

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, JUNE 13,
1996.

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96-24 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, MC-CLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, MARBUT, PEAK, WEBSTER. Absent: ROSS, THORNTON.

Staff Presentation on the Alameda Theater/International Building Master Plan - Council concurred with the Alameda Conceptual Master Plan and further directed that within 60 days the staff would develop business terms of the lease agreement between City and Centro Alameda, Inc. for Theater, office building and supporting City properties.

Staff Presentation and update on the Convention Center Expansion - Council directed staff to proceed with the Construction Drawings Phase; Phase II of the Public Art Program, as well as continue with the Minority Outreach Program.

Adjourned at 12:00 Noon.

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96-24 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, MC-CLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON. Absent: NONE.

96-24 Invocation - Reverend Andrew Wilson, Shiloh Baptist Church.

96-24 Pledge of Allegiance to the flag of the United States.

96-24 Minutes of the May 9, 1996 Regular City Council Meeting were approved.

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At this point, Mayor Thornton was obliged to leave the meeting for its duration. Mayor Pro Tem McClendon presided.
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96-24

SAN ANTONIO EDUCATION PARTNERSHIP

Mayor Pro Tem McClendon stated that the Board of Directors of the San Antonio Education Partnership had passed a Resolution affirming the effectiveness of the Partnership, and representatives are present in Council chambers today to present that Resolution to City Council and to introduce some of the program's partners and scholarship recipients.

Mr. Rudy Reyna, Chairman, San Antonio Education Partnership, spoke briefly to the markup of the Partnership and introduced a number of its partners, present in the audience today.

Dr. Ruth Burgos-Sasscer, President, San Antonio College, read the Resolution for the benefit of the audience.

Dr. Richard Clifford, Superintendent, Southwest Independent School District, representing the San Antonio Council of Schools, addressed the statistics of the Education Partnership.

Ms. Herlinda Barrientos, graduate of Lanier High School and Trinity University, and a scholarship recipient, addressed the invaluable help given her by the Education Partnership when it appeared that higher education was out of the reach of her family. She thanked the business community and others who helped her secure her college degree, and also the City Council for its continuing support to this program.

Ms. Theresa Vega, parent of a 1996 graduate of Sam Houston High School and recipient of an Education Partnership scholarship, spoke to the assistance given her child, and thanked the Mayor and Council for its continuing support to this program.

Ms. Terri Morado, representing Communities Organized For Public Service (COPS), lauded the program and the Council's support.

Mr. Reyna then presented the Resolution to Mayor Pro Tem McClendon.

City Council members individually thanked all involved in this investment in the future of San Antonio's youth, including the school districts involved and the business community, COPS and Metro Alliance.

96-24 CONSENT AGENDA

Mr. Herrera made a motion to approve Agenda Items 6 through 27, constituting the Consent Agenda, with Items 13, 15 and 23 being pulled for individual consideration. Mr. Flores seconded the motion.

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

AN ORDINANCE 84,233

ACCEPTING THE LOW, QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY, INC. AND MISSION EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH UTILITY VEHICLES FOR A TOTAL OF \$32,506.40.

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AN ORDINANCE 84,234

ACCEPTING THE BID OF COOPER EQUIPMENT COMPANY TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TWO LIQUID ASPHALT MAINTENANCE UNITS FOR A TOTAL OF \$58,696.00.

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AN ORDINANCE 84,235

ACCEPTING THE LOW BID OF NORTHWEST MFG. & DIST., INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH POTHOLE PATCH EQUIPMENT FOR A TOTAL OF \$321,075.00.

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AN ORDINANCE 84,236

ACCEPTING THE PROPOSAL OF NCR CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES, FIRE AND POLICE DEPARTMENT WITH A PUBLIC SAFETY ANSWER POINT SYSTEM UPGRADE FOR A TOTAL OF \$113,732.00.

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AN ORDINANCE 84,237

AUTHORIZING THE FUND TRANSFER OF A TOTAL OF \$51,264.27 FROM THE CONSTRUCTION CONTINGENCY ACCOUNT TO THE CONSTRUCTION ACCOUNT, THE INSPECTION ACCOUNT AND THE TESTING ACCOUNT; AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 7 IN THE AMOUNT OF \$31,667.00, TO THE CONTRACT WITH YANTIS CORPORATION FOR THE TAXIWAYS B, C, & D RECONSTRUCTION AT STINSON MUNICIPAL AIRPORT; AUTHORIZING THE TRANSFER OF \$10,576.10 FROM THE CONSTRUCTION CONTINGENCY ACCOUNT TO THE INSPECTION ACCOUNT AND \$9,021.17 FROM THE CONSTRUCTION CONTINGENCY ACCOUNT TO THE TESTING ACCOUNT; REVISING THE BUDGET FOR SAID PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,238

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH KEI CONSULTANTS, INC., TO PROVIDE ENLARGED SERVICES WITHIN AN ENVIRONMENTAL SITE ASSESSMENT-PHASE II IN CONNECTION WITH ENVIRONMENTAL REMEDIATION OF THE CITY'S TRAFFIC ENGINEERING FACILITY AT 223 S. CHERRY STREET, IN THE AUTHORIZED AMOUNT OF \$52,100.00 PLUS \$7,815.00 IN CONTINGENT EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,239

ACCEPTING THE REVISED PROPOSAL OF RUST LICHLITER/JAMESON CONSULTANTS, INC., AND AUTHORIZING AN AMENDMENT TO A 1987 GENERAL OBLIGATION (G.O.) DRAINAGE BOND FUNDED PROFESSIONAL SERVICES CONTRACT WITH SAID FIRM IN THE AMOUNT OF \$73,303.00, AND FURTHER AUTHORIZING \$7,330.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES IN CONNECTION WITH PROFESSIONAL SERVICES RELATED TO PHASE II OF THE UPPER OLMOS CREEK WATERSHED DRAINAGE MASTER PLAN STUDY.

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AN ORDINANCE 84,240

AUTHORIZING THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING A

FORCE ACCOUNT FUND IN THE AMOUNT OF \$8,546.00 FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL AND LABOR ON O'CONNOR ROAD AT NACOGDOCHES ROAD (FM 2252).

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AN ORDINANCE 84,241

AUTHORIZING AN ADDITIONAL \$15,000.00 PAYABLE TO HUMBERTO SALDANA AND ASSOCIATES, INC. AND RATIFYING SUCH SERVICES IN CONNECTION WITH THE AVENIDA GUADALUPE ASSOCIATION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,242

ACCEPTING THE LOW, QUALIFIED BID OF ELLA S.A. CONTRACTING COMPANY, INC., IN THE AMOUNT OF \$197,319.56 FOR IMPROVEMENTS IN CONNECTION WITH THE SAN CARLOS-NAVIDAD TO ZARZAMORA PROJECT, AWARDING A 1994 GENERAL OBLIGATION STREET BONDS FUNDED CONSTRUCTION CONTRACT, AUTHORIZING \$8,900.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AUTHORIZING THE TRANSFER OF FUND, REVISING THE PROJECT BUDGET AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,243

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH J&J ARCHITECTS, INC., AUTHORIZED BY ORDINANCE NO. 82023 PASSED APRIL 13, 1995, TO PROVIDE FOR AN ADDITIONAL \$14,300.00 PAYMENT FOR THE PREPARATION OF CONSTRUCTION PLANS AND SPECIFICATIONS AND CONSTRUCTION ADMINISTRATION IN CONNECTION WITH THE OLMOS SPORTS CENTER PROJECT FUNDED OUT OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS; ESTABLISHING A BOND PROJECT BUDGET; AUTHORIZING A \$1,440.00 ARCHITECTURAL CONTINGENCY; ENCUMBERING \$1,000.00 FOR PROJECT PRINTING COSTS, \$1,500.00 FOR PROJECT BID ADVERTISING COSTS AND \$1,187.00 FOR PROJECT UTILITY CONNECTION COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,244

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ROPAR INVESTMENTS FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR APPROXIMATELY 5,670 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 7452 MILITARY DRIVE WEST FOR THE PERIOD JULY 1, 1996, THROUGH JUNE 30, 2001, AT A RATE OF \$4,082.40 PER MONTH; AUTHORIZING THE EXECUTION OF SAID LEASE IN CONNECTION WITH THE WOMEN, INFANTS, AND CHILDREN (WIC) PROJECT; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH.

