

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, DECEMBER  
8, 1994.

\* \* \* \*

94-56 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF.

A. STAFF PRESENTATION ON PROPOSED RIVER BOATS & BARGES CONTRACT REQUEST FOR PROPOSALS PROCESS - City Council concurred with presentation and schedule as presented by City staff.

B. PRESENTATION OF THE MINORITY/WOMEN-OWNED BUSINESS ENTERPRISES PROGRAM CONTRACTING GOALS & CONTRACTING STATUS REPORT - City Council concurred with proposed goals and moved it forward to "A" Session for official Action.

\* \* \* \*

94-56 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

- - -  
94-56 Invocation - Dr. Charles Kemble, Northwest Hills Baptist Church.

- - -  
94-56 Pledge of Allegiance to the flag of the United States.

- - -  
94-56 Minutes of the October 13, 1994 Regular City Council Meeting were approved.

- - -  
94-56 SPEAKER OF THE TEXAS HOUSE, HON. PETE LANEY

Mayor Wolff introduced the incoming Speaker of the Texas House

of Representatives, the Hon. Pete Laney, present in the audience, and spoke to Speaker Laney's legislative background and leadership.

Speaker Laney spoke to San Antonio's involvement in statewide issues, and thanked the Mayor for inviting him to this session of the City Council. He commended Bexar County's legislative delegation.

Ms. Ayala, Mr. Larson and Mr. Perez welcomed Speaker Laney to the Council meeting, and addressed certain issues facing Texas this upcoming session of the State Legislature.

Mayor Wolff then introduced three members of Bexar County's legislative delegation, also present in the audience, and presented Speaker Laney with a photograph montage of San Antonio scenes.

State Rep. Ciro Rodriguez spoke to Speaker Laney's knowledge of water and education issues.

State Rep. Christine Hernandez spoke to her willingness to work with the City in the next session.

Ms. Billa Burke lauded Speaker Laney for seeking out the feelings of all areas of the state, prior to the next legislative session.

94-56

RESOLUTION OF RESPECT - WILLIAM C. VANN

Mayor Wolff read the following Resolution of Respect:

NO. 94-56-55

WHEREAS, LIFE CAME TO A CLOSE FOR WILLIAM C. "WILLIE" VANN ON NOVEMBER 1, 1994; AND

WHEREAS, MR. VANN SERVED THE CITY HE LOVED FOR 19 YEARS AS A PLANNER IN THE CITY OF SAN ANTONIO'S PLANNING DEPARTMENT; AND

WHEREAS, HE WAS RECOGNIZED BY HIS COLLEAGUES AS A TRUE PUBLIC SERVANT WHO ALWAYS MADE EVERY EFFORT TO ACHIEVE EXCELLENCE IN HIS WORK; AND

WHEREAS, OVER THE YEARS, MR. VANN RECEIVED ACCOLADES FROM COUNTLESS CITIZENS FOR HIS INSIGHT INTO THE CITY'S PLANNING PROCESS AND ULTIMATE DEVELOPMENT OF HOMES/SUBDIVISION AND BUSINESSES; AND

WHEREAS, DURING HIS LIFETIME, MR. VANN MANAGED TO MERGE SUCCESSFULLY HIS LOVE OF FAMILY, CHURCH, CITY AND COUNTRY INTO A COMPLETE AND WELL-ROUNDED LIFE OF COMMITMENT TO ALL; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

SAN ANTONIO:

SECTION 1. THAT WITH THE DEATH OF WILLIAM C. VANN THE CITY HAS LOST A VALUABLE ASSET TO ITS PAST, PRESENT AND FUTURE.

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

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

PASSED AND APPROVED THIS 8TH DAY OF DECEMBER, 1994.

\* \* \* \*

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

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

Mayor Wolff then presented the Resolution of Respect to members of the late Mr. Vann's family and offered the City Council's condolences.

Representatives of the late Mr. Vann's family thanked the City for honoring him and for sharing in their loss.

City Council members each expressed their personal condolences to the family and spoke to their remembrances of Mr. Vann and his work.

94-56 "HOW MUCH IS THAT DOGGIE/KITTY IN THE WINDOW?" DAY

Mayor Wolff noted that, on December 18, the Hilton Palacio del Rio Hotel and other sponsors will hold their annual "How Much Is That Doggie/Kitty In The Window" event. He then read the formal proclamation designating the day in San Antonio, and presented it to members of the official delegation present in the audience.

Mr. Robert Thraikill, Resident Manager of the hotel, addressed details of the annual event.

Ms. Sally Scott, Animal Defense League, spoke to the 60-year-old organization's involvement in this event.

Ms. Brunella Brune, representing KTFM Radio, addressed the history of this event and introduced "Santa Claws", who then distributed gifts to members of the City Council.

94-56

TRINITY UNIVERSITY FOOTBALL TEAM

Mayor Wolff spoke of Trinity University's undefeated regular football season, just completed, and stated that both coaches and players have been invited to City Council meeting today to be formally congratulated for their outstanding season. He then read a Citation congratulating the team, and presented it to university representatives present in the audience.

Mr. Bob King, Athletic Director, spoke to Trinity's representation of the city of San Antonio, around the nation, then introduced others in the official delegation, including three members of the football team who are present to represent the entire team.

Members of the group presented Council members with special tee-shirts, and a special game jersey to Mayor Wolff.

Members of City Council individually congratulated the team and school for their accomplishments.

94-56

SAN ANTONIO ZOO DOCENT COUNCIL

Mayor Wolff stated that San Antonio 2000 today is recognizing the San Antonio Zoo Docent Council as recipient of the "Find The Good and Praise It" program. He noted that the Docent Council was initiated as a community project to aid and assist the Director of the San Antonio Zoo and the Zoological Society. He further stated that one of its successful programs is "Here Comes The Zoo", designed to bring a piece of the Zoo to schools located in Bexar County.

Dr. Jeffrey Wiedeman, Chairman of the Docent Council, spoke to details of the program, as other members of the delegation displayed examples of exhibits used in educational programs in the schools. He then introduced Ms. Gay Keahey, founder of the Council; and Ms. Cynthia Robinson, an active docent.

City Council members congratulated the Council on its accomplishments.

94-56

SALE OF BONDS AND CERTIFICATES OF OBLIGATION

Mayor Wolff declared the Public Hearing to be open.

No citizen was registered to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

Ms. Nora Chavez, Director of Finance, addressed the bids received on the sale of the Certificates of Obligation and General Revenue Bonds earlier today, and spoke to the financial market's effects upon those bids, including the possible impact made by the bankruptcy filing by Orange County, California. She also spoke to the effects of the possible further rise in interest rates by the Federal Reserve Board.

Mayor Wolff spoke to details of the Orange County, California bankruptcy matter involving some \$1.5 billion, and its possible effects upon today's financial markets.

Ms. Chavez noted that San Antonio received excellent bids, and retained its AA rating. She then spoke to details of the winning bid submitted by Goldman Sachs for some \$10.6 million in Combination Tax and Revenue Certificates of Obligation, Series 1994, for an effective interest rate of 6.530345 per cent.

Mayor Wolff addressed San Antonio's conservative approach to financial matters, and its decision not to take on high-risk investments such as those in the 'derivatives market'.

City Council members congratulated the City's financial team for its efforts and its cautious and conservative approach to bonds.

Mr. Ross noted that the Fire and Police Pension Fund also does not participate in the 'derivatives market'.

The City Clerk then read the following Ordinance:

AN ORDINANCE 81,260

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$10,600,000 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1994"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX AND FURTHER SECURING THE OBLIGATIONS BY A LIMITED LIEN ON AND PLEDGE OF CERTAIN SURPLUS REVENUES OF THE CITY'S MUNICIPAL PARKS; APPROVING AND AUTHORIZING THE EXECUTION OF ALL INSTRUMENTS AND PROCEDURES RELATED THERETO INCLUDING A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL STATEMENT; DECLARING AN EMERGENCY; AND DECLARING AN EFFECTIVE DATE (GOLDMAN SACHS AT 6.530345 PER CENT).

\* \* \* \*

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

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,261

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$30,450,000 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1994"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX; APPROVING AND AUTHORIZING THE EXECUTION OF ALL INSTRUMENTS AND PROCEDURES RELATED THERETO INCLUDING A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL STATEMENT; DECLARING AN EMERGENCY; AND DECLARING AN EFFECTIVE DATE (MERRILL LYNCH AT 6.456529 PER CENT).

\* \* \* \*

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

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

94-56 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 10 through 29b, constituting the Consent Agenda. Mr. Avila seconded the motion.

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

AN ORDINANCE 81,262

ACCEPTING THE LOW BID OF MCGEE COMPANY IN THE AMOUNT OF \$17,690.00 TO PROVIDE THE AUTOMOTIVE OPERATIONS DIVISION WITH A REPLACEMENT HEAVY DUTY DRUM/DISC LATHE NEEDED TO MAINTAIN BRAKE COMPONENTS ON CITY

OWNED VEHICLES.

