THRU 243, BLOCK 1, NCB 17444, BUDDING BOULEVARD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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4E. CASE #Z97062 was temporarily postponed for consideration later in this meeting.

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4F. CASE #Z97060 - to rezone and reclassify 21.2118 acres out of Block 3, NCB 15176, save and except the southeast 75 feet parallel to the alley, U.S. Highway 90 and S.W. Loop 410, from "B-2" Business District. Property is located at the intersection of U.S. Highway 90 and S.W. Loop 410, between Springvale Drive and Ferncroft Drive, having 1,142.25 feet on U.S. Highway 90, 1,205.62 feet on S.W. Loop 410, 468.5 feet on Springvale Drive and 267.38 feet on Ferncroft Drive.

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

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

After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Avila, Vasquez, Herrerra, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85871

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 21.2118 ACRES OUT OF BLOCK 3, NCB 15176, SAVE AND EXCEPT THE SOUTHEAST 75 FEET PARALLEL TO THE ALLEY, U.S. HWY 90 AND S.W. LOOP 410, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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4G. CASE #Z97068 - to rezone and reclassify the east 46 feet of the west 60 feet of the north 104 north feet of Lot 21, Block 6, NCB 8732, 2427 W. Southcross Boulevard, from "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District. Property is located 186.4 north of W. Southcross Boulevard, bring 46 feet in width and 104 feet in length.

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

Mr. Vasquez made a motion to postpone for 30 days. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, Lott, Billa Burke.

CASE #Z97068 was postponed for 30 days.

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4H. CASE #Z97059 - to rezone and reclassify Lots 53, Block 21, NCB 16531, 6611 N. Highway 90 West, from "O-1" Office District and "B-3NA" Non-Alcoholic Sales Business District to "B-2" Business District. Property is located on the northwest side of Old Highway 90 West, 600 feet northeast of the intersection of Susette Avenue and Old Highway 90 West, having 100 feet on Old Highway 90 West and a depth of 169.3 feet.

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

Mr. Vasquez made a motion to continue and extend for 30 Days. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, Lott, Billa Burke.

CASE #Z97059 was postponed for 30 days.

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4I. CASE #Z97064 - to rezone and reclassify 0.329 acres out of NCB 15520, 7751 Old Highway 90 West, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Property is located on the northwest side of U.S. Highway 90, 207.33 feet northeast of the intersection of Observation Drive and U.S. Highway 90, having 158.16 feet on U.S. Highway 90 and a depth of 100.00 feet.

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

Mr. Herrera 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:** Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85872

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.329 ACRES OUT OF NCB 15520, 7751 OLD HIGHWAY 90 WEST FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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4J. CASE #Z97071 (CC) - To rezone and reclassify 3.907 acres out of NCB 17975, from "B-3" Business District to "B-3" CC Business District with special City Council approval for a mini-warehouse facility over 2 ½ acres and 26.589 acres out of NCB 17975 from "B-3" Business District and "R-5" Single Family Residence District to "R-3" Multiple Family Residence District.

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

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 ordinances, prevailed by the following vote: **AYES:** Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Billa Burke.

AN ORDINANCE 85873

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 2 ½ ACRES ON 3.907 ACRES OUT OF NCB 17975, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A MINI-WAREHOUSE FACILITY OVER 2 ½ ACRES AND 26.589 ACRES OUT OF NCB 17975, NORTHEAST SIDE OF BANDERA ROAD AND MAINLAND DRIVE FROM "B-3" BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

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4K. CASE #Z97067 - to rezone and reclassify P-44, P-45 and P-45A, NCB 13664, 7306 and 7318 Lamb Road, from "B-2" Business District to "P-1(R-7)" Planned Unit Development Small Home Lot Residence District. Property is located on the northwest side of Lamb Road, 332.78 feet southwest of the intersection of Lamb Road and Oakdell Way, having 355.3 feet on Lamb Road and a depth of 704.06 feet.

