

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JUNE 25, 1992.

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The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, PIERCE, BILLA BURKE, WING, SOLIS, AYALA, VERA, THORNTON, LARSON, WOLFF. Absent: LABATT.

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92-27 Invocation - Father Eddie Bernal, St. John Berchmann Catholic Church.

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92-27 Pledge of Allegiance to the flag of the United States.

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92-27 Minutes of the May 14, 1992 Regular City Council Meeting were approved.

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92-27 MISS RODEO TEXAS

Mayor Wolff introduced Miss Kerri Griffith, the 1991 Miss Rodeo Texas, from Odessa, and noted that she is in San Antonio for the 1992 Miss Rodeo Texas Pageant and the crowning of the new Miss Rodeo Texas on Friday, June 27, 1992.

Mr. Sam Parnes, representing the pageant, briefly explained details of the pageant, already underway, and introduced Miss Griffith to the City Council.

Miss Griffith spoke to additional details of the pageant events, which has been held annually in San Antonio since the 1970s, and provided additional details about the college scholarship program.

Mayor Wolff read the official decree, naming Miss Griffith as an Honorary Alcalde of La Villita, and presented her with the document.

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RESOLUTION OF APPRECIATION: MR. DAVID LEAMON

Mayor Wolff welcomed Mr. David Leamon, until recently Director of the San Antonio Public Library, to the City Council meeting, and noted that Mr. Leamon has accepted a position as Director of the Topeka, Kansas Public Library System.

Mayor Wolff then read the following Resolution:

A RESOLUTION NO: 92-27-22

WHEREAS, DAVID L. LEAMON HAS SERVED AS DIRECTOR OF THE SAN ANTONIO PUBLIC LIBRARY SINCE MAY 1989; AND

WHEREAS, DURING HIS TENURE THE LIBRARY SYSTEM HAS EMBARKED ON AN AMBITIOUS CAMPAIGN TO BUILD A NEW MAIN LIBRARY, A NEW BRANCH IN THE NORTHWEST, REPLACE TWO BRANCH LIBRARIES, EXPAND AND RENOVATE MANY OTHER BRANCH LIBRARIES, AND EXPAND BOOKMOBILE SERVICE TO BEXAR COUNTY; AND

WHEREAS, HE HAS BEEN INSTRUMENTAL IN THE REVITALIZATION OF THE UNIQUE AND TREASURED HERTZBERG CIRCUS MUSEUM; AND HAS CULTIVATED SUCH STRONG COMMUNITY SUPPORT THAT MANY BRANCH LIBRARIES HAVE FORMED "FRIENDS" GROUPS AND VOLUNTEERS CORPS; AND

WHEREAS, HE HAS ALSO BEEN A PERSUASIVE ADVOCATE FOR THE VALUE OF LITERACY, THE PLEASURE OF READING, ACCESS TO INFORMATION FOR ALL AGES, AND THE CULTURAL DIVERSITY FOSTERED BY PUBLIC LIBRARY COLLECTIONS AND PROGRAMS; AND

WHEREAS, THE CITY COUNCIL IS PROUD OF DAVID LEAMON'S ACHIEVEMENTS AS DIRECTOR OF THE SAN ANTONIO PUBLIC LIBRARY; HIS PROFESSIONAL ACUMEN, EXPERTISE, AND DEEP SENSE OF RESPONSIBILITY HAVE BENEFITTED THE CITIZENS OF SAN ANTONIO; NOW THEREFORE:

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

THAT DAVID L. LEAMON BE COMMENDED FOR HIS LEADERSHIP AND CONTRIBUTIONS TO THE COMMUNITY; AND THE CITY COUNCIL EXPRESSES ITS APPRECIATION FOR A JOB WELL DONE AND WISHES HIM MUCH SUCCESS AND HAPPINESS IN ALL FUTURE ENDEAVORS.

PASSED AND APPROVED THIS 25TH DAY OF JUNE, 1992.

\* \* \* \*

Mr. Larson made a motion to approve the proposed Resolution. Mr. Wing seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Perez, Labatt.

Mr. Leamon spoke to his enjoyment of serving the City of San Antonio during his tenure as Library Director, and addressed the importance of the library system to the citizens of San Antonio. He then thanked the Mayor and City Council for its support for the system.

Mayor Wolff, Council members and City Manager Alex Briseno all expressed their individual appreciation to Mr. Leamon for his leadership and service as Director of the Public Library System.

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92-27

SOUTH SAN ANTONIO HIGH SCHOOL BASEBALL TEAM

Mayor Wolff noted that the South San Antonio High School baseball team recently participated in the state tournament in its class, and was runner-up to the eventual state champions. He introduced Coach Nick Casas and School Board President Marcelo Casias and board member Raul Prado, all present in the audience.

Mr. Casias spoke of the school district's pride in the accomplishments of the team and its coaches.

Each team member then came forward to introduce themselves and speak to their position on the team.

Mr. Casas thanked the Mayor and City Council for the recognition of the team, and also acknowledged the contributions of the school principal and her full support.

Mr. Wing spoke to the team's long history of achievement in high school baseball circles, especially its record of having made the most post-season tournament appearances of any team in Texas.

Several City Council members joined Mayor Wolff in expressing their congratulations to the team and its coaches.

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92-27

DISTRICT 2 CLEANUP PROJECT

On a Point of Personal Privilege, Mr. Pierce introduced Mr. Rudy Holmes, Director of the Family Support Center at Lackland Air Force

Base, and a group of volunteers from the base who assist with various citywide cleanup campaigns, throughout the year.

Mr. Pierce then read a special Citation prepared for the group and presented it to Mr. Holmes.

Mr. Holmes spoke to the close bonds that link the military and civilian communities in San Antonio, and spoke of his group's plans to participate in a community cleanup campaign next fall.

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92-27 BRACKENRIDGE HIGH SCHOOL GOVERNMENT AND ECONOMICS CLASS

Mayor Wolff recognized a group of students from a government and economics class at Brackenridge High School, accompanied by their instructor, Mr. Calvin Ussery, and welcomed the group to City Hall.