\* \* \* \*

AN ORDINANCE 81,263

ACCEPTING THE LOW BID OF ALAMO IRONWORKS IN AN APPROXIMATE AMOUNT OF \$23,000.00 ANNUALLY TO PROVIDE THE CITY OF SAN ANTONIO WITH SAFETY BACK SUPPORT BELTS FOR USE BY REQUIRED CITY PERSONNEL; AND AUTHORIZING THE OPTION FOR RENEWAL OF THE CONTRACT FOR ONE ADDITIONAL YEAR UPON MUTUAL CONSENT OF THE CITY AND THE CONTRACTOR.

\* \* \* \*

AN ORDINANCE 81,264

ACCEPTING THE LOW, QUALIFIED BID OF MESA, INC. IN AN APPROXIMATE AMOUNT OF \$14,000.00 ANNUALLY TO PROVIDE THE CITY OF SAN ANTONIO FIREFIGHTERS AND EMERGENCY MEDICAL SERVICE PERSONNEL WITH SAFETY BACK SUPPORT BELTS; AND AUTHORIZING THE OPTION FOR RENEWAL OF THE CONTRACT FOR ONE ADDITIONAL YEAR UPON MUTUAL CONSENT OF THE CITY AND THE CONTRACTOR.

\* \* \* \*

AN ORDINANCE 81,265

ACCEPTING THE LOW, QUALIFIED BIDS OF ARROW INDUSTRIES, INC., ALAMO IRON WORKS AND CENTURY PAPERS, INC. FOR A COMBINED TOTAL OF \$116,866.17 ANNUALLY TO PROVIDE VARIOUS CITY DEPARTMENT WITH PLASTIC BAGS FOR COLLECTION AND DISPOSAL OF TRASH GENERATED BY ACTIVITIES OF THE CITY.

\* \* \* \*

AN ORDINANCE 81,266

DESIGNATING WOODROW E. WOODS ARCHITECTS, INC. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE AMERICANS WITH DISABILITIES ACT MODIFICATIONS TO TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$39,268.00 FOR SUCH PURPOSE.

\* \* \* \*

AN ORDINANCE 81,267

AUTHORIZING CHESNEY-MORALES & ASSOCIATES, INC. TO PROCEED WITH PHASE 2 OF THE FEDERAL INSPECTION

STATION MODIFICATIONS PROJECT IN TERMINAL 1 AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING ARCHITECTURAL FEES IN THE AMOUNT OF \$65,125.00 FOR PHASE 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 81,268

DESIGNATING THE BOMMARITO GROUP TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH STANDARDIZATION OF FLOOR COVERINGS IN THE TERMINAL BUILDINGS AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$61,000.00 FOR SUCH PURPOSE.

\* \* \* \*

AN ORDINANCE 81,269

ACCEPTING THE LOW QUALIFIED ALTERNATE BID OF SUPERIOR ROOFING AND CONSTRUCTION COMPANY IN THE AMOUNT OF \$32,640.00 FOR THE OLMOS BASIN GOLF COURSE CLUBHOUSE ROOF REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR THIS PROJECT; AUTHORIZING \$4,896.00 FOR CONSTRUCTION CONTINGENCIES; AND AUTHORIZING PAYMENT.

\* \* \* \*

AN ORDINANCE 81,270

AUTHORIZING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$92,102.25 PAYABLE TO E-Z BEL CONSTRUCTION, INC. IN CONNECTION WITH THE PENTAGON STREETS PHASE IV COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 81,271

AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,022.77 FOR TITLE SERVICES ON THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III, B & C, ELMENDORF STREET DRAINAGE PROJECT #38, PHASE II, SOUTH FLORES DRAINAGE #70-70A, PHASE II, OCTAVIA PLACE DRAINAGE PROJECT #63, SCIENCE PARK DRAINAGE PROJECT #58H, I & J AND KOCH STORAGE FACILITY AREA EVACUATION ROUTE; AND A GAS RISER RELOCATION EXPENSE ON THE PINN ROAD RECONSTRUCTION PROJECT - WEST COMMERCE TO U.S. 90

WEST COMMERCE TO U.S. 90 WEST; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 81,272

AUTHORIZING THE CITY MANAGER TO EXECUTE A CERTIFICATE AND AGREEMENT CONFIRMING AND CONSENTING TO THE ASSIGNMENT TO CREDIT LYONNAIS NEW YORK BRANCH, AS AGENT FOR CREDIT LYONNAIS CAYMAN ISLANDS BRANCH AND THE SANWA BANK, LIMITED, DALLAS AGENCY, COLLECTIVELY AS PERMANENT LENDER, OF ALL OF THE RIGHTS OF SAN ANTONIO 2000, LTD., A TEXAS LIMITED PARTNERSHIP, AS LESSEE, UNDER THAT CERTAIN LEASE AGREEMENT DATED SEPTEMBER 22, 1994, FOR PROPERTY AT 126 PASEO DEL ALAMO, THE ADJACENT PATIO AREA, AND RIVER WALK (THE "RESTAURANT LEASE"), AS WELL AS, 108.9 SQUARE FEET OF PUBLIC ACCESSWAY ("ELEVATOR") AND ADDITIONAL RIVER WALK SPACE UNDER A SEPARATE LEASE AGREEMENT DATED OCTOBER 16, 1990, IN THE VICINITY OF THE HYATT HOTEL, IN CONNECTION WITH A LOAN MODIFICATION.

\* \* \* \*

AN ORDINANCE 81,273

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$106,505.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE BABCOCK ROAD PROJECT - HUEBNER ROAD TO HAMILTON WOLFE; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SOUTH FLORES STREET DRAINAGE PROJECT #70-70A, PHASE II; ACQUIRING TITLE TO THREE PARCELS IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE WURZBACH PARKWAY PROJECT; AND ACCEPTING THE DEDICATION OF TITLE TO ONE PARCEL AT HILDEBRAND AND BROADWAY.

\* \* \* \*

AN ORDINANCE 81,274

APPROVING A TWENTY-YEAR LEASE AGREEMENT WITH LA MANSION DEVELOPMENT COMPANY, INC. FOR THE USE OF 0.098 OF AN ACRE OR APPROXIMATELY 4,269 SQUARE-Feet OF CITY-OWNED SUBSURFACE SPACE UNDER CROCKETT STREET ADJACENT TO LOTS 10 AND 11 AND ONE-HALF OF THE ALLEY BETWEEN LOTS 9 AND 10 NCB 116, BETWEEN NORTH ST. MARY'S AND NAVARRO STREETS FOR AN ANNUAL RENTAL RATE OF \$3,073.68 SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT.

\* \* \* \*

AN ORDINANCE 81,275

APPROVING A FIVE-YEAR LEASE AGREEMENT WITH LA MANSION DEVELOPMENT COMPANY, INC. FOR THE USE OF SPACE ON THE SOUTH SIDE OF THE SAN ANTONIO RIVER WALK BETWEEN THE NORTH ST. MARY'S STREET AND NAVARRO STREET BRIDGES TO BE USED FOR OUTDOOR DINING, OUTDOOR RETAIL, OR OTHER PERMISSIBLE USES, ADJACENT TO LOTS 9 AND 10 IN NCB 116 FOR AN INITIAL RENTAL NOT TO EXCEED \$1.25 PER SQUARE-FOOT PER MONTH, SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT.

\* \* \* \*

AN ORDINANCE 81,276

AUTHORIZING CONSUMMATION OF THE PURCHASE OF 7.172 ACRES OF LAND ADJACENT TO FRIEDRICH PARK PURSUANT TO AN EARNEST MONEY CONTRACT WITH AMY L. STEINLE, JUDY S. BROWN AND WILLIAM LLOYD SCHAS, AS SELLERS, IN THE AMOUNT OF \$96,822.00 MINUS \$5,000.00 EARNEST MONEY PREVIOUSLY PAID TO THE OWNERS; ACCEPTING A \$15,000.00 ADDITIONAL CONTRIBUTION FROM THE FRIENDS OF FRIEDRICH PARK TO PARTIALLY DEFRAY THE PURCHASE OF SAID PROPERTY; AUTHORIZING A TEMPORARY LOAN OF \$92,036.70 FROM THE GENERAL FUND PENDING AWARD OF A TEXAS DEPARTMENT OF PARKS AND WILDLIFE LOCAL PARKS FUND GRANT TO ACQUIRE SAID PROPERTY; APPROPRIATING FUNDS; AUTHORIZING PAYMENT TO MARTIN ABSTRACT COMPANY, JOURDATION, TEXAS IN THE AMOUNT OF \$92,036.70, CONSISTING OF THE \$91,822.00 BALANCE OF THE PURCHASE PRICE, PLUS A SURVEY DELETION COST OF \$214.70; AND DECLARING AN EMERGENCY.