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

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Mr. Marbut made a motion to approve the recommendation of the Zoning Commission. Mr. Vasquez seconded the motion.

After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Flores, Avila, Vasquez, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott, Billa Burke, Herrera, Ross.

AN ORDINANCE 85874

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-44, P-45 AND P-45A, NCB 13664, 7306 AND 7318 LAMB ROAD, FROM "B-2" BUSINESS DISTRICT TO "P-1(R-7)" PLANNED UNIT DEVELOPMENT DISTRICT.

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4E. CASE #Z97062 - to rezone and reclassify Lot 15, save and except the south 75 feet along Southcross Boulevard and the west 75 feet along S. W. W. White Road, NCB 10852, from "R-3" Multiple Family Residence District to "I-1" Light Industry and The South 75 feet and the west 75 feet of Lot 15, NCB 10852, 2915 E. Southcross Boulevard, from "R-3" Multiple Family Residence District to "B-3R" Restrictive Business District.

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. Avila seconded the motion.

After consideration, the motion carrying with it the passage of the following ordinance, prevailed by the following vote: **AYES:** Billa Burke, Avila, Solis,

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Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott

AN ORDINANCE 85875

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 15, SAVE AND EXCEPT THE SOUTH 75 FEET ALONG SOUTHCROSS BLVD. AND THE WEST 75 FEET ALONG SOUTHCROSS BLVD. AND THE WEST 75 FEET ALONG S. W.W. WHITE ROAD, NCB 10852, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT AND SOUTH 75 FEET AND THE WEST 75 FEET OF LOT 15, NCB 10852, 2915 E. SOUTHCROSS FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

(At this time Mayor Thornton left the Council Chambers and Mayor Pro Tem Rick Vasquez presided.)

97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85876

ACCEPTING THE ANNUAL GOVERNOR'S REPORT FOR THE LOCAL JOB TRAINING PARTNERSHIP ACT (JTPA) PROGRAM, SUBMITTED BY THE ALAMO WORKFORCE DEVELOPMENT COUNCIL, INC. FOR THE YEAR ENDED JUNE 30, 1996; AND AUTHORIZING THE MAYOR, AS THE CHIEF ELECTED OFFICIAL FOR THE CITY OF SAN ANTONIO, TO SIGN THE "STATEMENT" OF REVIEW" FOR SAID REPORT.

* * * *

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

Mr. Octavio Pena, Director, Office of Internal Review, explained details of the Ordinance.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Vasquez, Ross, Marbut, Peak, Webster; **NAYS:** None; **ABSENT:** Lott, Herrera, Thornton.

- - -
97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85877

APPROVING THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB - SUMMER YOUTH PROGRAM PLAN IN THE AMOUNT OF \$4,385,706.00 FOR THE CURRENT YEAR 1997, AS SUBMITTEDBY ALAMO WORKFORCE DEVELOPMENT, INC.

* * * *

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

Mr. Octavio Pena, Director, Office of Internal Review, discussed details of the Ordinance.

In response to a question by Councilman Ross, Ms. Nickie G. Valdez, Chief Executive Officer, Alamo Workforce Development Council, Inc., spoke to the programs to include Kelly workers. She then informed them that Ms. Jennifer Jacob is now on board to work and facilitate.

In response to a question by Councilman Avila, Mr. Pena spoke to job training to be provided.

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Responding to a question by Councilman Herrera, Ms. Valdez gave an update on Kelly and job training in San Antonio as it relates to the Kelly workers.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Vasquez, Ross, Marbut, Peak, Webster; **NAYS:** None; **ABSENT:** Lott, Herrera, Thornton.

- - -
97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85878

APPROVING THE JOB TRAINING PARTNERSHIP ACT (JTPA) PLANS FOR TITLE IIA - AUDIT PROGRAM IN THE AMOUNT OF \$3,411,733.00, TITLE IIC - YEAR ROUND YOUTH PROGRAM IN THE AMOUNT OF \$533,880.00, AND TITLE III - DISLOCATED WORKER PROGRAM IN THE AMOUNT OF \$2,990,935.00 FOR THE PROGRAM YEAR 1997 PERIOD BEGINNING JULY 1, 1997 AND ENDING JUNE 30, 1998.

