

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, JUNE 22,
1995.

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95-28 The City Council convened in an informal "B" Session at 7:30 A.M., Municipal Plaza Building, City Council Chamber, to consider the following item(s). The Council members present were: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON. ABSENT: None

1. Monitoring of the Hearings of the Base Closure and Realignment Commission Hearings:

A. Brooks AFB, TX - Not recommended for closure

B. Kelly AFB, TX - Partial closure - Transferring of some workload units to Lackland AFB, TX.

Adjourn: 10:45 A.M.

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95-28 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, McCLENDON, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: BILLA BURKE, AVILA, SOLIS, HERRERA.

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95-28 Invocation - Reverend Ernest Lantz, Grace Lutheran (ELCA).
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95-28 Pledge of Allegiance to the flag of the United States.
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95-28 Minutes of the April 27, 1995, Regular City Council Meeting were approved.
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BRAC RECOMMENDATIONS

Mayor Thornton reported on the BRAC Commission's action this morning relative to the decision to keep the Brooks AFB, open and yet take the logistic components of Kelly AFB., He spoke of the impact this action, if approved by the President, will have on the City.

Mayor Thornton stated that the City must take positive steps and assessed the situation thoroughly.

He asked Council for Direction to the staff to prepare a report to the City Council next Thursday as an "A" Session Item in which:

A thorough analysis will be presented on the decision by the BRAC in regards to Kelly Air Force Base.

The remaining timetable for the Base Realignment/Closure process identifying all the milestones in that process, including when jobs at Kelly actually will be affected.

A detailed analysis of the initial Base reuse process as mandated by the Federal Government: what type of assistance is available from the Federal Government and what is expected from the City in terms of the reuse process.

Several Councilmembers spoke to this issue.

(Mayor Thornton left at this point and Mayor Pro Tem Marbut presided).

95-28 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 6 through 24, constituting the Consent Agenda, with Items 15 and 11 having been pulled earlier by the City Manager. Mr. Webster seconded the motion.

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

AN ORDINANCE 82,385

ACCEPTING THE LOW BID OF NOBE GENERAL CONSTRUCTION TO REPAIR THE RACQUETBALL COURT WALL AT THE WESTSIDE YMCA FOR A TOTAL OF \$20,790.00. (MBE)

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AN ORDINANCE 82,386

ACCEPTING THE LOW QUALIFIED BIDS OF TEXAS STATE DISTRIBUTORS, INC. AND PROTECH ARMORED PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH POLICE PROTECTION EQUIPMENT FOR A TOTAL OF \$24,538.20.

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AN ORDINANCE 82,387

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$5,700,000.00. (MBE/WBE)

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AN ORDINANCE 82,388

APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$1,594.00 PAYABLE TO BRODBECK CONSTRUCTION, INC. IN CONNECTION WITH THE NORTHEAST YMCA MODIFICATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,389

SELECTING MENDOZA AND ASSOCIATES, A.I.A. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE NEW FIRE STATION NO. 11; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$164,080.00; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,390

SELECTING PAPE-DAWSON ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH AN ENGINEERING STUDY AND MASTER PROGRAM DEVELOPMENT RELATIVE TO THE BABCOCK ROAD PROJECT, AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$56,000.00; APPROPRIATING FUNDS; AND

PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,391

RATIFYING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$13,569.56 PAYABLE TO R.P. PLUMBING COMPANY AND AMENDING THE CONSTRUCTION CONTINGENCY TO PROVIDE FOR PAYMENT; AUTHORIZING AN ADDITIONAL \$3,430.44 PAYABLE TO MENDOZA AND ASSOCIATES FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE ADA MODIFICATIONS TO THE SOUTH RESTROOMS IN EL MERCADO PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,392

APPROVING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$6,126.00 PAYABLE TO YANTIS CORPORATION AND AMENDING THE CONSTRUCTION CONTINGENCY TO PROVIDE FOR PAYMENT IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE IMPROVEMENTS - PROJECT NO. 74, PHASE II; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,393

