

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, NOVEMBER
9, 1995.

* * * *

95-47 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: FLORES, BILLA BURKE, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON. Absent: MC-CLENDON, AVILA.

Update on the City's Capital Improvement Program - direction to staff to place on the November 21, 1995 Council agenda the Notice of Intention to Issue Bonds, as per City Manager's recommendation.

* * * *

95-47 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, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

- - -
95-47 Invocation - Father Richard Pena, Christ the King Catholic Church.

- - -
95-47 Pledge of Allegiance to the flag of the United States.

- - -
95-47 VISITING GOVERNMENT STUDENTS

Mayor Thornton introduced a group of government students from Our Lady of the Lake University and San Antonio College, present in the audience, and welcomed them to City Council meeting.

95-47 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 7 through 25, constituting the Consent Agenda, with Item 21 removed for individual consideration. Mr. Herrera seconded the motion.

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

AN ORDINANCE 83,139

ACCEPTING THE LOW BIDS OF TELOS FIELD ENGINEERING AND S.T.I., INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH MAINTENANCE OF DATA PROCESSING EQUIPMENT FOR A TOTAL OF APPROXIMATELY \$2,100.00 MONTHLY.

* * * *

AN ORDINANCE 83,140

ACCEPTING THE LOW BID OF ACME SECURITY SERVICE, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH SECURITY SERVICE FOR THE AUTOMOTIVE AND RADIO SERVICES FACILITY FOR A TOTAL OF APPROXIMATELY \$16,000.00 ANNUALLY. (WBE).

* * * *

AN ORDINANCE 83,141

ACCEPTING THE PROPOSAL OF EASTMAN KODAK COMPANY TO FURNISH THE CITY OF SAN ANTONIO RECORDS FACILITY WITH MICROFILM EQUIPMENT FOR A TOTAL OF \$83,748.00.

* * * *

AN ORDINANCE 83,142

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$703,431.30 IN CONNECTION WITH THE ARBOR PLACE - 24TH STREET TO HAMILTON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$42,267.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$10,000.00 FOR ADDITIONAL ENGINEERING EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 83,143

ACCEPTING THE LOW, QUALIFIED BID OF EVANS AND EVANS, INC. IN THE AMOUNT OF \$287,822.42 IN CONNECTION WITH THE AARON-LOGWOOD TO DEAD END COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$20,953.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 83,144

SELECTING CIVIL DESIGN SERVICES, INC. TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE MARTIN LUTHER KING PARK IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$3,425.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$34,000.00; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 83,145

SELECTING MCCHESENEY ARCHITECTS TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE PALM HEIGHTS CENTER 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$31,500.00; TRANSFERRING FUNDS AN ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$2,500.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 83,146

SELECTING CALLINS & ASSOCIATES TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE LACKLAND TERRACE CENTER 1994 PARKS GENERAL OBLIGATION ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$18,000.00; TRANSFERRING FUNDS AND ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$1,000.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 83,147

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$33,425.00 OUT OF GENERAL OBLIGATION BONDS; AUTHORIZING PAYMENT FOR SIX MONTHS USE OF PRIVATE PROPERTY IN THE DRIFTWOOD DRAINAGE PROJECT #39, D-F NORTH (CUPPLES ROAD); ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO HUEBNER ROAD; AND ACCEPTING THE DEDICATION TO TITLE TO ONE PARCEL IN CONNECTION WITH THE SAN CARLOS STREET PROJECT - NAVIDAD TO ZARZAMORA.

* * * *

AN ORDINANCE 83,148

AUTHORIZING PAYMENT IN THE AMOUNT OF \$782.50 FOR LEGAL FEES ON THE WURZBACH PARKWAY P.A.S.S. PROJECT AND TITLE SERVICES ON THE SAN CARLOS PROJECT - ZARZAMORA TO NAVIDAD; AND APPROPRIATING FUNDS.

* * * *

AN ORDINANCE 83,149

ACCEPTING FIVE DEDICATIONS OF FEE TITLE IN CONNECTION WITH THE SAN CARLOS STREET PROJECT - NAVIDAD TO ZARZAMORA.

* * * *

AN ORDINANCE 83,150

AUTHORIZING THE EXECUTION OF A SHORT TERM LEASE AGREEMENT WITH MARINA ORTEGA, DBA "KIA INTERNATIONAL" FOR APPROXIMATELY 389 SQUARE FEET OF REAL PROPERTY LOCATED IN BUILDING 252 IN HEMISFAIR PARK FOR A RENTAL OF \$252.85 PER MONTH, EXCLUDING ALL UTILITIES.

* * * *

AN ORDINANCE 83,151

AUTHORIZING THE ACCEPTANCE OF \$588,216.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO THE CITY'S SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO AUGMENT FUNDING OF THE TUBERCULOSIS CONTROL PROGRAM AND TO CONTINUE FUNDING OF THE AIDS/HIV SUPPORT PROJECT; APPROVING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 11, COMPRISED OF ATTACHMENTS 04B AND 21

TO CONTRACT C6000011 WITH THD; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96 ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED JANUARY 6, 1994; APPROVING THE EXECUTION OF SUBCONTRACTS WITH ELEVEN AIDS/HIV SERVICE ORGANIZATIONS; AUTHORIZING PAYMENTS TO SUBCONTRACTORS; AND AUTHORIZING ONE PERSONNEL POSITION.

* * * *

AN ORDINANCE 83,152

ESTABLISHING A REVENUE ACCOUNT IN THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, TO ACCEPT CASH DONATIONS, AND AUTHORIZING THE EXPENDITURE OF SUCH FUNDS IN SUPPORT OF THE CITY'S COMMUNITY ACTION PROGRAM.