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92-27 SWEARING-IN OF MS. STELLA KYLE, CHIEF JUDGE-MUNICIPAL COURT

City Clerk Norma S. Rodriguez administered the Oath of Office to Ms. Stella Ortiz Kyle, newly-named Chief Judge of Municipal Court, and congratulated her.

Mayor Wolff and City Council members joined the audience in a round of applause for Ms. Kyle.

Ms. Kyle thanked the Mayor and City Council for their appointment of her as new Presiding Judge and their vote of confidence in her. She pledged that Municipal Court would be both fair and impartial under her direction, and that everyone appearing before the Court would be treated the same. She expressed individual thanks for the support of City Council members, City staff, her family and friends, and particularly Judge Albert Pena, the retiring Chief Judge. She then spoke briefly of the new Municipal Court facilities.

Mayor Wolff and members of the City Council spoke of their confidence in Ms. Kyle as the new Chief Judge.

Mayor Wolff then expressed thanks to Mr. Wing and other members of the Municipal Court Committee of the City Council for their difficult work over the past year, and expressed a particular thanks to Judge Pena, not only for his service to Municipal Court, but to all of San Antonio for his many years of public service.

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92-27      CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 9 through 25V, constituting the Consent Agenda with Agenda Item 20 removed by the City Manager. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Billa Burke, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Pierce, Wing, Labatt.

AN ORDINANCE 75,988

ACCEPTING THE LOW BIDS OF DE LA GARZA FENCE AND SUPPLY COMPANY, JAMIESON FENCE SUPPLY AND RUDY RODRIGUEZ TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH CHAIN LINK FENCE MATERIALS FOR A TOTAL OF \$15,730.89.

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AN ORDINANCE 75,989

ACCEPTING THE LOW QUALIFIED BID OF SCUBA EXPRESSIONS TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH UNIFORM SHIRTS FOR A TOTAL OF \$9,244.95.

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AN ORDINANCE 75,990

ACCEPTING THE LOW QUALIFIED BID OF FERNANDEZ CONSTRUCTION TO PAINT MISCELLANEOUS ITEMS AT HEMISFAIR PARK FOR A TOTAL OF \$8,452.00.

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AN ORDINANCE 75,991

ACCEPTING THE PROPOSAL OF BMC SOFTWARE, INC. TO PROVIDE A LICENSE RENEWAL AND MAINTENANCE AND ENHANCEMENT SERVICES FOR THE SUPEROPTIMIZER/CICS SOFTWARE FOR THE INFORMATION SERVICES DEPARTMENT FOR ONE YEAR AT AN ANNUAL COST OF \$4,400.00.

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AN ORDINANCE 75,992

CANCELLING THE CONTRACT OF TRACE AMERICA FOR PRIVATE

PROCESS SERVICE AND AWARDED IT TO AMERICAN PROCESS  
AT A MONTHLY COST OF APPROXIMATELY \$1,200.00.

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AN ORDINANCE 75,993

ACCEPTING THE LOW BID OF TEXAS EQUIPMENT/HORIZON  
SAVINGS COMPANY TO FURNISH THE CITY OF SAN ANTONIO  
AUTOMOTIVE OPERATIONS AND PUBLIC WORKS DEPARTMENT  
WITH HYDRAULIC CRANE LOADERS FOR A TOTAL OF  
\$102,000.00.

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AN ORDINANCE 75,994

AUTHORIZING AN ADDITIONAL \$16,963.96 IN U.S.  
HOUSING AND URBAN DEVELOPMENT (HUD) EMERGENCY  
SHELTER GRANT FUNDS PAYABLE TO LLOYD WALKER JARY &  
ASSOCIATES, INC. FOR ARCHITECTURAL SERVICES IN  
CONNECTION WITH THE RENOVATION OF THE DWYER CENTER  
PROJECT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 75,995

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$20,814.50 WITH G.G.I. FOR THE PROVISION  
OF CERTAIN ENGINEERING SERVICES RELATED TO THE  
RECONSTRUCTION OF CLOVIS FROM LOGWOOD TO HILTON  
PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING  
\$4,162.90 FOR ENGINEERING CONTINGENCY EXPENSES;  
AUTHORIZING \$200.00 FOR ADVERTISING EXPENSES; AND  
PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,996

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$17,215.00 WITH OVERBY-DESCAMPS ENGINEERS,  
INC. FOR THE PROVISION OF CERTAIN ENGINEERING  
SERVICES RELATING TO THE RECONSTRUCTION OF GIFFORD  
FROM W. SOUTHCROSS TO W. GERALD PROJECT;  
AUTHORIZING \$3,443.00 FOR ENGINEERING CONTINGENCY  
EXPENSES; AUTHORIZING \$200.00 FOR ADVERTISING  
EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,997

AUTHORIZING AN ADDITIONAL \$1,600.00 FOR ENGINEERING SERVICES PAYABLE TO MSC & ASSOCIATES IN CONNECTION WITH THE RECONSTRUCTION OF GRAND JEAN FROM CARLE TO OELKERS PROJECT; AUTHORIZING \$200.00 FOR BID ADVERTISING EXPENSES; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 75,998

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,471.77 FOR TITLE CHARGES ON THE DRIFTWOOD DRAINAGE PROJECT #39 B-F, SOUTH, CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD; RITTIMAN ROAD RECONSTRUCTION PROJECT - THORNWOOD TO GIBBS-SPRAWL ROAD, SCIENCE PARK DRAINAGE PROJECT #58H, I & J AND NORTH FLORES STREET PROJECT NO. 35, PHASE I, 35Y MYRTLE STREET; APPRAISAL FEES ON THE BABCOCK ROAD PROJECT - HUEBNER TO HAMILTON WOLFE, 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO W. COMMERCE STREET AND THE GUADALUPE GARDENS DRAINAGE PROJECT AND APPROPRIATING FUNDS.