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AN ORDINANCE 84,245

AMENDING ORDINANCE NO. 81513 TO REFLECT PRECINCT CHANGES AND UPDATES TO BE USED IN THE MAY 3, 1997, REGULAR CITY ELECTION.

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AN ORDINANCE 84,246

AMENDING CHAPTER 2 OF THE CITY CODE TO INCREASE THE ANNUAL COST OF THE CITY CODE SUPPLEMENTAL SERVICES FROM \$75.00 TO \$90.00.

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AN ORDINANCE 84,247

ACCEPTING AN ADDITIONAL AWARD OF \$9476.00 IN FINANCIAL ASSISTANCE FROM THE U.S. PUBLIC HEALTH SERVICE TO AUGMENT THE FUNDING OF THE 1996 CHILDHOOD IMMUNIZATION PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AND AMENDING THE PROPOSED BUDGET TO REFLECT THESE ADDITIONAL FUNDS.

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AN ORDINANCE 84,248

RATIFYING APPLICATION FOR, AUTHORIZING PASS THROUGH GRANTS AGREEMENT, AND ACCEPTING GRANT FUNDS FROM THE TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (TNRCC) THROUGH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG), IN A SUM TOTALING \$165,383.00 TO BE USED UNDER REQUIREMENTS OF THE TEXAS SOLID WASTE DISPOSAL ACT FOR PURCHASE OF EQUIPMENT AND SUPPLIES TO REDUCE AND RECYCLE HOUSEHOLD HAZARDOUS

WASTE, REDUCE THE WASTE STREAM, DIVERT WASTEWATER BIOSOLIDS (SLUDGE) FROM MUNICIPAL LANDFILLS THROUGH LAND APPLICATION, AND ENFORCE CITY ANTI-DUMPING LAWS; APPROVING APPROPRIATION OF SUMS FOR PURCHASE OF THAT EQUIPMENT AND THOSE SUPPLIES PENDING GRANT REIMBURSEMENT.

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AN ORDINANCE 84,249

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO MAKE APPLICATION FOR AND NEGOTIATE, WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS, PASS-THROUGH GRANTS FROM THE TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (TNRCC) IN APPROXIMATE AMOUNTS UP TO \$393,645.00, UNDER REQUIREMENTS OF THE TEXAS SOLIS WASTE DISPOSAL ACT, RELATED TO RECYCLING, WASTE STREAM REDUCTION, AND MUNICIPAL REGULATORY ENFORCEMENT; SAID APPLICATIONS TO BE IN AMOUNTS FOR WHICH THE CITY OF SN ANTONIO MAY BE ENTITLED TO COMPETE AND QUALIFY UNDER TNRCC ALLOCATION FORMULA.

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AN ORDINANCE 84,250

AUTHORIZING THE ACCEPTANCE OF \$5,250.00 IN GRANT FUNDS FROM THE TEXAS HISTORICAL COMMISSION ("THC") TO: (1) DEVELOP A NATIONAL REGISTER NOMINATION FOR THE MONTE VISTA HISTORIC DESIGN AND REVIEW COMMISSION MEMBERS TO A PRESERVATION TRAINING SESSION (USING \$250 IN THC FUNDS).

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AN ORDINANCE 84,251

APPROVING A PARADE PERMIT IN CONNECTION WITH THE FOURTH OF JULY PARADE SPONSORED BY THE MONTE VISTA HISTORICAL ASSOCIATION TO BE HELD ON THURSDAY JULY 4, 1996 BEGINNING AT 9:30 A.M. UNTIL 11:00 A.M. AND AUTHORIZING THE TEMPORARY CLOSURE OF THE FOLLOWING STREETS FOR SAID EVENT: HOWARD STREET FROM HOLLYWOOD TO ELSMERE; ELSMERE FROM HOWARD TO MCCULLOUGH; MCCULLOUGH FROM ELSMERE TO BUSHNELL; BUSHNELL FROM MCCULLOUGH TO SHOOK; AND SHOOK FROM BUSHNELL TO LAND LIBRARY.

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96-24 Mr. Solis made a motion to approve a proposed ordinance authorizing the expenditure of \$296,428.34 in Community Development Block Grant (CDBG) funds payable to the Barrio Comprehensive Family Health Care Center, Inc. for expenses related to the Barrio Comprehensive Family Health Care Center Renovations Community Development Block Grant (CDBG) Project; revising the project budget; and providing for payment. Ms. Billa Burke seconded the motion.

In response to a question by Mr. Herrera, Mr. John German, Director of Public Works, explained the importance of the project and its funding, including Community Development Block Grant funds.

In response to a question by Mr. Solis, Mr. Andrew Cameron, Director of Housing & Community Development, spoke to the account 'drawdown', and spoke to his desire to have this ordinance be declared an emergency so that it can become effective immediately.

Discussion of the possibility of declaring the proposed ordinance an emergency then took place.

After discussion, Mr. Solis made a motion to temporarily postpone further consideration of this proposed ordinance. Mr. Herrera seconded the motion.

Agenda item 13 was temporarily postponed. See Page 10 for the completion of this ordinance.

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96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,252

AUTHORIZING THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$4,497.00 FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL AND LABOR ON HORAL DRIVE AT MARBACH ROAD.

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

In response to a question by Mr. Herrera, Mr. John German, Director of Public Works, spoke to an elaboration of overall project details and its completion date.

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

96-24 In response to a question by Mr. Flores, Ms. Mary Jo Vargas-McCabe, Director of Human Resources, spoke to the evaluation of four proposals for hospital bill audit services for the City's Self-Funded Health Benefits Program, through a Request For Proposal process.

The Clerk read the following Ordinance:

AN ORDINANCE 84,253

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EXCELL MEDICAL COST-CONTAINMENT, INC., TO PROVIDE HOSPITAL BILL AUDIT SERVICES FOR THE CITY'S SELF-FUNDED HEALTH BENEFITS PROGRAM FOR A TERM BEGINNING JULY 1, 1996, AND ENDING SEPTEMBER 30, 1998, WITH AN OPTION IN FAVOR OF THE CITY TO EXTEND FOR A ONE-YEAR PERIOD AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH IN THE AMOUNT OF \$16,588.00 FOR FY 1995-96.

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

In response to a further question by Mr. Flores, Ms. Vargas-McCabe addressed the experience of the recommended firm in this particular work, noting that it has been in this business for some four years. She then spoke to the experience factor in the other three firms involved.