* * * *

AN ORDINANCE 83,153

SELECTING DLS ASSOCIATES TO PROVIDE PLANNING CONSULTANTS SERVICES FOR PHASE I OF THE OPEN SPACE INVENTORY FUNDED OUT OF THE GENERAL FUND AND FUNDS CONTRIBUTED BY OTHER PUBLIC AGENCIES; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT; AND PROVIDING FOR PAYMENT OF UP TO \$26,000.

* * * *

AN ORDINANCE 83,154

AUTHORIZING PAYMENT TO THE U.S. CONFERENCE OF MAYORS FOR MEMBERSHIP DUES IN THE AMOUNT OF \$13,061.00 FOR THE PERIOD OF JULY 1, 1995 - JUNE 30, 1996.

* * * *

AN ORDINANCE 83,155

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO THE TEXAS MUNICIPAL LEAGUE (TML) IN THE AMOUNT OF \$33,021.00 FOR THE PERIOD OF AUGUST 1, 1995 TO JULY 31, 1996.

* * * *

AN ORDINANCE 83,156

APPOINTING MICHAEL GUERRA TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 1996.

* * * *

95-46 The Clerk read the following Ordinance:

AN ORDINANCE 83,157

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$1,500.00 DONATION FROM TARGET STORES, INC. IN SUPPORT OF THE CELLULAR ON PATROL PROGRAM.

* * * *

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

Mr. Peak stated that he wanted to consideration this item individually in order to recognize Target Stores for making this \$1,500 donation to the Cellular On Patrol program.

Ms. McClendon noted that the second annual Cellular On Patrol picnic is being held this coming Saturday.

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

95-46 The Clerk read the following Ordinance:

AN ORDINANCE 83,158

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$102,463.09, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 52 TAX ACCOUNTS.

* * * *

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

95-47 POSTPONEMENT OF "AT YOUR SERVICE" AWARD

Mr. Alexander E. Briseno, City Manager, stated that the scheduled "At Your Service" award presentation was being postponed until the November 21, 1995 City Council meeting because of certain equipment problems being experienced in connection with the video presentation involved.

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,159

CERTIFYING THAT THE ALAMO WORKFORCE DEVELOPMENT COUNCIL, INC. HAS DEVELOPED A WRITTEN ANNUAL AUDIT PLAN AND AUTHORIZING THE MAYOR TO SIGN THE "CERTIFICATION REGARDING ANNUAL AUDIT PLAN" FOR JOB TRAINING PARTNERSHIP TITLES II AND III.

* * * *

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

95-47 BEXAR COUNTY APPRAISAL DISTRICT DISCUSSION

City Clerk Norma S. Rodriguez explained the number of votes available to the City of San Antonio, including the number of votes necessary to elect one person to the Board of Directors, and the number of votes left over.

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

Mr. Peak spoke to the written request made that the City allot its leftover votes to Mr. Roane Harwood. He noted that, after casting the initial 833 votes for assurance of seating one person on the board, the City has been asked to allot the remaining 137 votes to Mr. Harwood.

... then spoke briefly to the status of the selection of a new headquarters building for the Bexar Appraisal District, noting that the building under consideration on Frio Street was not acceptable.

Mr. Peak then made a motion to allot 833 votes to Mr. Tommy Adkisson, with the remaining 137 votes to be cast for Mr. Roane Harwood. Mr. Solis seconded the motion.

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

The main motion, as amended, carrying with it the passage of the Resolution, then prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila.

A RESOLUTION NO: 95-47-57

ALLOCATING THE CITY'S VOTES TO FILL VACANCIES ON THE BEXAR COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS, AND DECLARING AN EMERGENCY.

* * * *

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,160

AUTHORIZING THE EXPENDITURE OF \$750.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO HELP DEFRAY THE COSTS OF TWENTY FIVE (25) JERSEYS, SHORTS, AND LETTERING ON UNIFORMS FOR THE SPORTS PROGRAM AT ST. JOHN BERCHMANS MIDDLE & ELEMENTARY SCHOOL, AS REQUESTED BY COUNCILMAN ROBERT HERRERA.

* * * *

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

Mayor Thornton noted that the new process for allocation of Contingency Funds from the various City Council district accounts apparently is working well.

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

95-47 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to the East Coast and to Phoenix, Arizona from November 25, 1995 to December 02, 1995, to visit specific companies within San Antonio's targeted industries; including aviation, electronics and manufacturing, and to attend the National League of Cities Annual Congress of Cities.

* * * *

Councilwoman Ruth Jones McClendon to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995, to attend the 72nd Annual National League of Cities Conference.

* * * *

Councilwoman Lynda Billa Burke to travel to Phoenix, Arizona from November 29, 1995 to December 2, 1995, to attend the National League of Cities Conference.

* * * *

Councilman Henry Avila to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995, to attend the National League Of Cities Conference.

* * * *

Councilman Bob Ross to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995, to attend the 72nd Annual Congress of Cities and Exposition.

* * * *

Councilman Howard W. Peak to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995, to attend the National League Of Cities Meeting.

* * * *

Councilman Jeff Webster to travel to NLC Phoenix, Arizona from November 27, 1995 to December 3, 1995, to attend the National League Of Cities Meeting.

* * * *

- - -

95-47 NATIONAL LEAGUE OF CITIES ANNUAL CONFERENCE

Mr. Alexander E. Briseno, City Manager, noting the passage of the Travel Authorizations for attendance at the NCL Conference in

Phoenix later this month, reminded Council members that next year's NLC Conference will be in San Antonio. A copy of his memorandum is made a part of the papers of this meeting.

Mr. Solis noted that he will be elected to the board of directors of the Hispanic Elected Officials Organization at the NLC annual conference in Phoenix, and spoke to the need to have all the votes of the City Council members attending. He spoke to San Antonio's reputation as an innovative city with ideas to share with other cities, and also noted that Mayor Thornton will be running for the NLC board of directors at the same Phoenix conference.

Mayor Thornton reiterated the economic impact that the 1996 NLC Conference will have on San Antonio.