\* \* \* \*

AN ORDINANCE 81,277

AUTHORIZING THE EXECUTION OF A CONTRACT WITH USAA TO PROVIDE DIRECT LIMITED ACCESS TO THE INFORMATION CONTAINED WITHIN THE KIDCARE RESOURCE AND REFERRAL SERVICES CAREFINDER DATABASE FOR CONSIDERATION IN THE AMOUNT OF \$5,000.00.

\* \* \* \*

AN ORDINANCE 81,278

AUTHORIZING THE ACCEPTANCE OF ASSIGNMENTS OF VENDOR AGREEMENTS FROM THE DEPENDENT CARE MANAGEMENT GROUP

(DCMG) TO THE CITY OF SAN ANTONIO TO PROVIDE FOR THE CONTINUITY OF VENDOR MANAGEMENT SERVICES UNDER THE CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM.

\* \* \* \*

AN ORDINANCE 81,279

AMENDING THE PUBLIC HEALTH STATE SUPPORT 1994-95 BUDGET TO REFLECT A REALLOCATION OF HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FUNDS AMONG SUBCONTRACTORS TO REFLECT ADJUSTMENTS APPROVED BY THE BEXAR COUNTY AIDS CONSORTIUM AND THE TEXAS DEPARTMENT OF HEALTH; AND AUTHORIZING AMENDMENTS IN AGREEMENTS WITH SUBCONTRACTORS TO REFLECT THESE ADJUSTMENTS.

\* \* \* \*

AN ORDINANCE 81,280

AUTHORIZING THE PAYMENT OF \$3,000.00 TO THE URBAN LIBRARY COUNCIL FOR THE CITY'S MEMBERSHIP SHARE OF THE COSTS OF RESEARCH AND INFORMATION COMPILATION ON A VARIETY OF TOPICS RELEVANT TO LARGE URBAN PUBLIC LIBRARIES.

\* \* \* \*

AN ORDINANCE 81,281

APPOINTING J. STEVEN BROWN (DISTRICT 10) TO THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 1996.

\* \* \* \*

AN ORDINANCE 81,282

REAPPOINTING KATHLEEN CALLANAN (DISTRICT 6) TO THE OPEN SPACE ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 29, 1996.

\* \* \* \*

94-56 At the request of Councilman Ross, the City Council by concensus agreed to take up Agenda Item 49 at this time.

A RESOLUTION NO: 94-56-56

URGING THE GOVERNOR, THE INSURANCE COMMISSIONER, AND

December 08, 1994  
bg

11

THE LEGISLATURE OF THE STATE OF TEXAS TO DO ALL THEY CAN TO ENSURE THAT STATE LAW CONTINUES TO PROVIDE FOR THE BENEFITS OF HAVING TAKEN A DEFENSIVE DRIVING COURSE.

\* \* \* \*

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

The following citizen appeared to speak:

Ms. Ida Kenny, representing the San Antonio Senior Citizens Council, explained the need for the state to retain defensive driving class benefits, which she termed a major 'plus' for senior citizens. She also spoke to alleged misuse of this benefit in some courts.

Various Council members also spoke in support of retention of these benefits.

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

94-56

#### ZONING HEARINGS

CASE #Z94219 - to rezone and reclassify 3.287 acres out of NCB 18362, Blanco Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the northwest side of Blanco Road, approximately 500 feet southwest of the intersection of Brookstone and Blanco Road, having 482.84 feet on Blanco Road and a depth of 265 feet.

Mr. Peak made a motion to table this requested rezoning case for a period of two weeks. Mr. Solis seconded the motion.

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

Zoning Case Z94219 was postponed for two weeks.

CASE #Z94260 - to rezone and reclassify Lots 15, Block 49, NCB 8458, from "B" Residence District to "B-1" Business District; Lots, 16, 22, and 23, Block 49, NCB 8458, 3326 Vance Jackson, from "B" Residence District and "B-3NA" Non-Alcoholic Sales Business to "B-2" Business

District. Properties are located on the northeast side of Fredericksburg Road between Ramona Street, Robena Street and Vance Jackson Road, having 319.23 feet on Ramona Street 130 feet on Robena Street, 58 feet on Fredericksburg Road and 220 feet on Vance Jackson Road.

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

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

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

AN ORDINANCE 81,283

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 15, BLOCK 49, NCB 8458, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; LOTS 16, 22, AND 23, BLOCK 49, NCB 8458, 3326 VANCE JACKSON, FROM "B" RESIDENCE DISTRICT AND "B-3NA" NON-ALCOHOLIC SALES BUSINESS TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #294268 - to rezone and reclassify the southwest 108.65 feet of Lot 22, Block 2, NCB 1755, 1019 Euclid Avenue from "D" Apartment District to "B-2" Business District. Property is located 100.65 feet southwest of the intersection of E. Euclid Avenue and E. Park Avenue, having 108.65 feet on E. Euclid Avenue and a depth of 166.42 feet.

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

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

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

AN ORDINANCE 81,284

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHWEST 108.65 FEET OF LOT 22, BLOCK 2, NCB 1755, 1019 EUCLID AVENUE FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94111 - to rezone and reclassify Lots 14, 15, 16 and 17, Block 30, NCB 8111, 302 and 304 E. Sunshine Drive from "B" Residence District to "O-1" Office District. Properties are located on the southside of E. Sunshine Drive, 50 feet west of the intersection of St. Cloud Road and E. Sunshine Drive, having 110 feet on E. Sunshine Drive and a depth of 147.9 feet.

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

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

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

AN ORDINANCE 81,285

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 14, 15, 16 AND 17, BLOCK 30, NCB 8111, 302 AND 304 E. SUNSHINE DRIVE FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94263 (CC) - to rezone and reclassify 0.230 acre tract of land out of NCB 18559, Sand Pebble, from "I-1" Light Industry District to "I-1" CC Light Industry District with City Council Approval

for a communication transmission tower. Property is located south of the intersection of Sand Pebble and San Marino, having 100 feet on Sand Pebble and a depth of 100 feet.

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

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

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

AN ORDINANCE 81,286

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.230 ACRE TRACT OF LAND OUT OF NCB 18559, SAND PEBBLE, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94264 (CC) - to rezone and reclassify 0.025 acre tract of land out of Lot, 17, Block 28, NCB 11571, 1904 Bandera Road, from "F" Local Retail District to "B-3R" CC Restrictive Business District with special City Council approval for a communication transmission tower. Property is located approximately 160 feet northeast of Bandera Road and 100 feet northwest of Broadview Drive, having a width of 35 feet and length of 40 feet.

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

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

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

AN ORDINANCE 81,287

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.025 ACRE TRACT OF LAND OUT OF LOT, 17, BLOCK 28, NCB 11571, 1904 BANDERA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" CC RESTRICTIVE BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94261 - to rezone and reclassify A 1.13 acre tract and a 16.73 acre tract of land out of NCB 17160, Blanco Road, from "R-6" Townhouse Residence District and "B-3" Business District to "R-3" Multiple Family Residence District. The 1.13 acre tract is located on the southeast side of Blanco Road, 540 feet northeast of the intersection of Vista Del Monte and Blanco Road, having 232.22 feet on Blanco Road and a depth of 219.68 feet; and The 16.73 acres are located 145 feet northeast of the intersection of Blanco Road and Vista Del Prado, being 400 feet southeast of Blanco Road, having a width of 455 feet and a depth of 2,496.80 feet.

In response to a question by Mr. Peak, Mr. Bill Kaufman, attorney for the proponent, spoke to negotiations with the two neighborhood associations involved, including details of the agreements reached and application of certain deed restrictions, where agreed to.

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

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

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

AN ORDINANCE 81,288

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 1.13 ACRE TRACT AND A 16.73 ACRE TRACT OF LAND OUT OF NCB 17160, BLANCO ROAD,

FROM "R-6" TOWNHOUSE RESIDENCE DISTRICT AND "B-3" BUSINESS DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94272 - to rezone and reclassify 6.00 acres out of NCB 12065 Southwest of Bitters Road, from "A" Single Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located 200 feet northwest of the intersection of Bitters Road and Stuntman Drive, being approximately 400 feet southwest of Bitters Road, having a width of 210 feet and a depth of 1295.00 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. Solis seconded the motion.

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

AN ORDINANCE 81,289

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 6.00 ACRES OUT OF NCB 12065 SOUTHWEST OF BITTERS ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94258 - to rezone and reclassify Lot 16, Block 1, NCB 13146 3027 Nacogdoches Road, from "F" Local Retail District to "B-3R" Restrictive Business District. Property is located southwest of the intersection of Bitters Road and Nacogdoches Road, having 175 feet on Bitters Road and 213.68 feet on Nacogdoches Road.

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

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

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

AN ORDINANCE 81,290

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 16, BLOCK 1, NCB 13146 3027 NACOGDOCHES ROAD, FROM "P" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #294249 - to rezone and reclassify Lot 2, Block 4, NCB 7465. 178 Kendalia Avenue, from "D" Apartment District to "R-1" Single Family Residence District. Property is located southeast of the intersection of Harald Court and Kendalia Avenue, having 53.3 feet on Kendalia Avenue and 285.4 feet on Harald Court.

