

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, APRIL 25,  
1996.

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96-17 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: FLORES, McCLENDON, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON. Absent: BILLA BURKE.

First Quarter Report from the Greater Kelly Development Corporation - Overview of Greater Kelly Development Corporation: roles and responsibilities, near-term and long-term goals, workload planning, management structure, and timetable. Focus Areas: workforce, 60-40 legislative barriers, privatization (Defense Logistics Agency and Air Force prototypes), real and personal property, and redevelopment contracting strategy.

The "B" Session adjourned at 11:35 P.M.

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96-17 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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96-17 Invocation - Father Walter D'Heedene, Sacred Heart of Jesus Catholic Church.

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96-17 Pledge of Allegiance to the flag of the United States.

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96-17 Minutes of the Regular City Council meetings of February 1, 1996; March 7, 1996; and March 14, 1996 were approved.

Mayor Thornton introduced King Antonio, in the person of Mr. John Thomas Steen, Jr., making his annual visit to City Hall.

Mr. Steen then introduced members of his Texas Cavalier entourage, the King's Guard, and several Fiesta Week Queens present, including Miss Fiesta and the Queen of Soul.

Mayor Thornton spoke to his gratification for King Antonio's reputation for involving all facets of the community in his many Fiesta Week activities. He then read a formal proclamation and presented it to King Antonio.

King Antonio spoke to the message of literacy that he is taking to San Antonio's schools during his reign, and addressed the 14 honorees of the Texas Cavaliers Charitable Foundation, noting that it has raised and donated more than \$25,000 this year in the names of the Mayor and City Council members to honor their part in making Fiesta a reality. A copy of his formal address is made a part of the papers of this meeting.

At this time, special Alamo pins were distributed to members of the King's Guard and official entourage present in Council chambers. The entourage members then presented the King's Medals to members of City Council.

City Council members expressed their personal thanks for the contributions by the Texas Cavaliers to various charities, and for the King's stress on literacy during Fiesta Week.

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Ms. McClendon introduced Ms. Marsha Lyle Gongga, intern in her Council district office, and Ms. Gongga's husband and young daughter, both present in the audience.

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Mr. Herrera made a motion to approve Agenda Items 6 through 21, constituting the Consent Agenda. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Flores, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS:

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AN ORDINANCE 83,991

ACCEPTING THE LOW BID OF ALAMO RESTAURANT & REFRIGERATION EQUIPMENT COMPANY TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH A REFRIGERATION SYSTEM AT THE SOUTHWEST BRANCH CLINIC FOR A TOTAL OF \$27,948.00.

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AN ORDINANCE 83,992

ACCEPTING THE LOW BIDS OF WATSON DISTRIBUTING COMPANY, INC. AND MISSION EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT WITH UTILITY VEHICLES FOR A TOTAL OF \$92,597.10.

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AN ORDINANCE 83,993

APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$9,448.00 TO RIO CONTRACT FURNITURE FOR AIR FREIGHT CHARGES INCURRED IN THE DELIVERY OF LIBRARY SEATING; AND PROVIDING FOR PAYMENT. (AMENDS ORD. 81563 DATED FEB.2, 1995.)

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AN ORDINANCE 83,994

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT, IN AN AMOUNT NOT TO EXCEED \$25,000.00, WITH GEORGE W. MUERY SERVICES, INC. TO PROVIDE SURVEYING SERVICES FOR MISCELLANEOUS PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT AND STINSON MUNICIPAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,995

AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH VICKREY & ASSOCIATES, INC., AND APPROPRIATION IN THE 1987 GENERAL OBLIGATION DRAINAGE BOND FUND FOR \$16,000.00 IN CONNECTION WITH THE SALADO CREEK WATERSHED MASTER PLAN STUDY; AND PROVIDING FOR PAYMENT. (AMENDS ORD. 79945 DATED APRIL 7, 1994.)

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AN ORDINANCE 83,996

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 15-FINAL IN THE DECREASED AMOUNT OF \$206,294.31 TO THE CONSTRUCTION CONTRACT WITH V.K. KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH THE RITTIMAN ROAD - THORNWOOD TO GIBBS SPRAWL PROJECT. (AMENDS ORD. 79748 DATED MARCH 3, 1994.)