95-47 Ms. McClendon briefly explained the proposed amendment to the City's Ethics Ordinance, and the two major issues involved in that amendment. She noted that Mr. Marbut had brought forward the proposed amendment concerning appearances by board or commission members before their own boards or commissions on which they currently sit. She asked for approval of the proposed Ordinance.

The Clerk read the following Ordinance:

AN ORDINANCE 83,161

AMENDING THE ETHICS ORDINANCE TO PROHIBIT A BOARD OR COMMISSION MEMBER FROM MAKING A PERSONAL APPEARANCE BEFORE THE BOARD OR COMMISSION OF WHICH HE OR SHE IS A MEMBER, AND TO DELETE THE EASTSIDE SAN ANTONIO COORDINATING COUNCIL FROM THE LIST OF BOARDS AND COMMISSIONS REQUIRED TO FILE FINANCIAL DISCLOSURE STATEMENTS, AS RECOMMENDED BY THE COUNCIL ETHICS COMMITTEE.

* * * *

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

Mr. Tom Finlay, Assistant City Attorney, detailed the proposed amendment that would forbid board or commission members from appearing before their own board or commission while they sat on that board or commission.

Mayor Thornton spoke in favor of the proposed amendment, and addressed several examples, noting that citizens who are appointed to boards and commissions must decide whether to serve on that particular board of commission, or to have the opportunity to appear before that board or commission.

Mr. Marbut spoke to the perception of a 'loophole' in the current Ordinance, and thanked the Ethics Committee for its consideration and recommendation.

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

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,162

SELECTING LDR INTERNATIONAL TO DEVELOP THE DOWNTOWN STRATEGIC PLAN; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$125,000.00; ACCEPTING FINANCIAL CONTRIBUTIONS FROM VARIOUS ENTITIES IN THE AMOUNT OF \$69,500.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Clint Bolden, Director of Economic Development, detailed the development process for the Downtown Strategic Plan with a video presentation, a copy of which is made a part of the papers of this meeting. He spoke to the advantages of such a plan, and to the recommended firm's experience in preparing such plans. He then provided a breakdown of the firm's equal employment opportunity status, a timeline for completion of the report, and its projected costs. He acknowledged other contributors to the financing of this plan.

Mayor Thornton spoke in support for the study, addressed the need for a complete and comprehensive downtown development plan, noted the need for downtown development to be managed.

Mr. Peak stated that San Antonio is blessed with a viable, vibrant downtown area, and spoke of the need for such a strategic plan to address any problem areas as they come up. He spoke with particular emphasis for the need for strategic planning for RiverWalk development.

In response to a question by Mr. Ross, Mr. Bolden noted that the strategic plan will be a guideline for downtown development.

Mr. Ross spoke to his desire that the plan address the multiplicity of uses along the RiverWalk.

Mr. Bolden noted that the plan will make certain recommendations for future action, as needed.

Ms. McClendon addressed the need for a comprehensive plan for downtown development, and spoke in support for the proposed ordinance.

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

95-47

NEW WORLD LEARNING CENTERS

Ms. McClendon introduced representatives of the New World Learning Centers, present in the audience, and welcomed them to the City Council meeting.

Mayor Thornton also welcomed the group to the meeting.

95-47 It was the concensus of City Council members present to undertake consideration of Agenda Item 35 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 83,163

ESTABLISHING AN AD-HOC RIVER WALK TASK FORCE AND APPOINTING THE MEMBERS OF SAID TASK FORCE.

* * * *

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

Councilman Roger Flores explained the background of this request to establish an Ad Hoc Riverwalk Task Force and spoke to the reasons for that request, as well as his expectations from the Task Force. He noted that the San Antonio Conservation Society would be represented by one of its members who also represents another category on the Task Force. He spoke to his desire to include the current President of the San Antonio Conservation Society on the Task Force, as well as those already suggested for membership as outlined in the proposed ordinance.

Mr. Ron Darner, Director of Parks & Recreation, spoke to the four key areas of study for the interim 90-day Task Force, and noted that his department would provide staffing for the group.

The following individuals then spoke:

Mr. Jim Cullum, representing The Landing, spoke to the lack of an effective RiverWalk ordinance, and the need for such an ordinance. He stated that he does not approve of how the Task Force membership was selected, stating his belief that the group needs members with deep backgrounds of interest in the RiverWalk. He then spoke to his own recommendations for membership, including the proposed naming of Mr. David Straus for membership on the Task Force, and speaking against membership of anyone who has a business on the RiverWalk.

Ms. Sally Buchanan, President, San Antonio Conservation Society, spoke in favor of the plan to study RiverWalk problems, and addressed certain proposed additions to the Task Force membership.

Mr. Steve Lundgren, representing the Hotel/Motel Association, stated his belief that the RiverWalk is the heart and soul of San Antonio, and he spoke in support for the idea of a Task Force. He asked that his association be included in RiverWalk decisions, in the future.

Mr. Harris Smithson, President, Paseo del Rio Association, asked that his association be consulted and included in RiverWalk decisions.

* * * *

Mr. Flores made an amendment that Ms. Buchanan, as President of the San Antonio Conservation Society, be named to the Task Force in place of Ms. Claire Golden, and that Mr. John Voegler of the Hotel/Motel Association also be named to the Task Force as an ex-officio non-voting member. Ms. Billa Burke seconded the motion.

Mr. Peak stated his opinion that the Task Force needs to help the City Council deal with short-term problems on the RiverWalk. He spoke in support for adding the president of the Conservation Society to the group, and spoke to the Society's longstanding involvement with the downtown San Antonio River.

Mr. Webster spoke to his concern with the loss of valuable expertise about the RiverWalk by the deletion of Ms. Golden from membership on the Task Force.

Mr. Claire Golden, a member of the Historic and Design Review Commission, spoke in favor of the inclusion of the President of the Conservation Society for Task Force membership, but against removal of her own name from prospective membership, stating her belief that this would be a 'slap in the face' to the Historic and Design Review Commission, which she feels should be represented on this group.