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AN ORDINANCE 75,999

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$27,507.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II; AND ACQUIRING TITLE TO TWO PARCELS AND ACQUIRING TWO TEMPORARY EASEMENTS IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J.

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AN ORDINANCE 76,000

APPROVING A LEASE AGREEMENT WITH JACK B. KALLISON, JAMES M. KALLISON, JANE K. DREYFUS AND RUTH D. KALLISON FOR OFFICE SPACE IN THE KALLISON'S BUSINESS AND PROFESSIONAL EXECUTIVE BUILDING LOCATED AT 419 S. MAIN AVENUE FOR A MONTHLY RENTAL FEE OF \$2,355.75; AND AUTHORIZING THE EXECUTION OF SAID LEASE AGREEMENT.

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AN ORDINANCE 76,001

AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NO. 5, COMPRISED OF ATTACHMENT 8 TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH (TDH) THAT PROVIDES STATE AID TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING \$681,275.00 IN BUDGET MODIFICATIONS TO CONTINUE FUNDING OF RYAN WHITE TITLE II AIDS/HIV PROGRAMS IN THE PUBLIC HEALTH STATE SUPPORT PROJECT 1992/93 ESTABLISHED IN ORDINANCE 75075 PASSED JANUARY 16, 1992; AUTHORIZING PERSONNEL POSITIONS; AUTHORIZING CONTRACTUAL SERVICES; AUTHORIZING THE EXECUTION OF CONTRACTS WITH SUBCONTRACTORS; AND APPROPRIATING FUNDS.

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AN ORDINANCE 76,002

AMENDING SECTION 3, ORDINANCE NO. 75888, APPROVED BY CITY COUNCIL ON JUNE 4, 1992, BY CHANGING THE STREETS TO BE CLOSED IN CONNECTION WITH THE FREEDOMFEST EVENT IN HEMISFAIR PARK SCHEDULED FOR JULY 4, 1992.

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AN ORDINANCE 76,003

APPOINTING BOB WANDRISCO TO REPLACE BRIAN ERICKSON ON THE AIRPORT ADVISORY COMMITTEE FOR A TERM TO EXPIRE DECEMBER 15, 1993.

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AN ORDINANCE 76,004

APPOINTING GLADYS HARBORTH TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM TO EXPIRE APRIL 3, 1993.

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AN ORDINANCE 76,005

APPOINTING AND REAPPOINTING MEMBERS TO THE BOARD OF APPEALS.

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AN ORDINANCE 76,006 .

APPOINTING MARTHA RODRIGUEZ AND MR. J.J. MEDINA TO  
THE COMMISSION FOR CHILDREN AND FAMILIES.

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AN ORDINANCE 76,007 .

APPOINTING AND REAPPOINTING MEMBERS TO THE  
DISABILITY ACCESS ADVISORY COMMITTEE.

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AN ORDINANCE 76,008 .

REAPPOINTING MEMBERS TO THE ELECTRICAL EXAMINING AND  
SUPERVISING BOARD FOR TERMS OF OFFICE TO EXPIRE JULY  
31, 1994.

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AN ORDINANCE 76,009 .

REAPPOINTING JACK JUDSON TO THE FINE ARTS COMMISSION  
FOR A TERM OF OFFICE TO EXPIRE NOVEMBER 24, 1993.

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AN ORDINANCE 76,010 .

REAPPOINTING AQUILA MCGREW AND ROY RIVERO TO THE  
HOME IMPROVEMENT ADVISORY BOARD FOR TERMS OF OFFICE  
TO EXPIRE JUNE 23, 1994.

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AN ORDINANCE 76,011 .

REAPPOINTING WILLIAM T. CORNWELL AND HECTOR GARCIA  
TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR  
TERMS OF OFFICE TO EXPIRE MAY 30, 1994.

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AN ORDINANCE 76,012 .

APPOINTING AND REAPPOINTING MEMBERS TO THE OPEN  
SPACE ADVISORY BOARD.

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AN ORDINANCE 76,013 .

REAPPOINTING LYDIA OLLERVIDEZ TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE MARCH 31, 1994.

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AN ORDINANCE 76,014 .

APPOINTING JULIA A. LOPEZ TO REPLACE LESLIE SACHANOWICZ ON THE SAN ANTONIO CENTRO 21 TASK FORCE FOR A TERM TO EXPIRE DECEMBER 31, 1994.

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AN ORDINANCE 76,015 .

APPOINTING AND REAPPOINTING TRUSTEES AND DIRECTORS TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY.

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AN ORDINANCE 76,016 .

APPOINTING AND REAPPOINTING MEMBERS TO THE ZONING COMMISSION.

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AN ORDINANCE 76,017 .

APPOINTING JOHN A. MAGUIRE, D.D.S. AND JOSEPH D. DIAZ, M.D. TO SERVE ON THE ADVISORY BOARD OF HEALTH OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT.

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AN ORDINANCE 76,018 .

APPOINTING AND REAPPOINTING MEMBERS TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE.

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AN ORDINANCE 76,019 .

REAPPOINTING MEMBERS TO THE MARKET SQUARE COMMISSION FOR TERMS OF OFFICE TO EXPIRE MAY 5, 1994.

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AN ORDINANCE 76,020

APPOINTING C. ERIC SOLAR TO REPLACE JANET SPENCE ON THE SAN ANTONIO AIDS/HIV COMMISSION FOR A TERM OF OFFICE TO EXPIRE NOVEMBER 15, 1994.

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AN ORDINANCE 76,021

APPOINTING WILLIAM T. AVILA TO REPLACE LEO GOMEZ ON THE SMALL AND MINORITY BUSINESS ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE NOVEMBER 20, 1994.

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AN ORDINANCE 76,022

REAPPOINTING BOB THOMPSON TO THE TRIPARTY STEERING COMMITTEE FOR A TERM OF OFFICE TO EXTEND THROUGH THE DURATION ON THE TRIPARTY PROJECT.