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

AN ORDINANCE 81,291

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 2, BLOCK 4, NCB 7465. 178 KENDALIA AVENUE, FROM "D" APARTMENT DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #294250 - to rezone and reclassify The west 33.87 feet of Lot 41, Block 1, NCB 11261, Gracie Street and Bynum Street, from "B" Residence District to "R-1" Single Family Residence District. Property is located on the northwest of the intersection of Gracie Street and Bynum Street, having 33.87 feet on Gracie Street and 128 feet on Bynum Street.

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

AN ORDINANCE 81,292

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 WEST 33.87 FEET OF LOT 41, BLOCK 1, NCB 11261, GRACIE STREET AND BYNUM STREET, FROM "B" RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #294251 - to rezone and reclassify Lots 51 and 52, Block 5, NCB 8293 654 N. San Manuel Street, "C" Apartment District to "R-5" Single Family Residence District. Properties are located on the east side of N. San Manuel Street, 280.9 feet south of the intersection of Culebra Road and N. San Manuel Street, having 50 feet on N. San Manuel Street and a depth of 114.5 feet.

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

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

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

AN ORDINANCE 81,293

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 51 AND 52, BLOCK 5, NCB, 8293 654 N. SAN MANUEL STREET, "C" APARTMENT DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94252 - to rezone and reclassify Lot 21, Block 16, NCB 7263, 803 Olmos Drive West, from "B" Residence District to "R-2" Two Family Residence District. Property is located on the north side of Olmos Drive, 199.93 feet east of the intersection of Olmos Drive and Blanco Road, having 40 feet on Olmos Drive and a depth of 130 feet.

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

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

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

AN ORDINANCE 81,294

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 21, BLOCK 16, NCB 7263, 803 OLMO DRIVE WEST, FROM "B" RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94051-C - to rezone and reclassify Lot 7, NCB 18047, 11460 Hausman Road South, from Temporary "R-1 ERZD" Single Family Residence Edwards Recharge Zone District to "R-2 ERZD" Two Family Edwards Recharge Zone District. Property is located on the eastside of

Hausman Road, being 1030 feet north of the intersection of Hausman Road and Prue Road, having 186 feet on Hausman Road and a depth of 1164.96 feet.

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

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

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

AN ORDINANCE 81,295

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 7, NCB 18047, 11460 HAUSMAN ROAD SOUTH, FROM TEMPORARY "R-1 ERZD" SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-2 ERZD" TWO FAMILY EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94051-D - to rezone and reclassify Lots 11 thru 17 and 17C, NCB 18047, 11600, 11700, 11800 and 11900 Block of South Hausman Road, from "Temporary R-1 ERZD" Single Family Residence Edwards Recharge Zone District to "I-1 ERZD" Light Industry Edwards Recharge Zone District. Properties are located on the eastside of Hausman Road, being 1,400 feet north of the intersection of Prue Road and Hausman Road having 785 feet on Hausman Road and a depth of 585 feet.

Mr. Andy Guerrero, Land Development Services, noted that this rezoning case resulted from an annexation action by the City.

The following citizen appeared to speak:

Mr. Vernon Griffith, 6407 Dove Hill, spoke to commercial uses on the adjacent property, and stated his desire for similar zoning for his property.

\* \* \* \*

Mr. Thornton spoke to the longtime ownership of area properties concerned by persons living there, and development of

commercial uses around them. He stated his belief that the area is surrounded by predominantly residential areas, and spoke to the 'grandfathering' of existing commercial uses, even after annexation into the City. He expressed his belief that this area will remain mainly residential in nature, and stated that when the landowner involved in this rezoning case at hand has a specific use planned for his property, then the City Council will reconsider its rezoning at that time. He then spoke in favor of an R-1 zoning on the property, with certain stipulations.

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

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

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

**AN ORDINANCE 81,296**

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 11 THRU 17 AND 17C, NCB 18047, 11600, 11700, 11800 AND 11900 BLOCK OF SOUTH HAUSMAN ROAD, FROM "TEMPORARY R-1 ERZD" SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "I-1 ERZD" LIGHT INDUSTRY EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94052-A - to rezone and reclassify Parcel 14A and 17 NCB 15664, 11049 Bandera Road, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located on the southwest side of Bandera Road, being 740 feet northwest of the intersection of Tezel Road and Bandera Road, having 620.57 feet on Bandera Road and a maximum depth of 445.84 feet.

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

The following citizen appeared to speak:

Mr. Orville Walters, President, Northwest Crossing Homeowners Association, distributed copies of a prepared statement, asking that the

property concerned by rezoned B-2NA. A copy of his remarks is made a part of the papers of this meeting.

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

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

AN ORDINANCE 81,297

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 14A AND 17 NCB 15664, 11049 BANDERA ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94052-B - to rezone and reclassify Parcel 7A, NCB 15664 Loop 1604 Expressway, from Temporary "R-1" Single Family Residence District to "B-3" SUP Business District with a Special Use Permit for a welding shop with outside storage. Property is located on the southeast side of Loop 1604, being 600 feet northeast of the intersection of Addersley Drive and Loop 1604, having 210.9 feet on Loop 1604 and a maximum depth of 363.69 feet.

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

The following citizens appeared to speak:

Mr. David Raynerson, owner of the property, stated that he had purchased this property as a commercial site for a welding shop.

Mr. Ernani Falcone, 9322 Beowulf, asked that a zoning of B-3NA SUP be given on this property.

\* \* \* \*

Mr. Thornton explained the "grandfather" clause for property uses after annexation, He then 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: McClendon, Solis, Ayala, Thornton, Peak, Wolff; NAYS: None; ABSENT: Perez, Billa Burke, Avila, Ross, Larson.

AN ORDINANCE 81,298

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 7A, NCB 15664 LOOP 1604 EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" SUP BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR A WELDING SHOP WITH OUTSIDE STORAGE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94052-C - to rezone and reclassify Parcel 1E, NCB 18199, Parcel 1G, save and except the west 200' feet, NCB 18199, from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District; Parcel 6, NCB 18199, The west 475 feet of Parcel 5, NCB 18199, the west 200 feet of Parcel 1G, NCB 18199, from Temporary "R-1" Single Family Residence District to "B-3" Business District; Parcel 5, save and except the west 475 feet, NCB 18199 from Temporary "R-1" Single Family Residence District to "B-3NA" SUP Non-Alcoholic Sales Business District with special Use Permit for the operation of compacting and storage of wool. Property is located on the eastside of FM 1604, being 85 feet north of the intersection of Alisa Brooke and FM 1604, having 500 feet on FM 1604 and a maximum depth of 855 feet.

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

The following citizen appeared to speak:

Mr. Larry Thompson, representing the proponent, addressed his concern that the property owner cannot sell Parcel 6 and its existing warehouse without an I-1 zoning to accommodate trucking/warehouse uses there, such as currently exists.

Mr. Orville Walters, President, Northwest Crossing Homeowners Association, asked that a B3NA zoning be granted on all business zoning on this property.

Mr. Ernani Falcone, 9322 Beowulf, asked that Addersly Road be terminated where it currently enters Loop 1604, a view also expressed by Mr. Al Carroll, 9807 Spring Harvest.

\* \* \* \*

Mr. Thornton discussed possible rezoning on the properties concerned, including the parameters of non-conforming rights for the proponent on uses on Parcel 6, to protect the owner's current uses for that property.

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

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

AN ORDINANCE 81,299

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 1E, NCB 18199, PARCEL 1G, SAVE AND EXCEPT THE WEST 200' FEET, NCB 18199, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; PARCEL 6, NCB 18199, THE WEST 475 FEET OF PARCEL 5, NCB 18199, THE WEST 200 FEET OF PARCEL 1G, NCB 18199, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; PARCEL 5, SAVE AND EXCEPT THE WEST 475 FEET, NCB 18199 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" SUP NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR THE OPERATION OF COMPACTING AND STORAGE OF WOOL. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

Mr. Thornton asked the City Manager to instruct the Planning Department to look into the possibility of closure of Addersly Road at Loop 1604.

CASE #Z94052-I - to rezone and reclassify a 6.87 acre tract of land out of NCB 15664, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located on the northside of Braun Road north of the intersection of Braun Road and Brigadoon, having 879 feet on Braun Road and a depth of 340 feet.

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

Mr. Thornton spoke to certain deed restrictions agreed to in negotiations.

The following citizens appeared to speak:

Mr. Ernani Falcone, 9322 Beowulf, addressed specifics of the agreed-to deed restrictions by Hallmark-Ghormley Development Company, and spoke to specifics of a requested minor change agreed to by the firm relative to 'architectural control committee' involvement.

Mr. Orville Walters, President, Northwest Crossing Homeowners Association, commended the firm for its cooperation and spoke to the need to restrict future commercial zoning along Braun Road.