Mr. Solis addressed the background of the Task Force creation and its need to address short-term RiverWalk problems. He asked that Task Force meetings be open to the public, noting that everyone has an

interest in RiverWalk decisions.

Mr. Ross spoke to his desire that records of the Council meeting today reflect the interim nature of this Task Force, noting that it does not replace any City board or commission. He stated that the only change being brought about by the Task Force will be looking into and making recommendations about certain RiverWalk problems. He noted that the Task Force's charge does not go beyond the four key issues, as outlined, and in fact is only formalizing a process that already is underway.

Mr. Marbut spoke to the need to include Parks & Recreation people, informally.

Mr. Flores emphasized the 'interim' nature of the Task Force.

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

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

Mr. Darner stated that the first meeting of the new Task Force will be next Monday at 4:30 P.M. for a tour of the RiverWalk.

- - -

95-47 ASSASSINATION OF ISRAELI PRIME MINISTER RABIN

Mr. Marbut asked the City Council to remember Israeli Prime Minister Rabin, who was assassinated, and to reflect upon his credits, calling him both a warrior and a peacemaker who worked with everyone concerned to bring about peace in the Middle East.

Mr. Ross, speaking as an individual, thanked Mayor Thornton for his praise of the late Mr. Rabin in letters to representatives of the San Antonio Jewish community.

Mayor Thornton called Prime Minister Rabin 'a man of peace'.

- - -

95-47 ZONING HEARINGS

It was the concensus of City Council members present to undertake consideration of Agenda Item 3-H, Zoning Case #Z95230, at this time.

- - -

3H. CASE #Z95230 - to rezone and reclassify P-10, P-10A, P-10C, P-14A, NCB 18089, Crystal Hill and Crystal Bow, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District. Property is located at the intersection of Crystal Hill and Crystal Bow, Crystal Bow Run and Crystal Moon and Crystal Bow.

Mr. Ross asked that representatives of the Northside Independent School District speak first to this requested rezoning.

Ms. Katie Reed, President, Northside Independent School District board of directors, noted that the school district already serves some 184 major apartment projects and their occupants, and the district continues to grow. She spoke to the district's strategic plan of diverse growth, noting that the district is trying to plan for the future. She spoke to her concern with in-fill developments such as this and their impact upon the district, and asked that the school district be involved in the process each time such a zoning matter comes up.

Mr. Ed Rawlinson, Superintendent, Northside Independent School District, addressed the cramped condition of NISD schools, and the impact of the apartments planned in this case, as well as the increased traffic. He spoke to his desire to be able to work with the City on such issues.

Mr. Stan Wagehalter, President-elect, San Antonio Coalition of Neighborhood Associations, asked that his group be informed when such issues come up.

Mr. Ernani Falcone, 9322 Beauwulf, representing the Alliance of Northwest Neighborhoods, asked that the City Planning Department staff be directed to alert any affected neighborhood association without a Neighborhood Plan on any zoning or replatting requests within their respective areas, and the same information also be made available to Northside Independent School District.

Mr. Ross stated his belief that the Council's Policy and Planning Committee would be the proper place to consider this recommendation.

Mr. Ross made a motion to continued this rezoning case for a period of 60 days. Mr. Solis seconded the motion.

Mayor Thornton noted that streets, traffic and other areas are impact by growth in any area of the city.

Mr. Ross asked that that Mr. Falcone's request for direction be reviewed by the Council's Policy and Planning Committee, and then brought back to the Council for a "B" Session discussion. Mr. Solis, chairman of that committee, agreed.

The motion to continue this rezoning request for a period of 60 days then prevailed by the following vote: AYES: Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Webster, Thornton. NAYS: None. ABSENT:

Flores, McClendon, Peak.

Zoning Case Z95230 was continued for a period of 60 days.

3A. CASE #Z95228 - to rezone and reclassify Lots 3, 4 and 5, Block 19, NCB 14729 Huebner Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District. Property is located southwest of the Southern Pacific Railroad right-of-way, between Pebble Lane and Huebner Road, having 305.07 feet on the Southern Pacific Railroad right-of-way, 235.53 feet on Pebble Lane and 179.22 feet on Huebner Road.

Mr. Marbut made a motion to direct City staff to take this case back to the Zoning Commission, along with a previous zoning of Lots 1, 6, & 7, Block 19, NCB 14729, for side-by-side reconsideration. Mr. Webster seconded the motion.

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

3B. CASE #Z95208 - to rezone and reclassify Lot 18, Block 11, NCB 19068, 10070 Fall Harvest, from "R-5" Single Family Residence District to "R-7" Small Lot Home District. Property is located at the intersection of Addersley Drive and Fall Harvest, having 48.07 feet on Fall Harvest and a depth of 93.90 feet.

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

Mr. Marbut 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, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon.

AN ORDINANCE 83,164

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 LOT 18, BLOCK 11, NCB 19068, 10070 FALL HARVEST, FROM "R-5" SINGLE FAMILY

RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT.
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

* * * *

3C. CASE #Z95212 - to rezone and reclassify Lot 35, Block 1, NCB 18831, Hidden Iron, from "R-1" Single Family Residence District to "R-5" Single Family Residence District. Property is located at the intersection of Hidden Iron and Hidden Iron Circle, having 55.60 feet on Hidden Iron and a depth of 121.62 feet.

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

Mr. Herrera asked that the applicant speak with him about the rezoning requests in the future prior to the case coming before City Council for action.

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

AN ORDINANCE 83,165

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 LOT 35, BLOCK 1, NCB 18831, HIDDEN IRON, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT, TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3D. CASE #Z95226 - to rezone and reclassify 3.2858 acres out of Lot 3, NCB 16046, 6100 Ingram Road, from "B-2" Business District to "3NA" Non-Alcoholic Sales Business District. Property is located on the southside of Ingram Road, 662.02 feet west of the intersection of Ingram Road, 662.02 feet west of the intersection of Ingram Road and Callaghan Road, having 104.31 feet on Ingram Road and a depth of 967.30 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. Solis 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, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Marbut.