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE ESTATE OF PEDRO RAMIREZ, DECEASED, FOR THE USE OF PART OF LOT 6 AND ALL OF LOT 12, NEW CITY BLOCK 1917 FOR USE AS A STAGING AREA AND FOR CONSTRUCTION PURPOSES IN CONNECTION WITH THE CITY'S FREDERICKSBURG ROAD WOODCLIFF TO SANDOVAL STREET PROJECT; APPROPRIATING \$30,400.00 FOR PAYMENT OF RENTAL THEREFOR; AND AUTHORIZING DISBURSEMENT OF SUCH AMOUNT.

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AN ORDINANCE 82,394

AUTHORIZING ACCEPTANCE OF A GRANT FROM THE CARVER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF CONTRACTS IN THE TOTAL SUM OF \$68,300.00 WITH JAZZ MUSICIANS FOR THE 1995 JAZZ FESTIVAL AND THE 1995-96 SEASON AT THE CARVER CENTER AND FOR SUPPORT SERVICES; ESTABLISHING A BUDGET FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,395

AUTHORIZING THE ACCEPTANCE OF \$1,780.00 IN ADDITIONAL FUNDING FOR THE COMMUNITY ACTION PROGRAM FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA); AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE NOTICE TO CONTRACT 613061 WITH TDHCA; AMENDING THE BUDGET AND PERSONNEL COMPLEMENT ESTABLISHED IN ORDINANCE NO. 81350, PASSED AND APPROVED ON DECEMBER 15, 1994; AUTHORIZING THREE (3) PERSONNEL POSITIONS; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,396

AMENDING ORDINANCE NO. 81681, PASSED ON FEBRUARY 16, 1995, TO DELETE "PROVIDENCE HOME" AS A H.U.D. GRANT "SUPPORTIVE HOUSING PROGRAM" SERVICE PROVIDER, AND RE-PROGRAMING \$70,703 IN OPERATING FUNDS FROM "PROVIDENCE HOME" TO "WOMEN AND CHILDREN'S RESOURCE CENTER" AND "HOUSE OF HOPE" IN THE AMOUNTS OF \$25,000 AND \$45,703 RESPECTIVELY.

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AN ORDINANCE 82,397

AUTHORIZING THE ACCEPTANCE OF \$26,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR THE PURCHASE OF AN X-RAY MACHINE FOR THE TB CONTROL PROGRAM OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 6, COMPRISED OF ATTACHMENT 4A TO CONTRACT C6000011 WITH THE TDH; REVISING THE BUDGET FOR PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96 ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED JANUARY 6, 1994.

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AN ORDINANCE 82,398

AUTHORIZING THE ACCEPTANCE OF \$582,724.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING THE RYAN WHITE TITLE II AIDS/HIV PROGRAMS ADMINISTERED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD APRIL 1, 1995 THROUGH MARCH 31, 1996; AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 7 TO CONTRACT C6000011 WITH TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96

ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED
JANUARY 6, 1994; AUTHORIZING A PERSONNEL POSITION;
AUTHORIZING CONTRACTUAL SERVICES; AND AUTHORIZING
EXECUTION OF CONTRACTS WITH SUB-CONTRACTORS.

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AN ORDINANCE 82,399 .

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE
UNIVERSIDAD NACIONAL AUTONOMA DE MEXICO ("UNAM") -
SAN ANTONIO TO PROVIDE TESTING OF PROFICIENCY IN
SPEAKING SPANISH FOR CITY EMPLOYEES BEING CONSIDERED
FOR LANGUAGE SKILLS PAY AND PROVIDING FOR FUNDING IN
THE AMOUNT OF \$60,000.00 IN CONNECTION THEREWITH.

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AN ORDINANCE 82,400 .

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
SOUTHWEST CRAFT CENTER FOR \$5,000.00, JUMP-START
PERFORMANCE COMPANY FOR \$10,000.00, AND ESPERANZA
PEACE AND JUSTICE CENTER FOR \$10,000.00 UTILIZING
GRANT FUNDS FROM THE NATIONAL ENDOWMENT FOR THE ARTS
(NEA).