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AN ORDINANCE 76,023

APPOINTING EARL C. HILL TO REPLACE COL. DEWITT COOK ON THE FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 19, 1994.

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AN ORDINANCE 76,024

APPOINTING AND REAPPOINTING MEMBERS TO THE PLANNING COMMISSION.

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92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,025

AUTHORIZING A TWENTY-FIVE (25) YEAR LICENSE AGREEMENT BY AND BETWEEN THE CITY OF SAN ANTONIO AND SANTA ROSA HEALTH CARE CORPORATION FOR THE

INSTALLATION OF AN AERIAL SKYWALK ACROSS NORTH SAN  
SABA STREET FOR A TOTAL CONSIDERATION OF \$10,380.00.

\* \* \* \*

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

Mr. Bill Toudouze, Real Estate Division, Public Works  
Department, briefly explained plans to construct a skywalk over San Saba  
Street in order to connect Santa Rosa Health Care Building with the  
hospital proper, across the street.

A discussion took place concerning a review of the proposed  
project by various City boards and commission, and the need for the  
project to link medical facilities.

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

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

92-27 ZONING HEARINGS

5A. CASE Z92037 (SUP) - to rezone Lot 11, Block 106, NCB 7221 from  
"F" Local Retail District to "B-2NA" SUP Non-Alcoholic Sales Business  
District with a special use permit for repair and sales of used  
applicancies, 3402 and 3407 Blanco Road, located northwest of the  
intersection of Clower Drive and Blanco Road, having 50 feet on Clower  
Drive and 140 feet on Blanco Road.

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

Mr. Solis 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:  
Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton; NAYS: None;  
ABSENT: Perez, Labatt, Larson, Wolff.

AN ORDINANCE 76,026

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 11, BLOCK 106, NCB 7221 FROM "F" LOCAL RETAIL DISTRICT TO "B-2NA" SUP NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR REPAIR AND SALES OF USED APPLICANCIES, 3403 AND 3407 BLANCO ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5B. CASE Z92069 - to rezone Lot 11, Block 131, NCB 9406 from "B-2NA" Non-Alcoholic Sales Business District to "B-3NA" Non-Alcoholic Sales Business District, 3121 - 3127 Pleasanton Road located northwest of the intersection of Drury Place and Pleasanton Road, having 50 feet on Drury Lane and 140 feet on Pleasanton Road.

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

Mr. Wing made a motion to approve the recommendation of the Zoning Commission. Ms. Vera seconded the motion.

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

AN ORDINANCE 76,027

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 11, BLOCK 131, NCB 9406 FROM "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 3121 - 3127 PLEASANTON ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5C. CASE Z92075 - to rezone Tract A, Block E, NCB 11538 from "R-2A" Three and Four Family Residence District to "R-1" Single Family Residence District, 2279 Bandera Road located on the southwest side of Bandera Road, 341.4 feet southeast of the intersection of Wildflower Drive and Bandera Road, having 63.83 feet on Bandera Road and a depth of 563.18 feet.

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

Ms. Vera 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: Pierce, Billa Burke, Wing, Ayala, Vera, Thornton; NAYS: None; ABSENT: Perez, Solis, Labatt, Larson, Wolff.

AN ORDINANCE 76,028

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 TRACT A, BLOCK 3, NCB 11538 FROM "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, 2279 BANDERA. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5D. CASE Z92078 - to rezone P-109, NCB 11166 from "R-A" Residence-Agriculture District and "B-3R" Restrictive Business District to "R-4" Manufactured Home Residence District, 10401 Roosevelt Avenue located on the west side of Roosevelt Avenue, approximately 2,600 feet southeast of the intersection of S.E. Loop 410 Expressway and Roosevelt Avenue, having 20 feet on Roosevelt Avenue and a depth of 1,154 feet.

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

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

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

AN ORDINANCE 76,029

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS P-109, NCB 11166 FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT, 10401 ROOSEVELT AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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

5E. CASE Z92080 - to rezone the west 114.6 feet of Lot 1, NCB 15559 from temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, 7748 Marbach Road, located southeast of the intersection of Marbach Road and Wrangler Drive, having 114.6 feet on Marbach Road and 160 feet on Wrangler Drive.

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

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

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

AN ORDINANCE 76,030

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 114.6 FEET OF LOT 1, NCB 15559 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 7748 MARBACH ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5F. CASE Z92082 - to rezone Lot 1, Block 1, NCB 18285, save and except 3.012 acre tract from temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District, 7411 Potranco Road located northwest of the cutback at the intersection of Culebra Road and Potranco Road, having 106.36 feet at the cut back and 477.15 feet on Potranco Road.

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

In response to a question by Ms. Vera, Mr. Alan Schindler, the proponent, stated that he would accept a B-3NA zoning.

Ms. Vera made a motion to approve the B-3NA zoning. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 76,031

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 18285, SAVE AND EXCEPT A 3.012 ACRE TRACT FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 7411 POTRANCO ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5G. CASE Z92087 (CC) - to rezone Lot 1, Block 1, NCB 16358 from "B-3" Business District to "B-3" CC Business District with City Council's approval for a hospital, 3636 Medical Drive located south of the intersection of Medical Drive and IH-10 West Expressway, having 292.95 feet on Medical Drive and 490.42 feet on IH 10 West Expressway.

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

Mr. Bill Kaufman, Attorney representing Incore, Inc., owners of the building, explained details of the case for conversion of the existing building for a long-tenure respiratory care hospital containing some 100 beds.

Mr. Martin Bryant, 3636 Medical Drive, tenant of the existing building, stated that, as a current building tenant, he discovered details of this rezoning case only today. He noted that he had met with Mr. Kaufman and hopes for additional dialogue, stating that he will not oppose this rezoning case, at this time.

Mr. Kaufman noted that a bank owns the building in question, and stated that he would be willing to intercede on behalf of better communications between the bank and the tenants of the building.

Dr. Thornton made a motion to approve the recommendation of the Zoning Commission. Ms. Vera seconded the motion.