AN ORDINANCE 83,166

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 3.2858 ACRES OUT OF LOT 3, NCB 16046, 6100 INGRAM ROAD, FROM "B-2" BUSINESS DISTRICT TO "3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3E. CASE #Z95229 - to rezone and reclassify 14.55 acres out of NCB 17641, State Highway 151, from "B-3" Business District to "B-2" Business District. Property is located on the southwest side of State Highway 151, between Westover Hills Boulevard and Military Drive West, having 301.29 feet on State Highway 151, and a depth of 1,275.40 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: Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Marbut.

AN ORDINANCE 83,167

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 14.55 ACRES OUT OF NCB 17641, STATE HIGHWAY 151, FROM "B-3" BUSINESS DISTRICT TO

"B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

*** * * ***

3F. **CASE #Z95214 - to rezone and reclassify Lot 6, save and except the northeast 50 feet NCB 14968, Starcrest Drive, from "B-2" Business to "B-3NA" Non-Alcoholic Sales District. Property is located between Lime Blossom and Starcrest Drive, 217 feet northwest of the intersection of Budding Boulevard and Starcrest Drive, having 148.58 feet on Starcrest Drive and a depth of 133 feet.**

Mr. Peak stated that he has certain concerns with the rezoning plans, and noted that the applicant did not speak with him about this requested action prior to today's meeting.

In response to a question by Mr. Peak, Mr. Russell Felan, representing the applicant, addressed his client's plans for buffering, development plans, and parking.

Mr. Peak spoke to neighbors' concerns and complaints about the testing of sirens by the applicant, on this property.

Mr. Peak made a motion to continue this rezoning case until the meeting of December 14, 1995, to allow sufficient time for him to meet with the applicant to address certain concerns. Mr. Webster seconded the motion.

After consideration, the motion to continue the case until December 14, 1995 prevailed by the following vote: **AYES: Flores, Avila, Solis, Ross, Peak, Webster, Thornton. NAYS: None. ABSENT: McClendon, Billa Burke, Herrera, Marbut.**

Zoning Case Z95214 was continued until December 14, 1995.

95-47 WITHDRAWAL OF REQUEST FOR RE-HEARING OF ZONING CASE

Mr. Peak made a motion to withdraw his previous request for a re-hearing of Zoning Case Z95201, approved by City Council on September 28, 1995 as Ordinance No. 82905. Mr. Webster seconded the motion.

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

3G. **CASE #Z95224 - to rezone and reclassify 7.476 acres out of NCB 14667, Pembroke Road and Horn Boulevard, from "0-1" Office District to**

November 09, 1995
bgg

19

"P-1(R-7), Planned Unit Development Small Lot Home District. Property is located between Pembroke Road and Horn Boulevard 346.18 feet southwest of the intersection of Babcock Road and Horn Boulevard, having 239.23 feet on Horn Boulevard, 472.52 feet on Pembroke Road and 925.01 feet between these two streets.

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 Ordinance, prevailed by the following vote: AYES: Billa Burke, Avila, Solis, Ross, Peak, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Herrera, Marbut.

AN ORDINANCE 83,168

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 7.476 ACRES OUT OF NCB 14667, PEMBROKE ROAD AND HORN BOULEVARD, FROM "O-1" OFFICE DISTRICT TO "P-1(R-7)" PLANNED UNIT DEVELOPMENT SMALL LOT HOME DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

31. CASE #Z95218 - to rezone and reclassify 1.490 acres out of NCB 9587, Fair Avenue and South Gevers Street, from "F" Local Retail District to "B-3NA" Non Alcoholic Sales Business District. Property is located 91 feet north and 289.57 feet east of the intersection of Fair Avenue and 154.97 feet on South Gevers Street.

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, Ross, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Herrera, Marbut, Peak.

AN ORDINANCE 83,169

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 1.490 ACRES OUT OF NCB 9587, FAIR AVENUE AND SOUTH GEVERS STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3J. CASE #Z95072 (PP) - to rezone and reclassify lot 24, save and except the east 150 feet, NCB 7899, West of 731 Pleasanton Road, from "B" Residence District to "B-1" Business District. Property is located 525 feet north of the intersection of Brighton Avenue and Pleasanton Road, being 150 feet west of Pleasanton Road having a width of 212 feet and a depth of 477 feet.

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

Mr. Solis 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, Ross, Webster, Thornton; NAYS: None; ABSENT: Flores, McClendon, Herrera, Marbut, Peak.

AN ORDINANCE 83,170

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 24, SAVE AND EXCEPT THE EAST 150 FEET, NCB 7899, WEST OF 731 PLEASANTON ROAD, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3K. CASE #Z95216 - to rezone and reclassify lots 1,2,3 and 4, Block 1, NCB 9023, 3110 South Zarzamora Street, from "R-2" Two Family Residence District "B-3R" Restrictive Business District. Property is located on the east side of Zarzamora Street, between Carroll Avenue and Jennings Avenue, having 250 feet on both Zarzamora and Phyllis Streets and 145.62 feet on Carroll and Jennings Avenues.

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

Mr. Solis explained that this case involves the first Sonic Drive-In in District 5, and thanked the company for investing in San Antonio's west side.

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

AN ORDINANCE 83,171

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1,2,3 AND 4, BLOCK 1, NCB 9023, 3110 SOUTH ZARZAMORA STREET, FROM "R-2" TWO FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3L. CASE #Z95205 - to rezone and reclassify the north 80 feet of lot 17, Block 8, NCB 8777, 1139 New Laredo Highway, from "B-3" Business District to "B-2" Business District. Property is located on the north side of New Laredo Highway 22.1 feet northeast of the intersection of New Laredo Highway and Price Avenue, having 166 feet on New Laredo Highway and a depth of 160 feet.