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AN ORDINANCE 82,401 .

AUTHORIZING THE TEMPORARY CLOSURE OF BELKNAP PLACE
BETWEEN COURTLAND AND ASHBY FROM 4:00 P.M. UNTIL
11:00 P.M., SUNDAY, OCTOBER 15, 1995 FOR THE
CELEBRATION OF THE JEWISH HOLIDAY OF SIMCHAT TORAH
TO BE HELD BY TEMPLE BETH-EL.

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95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,402 .

SELECTING W.E. SIMPSON COMPANY, INC. TO PROVIDE
ENGINEERING SERVICES IN CONNECTION WITH AN
ENGINEERING STUDY AND MASTER PROGRAM DEVELOPMENT
RELATIVE TO THE HOLBROOK ROAD IMPROVEMENTS -
PETROLEUM DRIVE TO EISENHauer ROAD PROJECT;
AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN
AMOUNT NOT TO EXCEED \$124,000.00; APPROPRIATING
FUNDS AND PROVIDING FOR PAYMENT.

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

In response to Ms. McClendon's comments, Mr. John German, Director Of Public Works, explained the Ordinance and gave a history of this project.

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

(At this time Mayor Thornton returned to the City Council Meeting to preside.

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,403

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$8,520.48 PAYABLE TO L & R BUILDERS, INC. AND AMENDING THE CONSTRUCTION CONTINGENCY TO PROVIDE FOR PAYMENT IN CONNECTION WITH THE PARHAVEN AND SPRINGHILL DRAINAGE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. John German explained the proposed ordinance.

Mr. Peak expressed his concern on this item and wanted to assure that the staff is satisfied with the job performance of the contractor. sure they are satisfied with the work.

95-28 BEXAR APPRAISAL DISTRICT

Mr. Tom Finley, City Attorney, explained the item and the vacancy created by the Resignation of Lyle Larson.

In response to Mayor Thornton, Mr. Walter Stoneham, Director of BAD, stated that the position needs to be filled as soon as possible.

A discussion took place on a previous Council action, that being, a Resolution in supporting of keeping the Bexar Appraisal District main office downtown just a resolution and moving from the downtown area.

In response to Mr. Flores, Mr. Stoneham stated a vote on this issue (resolution) will take place by June 30, 1995.

Mayor Thornton, stated that the San Antonio Independent School District, the County and the City are adamant, and they do not want the main office to move from the downtown area.

Staff was asked to write a letter again reiterating the Council's statements on the relocation move.

Mr. Peak then made a motion to have the Mayor send a letter to the Bexar Appraisal Board of Directors asking them to delay a vote on filling the vacancy created by Mr. Larson's resignation and that the letter include the Council's opposition to the relocation of the head quarters from downtown. Ms. McClendon seconded the motion.

In response to Mr. Ross's question, Mr. Stoneham reported on methods used to establish residential appraisals.

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

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95-28

ZONING HEARINGS

4G. CASE #Z95108 - to rezone and reclassify Lot 30, NCB 11961, 8301 Broadway, from "B-2" Business District and "F" Local Retail District to "B-3NA" Non-Alcoholic Sales District. Property is located south of the intersection of Gault Lane and Citadel Plaza, having 380.36 feet on Gault Lane, 224.87 feet on Citadel Plaza and a depth of 795.10 feet.

Mr. Peak announced that Zoning Case #Z95108 will not be heard today and a motion will be made at the appropriate time.

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4A. CASE #Z95112 (CC) - to rezone and reclassify 3.640 acres out of Block 5, NCB 15673, Gold Canyon and State Highway 1604, from "P-1(B-3)" ERZD Business Edwards Recharge Zone District to "B-3NA" ERZD CC Non-Alcoholic Sales Business Edwards Recharge Zone District with special City Council approval for a funeral home. Property is located on the southwest side of State Highway 1604, between Gold Canyon and Krugerrand Drive, having 387.98 feet o State Highway 1604, 350.04 feet on Gold Canyon and 150.31 feet on Krugerrand Drive.