Mr. Flores spoke to the more extensive experience of at least one other firm.

Ms. Vargas-McCabe explained the evaluation criteria used by the selection committee and its recommendation of the Excell Medical Cost-Containment, Inc. firm.

Mr. Javier Guevara, Employee Benefits Administrator, addressed the recommended firm's experience in serving other governmental entities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Ross, Marbut, Peak, Webster,

Thornton; NAYS: None; ABSENT: Herrera.

96-24 At this time, it was the concensus of the City Council members present to resume consideration of Agenda Item 13.

CONTINUATION OF AGENDA ITEM #13.

The Clerk read the following Ordinance:

AN ORDINANCE 84,254

AUTHORIZING THE EXPENDITURE OF \$296,428.34 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS PAYABLE TO THE BARRIO COMPREHENSIVE FAMILY HEALTH CARE CENTER, INC. FOR EXPENSES RELATED TO THE BARRIO COMPREHENSIVE FAMILY HEALTH CARE CENTER RENOVATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,255

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$113,371.52 TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 125 TAX ACCOUNTS.

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

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,256

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS APPROVING THE DISTRIBUTION OF AN OFFICIAL NOTICE OF SALE, OFFICIAL BID FORM, AND PRELIMINARY OFFICIAL STATEMENT RELATING TO THE SALE OF OBLIGATIONS DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM IMPROVEMENT REVENUE BONDS, SERIES 1996; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SALE; AUTHORIZING THE PUBLICATION OF A TEFRA NOTICE AND THE HOLDING OF A PUBLIC HEARING AND OTHERWISE COMPLYING WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; COMPLYING WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS PROMULGATED BY THE MUNICIPAL SECURITIES RULE-MAKING BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

Ms. Nora Chavez, Director of Finance, briefly explained the proposed sale of Airport System Improvement Bonds.

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,257

AN ORDINANCE RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENTS AT THE CITY OF SAN ANTONIO INTERNATIONAL AIRPORT FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

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

Ms. Nora Chavez, Director of Finance, explained the Ordinance declaring the intent of City Council to reimburse the City for funds paid for this project, when the bond-sale proceeds actually are received.

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,258

AUTHORIZING MARMON MOK, L.L.P. TO PROCEED WITH PHASE 2 OF THEIR PROFESSIONAL SERVICES CONTRACT FOR DESIGN SERVICES IN CONNECTION WITH THE PUBLIC PARKING FACILITIES IMPROVEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING ARCHITECTURAL FEES, IN THE AMOUNT OF \$1,915,675.00, IN CONNECTION WITH SAID CONTRACT; AUTHORIZING AN ADDITIONAL \$87,465.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$3,000.00 FOR ADMINISTRATIVE EXPENSES; AUTHORIZING THE TRANSFER AND REIMBURSEMENT OF FUNDS BETWEEN THE AIRPORT CAPITAL IMPROVEMENT FUND AND THE AIRPORT CAPITAL IMPROVEMENT FUND AND THE AIRPORT CAPITAL IMPROVEMENT FUND AND THE AIRPORT CONSTRUCTION FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Mike Kutchins, Director of Aviation, spoke to details of the Phase 2 work on public parking facilities at International Airport, and the need for additional public parking, including construction of a 2,700 car parking structure.

(At this point, Mayor Pro Tem McClendon was obliged to leave the meeting. In her absence, Mr. Flores presided.)

In response to a question by Ms. Billa Burke, Mr. Kutchins spoke to plans to supervise this project in-house, rather than hire an outside project consultant.

Ms. Billa Burke spoke to her concern with the complexity of this project and her desire to retain an outside project consultant.

Mr. Kutchins stated that the aviation staff is comfortable with plans to supervise this project, in-house.

In response to a question by Mr. Herrera, Mr. Kutchins spoke to the possible impact this construction will have on traffic at International Airport.

(At this point, Mayor Pro Tem McClendon returned to the meeting to preside.)

Mr. Ross questioned the precedence of going ahead with the project design prior to sale of the bonds to finance it.

Ms. Nora Chavez, Director of Finance, noted that the first proceeds from the sale of these bonds will be realized within 60-90 days of the project bond sale date in mid-July. She stated that she is comfortable with taking this proposed action today, in that light, noting that management has no concerns, as well. She then spoke to the need for this public parking facility as quickly as possible, noting that revenues received from that public parking will be making the payments due on these proposed bonds. She further noted that the Aviation Department has the capacity to fund this project.

Mr. Kutchins spoke to the over-capacity parking situation at International Airport, presently, and addressed the need to move on this work as quickly as possible.

Mr. Ross asked that the contract in question be contingent upon the sale of the bonds.

Mr. Alexander E. Briseno, City Manager, noted that the initial drawdown on these revenue bonds only affects the design and planning work on the project, not its actual construction. He stated that the Capital Improvements Reserve Fund will 'front' the funding for the initial design work.

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

96-24

ZONING HEARINGS

4A. CASE #Z96089 - to rezone and reclassify P-4 and P-5, NCB 17726, Loop 1604, from temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District and Temporary "R-1" Single Family Residence District to "B-2" ERZD Business Edwards Recharge Zone District and "B-2" Business District. Property is located on the south side of Loop 1604, 1,329.21 feet east of the intersection of Loop 1604 and Classen Road, having 1,560.72 feet on Loop 1604 and a depth of 1,315.77 feet.

In response to a question by Mr. Webster, Mr. John Luce, representing the applicants, stated that there is at present no final intended use for this property.

Mr. Webster stated that he would like to have sufficient time to meet with the applicants prior to recommending any 'blank check' rezoning approval.

Mr. Webster then made a motion to continue this rezoning case to June 27, 1996. Mr. Peak seconded the motion.

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

Zoning Case Z96089 was continued to June 27, 1996.

4B. CASE #Z96066 (CC) - to rezone and reclassify 0.057 acre tract of land out of NCB 15831, 14365 Nacogdoches Road, from Temporary "R-1" Single Family Residence District to "B-3" CC Business District with special City Council approval for a wireless communication system. Property is located 1,049.32 feet northeast of the intersection of Nacogdoches Road and Cattleman Drive, being 25 feet northwest of Nacogdoches Road, having a width of 50 feet and depth of 50 feet.

Mr. Andy Guerrero, Land Development Services, stated that the applicant now desires to amend the rezoning application to "R-1" CC Single Family Residence District in lieu of the previously-requested "B-3" CC Business District, and explained the reasons for the request.

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

AN ORDINANCE 84,259

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 0.057 ACRE TRACT OF LAND OUT OF NCB 15831, 14365 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A WIRELESS COMMUNICATION SYSTEM. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE #Z96024 - to rezone and reclassify the west 20 feet of Lot 7, Block 1, NCB 8059, from "B" Residence District to "B-1" Business District; East 38.33 feet of Lot 7 and the west 5 feet of Lot 22, Block 1, NCB 8059, 822 El Monte, from "B" Residence District and "F" Local Retail District to "B-2" Business District. Property is located on the south side of El Monte Boulevard, 231.09 feet west of the intersection of El Monte Boulevard and Blanco Road, having 63.33 feet on El Monte Boulevard and a depth of 175 feet.