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

In response to a question by Mr. Avila, Mr. Rudy Hettler, representing the applicant, briefly explained the plans for usage of this property.

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

AN ORDINANCE 83,172

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 80 FEET OF LOT 17, BLOCK 8, NCB 8777, 1139 NEW LAREDO HIGHWAY, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3M. CASE #Z95222 (CC) - to rezone and reclassify A 0.041 acre tract out of Lot 1, Block 38, NCB 15476, 2299 S.W. Loop 410 Expressway, from "B-3R" Restrictive Business District to "B-3R" CC Restrictive Business District with City Council approval for a communication transmission tower. Property is located on the west side of S.W. Loop 410 Expressway 355 feet north of the intersection of Demya Drive and S.W. Loop 410 Expressway, having 30 feet on S.W. Loop 410 Expressway and a depth of 60 feet.

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

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

AN ORDINANCE 83,173

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.041 ACRE TRACT OUT OF LOT 1, BLOCK 38, NCB 15476, 2299 S.W. LOOP 410 EXPRESSWAY, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3R" CC RESTRICTIVE BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

95-47 It was the concensus of City Council members present to temporarily interrupt the hearing of zoning cases in order to consider Agenda Item 38 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 95-47-58

SUPPORTING CITIZENS RIGHT TO LIVE AND PROSPER IN A MULTILINGUAL (ENGLISH PLUS) SOCIETY, AS REQUESTED BY MAYOR WILLIAM E. THORNTON AND COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

Mayor Thornton spoke to the debate about "English Only" and the impact it has on San Antonio, stating his belief that San Antonio is a longtime bilingual community. He noted that the English language already is the language of choice for persons in many walks of life, and stated his belief that "English Only" would be divisive. He further stated his opinion that bilingualism is necessary in business and trade, in many cases, and he spoke to several examples.

The following individuals appeared to speak:

Mr. Eddie Herrera, representing the Hispanic Chamber of Commerce, addressed the topic of unity in San Antonio, and thanked the Mayor and Council for promoting the multi-cultural aspects of San Antonio.

Mr. Joe Krier, President, Greater San Antonio Chamber of Commerce, spoke in support for "English Plus", and addressed the multi-cultural image of San Antonio.

Mr. Dan Solis, representing Involvement of Mexican-Americans in Gainful Endeavors (IMAGE), spoke in support for the "English Plus" Resolution before City Council for consideration.

Ms. Mary Kinney, representing an immigrant service, thanked the Mayor and Council for its Resolution and spoke against discrimination against immigrants. She spoke against the "English Only" movement, nationally.

Mr. Frank Perales, representing American GI Forum, read from an official statement of his organization, against the "English Only" movement.

Mr. Luis Wilmot, representing the Mexican American Legal

Defense and Education Fund (MALDEF), spoke to the need to overcome the "English Only" drive, and asked for lobbying efforts to defeat the measure in Congress.

A representative of League of United Latin-American Citizens (LULAC) Council #2 stated that his organization stands with the Mayor and City Council on the proposed Resolution, and in favor of lobbying against the "English Only" drive in Washington.

Mr. Solis spoke to the need for the City Council to send a strong message that it supports "English Plus", and he spoke in support for multi-lingualism.

Mr. Ross noted that San Antonio is a multi-cultural/multi-lingual city, although the English language is the de facto official language of the United States. He spoke in support for the wording on the pending Resolution, stating his opinion that the issue is not "English Only", but perhaps other agendas.

Mr. Webster noted that statistics indicate that some 94 per cent of persons living in the United States speak English, and stated his belief that support is needed for the idea that a second language needs to be learned.

Mr. Bert Pfeister, representing the North Side Chamber of Commerce, spoke to the need to send a signal about how San Antonio stands on this issue, and he spoke in support for the Resolution, then read from a statement of his organization in support of "English Plus".

* * * *

Mayor Thornton spoke to the impact of the Spanish language on San Antonio, in all facets of life.

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

95-47 At this point, Mayor Thornton was obliged to leave the meeting. Mr. Peak presided temporarily in place of Mayor Pro Tem Webster in order for Mr. Webster to speak to the final two zoning cases in his district.

ZONING HEARINGS (CONTINUED)

3N. CASE #295219 - to rezone and reclassify lot 17 and a 0.22 acre tract and a 0.69 acre tract out of NCB 8687, 915 Austin Highway, from "F" and "H" Local Retail Districts and "B" Residence District to "B-3NA"

Non-Alcoholic Sales District. The 0.69 acre tract is located on the west side of Franklin Street 100 feet north of the intersection of Franklin Street and Austin Highway, having 199.22 feet on Franklin Street and a depth of 150.83 feet; the 0.22 acre tract is located on the east side of Franklin Street, 123.27 feet north of the intersection of Franklin Street, 123.27 feet north of the intersection of Franklin Street and Austin Highway, having 279.22 feet on Franklin Street and a depth of 45.71 feet; Lot 17, is located at the northeast intersection of Franklin Street and Austin Highway, having 123.27 feet on Franklin Street and a depth of 45.71 feet.

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

Mr. William D. Wiseman, the applicant, stated that his automobile repair garage has been an ongoing business since 1968 at this location, and spoke to its expansion over the years. He then presented a sketch of proposed changes to the building, stating his opinion that the neighborhood needs his expanded services. He then spoke to his responses to objections raised to current plans for expansion.

Mr. Stephen Straub, 944 Austin Highway, read a letter from the City of Terrell Hills relative to the major revision of its own Comprehensive Zoning Ordinance, citing its belief that certain City of Terrell Hills properties in the vicinity of this planned rezoning within the City of San Antonio, across Austin Highway, are in fact single-family residential properties. A copy of the letter is made a part of the papers of this meeting. Mr. Straub spoke to his objections to the auto repair garage at this location, displaying a map with opponents to the rezoning highlighted. He then addressed the expansion of this business over the years in what he feels is a residential area, and spoke of the business's impact on the area.