June 22, 1995
bgg

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

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

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

AN ORDINANCE 82,404

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 3.640 ACRES OUT OF BLOCK 5, NCB 15673, GOLD CANYON AND STATE HIGHWAY 1604, FROM "P-1(B-3)" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD CC NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A FUNERAL HOME. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE #Z95092 - to rezone and reclassify Lot 38, Block 4, NCB 18890 and Lot 49, Block 16, NCB 18890, Bulverde Road and Green Spring Drive, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Properties are located northwest and southwest of the intersections of Bulverde Road and Green Spring Drive, having 933.02 feet on Green Spring Drive and 829.08 feet on Bulverde Road.

Mr. Webster made a motion to postpone this zoning case to thirty days, Mr. Peak seconded the motion.

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

4C. CASE #Z95114 - to rezone and reclassify 16.951 acres out of NCB 17856, Huebner Road, from Temporary "R-1" Single Family Residence District and Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District and "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is

located on the southeast side of Huebner Road, 808.54 feet northeast of the intersection of Bassett Lane and Huebner Road, having 81.08 feet on Huebner Road and a depth of 2094.91 feet.

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

Mr. Joe Nix, representing the owner, and is in favor for the zoning change for a residential planned unit development.

In response to a question by Mr. Peak, Ms. Karen Stahn Planner II, a representative from San Antonio Water Systems, spoke to the City Council with references and their recommendations.

Mr. Marbut, made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. 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: Flores, McClendon, Billa Burke, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Avila, Solis, Herrera, Webster.

AN ORDINANCE 82,405

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 16.951 ACRES OUT OF NCB 17856, HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE #Z95117 - to rezone and reclassify 1.4387 acres out of NCB 17627, DeZavala Road, from "B-3" ERZD Business Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Residence District. Property is located on the southeast side of DeZavala Road, 918 feet southwest of the intersection of DeZavala Road and Rogers Parkway, having 358.90 feet on DeZavala Road and a depth of 208.85 feet.

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

Mr. Marbut made a motion to approve the recommendation of the

Zoning Commission and grant the rezoning. 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: Flores, McClendon, Billa Burke, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Solis, Herrera, Webster.

AN ORDINANCE 82,406

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.4387 ACRES OUT OF NCB 17627, DEZAVALA ROAD, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE #Z95090 - to rezone and reclassify 2.15 acre tract out of MCB's 15479 and 18280, New Guilbeau Road from "B-2" Business District to "O-1" Office District. Property is located northwest of the intersection of New Guilbeau Road and Old Tezel Road.

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

Mr. Marbut stated he will be moving to continue this hearing this zoning case in thirty days.

Mr. E. Falcon, recognized those persons in the audience who were in support of the rezoning case.

After further discussion, Ms. McClendon made a motion to postpone the zoning case for thirty days. 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, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Solis.

(Mayor Thornton left the chambers, and Councilman Peak presided.)

4F. CASE #Z95107 - to rezone and reclassify Lot 6, NCB 14595, 8400 Data Point Drive, from "0-1" Office District to "B-2NA" Business Districts. Property is located on the southeast side of Data Point Drive, 1,617.47 feet northeast of the intersection of Fredericksburg Road and Data Point Drive, having 306 feet on Data Point Drive and a depth of 319.70 feet; Lot 5 and Lot 4, save and except a 1.159 acre tract; and a 3.768, acre tract out of Lot 3, NCB 14595, 8400 Data Point Drive, from "0-1" Office District to "B-3NA" Business Districts. Properties are located 702.1 feet northeast of the intersection of Fredericksburg Road and Data Point Drive, having 915.37 feet on Data Point Drive and a depth of 670 feet; A 1.159 acre tract out of NCB 14595, East of the 8400 Block of Data Point Drive, from "0-1" Office District to "I-1" Light Industry District. Property is located 1012.88 feet northeast of the intersection of Fredericksburg Road and Data Point Drive, being 450 feet east of Data Point Drive.