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

The following persons appeared to speak:

Mr. Allan B. Polunsky, representing the applicant, La Fiesta Foods, spoke to a brief background of the supermarket firm and its need to expand its facilities by remodeling. He spoke to a number of meetings held with neighbors, resulting in an agreement with a majority of those neighbors. He then submitted a letter from the firm outlining the agreed-upon points. A copy of the letter is made a part of the papers of this meeting.

Mr. Bob Boaz, 823 Lovera, spoke in a brief summary of those meetings and the results therefrom, noting that most of the neighbors support the agreements.

Mr. Patricio Elizondo, 825 El Monte, spoke to his concern with damages to the neighborhood by intrusion of commercial interests into the residential neighborhood. He stated his opinion that plans for moving the loading-dock will not work, and addressed concerns with his fears for more traffic, noise and trash in neighborhood yards. He then questioned the voting of neighbors now in favor of the proposed agreement.

Ms. Martha Retault, 814 Lovera, spoke against the rezoning request, citing many of the same reasons as the previous speaker.

In response to a question by Mr. Flores, Mr. Polunsky discussed plans to demolish one house to allow for the proposed expansion and plans to relocate the loading-dock in order to move it further away from El Monte.

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

Mr. Solis spoke in favor of the proposed rezoning.

In response to a question by Mr. Solis, Mr. Dan Murphy, owner of La Fiesta Foods, addressed the problems of trash from the store

blowing into neighbors' yards and the matter of truck traffic servicing the store. He stated his belief that the proposed remodeling of the store and relocation of the loading-docks will help solve these problems for the neighbors.

Mr. Solis asked Mr. Murphy to continue cooperating with the requests of the neighbors in this regard.

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

AN ORDINANCE 84,260

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 20 FEET OF LOT 7, BLOCK 1, NCB 8059, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; EAST 38.33 FEET OF LOT 7 AND THE WEST 5 FEET OF LOT 22, BLOCK 1, NCB 8059, 822 EL MONTE, FROM "B" RESIDENCE DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4D. CASE #Z96074 - to rezone and reclassify the north 149.81 feet of the west 110' feet of the east 310 feet of Lot 19, Block 1, NCB 14531, 6022 Farragut, from "B-2" Business District to "B-3R" Restrictive Business District. Property is located on the south side of Farragut Drive, 155.04 feet west of the intersection of Farragut Drive and Callaghan Road having 110 feet on Farragut Drive and a depth of 199.81 feet.

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

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

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

AN ORDINANCE 84,261

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 149.81 FEET OF THE WEST 110' FEET OF THE EAST 310 FEET OF LOT 19, BLOCK 1, NCB 14531, 6022 FARRAGUT, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4E. CASE #Z96075 - to rezone and reclassify Lots 31 and 32, Block 18, NCB 16528, 2431 Suzette Avenue, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located on the west side of Suzette Avenue, 407.37 feet northwest of the intersection of Suzette Avenue and old highway 90 West, having 100 feet on Suzette Avenue and a depth of 150 feet.

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

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

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

AN ORDINANCE 84,262

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 31 AND 32, BLOCK 18, NCB 16528, 2431 SUZETTE AVENUE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

96-24 (At this point, Mayor Pro Tem Ross was obliged to leave the meeting. Mr. Webster presided in the absence of both the Mayor and

Mayor Pro Tem.)

4F. **CASE #Z96078 - to rezone and reclassify the west 215 feet of the east 225.5 feet of Lot 20-G, NCB 10758, 2140 W.W. White Road, from "B-2" Business District to "I-1" Light Industry District. Property is located on the north side of Winneway Drive, 150 feet east of the intersection of W. W. White Road and Winneway Drive, having 215 feet on Winneway Drive and a depth of 101.03 feet.**

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

Ms. Carolyn Rutledge, speaking on behalf of Mr. Kenneth J. Freabe, the property owner, addressed plans for use of this property under the proposed rezoning. She asked that the rezoning request be amended to "B-3NA" Non-Alcoholic Sales Business District, rather than the "I-1" Light Industry District, as originally requested.

Ms. Vivian Olivares, 4438 Wildt Road, President, Comanche Community Neighborhood Association, spoke in support for the City staff recommendation for denial, speaking for the opposition group in the audience. She addressed her reasons for opposing the I-1 request and outside vehicle storage, and against any industrial intrusion into the neighborhood, noting that vehicles already are being stored on the property in question.

In rebuttal, Ms. Vivian van Zandt spoke in support for the rezoning request to B-3NA.

Ms. McClendon addressed the complaints her office has received in this matter, and made a motion to deny the requested rezoning. Mr. Peak seconded the motion.

Ms. McClendon asked that the Metropolitan Health District look into certain unsanitary conditions on this property, mentioned during discussion of this rezoning request.

(During the course of consideration of this case, Mayor Pro Tem Ross returned to the meeting, but did not preside.)

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

Zoning Case Z96078 was denied.

4G. **CASE #Z96085 - to rezone and reclassify the west 119.33 feet of the east 233.33 feet of Lot 1 and the west 119.33 feet of the east**

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233.33 feet of the north 40.6 feet of Lot 2, NCB 12883, 5128 E. Houston Street, from Temporary "A" Single Family Residence District to "B" Business District. Property is located on the south side of East Houston Street, 66.9 feet west of the intersection of East Houston Street and Creswell Road, having 121.3 feet on East Houston Street and a depth of 136.6 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. 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, Avila, Herrera, Ross, Peak, Webster; NAYS: None; ABSENT: Billa Burke, Solis, Marbut, Thornton.

AN ORDINANCE 84,263

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 119.33 FEET OF THE EAST 233.33 FEET OF LOT 1 AND THE WEST 119.33 FEET OF THE EAST 233.33 FEET OF THE NORTH 40.6 FEET OF LOT 2, NCB 12883, 5128 E. HOUSTON STREET, FROM TEMPORARY "A" Single Family Residence District to "B" Business District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4H. CASE #Z96092 - to rezone and reclassify Lot 1, save and except the south 50 feet, NCB 12889, from "A" Single Family Residence District to "B-3NA" Non-Alcoholic Sales District; and South 50 feet of Lot 1, NCB 12889, from 4910 Rigsby Avenue from "A" Single Family Residence District to "B-1" Business District. Property is located on the south side of Rigsby Avenue and Spokane Drive, having 85 feet on Rigsby Avenue and a depth of 204.65 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. 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, Avila, Herrera, Ross, Peak, Webster; NAYS: None;

ABSENT: Billa Burke, Solis, Marbut, Thornton.

AN ORDINANCE 84,264

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, SAVE AND EXCEPT THE SOUTH 50 FEET, NCB 12889, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT; AND SOUTH 50 FEET OF LOT 1, NCB 12889, FROM 4910 RIGSBY AVENUE FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE #Z96094 - to rezone and reclassify Lots 17A, 17B, 18A, 18B, 5A, 5B, 6A, and 6B, Block 5, NCB 6339, 300 Block of Canton Street and 2200 Block of E. Houston Street, from "B" Residence District to "B-2NA" Non-Alcoholic Sales District. Properties are located 200 feet east of New Braunfels Avenue, Between E. Houston Street and Canton Street, having 100 feet on e. Houston Street and 100 feet on Canton Street.

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

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

AN ORDINANCE 84,265

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 17A, 17B, 18A, 18B, 5A, 5B, 6A, and 6B, Block 5, NCB 6339, 300 Block of Canton Street and 2200 Block of E. Houston Street, from "B" Residence District to "B-2NA" Non-Alcoholic Sales District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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(At this time, Mayor Pro Tem Ross presided.)