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

AN ORDINANCE 76,032

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 1, NCB 16358 FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, 3636 MEDICAL DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

5H. CASE Z92048 - to rezone A 2.427 acre tract of land out of NCB 11688 from "B-3" Business District to "I-1" Light Industry District, 1802 Jackson-Keller Road located on the southwest side of Jackson-Keller Road, 861.52 feet southeast of the intersection of Jackson-Keller Road and West Avenue, being 201 feet southwest of Jackson-Keller Road, having a width of 323.91 feet and a depth of 441.73 feet.

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

Mayor Wolff read from a prepared statement by Mr. Labatt, who is absent from this meeting, requiring that certain deed-restrictions be set in place to provide for reversion of the property's zoning of I-1 back to its current B-3 zoning, under certain conditions.

The following persons then appeared to speak:

Mr. Lee Hernandez, representing the property owners, explained plans for expansion of corporate offices and a packaging plant on-site, noting that the case was postponed two weeks ago so that the proponent could meet with opponents to the rezoning request over allegations of odors and noise, because of the requested zoning change. He spoke to an explanation of the work to be performed on the property, and the lack of either noise or odor. He then spoke to the substance of the negotiations with objectors to the rezoning.

Ms. Lois Lane, 8081 South Verde, Realtor on this project, spoke in favor of the rezoning of the property that apparently no one else had wanted.

Mr. Roy Lane, 8081 South Verde, spoke to the integrity of the Garcia family and plans for new jobs for San Antonio in the new facility.

Mr. Jerry Arredondo, 10406 Lazy F Trail, spoke to Mr. Labatt's written request and to the fact that the absentee owner of the property next door objects to the rezoning, despite the pledge of the deed restrictions.

Mr. Perry Burnham, Mayor of Castle Hills, spoke to his concerns with the effects of having a sausage factory across the street from a residential area of Castle Hills, noting his contention that this proposed facility is an industrial business and thus would adversely impact property values. He also stated his belief that the proposed facility would adversely affect other properties in the area as well as activities of North East Independent School District in this vicinity. He then spoke concerning the heavy vehicular traffic already experienced in this area of Jackson Keller Road and spoke to his fears for further intrusion of I-1 uses in the area. He stated his belief that rezoning to I-1 is not appropriate, and noted that City staff recommended denial of the request.

Mr. Forrest Smith, Attorney, Groce Locke and Hebdon, 2000 Frost Bank Tower, representing Lincoln Village Apartments, spoke to the lack of timely notice to adjacent property owners in this case, and his client's reasons for opposing I-1 uses on the property. He spoke to the proposed restrictive covenants suggested by the opponents and rejected by proponents in this case, voicing his concerns for the adverse impact such a facility would have on the planned 736-unit apartment project next door. He noted that Mr. Labatt is opposed to the rezoning, without the restricting covenants agreed to and recorded.

Mr. Bill Finck, 118 Geneseo Road, stated his opinion that the area is primarily residential/small business, not industrial in character.

Mr. Matt Lair, representing an investor in the Lincoln Village Apartments, spoke to his client's concerns with changing the character of the area from residential to industrial, stating his belief that such a change would severely affect his client's investment.

Mr. Arredondo stated his feeling that he has followed Mr. Labatt's desires concerning reversion of the zoning back to B-3, if the business involved were to leave the property.

Mr. Hernandez stated his belief that the site-plan for this property adequately buffers nearby residential areas, and stated his belief that Mr. Labatt is in favor of this new plant.

In response to a question by Mayor Wolff, Mr. Andy Guerrero, Land Development Services, noted that any 200-foot B-3 buffer around this property would have to come by way of deed restrictions, in this case.

A discussion then ensued concerning how this zoning case could be reconsidered by Council, if necessary.

Mr. Solis spoke in favor of the rezoning request.

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

In response to a question by Ms. Vera, Mr. Guerrero spoke to the reasons why City staff opposed the rezoning request before the Planning Commission, noting that the plat plan, as presented, allows a 200-foot BN-3 buffer to remain around the building.

Mr. Hernandez noted that the plat plan allows some \$30,000 to install a greenbelt buffer around the property.

Dr. Thornton spoke in favor of the proposal, stating his belief that this would be a good asset to the area.

Ms. Ayala spoke to the reputation of the Garcia family.

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

AN ORDINANCE 76,033

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 2.427 ACRE TRACT OF LAND OUT OF NCB 11688 FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, 1802 JACKSON-KELLER ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

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

92-27 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

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

The City Clerk read the following Ordinance:

AN ORDINANCE 76,034

AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND OTHER NECESSARY PERMITS FOR THE OPERATION OF A GROCERY STORE AT 1533 EAST HOUSTON STREET WITHIN THE BOUNDARIES OF THE ALAMODOME IMPACT AREA; AND GRANTING AN EXCEPTION TO THE MORATORIUM ON THE ISSUANCE OF SUCH PERMITS AS IMPOSED BY ORDINANCES NUMBERED 74488, 74531 AND 75650.

\* \* \* \*

Mr. Gene Camargo, Director of Building Inspections, explained the request to open a grocery store on property in the Alamodome Impact Area, a request to which staff recommends approval.

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

Mr. Pierce 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, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Larson; NAYS: None; ABSENT: Solis, Labatt, Wolff.

92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,035

AUTHORIZING EXECUTION OF AMENDMENTS TO LA VILLITA RETAIL LEASE AGREEMENTS AND INCREASING RENTAL RATES FOR RETAIL SPACE LOCATED THEREIN.

\* \* \* \*

Mr. Ron Darner, Director of Parks & Recreation, addressed the proposed new rates for La Villita leases, as recommended by the Love & Dugger Study. He noted that some 21 tenants would be affected.

Mr. Larson 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, Wing, Vera, Thornton, Larson; NAYS: None; ABSENT: Pierce, Solis, Ayala, Labatt, Wolff.

92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,036

REGULATING THE RATES FOR ELECTRIC AND GAS SERVICE THROUGH THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS OPERATED BY THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO.