* * * *

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

Mr. Octavio Pena, Director, Office of Internal Review, spoke to the details of the Ordinance.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Avila, Vasquez, Ross, Peak, Webster; **NAYS:** None; **ABSENT:** Lott, Billa Burke, Herrera, Marbut, Thornton.

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SERVICES TO THE SAN ANTONIO POLICE DEPARTMENT BEGINNING APRIL 15, 1997 AND ENDING MAY 15, 1997 WITH A MONTHLY PAYMENT TO BEXAR COUNTY IN THE AMOUNT OF \$36,475.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Ms. Frances A. Gonzalez, Director, Office of Special Projects, spoke to details of the Ordinance.

In response to a question by Councilman Webster, Ms. Gonzalez spoke to the performance measures.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott, Peak.

- - -

97-15 The Clerk read the following Ordinance:

AN ORDINANCE 85881

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND TO COUNCILMAN RICK VASQUEZ FOR A FULL-TIME ADMINISTRATIVE SERVICES CONTRACT WITH GOYO ZEPEDA IN THE AMOUNT OF \$1,225.81 FROM MARCH 13-31, 1997; AND \$4,000.00 FROM APRIL 1 - MAY 31, 1997, FOR A TOTAL OF \$5,225.81; AS REQUESTED BY COUNCILMAN RICK VASQUEZ.

* * * *

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Ms. Billa Burke 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:** Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Flores, Lott,

- - -
97-15 The Clerk read a proposed ordinance directing staff to undertake a solicitation process for a firm to perform an independent cost-benefit analysis in connection with the proposed ITT Sheraton Hotel Tax Phase-In Request; as requested by Councilman Howard Peak.

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

Mr. Peak proposed an RFP process in connection with the proposed ITT Sheraton Hotel Project to be completed by July 1, 1997

The following persons spoke:

Sister Gabriela Cohan, COPS/METRO, expressed concerns over abatements being given.

Mr. Joe O. Soliz, COPS/METRO, asked that Council say "No" to abatement.

Mr. Donze Lopez, Greater San Antonio Chamber of Commerce, spoke to the benefit of abatement.

Mr. Faris Hodge, Jr., 140 Dora, spoke of the newspaper poll that indicated the citizens were against abatement.

Mr. Clinton Bolden, Director, Economic Development, spoke to the financial analysis, economic impact, and impact on the future.

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Ms. Jelynn Burley, Director, Convention Center Expansion Office, spoke to the advantage this would give the City over other cities.

Mr. Steve Moore, Director, Convention & Visitors Bureau, concurred with Mrs. Burley that the Convention Center Hotel would give us an advantage over other cities.

Mayor Thornton spoke in favor of giving a tax abatement. He assured that consultants will be brought in, and that there are both costs and benefits. He praised our staff as being well trained, and spoke to the benefits.

At this time, Councilwoman Billa Burke made a motion to amend the proposed ordinance to limit spending to \$50,000.00 (CAP) to hire a consultant. Mr. Peak seconded the motion.

Councilman Peak stated this is vital to the City of San Antonio as a whole.

In response to a question by Mr. Peak, Mr. Bolden stated negotiations are still ongoing with Sheraton, so no analysis is ready to look at right now.

Councilman Webster stated he is for the small business owners and gave detailed information on free market economy vs. corporate welfare. He agreed that a return of \$1.8M to the school district would be beneficial. He questioned the necessity for this tax abatement for the hotel. He then suggested that rather than outside consultants, to consider an audit.

Councilman Vasquez stated this is not just a political, but an economic development issue, using funds from the Hotel/Motel Tax.

Councilman Ross spoke to the Tax Phase-In Committee, questioning the committee makeup.