96-24 It was the concensus of City Council members present to temporarily bypass consideration of Agenda Items 4J through 4-0 pending the return of the Council Chambers of Ms. Billa Burke, and to consider Agenda Item 4P, Zoning Case Z96090, at this time.

4P. **CASE #Z96090 - to rezone and reclassify Lot 2, Block 1, NCB 15859, 9685 Marbach Road, from Temporary "R-1" Single Family Residence District to "B-2" Business District.** Property is located northeast of the intersection of Marbach Road and Ellison Drive, having 158.93 feet on Marbach Road and 183.07 feet on Ellison Drive.

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

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

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

AN ORDINANCE 84,266

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLOCK 1, NCB 15859, 9685 MARBACH ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4Q. **CASE #Z96069(CC) - to rezone and reclassify 0.032 acre tract of land out of Lot 16, NCB 16072, 5387 Casa Bella, from "B-3" UC Business Urban Corridor District to "B-3" UC CC Business Urban Corridor District with special City Council approval for a wireless communication system.** Property is located 210 feet northwest of the intersection of I.H. 10 Expressway and Casa Bella Street, being 109.67 feet east of I.H. 10 Expressway, having a width of 23 feet and a depth of 60 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. Solis seconded the motion.

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

AN ORDINANCE 84,267

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 0.032 ACRE TRACT OF LAND OUT OF LOT 16, NCB 16072, 5387 CASA BELLA, FROM "B-3" UC BUSINESS URBAN CORRIDOR DISTRICT TO "B-3" UC CC BUSINESS URBAN CORRIDOR DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A WIRELESS COMMUNICATION SYSTEM. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4R. CASE #Z96095 - to rezone and reclassify 14.573 acres out of NCB 14614, 11526 Bandera Road, from Temporary "R-1" Single Family Residence District and "R-1" Single Family Residence District to "B-3" Business District. Property is located on the northeast side of Bandera Road, 550 feet southeast of the intersection of Bandera Road and Loop 1604 having 1,043.82 feet on Bandera Road and a depth of 1,020.19 feet.

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

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

Mr. Ernani Falcone, representing Northside Neighborhoods For Organized Development (NNOD), spoke in support for the H.E.B. plan, including the saving of many valuable trees on the site and the planting of other trees, as well. He noted that several neighborhood groups will cite H.E.B. for its saving of trees in many of its commercial ventures.

Mr. Mike de la Garza, representing H.E.B., stated that the firm is committed to tree preservation.

Mr. Peak and Ms. McClendon lauded H.E.B. for being a leader in this sensitive area.

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

AN ORDINANCE 84,268

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 14.573 ACRES OUT OF NCB 14614, 11526 BANDERA ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

96-24 It was the concensus of City Council members present, Ms. Billa Burke having returned to the meeting, to undertake consideration of Agenda Items 4J through 4-0 at this time.

4J. CASE #Z96067 - to rezone and reclassify 0.45 acre tract out of NCB 11154, 3754 Pleasanton Road, from "B" Residence District to "B-3NA" Non-Alcoholic Sales District. Property is located southeast of the intersection of Pleasanton Road and Saipan Place, having 120 feet on Pleasanton Road and 165 feet on Saipan Place.

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

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

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

AN ORDINANCE 84,269

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 0.45 ACRE TRACT OUR OF NCB 11154, 3754 PLEASANTON ROAD, FROM "B" RESIDENCE 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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4K. CASE #Z96082 - to rezone and reclassify Lot 798, save and except the east 215 feet, NCB 9484, 6927 S. Flores, from "C" Apartment District to "B-NA" Non-Alcoholic Sales District. Property is located 214.1 feet northwest of the intersection of Ware Boulevard and S. Flores, being 215 feet west of S. Flores having a width of 106.3 feet and a depth of 238.9 feet.

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

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

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

AN ORDINANCE 84,270

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 798, SAVE AND EXCEPT THE EAST 215 FEET, NCB 9484, 6927 S. FLORES, FROM "C" APARTMENT DISTRICT TO "B-NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4L. CASE #Z96088 - to rezone and reclassify Lots 9 and 10, Block 19, NCB 10901, 320 Esma Street, from "B" Residence District to "R-4" Manufactured Home Residence District. Properties are located 200 feet west of the intersection of Calera Street and Esma Street, having 100 feet on Esma Street and a depth of 140 feet.

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

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

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

AN ORDINANCE 84,271

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 9 AND 10, BLOCK 19, NCB 10901, 320 ESMA STREET, FROM "B" RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4M. CASE #Z96079 - to rezone and reclassify the east irregular 396.8 feet of Parcel 19, NCB 10846, Southcross Boulevard, from "A" Single Family Residence District to "B-3R" Restrictive Business District. Property is located on the south side of Southcross Boulevard, 418.5 feet northwest of the intersection of Southcross Boulevard and S. E. Loop 410 Expressway, having 406 feet on Southcross Boulevard and a depth of 126.75 feet.

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

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

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

AN ORDINANCE 84,272

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 EAST IRREGULAR 396.8 FEET OF

PARCEL 19, NCB 10846, SOUTHCROSS BOULEVARD, FROM "A"
SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R"
RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4N. CASE #Z96076 (SUP) - to rezone and reclassify 0.581 acre tract of land out of NCB 11155, 3800 Pleasanton Road, from "B" Residence District to "B-3" SUP Business District with special use permit for a veterinary hospital with outside runs. Property is located on the east side of Pleasanton Road, 180.60 feet north of the intersection of Pleasanton Road and Petaluma Boulevard, having 84.51 feet on Pleasanton Road and a depth of 284.92 feet.

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

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

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

AN ORDINANCE 84,273

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 0.581 ACRE TRACT OF LAND OUT OF NCB 11155, 3800 PLEASANTON ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3" SUP BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A VETERINARY HOSPITAL WITH OUTSIDE RUNS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

40. CASE #Z96083 - to rezone and reclassify the south 35 feet of the east 35 feet of Lot 38, Block 1, NCB 7586, New Braunfels Avenue, from "D" Apartment District to "B-3" Business District. Property is located on the West side of New Braunfels Avenue, 122.19 feet south of the intersection of Southcross Boulevard and New Braunfels Avenue, having 35 feet on New Braunfels Avenue and a depth of 35 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed

rezoning request.

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

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

AN ORDINANCE 84,274

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 SOUTH 35 FEET OF THE EAST 35 FEET OF LOT 38, BLOCK 1, NCB 7586, NEW BRAUNFELS AVENUE, FROM "D" APARTMENT DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

96-24 City Council at this time undertook consideration of the next zoning case, Z96091, Agenda Item 4S.

4S. CASE #Z96091 - to rezone and reclassify lots 23 and 24, Block 2, NCB 7963, 1200 Block of Milvid Street, from "R-1" Single Family Residence District to "O-1" Office District. Properties are located on the north side of Milvid Street, 125 feet east of the intersection of Somerset Road and Milvid Street, having 68 feet on Milvid Street and a depth of 82.5 feet.

In response to a question by Mr. Solis, Ms. Genevieve Bolando, wife of the proponent, spoke to the reasons for the requested rezoning to O-1 Office District, in order to provide parking for a next-door lounge. She noted that a partial fence already is in place on the property, and she plans to complete a chain-link fence in the future.