Mr. Wiseman spoke in rebuttal to the complaints about alleged 'hot-rodding' of vehicles by his employees, and the contention that this is a residential area, citing nearby commercial business uses.

After consideration, Mr. Webster made a motion to approve the recommendation of the Zoning Commission. Mr. Ross seconded the motion.

In response to a question by Mr. Peak, Mr. Wiseman noted that an existing business is being improved, and noted that he is in the process of purchasing additional property to the rear of his business for additional parking. He stated that no auto repair work is performed outside the confines of the building.

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

AN ORDINANCE 83,174

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 17 AND A 0.22 ACRE TRACT AND A 0.69 ACRE TRACT OUT OF NCB 8687, 915 AUSTIN HIGHWAY, FROM "F" AND "H" LOCAL RETAIL DISTRICTS AND "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

30. CASE #Z95032-E - to rezone and reclassify P-7 and P-7A, NCB 16587, In the 14500 Block of Toepperwein Road, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales District. Property is located on the northeast side of Toepperwein Road, being approximately 620 feet north west of the intersection of Raintree Forest Drive and Toepperwein Road, having 300 feet on Toepperwein Road and a depth of 320 feet.

A discussion took place concerning the property involved in this particular zoning case, during which Mr. Andy Guerrero, Land Development Services, was asked to speak with Mr. Ed Andrade.

Mr. Ed Andrade, 1119 Northhedge Drive, stated that when he purchased this property, he was told that it was commercial in nature. He spoke of his hope to avoid incurring some \$1,250 in zoning costs, stating his belief that he was misled when he purchased the property.

Mr. Guerrero briefly explained Mr. Andrade's options in this matter.

Mr. Webster stated that he would be circulating a six-signature Council memo on this matter.

Mr. F. B. Steadman, 609 Candleglo, spoke to previous commercial zoning on certain properties, since changed by the City of San Antonio rezoning to residential. He stated that he never was notified of the rezoning action.

Mr. Webster stated his desire to continue consideration of a portion of the properties involved to the Council meeting of December 14, 1995.

Mr. Michael Rayleigh, owner of Lot P-7A, stated his belief that his property is commercial.

Mr. Webster made a motion to approve B-3NA zoning on P-7A, NCB 16587, and to continue the case involving Lot P-7, NCB 16587 until December 14, 1995. Mr. Herrera seconded the motion.

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

AN ORDINANCE 83,175

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-7 AND P-7A, NCB 16587, IN THE 14500 BLOCK OF TOEPPERWEIN ROAD, 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."

* * * *

95-47 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mr. Peak, presiding in the temporary absence of both the Mayor and Mayor Pro Tem, declared the Public Hearing to be open.

Mr. Roland Lozano, Director of Asset Management, briefly explained the quitclaiming of a portion of unimproved pecan Springs Drive, stating that City staff recommends approval.

No citizen was signed to speak to this matter.

Mr. Peak, presiding, declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 83,176

CLOSING, VACATING, ABANDONING AND QUITCLAIMING A PORTION OF UNIMPROVED PECAN SPRINGS DRIVE FROM THE SOUTH RIGHT-OF-WAY LINE OF LOOP 1604 TO A POINT APPROXIMATELY 850 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF I.H. 10 WEST, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY I.H. 10/LOOP 1604 VENTURE, ET AL.

* * * *

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

- - -
95-47 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mr. Peak, presiding in the temporary absence of both the Mayor and Mayor Pro Tem, declared the Public Hearing to be open.

City Clerk Norma S. Rodriguez stated that City staff has asked that the Public Hearing portion of this proposed quitclaiming of an alley be held at this time, but that formal City Council action be withheld.

No citizen was signed to speak to this matter.

Mr. Peak, presiding, declared the Public Hearing to be closed.

Mr. Avila made a motion to postpone action on this proposed ordinance at this time. Mr. Herrera seconded the motion.

After consideration, the motion to postpone action at this time prevailed by the following vote: AYES: McClendon, Avila, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: Flores, Billa Burke, Solis, Thornton.

Formal action on this proposed ordinance was postponed.

- - -
95-47 At this time, Mayor Thornton returned to the meeting to preside.

- - -
95-47 The Clerk read the following Resolution:

A RESOLUTION NO: 95-47-59

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING THE ISSUANCE OF REVENUE REFUNDING BONDS, IN AN AMOUNT NOT TO EXCEED \$6,475,000 DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS, HIGHER EDUCATION AUTHORITY, INC. EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS (THE UNIVERSITY OF TEXAS AT SAN ANTONIO PHASE I DORMITORY PROJECT), SERIES 1995" BY THE CITY OF SAN ANTONIO, TEXAS HIGHER EDUCATION AUTHORITY, INC.; AND AUTHORIZING

THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION
THEREWITH.

* * * *

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

Mr. Clint Bolden, Director of Economic Development, explained
the proposed Resolution.

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

- - -
95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,177

ACCEPTING THE DOWNTOWN SAN ANTONIO PARKING STUDY
INCLUDING THE ESTABLISHMENT OF A FIVE-YEAR ACTION
PLAN FOR DOWNTOWN PARKING FACILITIES.

* * * *

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

Mr. John German, Director of Public Works, narrated a brief
video presentation of the proposed Downtown Parking Study. A copy of
his presentation is made a part of the papers of this meeting.

Mr. Ross noted that this is a product of many long hours of
hard work by all involved.

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

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

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,178

ESTABLISHING A REPORTING SYSTEM FOR DEBT TRANSACTIONS UNDERTAKEN BY THE CITY AND ITS AGENCIES WHICH PROVIDE FUNDING FOR CAPITAL IMPROVEMENT PROGRAMS IN CONFORMANCE WITH THE DIRECTION OF CITY COUNCIL.