\* \* \* \*

Mr. Bill Arnette, Acting Supervisor of Public Utilities, briefly explained the proposal for adopting three new gas rates for City Public Service and amending the Large Volume Gas rate, noting that some large users of CPS natural gas may choose to change to new suppliers. He then addressed the City staff's analysis of the proposed changes in rates, and the fact that staff recommends approval. He then addressed the proposed rate changes in light of their expected impact upon CPS revenues, estimated to be some \$1.4 million per year, and the loss of revenues to the City of San Antonio, estimated to be some \$311,000 in fiscal year 1992-93.

The following citizens then spoke:

Mr. Howard Rogers, representing San Antonio Manufacturers Association, spoke in support for the rate changes and spoke to the history of the rate study which brought about these recommendations.

Mayor Pro Tem Thornton noted that a portion of the pending motion is an understanding that an 18-month study of the new CNGV rate is included in that motion.

In response to a question by Mr. Larson, Mr. Don Squires, City Public Service, reiterated the new rates and spoke to reasons why they are being recommended. He then spoke to the possible users of the new rates.

Mr. Larson urged CPS to seek a solution to the problem of weeds around the base of CPS transmission towers throughout the city.

Mr. Arthur von Rosenberg, General Manager, CPS, stated that CPS would willingly undertake weed-control around the transmission towers, providing that the property owners transfer ownership to that land to CPS; otherwise, CPS cannot voluntarily do so. He stated that CPS would consider the City's request to clean around the towers in City easements. He also stated his belief that CPS should not get into the CNG natural-gas business for automobile fuel, but leave that to the private sector.

A discussion then ensued concerning the use of CNG as fuel by governmental entities.

Dr. Thornton lauded CPS for its good bond interest rates.

Mr. Robert Siller, rate analyst, Public Utilities division, briefly discussed the amendment included in the ordinance dealing with public streetlight rates involving metal halide lights as an alternative to sodium vapor streetlights.

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

Mr. Larson 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, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

- - -

92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,037

RESCINDING ORDINANCE 73486, PASSED AND APPROVED ON APRIL 8, 1991, WHICH AUTHORIZED THE PURCHASE OF LOTS 3-6, 10-13, 6A AND THE EAST 5 FEET OF 11A, BLOCK 11, NCB 580 IN THE CITY OF SAN ANTONIO, KNOWN AS 243 N. CENTER STREET, FOR THE AMOUNT OF \$530,000.00 FROM THE CENTER STREET JOINT VENTURE; APPROVING THE PURCHASE OF THE ABOVE-MENTIONED PROPERTY FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR \$500,000.00; AND APPROPRIATING \$50,000.00 FOR IMPROVEMENTS TO THE BUILDING LOCATED THEREON.

\* \* \* \*

Mr. Pierce made a motion to approve the proposed Ordinance. Mr. Wing seconded the motion.

Mr. Joe Rodriguez, Acting Director of Public Works, explained the proposed purchase of 243 North Center Street for the Public Works Parking Division.

In response to a question by Mr. Pierce, Ms. Dana Hickey, Parking Division, Public Works Department, spoke to the use of the building's parking spaces.

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

92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,038

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE LAW FIRM OF CHAMBERLAIN AND LATER TO PROVIDE REPRESENTATION AT THE APPEAL HEARING AND OTHER JTPA RELATED MATTERS FOR AN AMOUNT NOT TO EXCEED \$6,000.00; AUTHORIZING THE EXECUTION OF A CONTRACT WITH ATTORNEY ROCHELLE J. DANIELS TO SERVE AS HEARING OFFICER AT THE APPEAL HEARING REGARDING AN APPEAL OF THE JTPA TITLE IIA/III PROCUREMENT PROCESS FOR AN AMOUNT NOT TO EXCEED \$3,000.00; AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH

MATTHEWS AND BRANSCOMB FOR AN AMOUNT NOT TO EXCEED  
\$36,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED  
\$45,000.00 AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, explained the need to retain legal counsel on one agency's appeal of funding recommendations made by the San Antonio Works! Board. He stated his belief that the agency in question will continue to appeal its case.

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

92-27 The Clerk read the following Ordinance:

AN ORDINANCE 76,039

AMENDING ORDINANCE 75619, PASSED AND APPROVED ON APRIL 9, 1992 TO AUTHORIZE ACCEPTANCE OF AN ADDITIONAL ALLOCATION OF \$4,672,204 FOR THE JTPA TITLE II-B SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM, OF WHICH \$1,900,000 IS TARGETED TO THE CITY OF SAN ANTONIO AS ONE OF THE TOP 75 CITIES IN THE NATION, AND \$2,725,183 IS THE ALAMO SDA PORTION OF THE STATE OF TEXAS FORMULA ALLOCATION; APPROVING THE SYETP PLAN AMENDMENT; AUTHORIZING AN AMENDMENT TO THE EXISTING SUB-GRANTEE CONTRACT WITH AACOG FOR \$351,549; AND AUTHORIZING AMENDMENTS TO EXISTING SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM (SYETP) CONTRACT AS APPROVED BY THE SAN ANTONIO WORKS BOARD ON JUNE 24, 1992.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of Community Initiatives, spoke to the signing of emergency legislation to allocate additional funds to the Summer Youth Education and Training Program (SYETP), which will double the allocation to the San Antonio area. He then addressed the individual allocations to separate agencies and the rationale for that allocation, as recommended by the SAW board.

In response to a question by Mr. Pierce, Mr. Moriarty spoke to the number of additional youths that can be hired this summer, about 3,200 in all, and the additional funds being made available for the PREP Program of the University of Texas at San Antonio, among other agencies.

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

92-27

INTERIM AIRPORT SHUTTLE SERVICE

Mr. Roger Perez, on a Point of Personal Privilege, distributed copies of a draft memorandum to City Council members, dealing with the matter of the airport shuttle service currently being provided by Advantage Express, Inc. He reviewed City Council approval for this interim airport shuttle service on February 13, 1992, and spoke to a Request for Proposal that has been advertised, with responses currently due to the City on July 8, 1992.