Mr. Andy Guerrero, Land Development Services, noted that a six-foot solid screen fence is required in this case.

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

AN ORDINANCE 84,275

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 23 AND 24, BLOCK 2, NCB 7963, 1200 BLOCK OF MILVID STREET, FROM "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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4T. CASE #Z96087 - to rezone and reclassify lots 1 and 2, Block 1, NCB 6227, 2147 E. Hildebrand, from "B-1" Business District to Historic Significant (HS) "B-1" Business District. Properties are located northwest of the intersection of Hildebrand Avenue and New Braunfels Avenue, having 104.8 feet on Hildebrand Avenue and 137.8 feet on New Braunfels Avenue.

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

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

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

AN ORDINANCE 84,276

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 1, NCB 6227, 2147 E. HILDEBRAND, FROM "B-1" BUSINESS DISTRICT TO HISTORIC SIGNIFICANT (HS) "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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96-24 City Council moved to consideration of Agenda Item 30 at this time.

- - -
96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,277

RATIFYING THE PROGRAM YEAR 1995 (MAY 2, 1996 THROUGH SEPTEMBER 30, 1996) JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB (SUMMER YOUTH) PLAN AND AUTHORIZING THE MAYOR, AS THE DESIGNATED CHIEF ELECTED OFFICER FOR THE CITY OF SAN ANTONIO, TO SIGN THE "STATEMENT OF APPROVAL" FOR SAID PLAN AND DECLARING AN EMERGENCY SO THAT THIS ORDINANCE WILL BECOME EFFECTIVE UPON RECEIPT OF EIGHT AFFIRMATIVE VOTES OF COUNCIL.

* * * *

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

Mr. Octavio Pena, Director of Internal Review, explained the request for ratification of the Job Training Partnership Act (JTPA) Summer Youth Program.

Ms. Jennifer Jacobs, representing the Alamo Workforce Development Council, addressed details of the Summer Youth Program through narration of a video presentation, noting that there are some 112 work-sites for youth within the City this year, and another 70 in Bexar County outside the City of San Antonio. She also noted that some 95 per cent of these young summer workers will be returning to school in the fall.

In response to a question by Mr. Ross, Ms. Jacobs addressed the difference in funding of this program between last year and this year noting that the same number of youths, some 3,233 in all, are being served.

In response to a question by Mr. Webster, Ms. Jacobs discussed the outreach efforts for recruits to the Summer Youth Program through the various schools, and spoke to how the students were selected.

(At this time, Mayor Pro Tem Ross was obliged to leave the meeting. Mr. Flores presided in the absence of the Mayor and Mayor Pro Tem.)

After consideration, the motion, carrying with it the passage

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,278

AMENDING ORDINANCE NO. 83127, DATED NOVEMBER 2, 1995, WHICH APPROVED AMENDMENTS TO PROGRAM YEAR 1994 AND 1995 LOCAL JOB TRAINING PARTNERSHIP ACT (JTPA) PLANS FOR TITLES IIA, IIC, AND IIB BY ADOPTING FURTHER PLAN AMENDMENTS WHICH ARE NECESSARY DUE TO FUNDING RESCISSIONS AT THE FEDERAL LEVEL; AND AUTHORIZING THE MAYOR, AS THE DESIGNATED CHIEF ELECTED OFFICER FOR THE CITY OF SAN ANTONIO TO SIGN SAID PLAN AMENDMENTS.

* * * *

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

Mr. Octavio Pena, Director of Internal Review, explained the reprogramming of past-year funds to be added to currently-available funding as a supplement.

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

96-24 STAFF UPDATE-S.A.P.D. VICTIMS ADVOCACY PROGRAM

Police Chief Al Philippus narrated a video presentation of the Victims Advocacy Program, speaking to a brief history of the program and its plans for the future, including new initiatives. He spoke to a continuing decline in violence statistics in San Antonio. A copy of his presentation is made a part of the papers of this meeting.

(During this presentation, Mayor Pro Tem Ross returned to preside.)

Chief Philippus lauded the Community Initiatives Department staff of the Victims Advocacy Program involved in this issue.

Mr. Avila spoke to his gratification to see the needs of victims being addressed.

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In response to a question by Mr. Avila, Chief Philippus addressed instances of recidivism in family violence cases and how these are handled.

In response to a question by Mr. Ross, Chief Philippus cited statistics on reasons for the consolidation of the Victims Advocacy Program into the Police Department.

Mr. Peak stated that these statistics show the need to use scientific means for addressing this problem.

Ms. McClendon spoke in support for these efforts.

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96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,279

DIRECTING THE CITY MANAGER TO HAVE INCORPORATED A SECTION ENTITLED, "POTENTIAL IMPACT ON HOUSING COSTS" IN ALL CITY COUNCIL BRIEFING MEMORANDA INVOLVING POLICY CHANGES THAT AFFECT HOUSING DEVELOPMENT COSTS.

* * * *

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

Mr. Andrew Cameron, Director of Housing & Community Development, explained plans for incorporating a section entitled "potential impact on housing costs" into all Council briefing memos, where applicable, and noted that the Housing Task Force has defined those areas. He then spoke to specific examples and possible parameters, noting that the Housing Task Force will help develop these parameters.

Mr. Solis spoke to his perceptions of how this can be implemented.

Mr. Peak spoke to how this can affect housing development on a cost/benefit analysis, and cautioned against modifying public works project plans just because of an impact upon housing.

Mr. Ross spoke to San Antonio's housing availability percentages and his concerns with affordable housing problems. He addressed the level of salary that must be reached in order to afford a certain level of housing.

Ms. McClendon stated that 'quality of life' is important to all, and spoke to the impact of City actions on housing.

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

96-24

BOARD APPOINTMENTS

Mr. Solis made a motion to approve the appointment of Dr. Norma Parra to the Advisory Board of Health of the San Antonio Metropolitan Health District. 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, Avila, Solis, Herrera, Ross, Peak, Webster. NAYS: None. ABSENT: Marbut, Thornton.

The Clerk read the following Ordinance:

AN ORDINANCE 84,280

APPOINTING DR. NORMA PARRA TO THE ADVISORY BOARD OF HEALTH OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1998.

* * * *

96-24 Ms. Billa Burke made a motion to approve the appointment of Ms. Claire Beauchamp to the Center For Health Care Services Board of Trustees. Mr. Solis seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 84,281

APPOINTING CLAIRE BEAUCHAMP TO THE CENTER FOR HEALTH CARE SERVICES BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1996.

* * * *

96-24 Mr. Solis made a motion to approve the appointments of Mr. Dennis Miller, Mr. Ron Agron, Mr. Steve Lundgren, and Mr. Jordan Meisner to fill the four slots allotted to the Hotel/Motel Association on the Convention & Visitors Bureau Advisory Committee. Ms. Billa Burke seconded the motion.

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

By concensus, the Council members present reappointed Mr. Jose Medellin as representative of the Paseo del Rio Association; reappointed Ms. Robin Carson as representative of the Theme Parks; and appointed Mr. Andrew Barkley to replace the resigned Mr. Paul Serff as representative of Theme Parks.

To serve as the single representative of the Airline Industry, Ms. C.B. Sonntag and Ms. Christine Ortega were nominated. By a voice vote of eight in favor, being a majority, Ms. Sonntag was appointed to represent the Airline Industry.