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

Mr. John Grieshaber, the applicant, stated they are requesting the change of zoning for an assembly function on electronic components and business use. He stated the reason for the change in zoning is Datapoint wants to install a pilot lab which consists of electronic components assembly.

Ms. Laura Craft, representing Castlewood Condominiums Homeowners Association, stated they are in opposition of the request because other companies and landowners could come in and request light industrial, also because of the crime and traffic it will generate.

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

AN ORDINANCE 82,407

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 6, NCB 14595, 8400 DATA POINT DRIVE, FROM "0-1" OFFICE DISTRICT TO "B-2NA" BUSINESS DISTRICTS; AND LOT 5 AND LOT 4, SAVE AND EXCEPT A 1.159 ACRE TRACT; AND A 3.768 ACRE TRACT OUT OF LOT 3, NCB 14595, 8400 DATA POINT DRIVE, FROM "0-1" OFFICE DISTRICT TO "B-3NA" BUSINESS DISTRICTS; AND A 1.159 ACRE TRACT OUT OF NCB 14595, EAST OF THE 8400 BLOCK OF DATA POINT DRIVE, FROM "0-1" OFFICE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE

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

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4G. CASE #Z95108 - to rezone and reclassify lot 30, NCB 11961, 8301 Broadway, from "B-2" Business District and "F" Local Retail District to "B-3NA" Non-Alcoholic Sales District. Property is located south of the intersection of Gault Lane and Citadel Plaza, having 380.36 feet on Gault Lane, 224.87 feet on Citadel Plaza and a depth of 795.10 feet.

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

Mr. Peak made a motion to continue this zoning case for 30 days. Mr. Webster 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, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Avila, Solis, Thornton.

Zoning Case #Z95108 was postponed.

4H. CASE #Z95078 - to rezone and reclassify lots 6 and 7, NCB 6714, 452 West Mitchell, from "GG" Local Retail District to "B-3NA" Non-Alcoholic Sales District. Properties are located on the southwest side of Mitchell Street, 90 feet southeast of the intersection of Mitchell Street and Grandjean having 50 feet on Mitchell Street and a depth of 125 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 and grant the rezoning. Ms. McClendon seconded the motion.

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

AN ORDINANCE 82,408

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 6 AND 7, NCB 6714, 452 WEST MITCHELL, FROM "GG" LOCAL RETAIL 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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41. CASE #Z95116 - to rezone and reclassify the east 41 feet of Lot 12 and the west 34 feet of Lot 13, NCB 1724, 115 East Ashby, from Historic "D" Apartment District to Historic "O-1" Office District. Property is located on the north side of East Ashby Place, 176 feet east of the intersection of Main Avenue and East Ashby Place, having 75 feet on East Ashby Avenue and a depth of 147.50 feet.

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

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

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

AN ORDINANCE 82,409

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 41 FEET OF LOT 12 AND THE WEST 34 FEET OF LOT 13, NCB 1724, 115 EAST ASHBY, FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,410

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$57,702.75, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 69 TAX ACCOUNTS.

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

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,411

AUTHORIZING THE SALE OF USED FIRE AND EMERGENCY VEHICLES IN THE AMOUNT OF \$9,500.00 TO THE UNIVERSIDAD NACIONAL AUTONOMA DE MEXICO ("UNAM") FOR REHABILITATION AND USE IN MEXICO CITY.

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

In response to a question by Councilman Ross, Mr. Robert Ojeda, Fire Chief, spoke on the cost of the equipment replacement.

Councilman Ross spoke in support of this issue.

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

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,412

ACCEPTING THE LOW, QUALIFIED BID OF KGME, INC. IN THE AMOUNT OF \$1,431,928.65 IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT, NO. 58H, I AND J, PHASE II; AUTHORIZING A CONTRACT; AUTHORIZING \$98,539.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. John German, Director, Public Works, explained the Ordinance and gave a background history of it.