\* \* \* \*

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

Mr. Thornton made a motion to approve the B-2, subject to certain deed restrictions agreed to by all parties concerning. Mr. Larson seconded the motion.

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

AN ORDINANCE 81,300

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 6.87 ACRE TRACT OF LAND OUT OF NCB 15664, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94052-J - to rezone and reclassify A 3.76 acre tract of land out of NCB 15664, from Temporary "R-1" Single Family Residence District to "O-1" Office District. Property is located on the northside of Braun Road, 830 feet northeast of the intersection of Braun Road and Brigadoon, having 520 feet on Braun Road and a maximum depth of 300 feet.

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

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

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

AN ORDINANCE 81,301

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 3.76 ACRE TRACT OF LAND OUT OF NCB 15664, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

CASE #Z94052-L - to rezone and reclassify 6.622 acres of land out of NCB 18006, from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District. Property is on the northside of Braun Road, being 290 feet southwest of the intersection of Camino Villa and Braun Road, having 1351.58 feet on Braun Road and a maximum depth of 383 feet.

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

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

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

AN ORDINANCE 81,302

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 6.622 ACRES OF LAND OUT OF NCB 18006, FROM TEMPORARY "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."

\* \* \* \*

CASE #Z94052-M - to rezone and reclassify Parcel 2, NCB 17507 and part of Parcel 77, NCB 17508 Bandera Road. Parcel 2 is located on the southwest side of Bandera Road between Camino Bandera and Braun Road, having 1700 feet on Bandera, 520 feet on Braun Road and 450 feet on Camino Bandera; and Parcel 77 is located west of the intersection of Camino Bandera and Bandera Road, having 570 feet on Bandera Road and 430 feet on Camino Bandera.

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

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

AN ORDINANCE 81,303

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 2, NCB 17507 AND PART OF PARCEL 77, NCB 17508 BANDERA ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

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

94-56 The City Clerk read a proposed ordinance accepting the proposal of ~~Jacqueline~~ von Honts d/b/a Love Texas Gallery and directing the execution of an agreement pursuant thereto for the Art Gallery Concession at the San Antonio International Airport for a three year primary term and providing for annual payment to the City of the greater of \$9,600.00 or ten percent of gross receipts generated thereunder.

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

Mr. Mike Kutchins, Director of Aviation, explained the recommendations for operation of the art gallery concession at San

Antonio International Airport. He noted that four proposals were received, two of which were deemed incomplete, and two firms were invited to make presentations. He further noted that the two firms differ mainly in how artwork will be displayed on concourse walls at the airport, with a majority of the selection committee favoring the proposal of Texas Love Gallery.

The following citizens appeared to speak:

Mr. Bob Honts, representing Texas Love Gallery, stated that he was present to answer any questions of City Council.

Ms. Bettie Ward, 219 Lamont, a local artist, submitted letters relative to operation of the airport art gallery, and spoke to her perceptions of the art gallery operations at International Airport. She stated her opinion that the City should realize profits from any art gallery operations at the airport, and expressed concern that local artists might find difficulty showing their work at the airport, under one proposal. She also stated her opinion that the City should purchase local art for display purposes at International Airport.

Mr. Charles Stern, 319 Coronet, a sculptor, stated his belief that local artists are restricted in the display of their works, and spoke to his opinion that San Antonio should be the arts center for the state of Texas.

Ms. Karen Rymer-Moore, representing Milagros Contemporary Art, addressed her proposal for operation of the International Airport art gallery concession, expressing her belief that local artists should be more professionally-displayed at the airport. She noted that the airport concourses belong to the City, and stated her belief that the City's Arts & Cultural Affairs Department should appoint a committee to handle art at the airport. In retrospect, she expressed her belief that no private venture should control the airport art gallery concession.

Ms. Ward submitted petitions from some 100 citizens, asking for a change in how the airport art gallery concession is operated, and offered several suggestions on that operation. She then spoke to how the City of Austin handles its airport art gallery.

Mr. Honts addressed the matter of local artists' sales at the airport art gallery over the past 11 years, and the revenues accruing to the City of San Antonio from those sales.

Mayor Wolff spoke to the importance of allowing local artists to display their works at International Airport and to sell those works, as opposed to having the City merely display 'outside art' there. He spoke to his concern with possibly excluding some local artists from displaying their works there, and addressed the need to support local artists. He then spoke to the need to look into the City's involvement through its Arts & Cultural Affairs Department.

Mr. Honts addressed plans for creation of a new committee to

look at art to be displayed at the airport art gallery, and to pass on that art.

Ms. Jan Lenneville, 5926 Royal Ridge, spoke in support of the current operations of the airport art gallery and the local flavor given by local artists.

Mr. Mike Barcus, 6106 Evers, spoke in support for local operations of the art gallery by Texas Love Gallery and stressed its local flavor.

In response to a question by Mayor Wolff, Mr. Eduardo Diaz, Director, Arts & Cultural Affairs Department, discussed possible ways to improve art at the airport, noting that many areas of the airport are under-utilized as far as art is concerned and could be used by the City for arts display.

In response to a question by Mayor Wolff, Mr. Honts and Ms. Jacqueline von Honts, director of Texas Love Gallery, stated that Mr. Diaz would be welcomed as a member of the new arts committee being proposed, and addressed plans to improve the art gallery.

In response to a question by Mr. Ross, Mr. Diaz discussed display of art in other airports, including Phoenix, where art exhibits are rotated on a regular basis. He noted that the curator of that operation made a presentation to San Antonio's airport staff.

In response to a question by Mr. Peak, Mr. Kutchins described the Request For Proposal process used and its results. He then discussed display space for use by the successful concessionaire.

Mr. Thornton spoke to the importance of having local artists display their works at International Airport, and also the importance of having Mr. Diaz look at similar displays at all public facilities. He spoke in favor of having a one-year review of the airport art gallery concession.

Mr. Thornton made an amendment that the contract for operation of the Art Gallery Concession at the San Antonio International Airport would be reviewed in one year. Mr. Avila seconded the amendment.

Mr. Honts noted that the Request For Proposal and the resultant contract calls for a major expenditure in the first year of the art gallery's new operation, and spoke to the need for the operator to have a three-year contract in order to amortize those investments.

Mr. Thornton then suggested that, if the contract is not renewed following the one-year review, the City should perhaps waive revenues from its operation during that first year.

Mr. Alex Briseno, City Manager, noted that the City can buy out the contract if it is not renewed after the one-year review.

Mr. Thornton and Mr. Avila, maker and seconder of the amendment, agreed to accept wording that would be added to their original amendment to the effect that should City Council vote to terminate the Airport Art Gallery Concession contract after the one-year review, the City will pay for the improvements incurred by Ms. von Honts during that first year.

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

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

AN ORDINANCE 81,304

ACCEPTING THE PROPOSAL OF JACQUELINE VON HONT'S D/B/A/ LOVE TEXAS GALLERY, SUBJECT TO CERTAIN MODIFICATIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE GALLERY CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT WHICH, AMONG OTHER TERMS AND CONDITIONS, PROVIDES FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$9,600.00 OR TEN PERCENT OF GROSS RECEIPTS GENERATED THEREUNDER.

\* \* \* \*

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

94-56 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

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

No citizen was registered to speak to this matter.

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

AN ORDINANCE 81,305

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN IMPROVED PORTION OF SLEEPY ELM STREET (CUL-DE-SAC) RIGHT-OF-WAY BETWEEN NACOGDOCHES ROAD AND NUFFY RIDGE STREET.

\* \* \* \*

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

Mr. Roland Lozano, Director of Asset Development, briefly explained the street-closing request.

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

94-56      2ND PUBLIC HEARING - APPEAL OF MR. CLINTON VITOUSEK

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

Mr. Gene Camargo, Director of Building Inspections, explained the case history and his department's recommendations, relative to the findings of misconduct by the Electrical Examining and Supervising Board. He noted that the board voted 4-3 against Mr. Vitousek's appeal, but that six votes are necessary to invoke any penalties in such matters.

Mr. Clinton Vitousek briefly explained his side of the issue and noted that he has had his license reinstated, as a result of further investigation by the Electrical Examining and Supervising Board. Nevertheless, he stated his desire to have the 4-3 board verdict overturned on appeal to City Council.

Mr. Camargo discussed 'reasonable doubt' concerning the new evidence submitted in this case before the board.

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

Discussion ensued concerning events and circumstances involved in this case.

Mr. Peak made a motion to sustain the decision of the Electrical Examining and Supervising Board. Mr. Larson seconded the motion.

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

AN ORDINANCE 81,306

UPHOLDING THE FINDING OF THE ELECTRICAL EXAMINING  
AND SUPERVISING BOARD THAT MR. CLINTON T. VITOUSEK  
D/B/A/ AMERICAN ENGINEERING VIOLATED SECTION

10-172(G) OF CHAPTER 28 ("ELECTRICITY") OF THE CITY CODE BY ALLOWING AN UNLICENSED SIGN CONTRACTOR TO PERFORM ELECTRICAL WORK.