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AN ORDINANCE 83,997

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO QUALITY FENCE COMPANY, INC. IN THE AMOUNT OF \$23,714.50 IN CONNECTION WITH THE CITY-WIDE FENCE CONTRACT, PHASE III (MPO) PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$2,317.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AUTHORIZING \$800.00 FOR ADVERTISING AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,998

RATIFYING A PROFESSIONAL SERVICES CONTRACT WITH INTEGRATED TESTING AND ENGINEERING COMPANY (InTEC), INC. IN THE AMOUNT OF \$11,077.30 FOR MATERIAL TESTING AND ASBESTOS ABATEMENT MONITORING PERFORMED IN CONNECTION WITH ENCOUNTER OF REGULATED WASTE DURING THE COLISEUM PARK PROJECT; AUTHORIZING APPROPRIATION AND PAYMENT.

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AN ORDINANCE 83,999

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$4,500.00 WITH ECKMANN, GROLL, RUNYAN & WATERS, INC., FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE SAN PEDRO AVENUE - W. QUINCY TO ROMANA, A METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,000

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES

CONTRACT FOR AN AMOUNT NOT TO EXCEED \$5,000.00 WITH ECKMANN, GROLL, RUNYAN & WATERS, INC., FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE O'CONNOR ROAD AT NACOGDOCHES ROAD PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,001

AUTHORIZING THE EXECUTION OF A JOINT USE AGREEMENT WITH THE SAN ANTONIO RIVER AUTHORITY IN CONNECTION WITH THE W. SALINAS - COLORADO TO ALAZAN CREEK PROJECT.

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AN ORDINANCE 84,002

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DELTA FOOD SERVICE FOR THE LEASE OF THE CITY-OWNED BUILDING AND SURROUNDING PROPERTY LOCATED AT 215 S. HACKBERRY FOR THE PURPOSE OF PREPARING AND DISTRIBUTING FOOD PRODUCTS, ALONG WITH THE ADMINISTRATION ASSOCIATED WITH SUCH WORK FOR A TERM FROM MARCH 18, 1996 THROUGH MAY 30, 1996.

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AN ORDINANCE 84,003

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

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AN ORDINANCE 84,004

AUTHORIZING PAYMENT NOT TO EXCEED \$80,150.00 TO VARIOUS VENDORS IN ORDER TO CONDUCT SALES PRESENTATIONS AND EVENTS IN MONTERREY, GUADALAJARA AND MEXICO CITY, MEXICO FROM MAY 19-25, 1996, TO PROMOTE TRAVEL TO SAN ANTONIO.

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AN ORDINANCE 84,005

AMENDING THE BUDGET OF THE AIDS/HIV SUPPORT PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD), ESTABLISHED IN ORDINANCE NO. 82884, PASSED AND APPROVED NOVEMBER 9, 1995, TO REALLOCATE \$3,000.00 OF PROJECT FUNDS; AUTHORIZING A REVISED SUBCONTRACT WITH B.E.A.T. - AIDS, INC., AND APPROVING PAYMENTS TO THE SUBCONTRACTOR. (AMENDS ORD. 83151 DATED NOV. 9, 1995.)

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AN ORDINANCE 84,006

APPROVING A RUN/WALK PERMIT IN CONNECTION WITH THE BASKIN ELEMENTARY FUN RUN AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE ONLY OF THE FOLLOWING STREETS FROM 8:00 A.M. UNTIL 9:30 A.M., SATURDAY, MAY 11, 1996 FOR SAID EVENT: CRESTVIEW FROM BASKIN ELEMENTARY TO SHADY VIEW FROM CRESTVIEW TO GLENVIEW, GLENVIEW FROM SHADY VIEW TO GLENCREST, GLENCREST FROM GLENVIEW TO CRESTLINE, CRESTLINE FROM GLENCREST TO SHADY VIEW, SHADY VIEW FROM CRESTLINE TO FINISH ON CRESTVIEW.

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96-17 The Clerk read the following Ordinance:

AN ORDINANCE 84,007

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$14,130.00 WITH RICHARD HARRIS, PH.D AND JUANITA M. FIRESTONE, PH.D FOR A CITY FACILITIES NEEDS ASSESSMENT AND APPROVING PAYMENTS TO THE CONTRACTORS.

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

Mr. Solis seconded the motion.