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

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,413

APPROVING THE TERMS AND CONDITIONS OF THE JOB TRAINING PARTNERSHIP ACT (JTPA) PRIVATE INDUSTRY COUNCIL-CHIEF ELECTED OFFICIALS (PIC-CEO) AGREEMENT FOR THE 1995 PROGRAM YEAR, OR UNTIL SUCH TIME THAT A NEW AGREEMENT IN ACCORDANCE WITH TEXAS HOUSE BILL NO. 1863 OF THE SEVENTY-FOURTH LEGISLATIVE SESSION IS ENTERED INTO; AND AUTHORIZING THE AMENDMENTS TO THE JTPA MULTIJURISDICTIONAL AGREEMENT CONSISTENT WITH THE REVISIONS TO THE JTPA PIC-CEO AGREEMENT.

* * * *

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

Mr. Octavio Pena, Director Of International Review, explained the proposed Ordinance.

Councilman Bob Ross, spoke to the new state law which will replace present board members with new board members.

Councilman Howard Peak, stated that the new law puts 23 new members, this agreement will continue until August 31, 1995.

Councilman Ross, expressed concern about the City being liable for any disallowed costs incurred by the program if any said costs are determined under audit. He spoke about further audits as well.

Councilwoman McClendon spoke of the importance of JTPA to the community and also expressed concern about funding difficulty with Project Quest.

Mr. Gil Sanchez, Director Of Alamo Workforce Development Council, stated funds will be fourthcoming for Project Quest, and services will be continued.

Mr. Pena, stated that he is working with the Department Of Labor on funding for Project Quest, although competition bids are required.

In response to Ms. McClendon, Father Al Jolsten representing C.O.P.S., stated that they are working on obtaining additional funding for Project Quest.

In discussion on the customized training need, Mr. Gil Sanchez spoke to the customized training is formulated, in addition JTPA's funding provides for on-the-job-training.

Ms. McClendon spoke to the need for a Certified training program for Aircraft Maintenance Personnel and other displaced jobs at Kelly AFB.

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

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95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,414

APPROVING THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLES, IIA, IIC AND III PLANS FOR THE 1995 PROGRAM YEAR (JULY 1, 1995 THROUGH JUNE 30, 1996); AND AUTHORIZING THE MAYOR, AS THE CHIEF ELECTED OFFICER REPRESENTATIVE FOR THE CITY OF SAN ANTONIO, TO SIGN THE "STATEMENT OF APPROVAL" OF EACH PLAN.

* * * *

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

Mr. Cliff Brousky, Project Quest, spoke to the program in plan at St. Philips College.

(Mayor Thornton returned to the Chambers and presided).

Councilman Ross complemented Mr. Gil Sanchez on a job well done with the Alamo Workforce Development Program.

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

- - -

(Mayor Thornton left the meeting and Councilman Peak presided).

- - -
95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,415

AUTHORIZING THE CITY MANAGER TO APPLY TO THE TEXAS
AUTOMOBILE THEFT PREVENTION AUTHORITY FOR A GRANT IN
THE AMOUNT OF \$1,740,196.00 TO AUGEMENT THE SAN
ANTONIO POLICE DEPARTMENT'S EFFORTS IN REDUCING
AUTO THEFT.

* * * *

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

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

- - -
(Mayor Thornton left the meeting and Councilman Peak presided).
- - -

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,416

AUTHORIZING THE EXPENDITURE OF FUNDS FROM SEVERAL
DISCRETIONARY FUNDS ACCOUNTS TO PAY FOR UNEXPECTED
EXPENSES INCURRED IN HOLDING THE CUELULAR ON PATROL
PICNIC THAT WAS HELD ON JUNE 3, 1995.

* * * *

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

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

- - -
95-28 TRAVEL AUTHORIZATION - Granted:

Councilman Robert A. Herrera to travel to Mexico City and

Monterrey, Mexico from June 25, 1995 to June 27, 1995, to attend a Ribbon Cutting of Mission Medical In Monterrey, Mexico.