Due to the fact that the interim agreement is to expire August 31, 1992, and the fact that an independent consultant is being hired to assess all aspects of commercial ground transportation in San Antonio, Mr. Perez stated his desire that the current shuttle agreement be extended on an interim basis, and that the RFP be cancelled, allowing the airport shuttle matter to be integrated into the overall study of commercial ground transportation. He further stated his willingness to bring forth, at a latter date this summer, an ordinance granting Advantage Express Inc., now doing business as Star Shuttle, permits for citywide shuttle service for so long as the interim airport contract continues.

Mr. Perez made a motion to place on a future agenda the matter of rescinding the RFP currently being advertised, and to extend the current airport shuttle contract for up to an additional six months. Mr. Wing seconded the motion.

It was agreed that an ordinance to accomplish this would be brought back before City Council on July 23, 1992 for consideration.

Mr. Ephraim Gonzalez, Assistant Director of Aviation for Operations & Maintenance, spoke to details of the RFP process.

Mr. Rolando Bono, Assistant City Manager, noted that City staff has been operating on the requirement to provide a continuous shuttle service for International Airport; therefore, the RFP was advertised.

Ms. Vera urged that the commercial ground transportation study be effected in a shorter timeframe than currently being figured.

Ms. Ayala spoke in support for a six-month delay in the shuttle situation, to insure that the entire ground transportation issue is looked at.

After consideration, the motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Larson, Wolff; NAYS: None; ABSENT: Thornton, Labatt.

92-27 The Clerk read the following Resolution:

A RESOLUTION NO. 92-27-23

EXPRESSING THE APPROVAL OF AND THE AUTHORIZATION BY THE CITY COUNCIL OF THE SUBMISSION OF THE RESPONSE TO THE TEXAS WATER COMMISSION PROPOSED RULES AS DRAFTED AND RECOMMENDED BY THE SAN ANTONIO WATER SYSTEM BOARD.

\* \* \* \*

Ms. Vera made a motion to approve the proposed Resolution. Mr. Wing seconded the motion.

Mr. Cliff Morton, Chairman, San Antonio Water System Board of Trustees, referred to the packet of information distributed to City Council last week, and the recommendations still to come, except for several recommended changes. He noted that Mr. Joe Aceves, President, San Antonio Water System, would speak to those proposed changes to the recommendations.

Mr. Aceves spoke to the proposed change in wording in paragraph IIIB to read: "Limit discharge from wells from the aquifer to not less than 450,000 acre-feet per year....."

Under paragraph V-B, Mr. Aceves recommended adding a phrase that would make the sentence read: "Retain City's ownership right to reuse water subject to some downstream flow requirements."

He also spoke to clarifications made to paragraph V-L, so that the sentence will read: "Develop cost-sharing mechanism for reductions from existing levels of use and funding for acquisition of alternative resources or improving yield."

Mayor Wolff spoke to the purposes for this proposed Resolution and actions now being undertaken by adoption of the Resolution.

The following citizens then appeared to speak to this issue:

Mr. Tom Culbertson, Regional Clean Air & Water Association, noted that he had only today received these recommended changes, and spoke to his belief that there was no public notice made for the SAWS board meeting that considered them.

Mayor Wolff responded that all of the SAWS meetings have been open to the public, and in fact televised.

Mr. Culbertson stated his belief that the City should be proceeding with the recommendations of the Citizens Water Committee, and spoke about what these recommendations were.

Mr. Homer Bain, representing Metro Alliance, stated that Metro Alliance and Communities Organized for Public Service (COPS), had attended all SAWS meetings to date, and he commended the City Council for its actions today which his group feels are part of a well-planned regional management of the Edwards Aquifer. He further noted that these two groups have supported aquifer protection and are in agreement with more stringent requirements on development over the aquifer. He stated that his groups want implementation of new rates for business and industry, and favored re-use water usage in City parks. He further noted that the two groups also favor augmentation of the aquifer, and consider reservoirs and inter-basin water transfers only as a last resort.

Ms. Mary Paccione, representing Communities Organized for Public Service (COPS), also spoke of the joint effort of COPS and the Metro Alliance in this issue, and commended the Mayor and Council for the openness of this process especially with regard to the SAWS meetings. She noted that these meetings concern water rates, and she asked who would be paying for these increased water rates.

Mr. Hans R.F. Helland, board member, Edwards Underground Water District, spoke against agreeing to a 450,000 acre-foot "cap" on water drawn from the aquifer for the City of San Antonio, stating his belief that the Texas Water Commission does not have a case for its arbitrary ruling on its announced water plan. He stated his belief that the cap and the proposed permit on water usage is wrong and urged the City not to quantify its water usage.

Ms. Kay Turner stated her belief that the City should be asking for an Attorney General's opinion on this matter, since she contends that the TWC plan is illegal. She spoke against giving away the city's right to water from the Edwards Aquifer and questioned several aspects of the proposed response to the TWC plan.

Mr. Paul K. Herder, representing San Antonio River Authority, applauded the City for taking a stand in an attempt to solve this issue of water from the Edwards Aquifer.

Mr. Guenther Krellwitz stated his opinion that the City would be making a mistake in responding to the TWC plan, and expressed his belief that the plan is a bluff by TWC.

Mr. Howard Peak, representing the North San Antonio Chamber of Commerce, spoke to his organization's recommendations in this matter and in support for the proposed response.

Mr. Duane Pozza, representing Associated General Contractors, spoke in support for a unified response, recommending changes to the TWC plan.

Mr. Jay Gwin, representing the Greater San Antonio Chamber of Commerce, spoke in support for the SAWS response and statement.

Mr. Charles Rodriguez, Chairman, Edwards Underground Water District, stated that he feels that the TWC has seriously overstepped its authority in this matter, since EUWD is the only agency approved to handle the Edwards Aquifer matters, by state legislation. He agreed with SAWS that a regional authority is needed to manage the Edwards Aquifer.