Mr. Frank Stromboe, Director of the Information Services Department, narrated a video presentation explaining the contract for work to be done in concert with the City Facilities Task Force on decentralizing City services. He addressed specifics of the survey and its anticipated results, which will be before City Council late in May.

In response to a question by Mr. Webster, Mr. Stromboe spoke to the reasons for having an independent survey by individuals skilled in surveying techniques.

In response to another question by Mr. Webster, Mr. Stromboe noted that the Task Force studied similar projects in other cities, earlier.

In response to a question by Mr. Ross, Mr. Stromboe addressed the statistical survey parameters and expected results for multiple purposes. He compared the survey to the one proposed some weeks ago by Mr. Webster, a response-card survey of municipal services available in each department.

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

96-17 The Clerk read the following Ordinance:

AN ORDINANCE 84,008

ACCEPTING THE LOW, QUALIFIED BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$874,333.77 IN CONNECTION WITH THE N.W. 19TH STREET - CULEBRA TO WEST MARTIN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$66,827.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$14,000.00 TO POZNECKI-CAMARILO & ASSOCIATES FOR ENGINEERING SERVICES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORD. 79074 DATED NOV. 10, 1993.)

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

Mr. John German, Director of Public Works, spoke to details of the N.W. 19th Street project, funded from 1994 bonds, supplemented by

Community Development Block Grant (CDBG) funds.

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

96-17 It was the concensus of City Council members present to temporarily bypass consideration of Agenda item 24, relating to Alamodome environmental litigation, regulatory and remediation efforts, until after completion of an Executive Session to be convened later during this meeting.

96-17 The Clerk read the following Ordinance:

AN ORDINANCE 84,009

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND IN THE AMOUNT OF \$6,000.00 FOR A PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH ANNALISA PEACE FROM MAY 1, 1996, THROUGH SEPTEMBER 30, 1996, AS REQUESTED BY COUNCILMAN BOB ROSS.

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

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

96-17 The Clerk read the following Ordinance:

AN ORDINANCE 84,010

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND IN SUPPORT OF THE CITY'S YOUTH ATHLETIC PROGRAM BY HELPING THE HIGHLAND SPECIAL OWLS (SPECIAL OLYMPICS TEAM), PURCHASE GROUP UNIFORMS (T-SHIRTS AND SHORTS,) AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE.

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

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

96-17 The Clerk read the following Ordinance:

AN ORDINANCE 84,011

AUTHORIZING THE TEMPORARY CLOSURE OF THE 100 BLOCK OF OCTAVIA STREET FROM 7:00 A.M. UNTIL 9:00 P.M., SUNDAY, MAY 5, 1996 IN CONNECTION WITH THE CINCO DE MAYO CELEBRATION SPONSORED BY ST. LEO'S CATHOLIC SCHOOL AND AUTHORIZING THE EXPENDITURE OF \$45.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND TO PAY FOR THE STREET CLOSURE FEE, AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

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

96-17 CITIZENS TO BE HEARD

MR. ARTHUR DELGADO

Mr. Delgado, President, Ingram Hills Neighborhood Association, spoke to the issue of construction of a new apartment project in the area, stating that he feels his group should have been informed about the construction, although no zoning changes were required. He spoke to the need for two-way communication, and wants notification of such projects to be mandatory to neighborhood associations.

MS. MARY UREY

Ms. Urey, resident of Thunderbird Estates, spoke to the construction of the Regal Village Apartments, a proposed facility for patients under mental treatment, such as paranoid schizophrenia. She

then spoke to a definition of this illness. (A copy of her prepared remarks is made a part of the papers of this meeting.) She then voiced her concern with changes in the personality of the patients involved and possible adverse effects of patients' actions.

Mr. Solis noted that many persons throughout San Antonio suffer from this illness, and spoke against regulating who anyone's neighbors should be.

Mr. Ross noted that a meeting has been set up to resolve certain questions involved, and he spoke to the reputation of Urban Ministries, the sponsoring group. He further noted that urban Ministries already has had three meetings with neighbors on this.

Ms. McClendon stated her belief that there should be communication between neighbors in cases such as this, and that everyone needs to be sensitive to each other.