\* \* \* \*

94-56 It was the concensus of Council members present to undertake consideration of Agenda Item 33 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,307

APPROVING THE CITY OF SAN ANTONIO HOUSING TRUST TARGETED FUNDING RESOLUTION FOR UTILIZATION OF \$100,000.00 FOR DISBURSEMENT AS AN AWARD OF TRUST ASSISTANCE TO THE PARTNERSHIP OF TOM GUGGOLZ, DAVID LAKE AND TED FLATO, AN ELIGIBLE HOUSING SPONSOR.

\* \* \* \*

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

Mr. Andrew Cameron, Director of Housing & Community Development, briefly explained the proposed ordinance.

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

94-56

ON-PREMISE SIGNS

Mayor Wolff declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, explained the recommendations of the On-Premises Sign Review Committee and the impact of the proposed changes to the City Code, including limits for on-premise signs and 'inflatables' such as the giant characters used to advertise certain firms. He also spoke to the proposed Sign Master Plan.

The following citizens appeared to speak:

Ms. Marianna Jones, San Antonio Conservation Society, stated her organization's belief that the recommendations do not go far enough to address visual cluttering San Antonio. She then addressed specifics

December 08, 1994

33

bg

of requested changes to the recommendations, and spoke in favor of appeals going to the Board of Adjustment.

Ms. Martha Mangum, Real Estate Council of San Antonio, spoke in support for the committee's recommendations. A copy of her presentation is made a part of the papers of this meeting.

Mr. John Santikos, Santikos Investments, spoke to limits on signage within his commercial developments, and spoke in support for the committee recommendations.

Mr. Larry Gottsman, chairman of the committee, addressed support for the committee recommendations, stating his belief that some 70 per cent of signage in San Antonio is installed illegally. He stated his desire that the committee be allowed to look again at signage along arterial streets.

Mr. Walter Bowman, Neighborhoods Acting Together, spoke in support for the recommendations.

Ms. Kathleen Trenchard, San Antonio Signage Coalition, addressed her group's recommendations for neighborhood signage and its objections to several of the committee recommendations.

Mr. Jon Thompson, San Antonio Signage Coalition and Tobin Hills Neighborhood Association, demonstrated the large size of on-premises signs to be allowed under the committee's recommendations within neighborhoods. He expressed his belief that the larger allowed signs in inner-city areas freeze out smaller businesses, and spoke in support for City staff's amendment as to an appeals process.

Ms. Dorothy Rawe, Oak Grove Neighborhood Association, spoke in support of City staff's recommendations, rather than the committee recommendations.

Mr. Tom DeChant, 10815 Edgecrest, addressed sign clutter along routes into the downtown area from the airport, and spoke in support for City staff's recommendations for a 40-foot height limit.

Mr. Jimmy Tucker, San Antonio Sign Coalition, spoke in support for City staff's recommendations over the committee's recommendations, and addressed specifics. He spoke in support for appeals to the sign regulations being made to the Board of Adjustment, not the Electrical Examining & Supervising Board. He spoke against allowing the sign industry to set its own regulations, and spoke in support for a compromise on the height of on-premise signs allowed.

Ms. Shirley Crane, Dijon Heights, spoke in support for the City staff recommendations.

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

Mr. Ray Hamilton, Northside Neighborhoods For Organized Development, spoke in support of Mr. Tucker's call for a compromise on the height limitations for on-premise signs. He also spoke in support for City staff's recommendations, including appeals to the Board of Adjustment.

Mr. Roy Rivero, San Antonio Coalition of Neighborhood Associations, spoke to the need for a compromise, if the City staff recommendation is not supported.

Mr. Larry diMartino, committee member and co-chair, spoke to a 5-5 voting deadlock within the committee, and stated his belief that City staff made a good-faith effort to merge committee recommendations with the recommendations from affected City boards and commissions. He spoke to the system of allowing variances, expressing his opinion that the committee recommendations will allow the sign industry to control itself.

Mr. Roy Lowey-Ball and Mr. Tom Robey, American Institute of Architects, both spoke in support for City staff recommendations.

Mr. Steve Tillotson, American Institute of Architects, stated his belief that San Antonio has too many signs for safety, and displayed a photograph layout to prove his contention.

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

Mr. Tillotson used two photographs, one original, the other with one or more signs artificially removed, to illustrate the opposing points of view.

Mr. Orville Walters, Northwest Crossing Homeowners Association, endorsed the City staff recommendation and addressed his concern that aesthetics were not a consideration in either recommendation.

Mr. Jerry Benson, 19923 Encino Royale, spoke on behalf of several businesses and in support for the committee recommendations.

Ms. Peggy Pue, Taco Cabana, spoke in support for the committee recommendations without change, with appeals going to the Electrical Examining & Supervising Board.

Mr. Clinton Vitousek, American Engineering, spoke against the City staff recommendations as being too restrictive.

Mr. Steve Richmond, San Antonio Restaurant Association, spoke to the need for better enforcement of sign laws, not more regulations put into place. He spoke in support for the committee recommendations.

Mr. Jesse Burciaga, San Antonio Restaurant Association, spoke in support of the committee recommendations, stressing the need for San

Antonio to maintain a positive business atmosphere.

Mr. Louis Podesta, 9111 Rustler Creek, asked that this entire matter be referred back to City staff for further review, noting that catter be referred back to City staff for further review, noting that citizens are concerned about signage in San Antonio.

Mr. David Curtis, Chairman, San Antonio Coalition of Neighborhood Associations, spoke to his group's recommendations on signage, including the City staff recommendation that appeals be made to the Board of Adjustment, with strict regulations also placed into Chapter 28 of the City Code.

Mr. Brian Erickson, Great Northwest Community Association, spoke against adoption of either set of recommendations, speaking in favor of referred the issue back to City staff for reconsideration.

Ms. Betty Gudat, Vance Jackson Neighborhood, Inc., spoke in support for the City staff proposal.

Ms. June Kachtik, 3415 Rock Creek Run, expressed concern about the appeal process being recommended by the subcommittee, that being to go before the Electrical Examining & Supervising Board. She spoke to her preference for appeals to go before the Board of Adjustment, and also expressed concern about the spacing between signs being recommended by the committee.

Mr. Bob Phillips, Sign Association of San Antonio, spoke to the high cost of sign advertising, and also took exception to certain newspaper articles on this subject.

Mr. Robert Higgins, El Pollo Loco/Taco Palenque, expressed concern about discouraging tourism, if the sign ordinance is too stringent, and spoke in support for the committee recommendations.

Ms. Marna Eastman, Park Village Neighborhood Association, spoke to her concerns with City staff's recommendations not being followed, in that they are paid professionals.

Ms. Loretta Van Coppenolle, 14115 Oakland Mills, spoke to her concerns with aesthetics in San Antonio and the proliferation of signs. She spoke against the committee recommendations.

Ms. Patricia Botello, San Antonio Board of Realtors, spoke in support for the committee recommendations without amendment.

Mr. David Cortez, San Antonio Restaurant Association, spoke in favor of the compromise brought forward by the Council committee and urged City Council to approve those recommendations.

Mr. Charles Kaplan, USAA Realco and American Planning Association, spoke in support for the staff recommendations.

Mr. Gottsman stated his belief that appeals should be heard by the Electrical Examining & Supervising Board.

Mr. Ken Brucks, San Antonio Apartment Association, spoke in support for the committee recommendations as reasonable, and asked that the appeals process remain in Chapter 28.

Mr. Steve Avery, Woodlawn Lake Community Association, spoke in favor of sign controls and City staff's recommendations.

Ms. Irene Kissling, Board of Adjustment, spoke in support for City staff recommendations.

Mr. Bruce Martin, Board of Adjustment, noted that none of the five City boards or commissions who reviewed the committee's recommendations endorsed them, and noted that when the compromise ordinance was written, the committee's vote was 5 to 5.

Ms. Bett Bender Wells, Bender Inc., 8600 Wurzbach, stated her belief that large on-premise signs harm businesses, and spoke in support for a compromise solution.

Mr. Dewayne Billingsley, Southwest Neon Sign, spoke to actions of the committee to show the spread of voting on key issues.

\* \* \* \* \*

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

Mayor Wolff asked members of the committee, present in the audience, to meet in the "C" Room with Mr. Peak and Mr. Solis, to seek a compromise in this issue.

It was the concensus of City Council members present to postpone any further consideration of this matter until later in the meeting. See Page 46.

94-56 The Clerk read the following Ordinance:

**AN ORDINANCE 81,307**

**APPROVING THE CITY OF SAN ANTONIO HOUSING TRUST TARGETED FUNDING RESOLUTION FOR UTILIZATION OF \$100,00.00 FOR DISBURSEMENT AS AN AWARD OF TRUST ASSISTANCE TO THE PARTNERSHIP OF TOM GUGGOLZ, DAVID LAKE AND TED FLATO, AN ELIGIBLE HOUSING SPONSOR.**

\* \* \* \* \*

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

Ms. Billa Burke seconded the motion.