In response to a question by Mr. Ross, Mr. Alexander E. Briseno, City Manager, stated that delaying of the ordinance will set the project back to mid-July rather than May 23rd.

Mr. Ross expressed concern with any impeding delay resulting in a two-month delay. He urged colleagues to go with the committee and defeat this motion. He further stated that if COPS hired a CPA to study the figures the City will pay for it.

Mr. Briseno clarified that the City will come back in one to two months if this Ordinance passes.

Mayor Thornton spoke to gains to the General Fund on an annual basis.

Councilman Peak stated he is not against the ordinance; and that an analysis will not delay the project.

Councilwoman Billa Burke stated she cannot support this ordinance without having benefit of numbers to work with, and wants consultants from San Antonio.

Councilman Ross expressed concern with the precedent being set by the motion.

(At this time Mayor Thornton left the chambers and Councilman Avila presided.)

Councilman Flores stated he wants to keep the cost down and will support a motion to do an independent audit.

(Mayor Thornton returned to the chambers and presided.)

In response to a question by Councilman Vasquez, Mr. Frank Garza, Acting City Attorney, clarified the Tax Code and eligible expenditure.

City Manager Briseno further clarified where the monies are spent.

Councilwoman Billa Burke stated that the Hotel/Motel Tax is a State mandate; not City-run.

Mayor Thornton spoke of positive benefits, but independent analysis. He stated that COPS/METRO trying to dictate economic policy is harmful to the project.

After consideration, an amendment to cap at 50,000, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott.

After consideration, the main motion failed for lack of 6 votes, prevailed by the following vote: **AYES:** Flores, Avila, Vasquez, Marbut, Peak; **NAYS:** Billa Burke, Herrera, Ross, Webster, Thornton; **None;** **ABSENT:** Lott.

97-15 The Clerk read the following Resolution:

A RESOLUTION NO: 97-15-18

EXPRESSING THE CITY'S SUPPORT OF SENATE BILL 1568 BY SENATOR FRANK MADLA RELATING TO INVESTMENT OF ASSETS FOR THE FIREFIGHTER AND POLICE OFFICER RETIREES PRE-FUNDED HEALTH TRUST TO BE MANAGED BY SEPARATE FUND AND BOARD

* * * *

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

Ms. Frances A. Gonzalez, Director, Office of Special Projects, explained details of the Resolution .

Ms. Nora Chavez, Director, Department of Finance, detailed financial implications of the legislation, Senate Bill 1568 introduced by Senator Frank Madla, and the implications to the City. She then spoke to the risk factor.

Mr. Carl King, SAPOA, spoke in support of this Resolution.

Councilmembers spoke in support of the Resolution and thanked staff for their efforts.

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After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **ABSENT:** Lott.

97-15 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton, to travel to Austin, Texas, from April 10, 1997 to April 10, 1997 to testify on SB 684 Regarding Retail Competition for Electric Energy.

97-15 PUBLIC HEARING AND CONSIDERATION OF JUNK AND SALVAGE DEALERS.

Mayor Thornton opened the Public Hearing.

Mr. Martin Rodriguez, Director, Code Compliance, discussed details of need to update the current process for applying and renewing junk/salvage yard licenses.

The following persons spoke:

Mr. Joe O. Soliz, COPS, spoke in support of changes.

Ms. Virginia Zamora, Chairperson, COPS, asked for additional changes she feels are needed.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the problem areas in San Antonio and lack of personnel.

Mr. Ray West, President, San Antonio Dismantler & Recycler Salvage Industry, spoke to inability to expand and having to "rack" cars (stack up), so he wishes to keep code as it is.

Ms. Barbara Eanes, San Antonio Dismantler and Recycler, stated her business was not a junkyard, but dismantler and recycler.

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Mr. Erwin J. Reeh, 1402 Sacramento, an annexed property owner, discussed concerns and wants the six foot height of fence to be "grandfathered".