96-17

ZONING HEARINGS

4A. CASE #Z95169 (SUP) - to rezone and reclassify all of Block 1, save and except the north 60 feet, NCB 10443, 119 Castroville Road, from "B-3NA" Non-Alcoholic Sales District to "B-3NA" SUP Non-Alcoholic Sales District with a special use permit for a lumber company with a two year time limitation. Property is located on the northwest side of Castroville Road, 155.22 feet southwest of the intersection of Castroville Road and S.W. 19th Street, having 242.56 feet on Castroville Road. and a depth of 205 feet.

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

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

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

AN ORDINANCE 84,012

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 ALL OF BLOCK 1, SAVE AND EXCEPT THE NORTH 60 FEET, NCB 10443, 119 CASTROVILLE ROAD, FROM "B-3NA" NON-ALCOHOLIC SALES DISTRICT TO "B-3NA" SUP NON-ALCOHOLIC SALES DISTRICT WITH A SPECIAL USE PERMIT FOR A LUMBER COMPANY WITH A TWO YEAR TIME

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

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4B. **CASE #Z96055 (CC) - to rezone and reclassify A 0.0086 acre tract out of Lot 17, NCB 7912, 4507 Interstate Highway 35, from "B-3" Business District to "B-3" CC Business District with special City Council approval for a communications transmission tower. Property is located 454.17 feet southwest of the intersection of Interstate Highway 35 and Gladstone Avenue, being 120 feet west of Interstate Highway 35, having a width of 25 feet and depth of 15 feet.**

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

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

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

**AN ORDINANCE 84,013**

**AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.0086 ACRE TRACT OUT OF LOT 17, NCB 7912, 4507 INTERSTATE HIGHWAY 35, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATIONS TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."**

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4C. **CASE #Z96056 (CC) - to rezone and reclassify A 0.0310 acre tract of land out of Lot 1, Block 2, NCB 18315, 7700 Tezel Road, from Temporary "R-1" Single Family Residence District to "B-3NA" CC Non-Alcoholic Sales District with special City Council approval for communications transmission tower. Property is located 286.87 feet north of the intersection of Tezel Road and Mainland Road, being 415 feet east of Tezel Road, having a width of 45 feet and depth of 30 feet.**

Mr. Andy Guerrero, Land Development Services, stated that the applicant in this case has asked that the consideration of this rezoning

April 25, 1996  
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case be postponed until May 9, 1996.

Mr. Ross made a motion to continue this rezoning case until the Council meeting of May 23, 1996. Mr. Peak seconded the motion.

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

Zoning Case Z96056 CC was continued until May 23, 1996.

4D. CASE #Z96049 - to rezone and reclassify lots 6A, 7A and 8A, Block B, NCB 11507, Bandera Road and Ligustrum Drive, from "A" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Properties are located southeast of the intersection of Ligustrum and Bandera Road, having 227 feet on Ligustrum and 255.4 feet on Bandera Road.

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

In response to a question by Mr. Ross, Mr. Jeffrey Bernal, the proponent, stated that he would agree to construction of a six-foot masonry fence on the property.

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

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

AN ORDINANCE 84,014

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 6A, 7A AND 8A, BLOCK B, NCB 11507, BANDERA ROAD AND LIGUSTRUM DRIVE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE #Z96038 (CC) - to rezone and reclassify 0.0518 acre tract of land out of Lot 4, NCB 17432, Southwest of Babcock Road, from "B-3"

Business District to "B-3" CC Business District with special City Council approval for a communication transmission tower. Property is located 275 feet southeast of the intersection of Huebner Road and a Babcock Road, being 125 feet southwest of Babcock Road, having a width of 20 feet and depth of 112.94 feet.

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

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

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

AN ORDINANCE 84,015

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 0.0518 ACRE TRACT OF LAND OUT OF LOT 4, NCB 17432, SOUTHWEST OF BABCOCK ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-3" CC 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."

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4F. CASE #Z96048 - to rezone and reclassify lots 137 and 138, NCB 11997, 6419 W. Commerce, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales District. Property is located on the northeast side of Parham Avenue and West Commerce, having 116.73 feet on Parham Avenue and 100.4 feet on West Commerce Street.

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

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

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

AN ORDINANCE 84,016

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 137 AND 138, NCB 11997, 6419 W. COMMERCE, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4G. CASE #Z96054 - to rezone and reclassify Lots 2,3 and a 0.0746 acre tract of land out of Lot 7,Block 2, NCB 10618, Highway Drive, from "A" and "R-1" Single Family Residence Districts to "0-1" Office District. Property is located on the east side of Highway Drive, 145.7 feet south of the intersection of Highway 90 East and Highway Drive, having 116.43 feet on Highway Drive and a depth of 176 feet.