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,308

AUTHORIZING THE TRANSFER OF \$1,200,000.00 IN GENERAL FUNDS TO THE CHILDREN RESOURCES' DIVISION GRANT FUNDED ACCOUNTS AS MATCHING FUNDS; AUTHORIZING AND APPROVING A PERSONNEL COMPLEMENT; AND AMENDING THE CHILD CARE MANAGEMENT SERVICES (CCMS) BUDGET TO REFLECT THE REVISION IN FUNDING SOURCES AS PRESCRIBED BY THE TEXAS DEPARTMENT OF HUMAN SERVICES.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, briefly explained the proposed revision in funding sources for the Children's Resources division.

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,309

APPROVING THE PURCHASE CONTRACT AND THE EXPENDITURE OF \$37,446.00 PLUS AN ADDITIONAL AMOUNT UP TO \$150.00 FOR CLOSING COSTS, PAYABLE TO ALAMO TITLE COMPANY, FOR THE ACQUISITION OF .5056 OF AN ACRE FROM BEXAR COUNTY HOSPITAL DISTRICT AND SELECTING SALDANA AND ASSOCIATES AS THE PROJECT ARCHITECT FOR THE DESIGN AND CONSTRUCTION OF THE DISTRICT 3 LEARNING AND LEADERSHIP DEVELOPMENT CENTER.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, explained the culmination of a lengthy process to locate a site for the District 3 Learning Center and to select an architect for the project.

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,310

AUTHORIZING THE CITY MANGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE TEXAS ANTIQUITIES COMMITTEE (TAC) OF THE TEXAS HISTORICAL COMMISSION AND ST. MARY'S UNIVERSITY ALLOWING THE EXCAVATION OF THREE SUSPECTED WELL SITES IN ALAMO PLAZA AND AUTHORIZING THE CITY MANGER IN CONJUNCTION WITH ST. MARY'S UNIVERSITY TO APPLY FOR A TAC PERMIT FOR THESE EXCAVATIONS.

\* \* \* \*

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

Mr. Ron Darner, Director of Parks & Recreation, explained the proposed Ordinance which would allow excavation of three suspected well-sites in Alamo Plaza.

Mr. Wayne Gronquist, representing the National Underwater and Marine Agency, spoke to his firm's background and history of this proposed well-site exploration. He noted that his firm's permit to do this work now has expired, and the City of San Antonio has not agreed to sign an agreement for his firm to resume this work. He spoke to his concerns with the current process, as proposed, and stated that if the City of San Antonio does not want his firm to do this work, he asked to be so informed. He then asked City Council to postpone action today and to form a committee to hear all sides concerned in this issue. He then spoke to his firm's excavation of the San Antonio River bed in search of a lost cannon from the Alamo battle.

In response to a question by Mr. Perez, Mr. Darner spoke to the options available.

Mr. Thornton stated his desire to have this work performed by the academic archaeologists at St. Mary's University.

Mr. Darner noted that the work is projected to take some three months to complete.

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

94-56 SECOND & FINAL READINGS - ANNEXATION OF SIX AREAS

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 81,102

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 897 ACRES OF LAND KNOWN AS THE GREEN SPRING VALLEY AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

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

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 81,103

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 526 ACRES OF LAND KNOWN AS THE RAINTREE AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage

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

Agenda Item 37, being the Final Reading of an ordinance providing for the extension of the San Antonio City limits by the annexation of approximately 847 acres of land known as the Sunrise Area Property and approving a Service Plan for such area, was temporarily bypassed for consideration later in this meeting.

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 81,105

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 723 ACRES OF LAND KNOWN AS THE QUINTANA RD. AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 81,106

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 481 ACRES OF LAND KNOWN AS THE ADAMS HILL AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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: Perez,

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

The Clerk read the following Ordinance for the second and final time.

AN ORDINANCE 81,107

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 2,366 ACRES OF LAND KNOWN AS THE TIMBER RIDGE PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

It was the concensus of City Council members present to undertake consideration of Agenda Item 37 at this time.

Mr. Michael Pitts, 5837 Glacier Sun, Sunrise area, questioned why the Sunrise area is being annexed when other areas are being bypassed. He then spoke to other questions and concerns about EMS service to the Sunrise area and annexation details.

Ms. Coralee Fenner, Metro Alliance, provided Council members with a handout of information, and asked that City Council delay annexation of the Sunrise area until a City of San Antonio fire station and EMS unit are located east of the Southern Pacific railroad tracks.

Dr. Robert Kottman, City of Kirby EMS medical director, stated his belief that annexation of the Sunrise area will cause a delay in EMS services into that area, noting that the First Responder unit can respond in five minutes into that area. He asked for a delay in the annexation of the Sunrise area.

Ms. Diana Marin, Sunrise area resident, addressed her concern with EMS response times.

Fire Chief Robert Ojeda, San Antonio Fire Department, compared fire unit and EMS services provided by the City of Kirby with those services to be provided by the City of San Antonio. He noted that Kirby would provide "first responder" coverage until San Antonio's EMS unit

arrives at any scene to transport patients to hospital. He then spoke to services to be provided after annexation versus services that the City of Kirby can provide, and discussed underpass access beneath Southern Pacific railroad tracks from the nearest San Antonio fire station into the Sunrise area.

Dr. Kottman refuted significant differences he perceives in Chief Ojeda's presentation.

A discussion ensued concerning fire and EMS services to the Sunrise area.

Ms. McClendon spoke against the annexation of the Sunrise area, although she stated that she is not disputing the Fire Chief's figures. She addressed her concern with responding to the Sunrise area via use of the underpass, stating her preference to providing fire and EMS services located east of the railroad tracks prior to annexation of the Sunrise area. She then spoke to the need to look at other nearby areas for annexation. She stated that, if the Council decides to annex the Sunrise area at this time, she would favor working out an agreement with the City of Kirby for "first responder" medical services.

Ms. McClendon made a motion to delay the annexation of the Sunrise area until such time as an agreement can be worked out with the City of Kirby for "first responder" coverage. Ms. Billa Burke seconded the motion.

Mr. Thornton addressed the advantages of annexation to the Sunrise area residents.

Mr. Thornton made a substitute motion to approve the Final Reading of an ordinance annexing the Sunrise Area Property. Mr. Avila seconded the substitute motion.

Mr. Larson spoke to the need for "first responder" services to other newly-annexed areas, acted upon today.

Mr. Perez spoke in support for the annexation of the Sunrise area, and questioned the efficacy of a volunteer fire department response into the area.

The substitute motion then prevailed by the following vote:  
AYES: Perez, Avila, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: McClendon, Billa Burke; ABSENT: Ross.

The main motion, as substituted, carrying with it the passage of the Final Reading of the following Ordinance, prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: McClendon, Billa Burke; ABSENT: Ross.

AN ORDINANCE 81,104

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY

LIMITS BY THE ANNEXATION OF APPROXIMATELY 847 ACRES OF LAND KNOWN AS THE SUNRISE AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,311

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 93-CI-16176 STYLED BARBARA SHAWN VS. THE CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$105,000.00.

\* \* \* \*

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

Mr. Don King, Assistant City Attorney, briefly explained the proposed compromise and settlement.

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,312

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 93-CI-12597 STYLED SCOTT MOSS AND KATHY A. MOSS VS. SET V. RODRIGUEZ AND CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$65,000.00 AND COURT COSTS.

\* \* \* \*

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

Mr. Don King, Assistant City Attorney, briefly explained the proposed compromise and settlement.

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

McClendon, Solis, Ross, Peak.

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,313

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 92-CI-08900 STYLED ALBERT PEREZ V. CITY OF SAN ANTONIO, VIA METROPOLITAN TRANSIT AND SAN ANTONIO WATER SYSTEM IN THE TOTAL AMOUNT OF \$14,000.00 AND COURT COSTS.

\* \* \* \*

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

Mr. Don King, Assistant City Attorney, briefly explained the proposed compromise and settlement.

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,314

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM DISTRICT 4 DISCRETIONARY FUNDS FROM VARIOUS OTHER DISCRETIONARY FUND ACCOUNTS TO ASSIST THE HELPING HANDS ORGANIZATION PROVIDE FOOD, UTILITY ASSISTANCE AND HOUSING TO NEEDY CITIZENS OF SAN ANTONIO, AS REQUESTED BY COUNCILMAN HENRY AVILA.

\* \* \* \*

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

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

94-56      TRAVEL AUTHORIZATION - Granted:

William E. Thornton to travel to Austin, Texas from December 09, 1994 to December 09, 1994 to attend a meeting of Texas Municipal League Board of Directors.