Mr. Jack Willome, representing RAYCO and Lackland City Water Company, addressed the importance of water to economic development of San Antonio, noting that uncertainty over the availability of water hampers financing of that economic development. He spoke in support for the SAWS response.

Mr. Warren Ford, 226 Northridge, spoke to his concern that the subject of inter-basin water transfers is not addressed in the SAWS response, and also addressed several other concerns with that response, especially in regard to the concerns of the farmers in counties west of San Antonio.

The Council discussion then resumed.

Mayor Wolff stated that he feels that the Texas Water Commission will help the city arrange such inter-basin transfers from Canyon Lake, noting that this will be the major issue to be addressed over the next few months. He then stated his opinion that the TWC plan will not stand up in court, and this matter will be pursued. He noted that the proposed SAWS response is explicit in not agreeing to the TWC plan, and stated his belief that the Texas Water Commission is waiting for the next legislative session so that the legislature will have time to address this issue, before the TWC plan is implemented. He noted that the City of San Antonio maintains that it needs a firm yield from the Edwards Aquifer of not less than 450,000 acre-feet per year, and noted that the response only enumerates our demands, should the TWC plan be implemented.

Ms. Vera stated that the response is reasonable, and she spoke to several specifics of that proposed response and addressed downstream flow requirements.

Dr. Thornton stated his contention that this region is moving from a "free access to water" mode, as exemplified by the catfish farm matter, to a "management of water" mode.

Mr. Morton noted that TWC Chairman John Hall has said he is in agreement with the specifics of the proposed SAWS response, and spoke to the close working relationship between himself and Chairman Hall on this issue.

Ms. Vera addressed her perception that a majority of our citizens support this response.

Mr. Larson spoke in support for the proposed response, stating his belief that everyone served by the Edwards Aquifer needs to pull together on this issue.

Mr. Perez spoke in support for the response, noting that the legislature is the next major hurdle in this matter.

Ms. Billa Burke congratulated Mr. Morton and the SAWS board of trustees for their hard work on this issue.

Mr. Morton noted that a Public Hearing on this issue is scheduled for City Council chambers at City Hall on June 30, 1992.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Larson, Wolff; NAYS: None; ABSENT: Labatt.

92-27

CITIZENS TO BE HEARD

REV. R. A. CALLIES

Rev. R. A. Callies, Youth Leadership Conference, read a prepared statement to the City Council regarding their efforts in trying to get the city cemeteries on the East side cleaned. He also commended the City Council for the recent passage of an ordinance authorizing a contract on issues related to a proposed Eastside Cemetery Complex Foundation, a copy of Rev. Callies' statement is on file with the papers of this meeting.

Councilman Pierce invited Rev. Callies to a meeting of the Dome Advisory Meeting next Monday, at 6:30 p.m., at the Carver Cultural Center because the issue of city cemeteries around the dome area will be addressed.

MRS. MARIE LOVINGS

Mrs. Lovings, 117 Eross Street, spoke to the City Council regarding her three year on-going discussions with the San Antonio Development Agency in trying to get her rehabilitation loan processed. She detailed the history of the paperwork she has had to submit. She then stated that because of the inability to complete the rehabilitation work she has now been cited by the Code Compliance Department.

Mayor Wolff asked if staff would be able to assist Mrs. Loving in this issue. Mr. Drew Cameron, Community Development Officer, advised the Mayor and City Council that he will meet with Mrs. Lovings, representatives of the San Antonio Development Agency and representatives of the Code Compliance Department to resolve the issue.

92-27 The meeting was recessed at 6:40 P.M. for dinner and reconvened at 7:25 P.M. in order for the Mayor and City Council to convene the Executive Session for the purpose of discussing the following, all in accordance with Section 2(e) of the Open Meetings Act.

A) Briefing on a case styled Ronald Welch v. the City of San Antonio.

B) Briefing on a case styled Firemen's and Policemen's Pension Fund Board of Trustees of San Antonio, Texas v. the City of San Antonio and Nora W. Chavez, Finance Director of the City of San Antonio.

C) Briefing on a Judgment styled Luis Botello v. VIA Metropolitan Transit Authority and the City of San Antonio.

D) Briefing on the status of contract negotiations with the Spurs Professional Basketball Club, Ltd. and San Antonio Concessions, Inc.

92-27 Mayor Wolff reconvened the "A" Session at 8:05 p.m. and announced that the Council had only been briefed on the Spurs Negotiation issue and made the following statement:

"I believe that the City of San Antonio and the San Antonio Spurs have hammered out an agreement that will provide a win/win scenario for all parties involved and the citizens of San Antonio, in particular.

We all recognize the value of the Spurs to our city and certainly it has been our challenge to balance the needs of the team with the fiscal realities of the Alamodome. And, I believe that we have accomplished this goal.

Importantly, the agreement that has been reached will have several benefits for the city:

-It will allow the city to ensure the timely completion of the dome's concession stands.

-It will allow the city to maintain the promise made to voters during the dome campaign -- that the dome would operate in the black in its third year;

-It will allow the dome to attract other major users. In the original contract the city received 15 percent initially which gradually increased to 35 percent throughout the years so the Spurs could recoup their costs for finishing out the concession stands. Now with this agreement, the city will receive 38 percent which will help them when working with other major users.

From the Spurs perspective, the revised agreement allows the Spurs the opportunity to operate the concession stands without incurring debt service. The city can finance the construction cost at a more favorable rate than the Spurs. To reimburse the city for the short-term debt (7-10 years) incurred in the construction finish-out of the concession stands, the Spurs will increase the license fee from 35 to 38 percent. And, the additional revenue from the higher license fee will offset the costs of the debt service."

92-27 There being no further business to come before the Council, the meeting was adjourned at 8:10 P.M.

A P P R O V E D

*Nelson W. Wolff*  
M A Y O R

Attest: *Norma S. Rodriguez*  
C I T Y C L E R K