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

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

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

AN ORDINANCE 84,017

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2,3 AND A 0.0746 ACRE TRACT OF LAND OUT OF LOT 7,BLOCK 2, NCB 10618, HIGHWAY DRIVE, FROM "A" AND "R-1" SINGLE FAMILY RESIDENCE DISTRICTS TO "0-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE #Z96053 - to rezone and reclassify Lot 100, Block 16, NCB 17723, 975 W. Bitters Road, from Temporary "R-1" Single Family Residence District to "0-1" Office District. Property is located on the north side of Bitters Road, 366.74 feet northeast of the intersection of

Partridge Drive and Bitters Road, having 163.58 feet on Bitters Road and a depth of 383.92 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. Avila seconded the motion.

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

AN ORDINANCE 84,018

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 100, BLOCK 16, NCB 17723, 975 W. BITTERS ROAD, 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."

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4I. CASE #Z96041 - to rezone and reclassify Lots 2 and 3, Block 5, NCB 10871, Shetland Drive, from "B" Residence District to "R-4" Manufactured Home Residence District. Property is located on the northeast side of Shetland Drive, 99.81 feet northwest of the intersection Blyth Avenue and Shetland Drive, having 240 feet on Shetland Avenue and a depth of 136.69 feet.

Ms. Billa Burke made a motion to continue this rezoning case until the Council meeting of May 23, 1996. Mr. Avila seconded the motion.

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

Zoning Case Z96041 was continued until May 23, 1996.

4J. CASE #Z96043 - to rezone and reclassify 34.429 acres out of NCB 11177, Mission Road, from Historic "B-2" Business District and Historic "I-1" Light Industry District to Historic "R-7" Small Lot Home District. Property is located 282 feet south of Harding Boulevard, between

Roosevelt Avenue and Mission Road, having 282.02 feet on Mission Road and a depth of 2,635.42 feet.

Ms. Billa Burke made a motion to continue this rezoning case until the Council meeting of May 23, 1996. Mr. Avila seconded the motion.

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

Zoning Case 'Z96043 was continued until May 23, 1996.

4K. CASE #Z95280 - to rezone and reclassify Lots 15, 16 and 17, Block 123, NCB 9394, 1319 Drury Lane, from "O-1" Office District to "B-3NA" Non-Alcoholic Sales District or "R-1" Single Family Residence District. Properties are located on the north side of Drury Lane 200 feet east of the intersection of Drury Lane and Hilton Avenue, having 100 feet on Drury Lane and a depth of 140 feet.

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

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

AN ORDINANCE 84,019

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, 16 AND 17, BLOCK 123, NCB 9394, 1319 DRURY LANE, FROM "O-1" OFFICE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT OR "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4L. CASE #Z96052 - to rezone and reclassify the north 65.86 feet of Lots 1 and 2, Block 8, NCB 1745, 410 Paschal Street, from "R-1" Single Family Residence District to "R-3" Multiple Family Residence District.

Property is located on the east side of Paschal Street, 108.60 feet north of the intersection Paschal Street and E. Myrtle Street, having 65.86 feet on Paschal Street and a depth of 107.6 feet.

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

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

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

AN ORDINANCE 84,020

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 65.86 FEET OF LOTS 1 AND 2, BLOCK 8, NCB 1745, 410 PASCHAL STREET, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

96-17 City Council recessed its regular session to convene in Executive Session at 2:20 P.M. for the purpose of:

A. Attorney/client consultation regarding litigation styled City of San Antonio vs. Alamo Iron Works, et al, Cause No. 94-CI-06052 in the 45th Judicial District Court of Bexar County.

B. Staff briefing and status report on litigation case styled Arnold, et al vs. City of San Antonio.

C. Staff briefing on litigation case styled Alex Torres, et al vs City of San Antonio Police Department, et al, Cause No. SA-94-CA-242.

96-17 City Council adjourned the Executive Session and reconvened in regular session at 3:51 P.M., at which time Mayor Thornton stated that City Council had been briefed on the above-styled matters in Executive Session and had given staff direction, but had taken no official action.