Therefore, elected to fill the four vacancies on the Related Industries category of the Convention & Visitors Bureau Advisory Committee were Mr. Jose Medellin, Ms. C.B. Sonntag, Ms. Robin Carson, and Mr. Andrew Barkley.

Four vacancies existed in the General Community category, with a total of 10 persons nominated. Council members by concensus decided to nominate by slot: Slot 1, Slot 2, Slot 3 and Slot 4.

For Slot 1, Ms. Veatrice Williams, Ms. Sarida Bradley and Mr. Frank Brown were nominated. By a voice vote of eight in favor, being a majority, Ms. Williams was selected for appointment to Slot 1.

For Slot 2, Ms. Martha Rodriguez was nominated for reappointment and selected by acclamation for appointment to Slot 2.

For Slot 3, Ms. Courtney Connell and Mr. Harvey Heard were nominated. By a voice vote of nine in favor, being a majority, Ms. Connell was selected for appointment to Slot 3.

For Slot 4, Mr. Harvey Heard, Ms. Sarida Bradley, and Mr. James Lifshutz were nominated. On the first round of voting, Mr. Heard received five votes, Ms. Bradley three votes, and Mr. Lifshutz two votes. Mr. Lifshutz therefore was eliminated, and a second round of voting took place between Mr. Heard and Ms. Bradley, during which Mr. Heard received eight votes, being a majority. By majority vote, Mr. Heard was selected for reappointment to Slot 4.

Therefore, elected to fill the four vacancies in the General Community category were Ms. Williams, Ms. Rodriguez, Ms. Connell and Mr. Heard.

Mr. Solis then made the main motion to appoint 12 members to the Convention & Visitors Bureau Advisory Committee in accordance with the voting just concluded and recorded. Ms. Billa Burke seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 84,282

APPOINTING TWELVE MEMBERS TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE TO INCLUDE FOUR APPOINTMENTS REPRESENTING THE HOTEL/MOTEL CATEGORY, FOUR APPOINTMENTS REPRESENTING THE RELATED INDUSTRIES CATEGORY AND FOUR APPOINTMENTS REPRESENTING THE GENERAL COMMUNITY CATEGORY.

* * * *

96-24 It was noted that four openings existed on the Planning Commission, for which six persons have been nominated. It was the consensus of Council members present to select the four appointees by slot: Slot 1, Slot 2, Slot 3 and Slot 4.

For Slot 1, Mr. Ruben Ramos and Ms. Marvene Elliott were nominated. By a voice vote of seven in favor, being a majority, Mr. Ramos was selected for reappointment to Slot 1.

For Slot 2, Ms. Anita Heim was nominated and selected by acclamation to Slot 2.

For Slot 3, Mr. Mike Guerra was nominated and selected by acclamation to Slot 3.

For Slot 4, Ms. Marvene Elliott and Mr. Lou Miller were nominated. By voice vote of six in favor, being a majority, Ms. Elliott was selected for appointment to Slot 4.

Mr. Solis then made the main motion to appoint Mr. Ruben Ramos, Ms. Anita Heim, Ms. Marvene Elliott and Mr. Mike Guerra to the Planning 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: McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: Flores, Thornton.

The Clerk read the following Ordinance:

AN ORDINANCE 84,283

APPOINTING FOUR MEMBERS OF THE PLANNING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1998.

* * * *

96-24 Mr. Solis made a motion to reappoint Ms. Christina Garcia, Mr. Norman T. Dugas, and Mr. Juan Patlan to the San Antonio Water System Board of Trustees, with Mr. Patlan being reappointed Chairman. Mr. Avila seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 84,284

REAPPOINTING CHRISTINA GARCIA, NORMAN T. DUGAS, AND JUAN J. PATLAN TO THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON MAY 31, 2000; AND REAPPOINTING JUAN J. PATLAN AS CHAIRMAN OF THE SAN ANTONIO WATER SYSTEM FOR A ONE-YEAR TERM OF OFFICE TO EXPIRE ON MAY 31, 1997.

* * * *

96-24 Mr. Solis made a motion to reappoint 17 members to the Child Care Management Services Child Care Advisory Council. Mr. Webster seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 84,285

REAPPOINTING SEVENTEEN MEMBERS TO THE CHILD CARE MANAGEMENT SERVICES CHILD CARE ADVISORY COUNCIL FOR AN ADDITIONAL ONE-YEAR TERM OF OFFICE TO EXPIRE JUNE

30, 1997, OR UNTIL SUCH TIME AS A NEW COMMISSION IS
CREATED.

* * * *

96-24 City Council recessed its regular meeting at 4:35 P.M. in order to convene in Executive Session for the purpose of attorney/client consultation regarding litigation case styled Sierra Club vs. City of San Antonio et al., in the United States District Court, Western District of Texas, Midland-Odessa Division.

City Council recessed the Executive Session and reconvened in regular session at 5:25 P.M., at which time Mayor Pro Tem McClendon stated that Council had been briefed on the above-styled issue and had given staff direction, but had taken no official action.

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,286

MODIFYING THE CITY DROUGHT MANAGEMENT PLAN BY REDUCING THE ALLOWABLE LANDSCAPE WATERING DAYS FOR STAGE III FROM THREE TIMES EVERY FOURTEEN DAYS TO ONCE PER WEEK; DECLARING THE SAN ANTONIO REGION TO BE IN A CRITICAL PERIOD FOR WATER RESOURCES PROTECTION AND CONSERVATION BASED UPON REQUIRED FINDINGS; AUTHORIZING THE SAN ANTONIO WATER ("SAWS") TO IMPLEMENT THE FIRST PHASE OF THE INCREASED WATER USE FEES, KNOWN AS THE CRITICAL PERIOD SURCHARGE, EFFECTIVE ON OR ABOUT JULY 14, 1996; ESTABLISHING THAT THE HIGHER FEES APPLY TO ALL RESIDENTIAL USAGE GREATER THAN 17,205 GALLONS PER MONTH; AND DECLARING AN EMERGENCY TO PROVIDE FOR A IMMEDIATE EFFECTIVE DATE UPON EIGHT AFFIRMATIVE VOTES.

* * * *

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

Mr. Joe Aceves, President and Chief Executive Officer, San Antonio Water System, narrated a video presentation on a proposed Ordinance modifying the City Drought Management Plan, a copy of which is made a part of the papers of this meeting. He spoke to the dropping levels in the J-17 test well, which indicated a current water level some 30 feet below the average level of the Edwards Aquifer at this time of year. He spoke of the record drought now underway, and noted that some estimates show that the drought could go to the year 2000. He stated

that this is reason enough to reduce pumpage from the Edwards Aquifer, and addressed water quality considerations. He then spoke to recent actions taken by the U.S. Fish and Wildlife Service, and addressed a brief history of the Aquifer Management Plan, to date. He also spoke to the pumpage goals of San Antonio Water System, and the new conservation measures being taken.

Mr. Aceves then spoke to the proposed 'critical period surcharge' and its impact on local water bills, and to Stage IV criteria of the Drought Management Plan, based upon the risks to water quality or other water-quality concerns. He then spoke to considerations for next year, including revisions to the Aquifer Management Plan, development of a regional plan, combining conservation with landscape ordinance requirements, and a dry-year option, including possible purchase of agricultural water to lessen the impact upon the aquifer.