* * * *

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

Ms. Nora Chavez, Director of Finance, briefly explained their reporting systems in use by the state and certain other cities, and spoke to how the city's reporting will be handled, should data not be available at that particular time.

Mr. Marbut stated that he is comfortable with the provisions of this proposed ordinance.

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

Mr. Ross noted that the proposed forms are virtually the same as those in use by the state and by Bexar County.

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

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,179

AUTHORIZING THE RETENTION OF W. WENDELL HALL, OF FULBRIGHT AND JAWORSKI, L.L.P., M TO REPRESENT CITY IN THE CAUSE STYLED HELEN DUTMER V. CITY OF SAN ANTONIO, SA 95-CA-0764 IN THE UNITED STATES DISTRICT COURT AND FURTHER AUTHORIZATION PAYMENT THEREFORE IN AN AMOUNT NOT TO EXCEED \$35,000.00.

* * * *

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

Mr. Lloyd Garza, City Attorney, stated that this matter was explained to City Council in Executive Session last week, and he outlined the substance of the challenge to the City Charter's provision on term limits for elected officials.

In response to a question by Ms. McClendon, Mr. Garza noted that the suggested \$35,000 figure will cover costs associated with the first round of this lawsuit.

Mr. Webster stated his opinion that the City needs to take a strong stand on this matter, noting that the citizens, by vote, favor term limitation.

A discussion then ensued concerning possible options to the court's decisions and the projected costs in the anticipated two-year lawsuit.

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

95-47 The Clerk read the following Ordinance:

AN ORDINANCE 83,180

AUTHORIZING SETTLEMENT WHICH CERTAIN PLAINTIFFS IN THE CASE STYLED SAN ANTONIO POLICE OFFICERS ASSOCIATION ET AL. V. CITY OF SAN ANTONIO, CAUSE NO. 92-CI-11196 IN THE 224TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY FOR THE TOTAL AMOUNT OF \$152,014.00.

* * * *

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

Mr. Lloyd Garza, City Attorney, noted that this matter was explained to City Council in Executive Session last week. He addressed the substance of the lawsuit, noting that the proposed settlement involves some 14 claims, but other claims remain unresolved.

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

95-47 City Council recessed its regular meeting at 4:55 P.M. in order to convene in Executive Session for the purpose of:

1. Staff briefing and report on litigation case styled Robert Franks vs City of San Antonio, Cause No. 208,476; County Court No. 3; Appeal No. 04-94-00433-CV.

2. Staff briefing and report on litigation case styled Elsie Christiansen vs. City of San Antonio, Cause No. 93-CI-18011.

City Council adjourned the Executive Session and reconvened in regular session at 5:12 P.M., at which time Mayor Thornton announced that the City Council had been briefed on the above topics and had given staff direction, but had taken no official action.

95-47

CITIZENS TO BE HEARD

Mayor Pro Tem Webster presided in the absence of the Mayor.

MRS. PATSY CHEYNEY

Mrs. Patsy Cheyney, San Antonio Alliance for the Mentally Ill, spoke to the Council regarding their concerns if the Center for Health Care services is merged with the San Antonio Hospital District. She then spoke to the need for better monitoring of the funds for the mentally ill.

MR. KARL WURZ

Mr. Wurz spoke to the Council on the topic entitled, "Downtown Initiatives Forum Meet Rainted/Musical Chairs Other Games Played in Process." (A copy of Mr. Wurz' statement is on file with the papers of this meeting.)

MR. ROBERT THOMPSON

Mr. Thompson spoke to the Council about circumstances with a discussion held at a City Council meeting in August of 1994. The discussion centered around an Ordinance extending the current contract with Benefit Planners, Inc., and Preferred Health Arrangement to provide third-party administrative services for various City employee groups for a one-year period. He took issue with a proposed plan of action which

was brought to the City Council's attention by the City Clerk in which the transcription of the minutes of August 25, 1994 were in error and her suggestion to correct the minutes after listening to the original tape. He is representing Managed Health Care Services and would like the opportunity to have new proposals for bids out for these services.

Mrs. McClendon took issue with statements made by Mr. Thompson relative to the correction of the minutes. She stated that the City Council will have to correct any minutes and that the City Clerk is making that recommendation after listening to the original tape recording of the minutes of that date. She suggested that Mr. Thompson obtain a cassette tape from the City Clerk's office on the issue for his perusal.

- - -
MR. JUAN B. VELA

Mr. Juan Vela spoke to the City Council about his concerns with violence in the world and that San Antonio sets a positive example to the rest of the world.

- - -
MR. GEORGE BIGLEY

Mr. George Bigley expressed concerns with the manner in which the San Antonio Housing Authority manages its organization. He stated that he is about to file a lawsuit against the San Antonio Housing Authority for the manner in which he is personally treated.

- - -
MR. RICHARD REAMON

Mr. Richard Reamon spoke to the City Council taking issue with the manner in which the J.C. Penney issue was handled. He stated that the issue was inaccurately recorded and that the Council did not have all the facts before passing judgement and making statements on the issue.

- - -
MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 No. Frio, spoke to the Council about his dismay and concerns on what occurred in Israel with the assassination of Prime Minister Rabin. He also spoke about the need for bilingualism in the United States.

MR. MICHAEL KETTRING

Mr. Michael Kettring read a poem to the City Council on various social and current issues.

Mayor Pro-Tem Webster asked Mr. Kettring to provide a copy of his poem to the City Council at his convenience.

MR. NEILS CHRISTENSEN

Mr. Neils Christensen took issue with Spanish being spoken in front of people who do not understand the language. He also reiterated comments made by a previous speaker, Mr. Reamon, and took issue with comments by the Mayor and Councilman Solis on the English only issue.

95-47 There being no further business to come before the Council, the meeting was adjourned at 5:50 P.M.

A P P R O V E D



M A Y O R

Attest:



C I T Y C L E R K

November 09, 1995
bgg

35