96-15 The Clerk read the following Ordinance:

AN ORDINANCE 84,021

RATIFYING PROFESSIONAL SERVICES AND APPROPRIATING ADDITIONAL FUNDS FOR THE PROFESSIONAL SERVICES CONTRACTS WITH THE FIRMS OF COX & SMITH, INC., LLOYD GOSSELINK, FOWLER, BLEVINS, AND MATHEWS, P.C., AND COOK-JOYCE, INC., RELATING TO ALAMODOME ENVIRONMENTAL LITIGATION, REGULATORY AND REMEDIATION EFFORTS, AND AUTHORIZING THE TRANSFER OF \$1,204,370.68 TO THE ALAMODOME ENVIRONMENTAL REMEDIATION FUND FOR SAID SERVICES. (AMENDS ORDINANCES #79772, FEB. 24, 1994 & 80080, APRIL 28, 1994.)

\* \* \* \*

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

Mr. John German, Director of Public Works, explained the three part to the proposed Ordinance, outlined in a staff memorandum, a copy of which is made a part of the papers of this meeting.

In response to a question by Mayor Thornton, Mr. German spoke to details of paragraphs (b) and (c) of the staff memorandum, noting that the Petroleum Drive matter is yet to be done. He further noted that fines levied by the Texas Natural Resources Conservation Commission (TNRCC) are involved in paragraph (b).

Mr. Alexander E. Briseno, City Manager, spoke to details of the activity of Lloyd, Gosselink, Fowler, Blevins, and Mathews, P.C., Law Firm in the Petroleum Drive site remediation matters, as well as the TNRCC fines matter.

In response to a question by Ms. McClendon, Mr. Lloyd Garza, City Attorney, spoke to the current status of the trial now underway in relation to Alamodome soils, noting that actual litigation is due to begin next Monday. He further noted that paragraph (a) of the staff memorandum involves payments for trial work, and does not cover any costs of appeals.

In response to a question by Ms. McClendon, Mr. German spoke to the projected \$400,000 cost to the Petroleum Drive site, and estimated it would cost some \$2.9 million more for complete remediation of Alamodome soils from the Petroleum Drive site problem., making the projected total cost of removal of Alamodome soils from the Petroleum Drive site an estimated \$3.3 million, in all.

Ms. McClendon asked that City staff come up with a plan on how to pay the remaining \$2.9 million.

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

Ms. McClendon made a motion to direct city staff to come up with a plan on how to pay the remaining \$2.9 million. Mr. Peak seconded the motion.

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

Mr. Briseno and Mr. German estimated it would take about 45 days to prepare the requested report.

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96-17

CITY MANAGER'S REPORT

"CLEAN CITY" AWARD

Mr. John German, Director of Public Works, spoke to Governor Bush's recent designation of the City of San Antonio as a "Clean City" under provisions of a special Governor's program. He noted that San Antonio was the largest Texas city so designated. He then spoke to cited examples of acts leading up the award, including the City's recycling program, its activities with the Keep San Antonio/Bexar County Beautiful, and others. He noted that this award is an important one for San Antonio.

Discussion then took place concerning the awards ceremony and its possible site.

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96-17

TUBERCULOSIS REPORT

Mr. Solis asked that the City Manager prepare a report for City Council on the current tuberculosis situation in San Antonio, particularly as it affects the city's schools, at the high school and elementary school levels.

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96-17

CITIZENS TO BE HEARD (CONTINUED)

MR. ALAN PARKER

Mr. Parker again spoke to the City Council about his exception to the Mayor traveling out of the city, specifically to Jerusalem, which he considers part of a terrorist society. He stated that he would

prefer that the Mayor remain in the city of San Antonio, and spoke in opposition to the presence of the Mayor in Jerusalem, once again, stating his opinion that the Mayor of San Antonio should not be supporting what Mr. Parker believes is a 'terrorist government' in Israel.

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96-17 City Council recessed its regular session at 4:10 P.M., reconvening at 5:00 P.M.

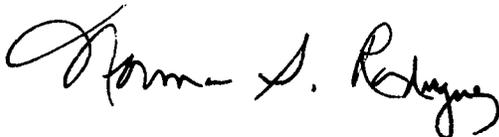
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96-17 There were no additional citizens to be heard present in the audience at this time.

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96-17 There being no further business to come before the Council, the meeting was adjourned at 5:01 P.M.

A P P R O V E D

  
M A Y O R

Attest:

  
C I T Y C L E R K