Mr. Alex J. Crank, 3223 S. W. Military, ex-fire fighter, spoke to small businesses not being heard.

Mayor Pro Tem Vasquez closed the Public Hearing.

Mayor Pro Tem Vasquez asked for clarifications:

Mr. Martin Rodriguez, Director of Code Compliance, spoke to a conglomerate of junk yards in one area San Antonio.

Mr. Clarence Daugherty, Assistant Director of Public Works, spoke to recycling and EPA..

(At this time, Mayor Pro Tem Vasquez left the Chambers, and Councilman Roger Flores presided.)

In response to a question from Councilman Ross, Mr. Rodriguez spoke to the proposed 8' wall required for all businesses. Discussion took place on required Fence Heights.

(At this time, Mayor Pro Tem Vasquez returned and presided over the meeting.)

Councilman Ross protested the unfairness of making all fences go up to 8' fences.

Mr. Frank Garza, Acting City Attorney, agreed to meet with Mr. Ross on this issue.

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CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Hodge, 140 Dora St. , spoke to the need for Browning Ferris, Inc. (BFI) to turn its landfill into a regional landfill; he complimented VIA for doing a good job at the

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Billy Graham Crusade at the Alamodome; and stated his belief that the City has no authority to remove a judge in Municipal Court.

MR. KARL WURZ

Mr. Karl Wurz read from a prepared text of a speech he had given to San Antonio Water System board of trustees meeting regarding implementation of SAWS Action Plan based on recommendations of the Mayor's Water Committee. He expressed his concern and displeasure for the Plan.

MS. DORIS M. CALLIES

Ms. Callies, wife of Rev. R.A. Callies, Sr., asked that the bridge over the Southern Pacific railroad tracks in the 100 block of North New Braunfels be named for her husband, and she spoke to his many community involvements and achievements.

Mr. Andrew Wilson and Ms. Yvette Wilson, speaking for Arlington R. Callies, both spoke in support for Ms. Callies' remarks.

REV. R.A. CALLIES SR.

Rev. Callies also spoke in support for the recommendation, and recalled his part works for the community.

Mr. Chris Brady, Assistant to the City Manager, asked members of the group to meet with the Public Works Department to discuss this matter.

MS. MARIA DOMINGUEZ

Ms. Dominguez stated her desire to have various fees and surcharges from San Antonio Water System lowered, in light of the large amounts of money coming into SAWS, such as through new hotels.

MS. DORINDA GARZA SMITH

Ms. Smith, a taxicab driver, spoke to the lawsuit filed against the City by Mr. Mohammad Amrollah because his taxicab permits were not renewed. She stated that she is one on the drivers for his firm left without insurance coverage by Mr. Amrollah, and stated that he has made no attempt to help the drivers left without insurance. She also spoke to other concerns, and stated her belief that he should not be allowed to operate for another 10 days. She spoke to the amounts of money taken from her by Mr. Amrollah to pay for the insurance, which never was done, and expressed her belief that taking these funds from herself and other drivers constitutes fraud. She also stated that she should have been notified of the hearing for Mr. Amrollah.

Mr. Marbut, Chairman of the Council's Transportation Committee, stated that Mr. Amrollah will be punished to the extent allowed by law, and asked that Ms. Smith visit with the Police Department to investigate possibly filing charges herself against Mr. Amrollah.

97-15 At 6:03 p.m., Mayor Pro Tem Vasquez announced Council would now recess for Executive Session to discuss:

Attorney/Client consultation regarding litigation case styled Joseph Seringer v. Natividad Jauregui and the City of San Antonio.

Council returned at 6:12 P.M. and Mayor Pro Tem Vasquez announced that Council had been briefed on above topic and had given staff direction, but had taken no official action.

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97-15 There being no further business to come before the Council, the meeting was adjourned at 6:13 P.M.

A P P R O V E D



WILLIAM E. THORNTON
M A Y O R

Attest:



NORMA S. ROBRIGUEZ, CMC/AAE
City Clerk