The following persons appeared to speak:

Mr. Karl Wurz, 820 Florida, spoke in advocacy of a uniform code of water usage for all residents, and addressed specifics, including a 100-gallon-per-day limit for residential usage. He noted that conservation should be a way of life, and spoke to his feeling that large water users have been subsidized.

Ms. Karen Sekula, 5535 Lost Lane, spoke in support for conservation of water and once-a-week watering restrictions, but against any increase in water rates, stating her belief that SAWS may be increasing water rates to make up for losses in water sales.

Mr. Malcolm Romine, representing Texas Waterwise Council, spoke to the 'conservation through education' program to be implemented through all news media, and spoke to the need to encourage use of drought-resistant plant materials. He addressed certain industry measures being taken for conservation of water.

Mr. Mike Harris, representing San Antonio Manufacturers Association, spoke in support for the SAWS programs and City Council plan for water conservation, but noted that certain reductions will result in the loss of jobs. He then spoke to innovative ways to reduce water consumption, including recycling. He further stated that industrial and manufacturing production may suffer if too-stringent measures are adopted.

Mr. Tom Culbertson took exception to the proposed 'critical period surcharge' on water usage, and spoke to how near San Antonio is to being a non-attainment city in air quality. He spoke in favor of an over-use surcharge in lieu of the 'critical period surcharge', and expressed his belief that San Antonio has the largest water reserve in Texas.

* * * *

Ms. McClendon spoke to the need for a regional water plan, if we all want to solve the water problem, and stated her belief that deep cuts are needed to conserve water through this drought period. She spoke to the need for a balanced approach, since people are more important than wild rice. She then spoke to the new SAWS recommendations, and noted that the weather will be the cause if the springs go dry. She then spoke to her concern with the recent Sierra Club lawsuit and threats to the economic life of San Antonio.

Mr. Webster spoke in support for the SAWS recommendations and spoke to the need to enforce against water waste and thus squandering out water resources. He then stated that he is not convinced that raising the water rates will solve the problem of excess water usage.

Mr. Peak stated that we cannot afford to jeopardize our sole source of water, the Edwards Aquifer. He spoke to a number of programs designed to reduce water usage and the need to learn how to better live in a semi-arid area. He spoke in support for the new watering schedule, and addressed the need to re-double the enforcement efforts on water usage.

In response to a question by Mr. Peak, Mr. Aceves stated that SAWS will keep on looking for ways to target commercial water users who waste water, too, and spoke to the 'discretionary' use of water.

Mr. Peak spoke in support for advance planning for the out-years, as recommended by SAWS.

Mr. Ross also spoke in support for the SAWS proposal, and asked SAWS to continue re-examining any other possible options, if indeed there are any. He suggested coordinating ways to inform the citizens on water consumption.

Mr. Flores noted that this is all a very difficult matter with which to deal.

Mr. Marbut spoke to the need to deal with the drought, and to make it fair to all. He addressed the need to target water waste, yet avoiding actions that hurt jobs. He stated that it may become necessary to handle commercial water users like residential users.

In response to a question by Mr. Herrera, Mr. Harris spoke to how further water reductions could hurt businesses, such as through job losses, and stated that it may also hurt the effort to attract more jobs to San Antonio.

Mr. Solis noted that the water crisis is real, and voiced his concern with the trigger-levels of the 'critical period surcharge'.

Mr. Aceves responded by commenting that we all may have to change our lifestyles.

In response to a question by Mr. Flores, Mr. Aceves spoke to the appeals process at SAWS, which he noted has had little usage thus far. He spoke to the plight of large families with exceptional problems and their usage of water.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Marbut, Peak; NAYS: Webster; ABSENT: Ross, Thornton.

Mr. Marbut then made a motion to have SAWS staff come back to City Council in two weeks on a plan or series of options regarding landscape aspects water usage by business or commercial customers. Mr. Peak seconded the motion.

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

Mr. Flores then made a motion to direct SAWS staff to come back to Council with respect to a method or methods to deal with special cases or exceptions to the ordinance just enacted. Mr. Solis seconded the motion.

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

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96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,287

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT TO THE PASSMORE ELEMENTARY SCHOOL P.T.A. FOR THE ACCELERATED READER PROGRAM, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA.

* * * *

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

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

96-24 The Clerk read the following Ordinance:

AN ORDINANCE 84,288

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO COUNCILMAN BOB ROSS IN THE AMOUNT OF \$6,000.00 FOR A FULL-TIME ADMINISTRATIVE SERVICES CONTRACT WITH MARIA D. VALERO FROM JULY 1, 1996, THROUGH SEPTEMBER 30, 1996, AS REQUESTED BY COUNCILMAN BOB ROSS.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Herrera 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, Solis, Herrera, Marbut, Peak, Webster; NAYS: None; ABSENT: Ross, Thornton.

96-24 TRAVEL AUTHORIZATION - Granted:

Councilman Roger Flores II, to travel to Los Angeles, California from June 27, 1996 to June 29, 1996, to attend the Naleo Conference.

* * * *

Councilman Juan F. Solis III, to travel to Los Angeles, California from June 27, 1996 to July 1, 1996, to attend the Naleo 13th Annual Conference.

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96-24

CITY MANAGER'S REPORT

GRAFFITI ABATEMENT PROGRAM

Mr. Sergio Soto, Director of Youth Initiatives, narrated a brief video presentation of the City's Graffiti Abatement Program, a copy of which is made a part of the papers of this meeting.

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

In response to a question by Mr. Flores, Mr. Martin Rodriguez, Director of Code Compliance, spoke to Code Compliance efforts

for graffiti abatement, as it affects the City's Building Code.

Mr. Webster noted that the District Attorney has agreed to prosecute the top 10 graffiti abusers in San Antonio, and he spoke to the use of probationers in painting over graffiti. He lauded the support of the corporate community in this effort, and used this occasion to hand over to the City a check in the amount of \$250.00 from Sprint of San Antonio to assist in graffiti abatement.

In response to a question by Mr. Herrera, Mr. Soto spoke to the murals program administered through the Department of Parks & Recreation, and stated that he would look at use of murals on private property if the property-owner will finance it.

Mr. Herrera noted that Edgewood Square has inquired about the use of murals in this regard.

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96-24

CITIZENS TO BE HEARD

MR. JACK M. FINGER

Mr. Jack M. Finger, P.O. Box 12048, spoke to the Council regarding the Sierra Club Lawsuit. He stated that this lawsuit is not about protecting endangered species but rather about greed. He offered to the Council a list of persons who can assist the City in this lawsuit (a copy of which is on file with the papers of this meeting).

MR. FARIS HODGE, JR.

Mr. Hodge, 140 Dora, spoke to the Council about several street lights being out of order. He also pointed out several instances where VIA needs to address the condition of the sidewalks around bus stops. He then reported on several problems in areas around the City, and commended the Council for their efforts in their respective Districts.

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96-24 City Council recessed its regular session at 7:33 P.M. for dinner and to re-convene in Executive Session for:

1. Attorney/client consultation regarding the TNRCC Executive Director's preliminary Report related to Alamodome soils.

2. Attorney/client consultation regarding the status of pending Fair Labor Standards Act issues and compliance by the San Antonio Police Department.

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96-24 City Council adjourned the Executive Session and reconvened the

regular session at 8:55 P.M., at which time Mayor Pro Tem McClendon stated that Council had been briefed on the above-named topics and had given staff direction, but had taken no official action.

96-24 There being no further business to come before the Council, the meeting was adjourned at 8:56 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