\* \* \* \*

94-56      The City Clerk read a proposed Ordinance authorizing the expenditure of \$500.00 from District 1 Discretionary Funds Account to assist the West End Multi-Service Center in purchasing food and soft drinks for a holiday party for the children of the area, as requested by Councilman Roger A. Perez.

During discussion, Mayor Wolff asked to add \$200.00 from the Mayor's Discretionary Funds Account to the total requested by Mr. Perez.

Mr. Perez made a motion to approve the ordinance, including the sum requested by Mayor Wolff. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 81,315

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 1 DISCRETIONARY FUNDS ACCOUNT AND \$200.00 FROM THE MAYOR'S DISCRETIONARY FUNDS ACCOUNT TO ASSIST THE WEST END MULTI-SERVICE CENTER IN PURCHASING FOOD AND SOFT DRINKS FOR A HOLIDAY PARTY FOR THE CHILDREN OF THE AREA, AS REQUESTED BY COUNCILMAN ROGER A. PEREZ.

\* \* \* \*

94-56      The Clerk read the following Ordinance:

AN ORDINANCE 81,316

AUTHORIZING REIMBURSEMENT TO COUNCILMAN HENRY AVILA, DISTRICT 4, IN THE AMOUNT OF \$1,500.00 FOR THE MONTH OF DECEMBER, 1994, FOR AN ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 4 DISCRETIONARY FUNDS ACCOUNT, AS REQUESTED BY COUNCILMAN HENRY AVILA.

\* \* \* \*

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

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

94-56 The Clerk read the following Ordinance:

AN ORDINANCE 81,317

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM VARIOUS DISTRICT DISCRETIONARY ACCOUNTS TO ASSIST THE HOLY FAMILY EAGLES POP WARNER FOOTBALL AND CHEERLEADING TEAMS WITH THE COST OF TRANSPORTATION AND LODGING TO ATTEND THE SOUTHEAST REGIONAL CHAMPIONS IN SANTA CLARA, CALIFORNIA ON DECEMBER 10, 1994; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

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

94-56 City Council recessed its regular meeting for dinner at 7:46 P.M., reconvening at 8:20 P.M.

City Council recessed its regular meeting at 8:23 P.M. in order to convene in Executive Session for a Briefing and discussion related to San-Flo Enterprises for the use of City-Owned property located to the rear of Parking Division offices at 243 North Center Street for hotel purposes.

City Council reconvened in regular session at 8:45 P.M., at which time the Mayor announced that the City Council in Executive Session had taken no formal action, but gave direction to City staff.

94-56

CITIZENS TO BE HEARD

MR. WALTER SCHUMANN

Mr. Schumann spoke to the expansion of Friedrich Park, stating his opinion that it enhances San Antonio's image. He stated that he pledged to perform a "nature and tourism survey" when he learned that the park was to be expanded, and has done so, surveying some 15 counties and has turned the report over to the Convention & Visitors Bureau. He expressed his concern that the Bureau appears to be 'hotel/motel-driven', and expressed his belief that City Council needs to see that both San Antonio and Friedrich Park are marketed as a bird-watching area.

Mayor Wolff stated that the bureau will respond to his concerns.

94-56

ON-PREMISE SIGNS (continued)

Mayor Wolff announced that the City Council would continue its discussion and consideration of a proposed ordinance amending Chapter 28 (Signs and Billboards) of the City Code, addressing height, size and the number of on-premises signs.

Mr. Larry Gottsman spoke to details of a compromise worked out by both sides in the issue, and addressed the compromise figures to be applied to the height and size of on-premise signs, which he noted represent a reduction in the committee's original recommendations. A copy of his rough notes on the agreed-to compromise figures is made a part of the papers of this meeting.

Mr. Peak made a motion to approve the committee recommendations for on-premise signs. Mr. Solis seconded the motion.

Mr. Peak then made an amendment to approve the compromise figures for on-premise signs, as outlined by Mr. Gottsman. Mr. Larson seconded the motion.

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

Mr. Peak offered a second amendment that appeals from the on-premise sign regulations would be under City Code Chapter 35 and would be heard by the Board of Adjustment; that a simply majority vote of the Board of Adjustment would prevail; and that any appeal from the Board of Adjustment decision would be made to the City Council. Mr. Larson seconded the second amendment, as stated.

Mr. Garza, the City Attorney, stated his opinion that the City's stronger legal position in this matter will be if the appeals process is included in Chapter 35, and heard by the Board of Adjustment.

In response to a question by Mr. Solis, Mr. Garza stated that actions of the City would be legally-defensible under either Chapters 28

or 35, in his opinion.

In response to a question by Mr. Solis, Mr. Gene Camargo, Director of Building Inspections, discussed the City Charter requirement that the Electrical Examining & Supervising Board must include industry representatives.

Mr. Solis stated his belief that the Electrical Examining & Supervising Board has both industry and consumer representation, and also has the important experience factor in sign matters.

Mr. Solis made a substitute motion to the second amendment that appeals of the on-premise sign regulations would be made to the Electrical Examining & Supervising Board, and that a simple majority vote of that board would be required for a decision. Ms. Ayala seconded the substitute motion to the second amendment.

Mr. Peak spoke to his reasons for favoring appeals going before the Board of Adjustment, since that board hearing zoning and land-use issues, whereas the Electrical Examining & Supervising Board is a technical board, by its nature.

Ms. McClendon spoke in favor of having the Electrical Examining & Supervising Board hear any appeals from the on-premise sign regulations, expressing her belief that it is the more 'community-based' of the two boards in questions.

After discussion, the substitute motion to the second amendment failed to carry by the following vote: AYES: McClendon, Billa Burke, Avila, Solis, Ayala. NAYS: Perez, Thornton, Peak, Larson, Wolff. ABSENT: Ross.

Mr. Gottsman spoke in favor of having appeals heard before the Electrical Examining & Supervising Board.

The pending second amendment then failed to carry by the following vote: AYES: Perez, Thornton, Peak, Larson, Wolff. NAYS: McClendon, Billa Burke, Avila, Solis, Ayala. ABSENT: Ross.

Mr. Solis then offered a new second amendment that appeals from the on-premises sign regulations would be made to the Electrical Examining & Supervising Board. Ms. McClendon seconded the new second amendment.

After consideration, the new second amendment prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis Ayala, Larson. NAYS: Thornton, Peak, Wolff. ABSENT: Ross.

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

AN ORDINANCE 81,318

AMENDING CHAPTER 28 ("SIGNS AND BILLBOARDS") OF THE CITY CODE TO PROVIDE LIMITS ON THE HEIGHTS, AREA, AND NUMBER OF ON-PREMISES SIGNS; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR VIOLATIONS OF THE PROVISIONS HEREOF.

\* \* \* \*

94-56

BILLBOARD LOCATIONS

Ms. McClendon expressed her concerns with the location of certain billboards advertising alcohol or tobacco products, and asked City staff to come back to City Council with a possible amendment to the City's billboard ordinance in Chapter 28 of the City Code to prohibit certain billboards advertising alcohol or tobacco products within 1500 feet of certain areas, including residential areas, historic districts, parks, schools, churches, hospitals, retirement homes, or governmental buildings. City staff is to review the above as to legal issues involved.

Ms. McClendon made a motion to direct City staff, as outlined in the preceding paragraph. Mr. Avila seconded the motion.

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

94-56 City Council recessed its regular session at 9:28 P.M. in order to convene in Executive Session for:

1. Status report on contract negotiations with the Canadian Football League.

2. Status report on Cause No. 91-CI-10839, Van de Walle Agricultural Properties, Ltd.

3. Briefing on legal issues regarding use, sale, trade, transfer of a tract of City property.

City Council adjourned the Executive Session and reconvened in regular session at 10:04 P.M., at which time Mayor Wolff announced that City Council had met in Executive Session, had given direction to City staff on certain matters, but had taken no official action.

94-56 There being no further business to come before the Council, the meeting was adjourned at 10:05 P.M.

A P P R O V E D

*Richard W. Wolff*  
MAYOR

Attest: *Norma S. Rodriguez*  
CITY CLERK

December 8, 1994

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

November 15, 1994

Petition submitted by Mr. James A. Collins, Texas Department of Criminal Justice, P. O. Box 99, Huntsville, Texas, 78342-0099, on behalf of the Texas Department of Criminal Justice requesting annexation of the site of the State Jail Felony Facility in Bexar County by the City of San Antonio.

November 15, 1994

Petition submitted by Ms. Ruby McCollough, Nevada Street Neighborhood Club, 829 Nevada St., San Antonio, Texas 78203, on behalf of area residents, opposing the relocation of Fire Station #3, located at 1425 E. Commerce Street to any other location.

November 21, 1994

Petition submitted by Mr. and Mrs. Antonio Mejias, 803 McCauley, San Antonio, Texas 78221, on behalf of area residents requesting the City of San Antonio to address certain improvements, i.e., drainage, paving and sidewalks.

/s/ Norma S. Rodriguez  
City Clerk