* * * *

Councilman Roger Flores II to travel to Mexico City and Monterrey, Mexico from June 25, 1995 to June 27, 1995, to attend a Ribbon Cutting of Mission Medical In Monterrey, Mexico.

* * * *

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95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,417 .

.
AUTHORIZING THE EXPENDITURE OF \$3,250.00 FROM THE DISTRICT 8 DISCRETIONARY FUNDS ACCOUNT TO ASSIST THE BABCOCK NORTH HOMEOWNERS ASSOCIATION WITH RESTORATION OF THE BABCOCK NORTH POOL, SAID POOL TO BE OPENED TO THE PUBLIC, AS REQUESTED BY COUNCILMAN MARBUT.

* * * *

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

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

- - -
95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,418 .

.
AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 DISCRETIONARY FUNDS ACCOUNT TO COUNCILMAN JUAN F. SOLIS, III IN THE AMOUNT OF \$1,550.00 FROM JUNE 1, 1995, TO JUNE 30, 1995, FOR AN ADMINISTRATIVE SERVICES CONTRACT, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

After consideration, the motion, carrying with it the passage

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

Mayor Thornton returned and presided.

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,419

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT DISCRETIONARY FUNDS ACCOUNT TO COUNCILMAN ROGER FLORES, II IN THE AMOUNT OF \$4,400.00 FROM JUNE 5, 1995, TO SEPTEMBER 30, 1995 FOR AN ADMINISTRATIVE SERVICES CONTRACT, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

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

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

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,420

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 92-CI-15349 STYLED SOUTHWEST RESOURCE DEVELOPMENT, INC. AND JOYCE HIPPI, INDIVIDUALLY V. THE CITY OF SAN ANTONIO AND KEVIN MORIARTY, INDIVIDUALLY IN THE TOTAL AMOUNT OF \$50,000.00 PLUS COURT.

* * * *

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

Mr. Steve Arronge, Assistant City Attorney, explained the proposed ordinance in more detail.

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

Billa Burke, Avila, Solis, Webster.

95-28 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Austin, Texas from June 23, 1995 to June 23, 1995 to attend the Texas Municipal League Board meeting.

* * * *

95-28 The Clerk read the following Resolution

A RESOLUTION NO: 95-28-38

OPPOSING THE REINSTITUTION OF AN ADDITIONAL ONE-HALF CENT SALES TAX BY VIA METROPOLITAN TRANSIT FOR THE PURPOSE OF CONSTRUCTING A NEW ARENA.

* * * *

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

Mayor Thornton spoke to this Resolution and stated that the Spurs have committed to the Alamodome.

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

95-28 CITIZENS TO BE HEARD

KARL WURZ

Mr. Karl Wurz, 830 Florida, spoke on the "Landa Park Lake in renovation, is code word for poisoned". (A copy of his statement is on file with the papers of this meeting).

JAMES MCFARLIN

Mr. James McFarlin gave each one of the Councilmembers a copy of their new booklets on successful education.

FRANK PROCELLE

Mr. Frank Procelle spoke on harassment from the Internal Affairs and Police Department.

The City Council meeting recessed its regular meeting at 5:26 P.M. in order to convene in Execution Session for the purpose of:

1.) Staff Briefing on the settlement of City of San Antonio v. Van de Walle Agricultural Properties Ltd., and Van de Walle Farms, Inc., Cause Number 04-93-00382-CV in the Court of Appeals for the Fourth Supreme Judicial District of Texas.

95-28 The City Council reconvened at 5:42 P.M., at which time Mayor Thornton announced that the City Council had met in Executive Session at which time staff was given direction, but had taken no official action.

95-28 The Clerk read the following Ordinance:

AN ORDINANCE 82,421

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND RESOLVE CAUSE NO. 04-93-00382-CV STYLED CITY OF SAN ANTONIO V. VAN DE WALLE AGRICULTURAL PROPERTIES, LTD., AND VAN DE WALLE FARMS, INC., IN THE COURT OF APPEALS FOR THE FOURTH SUPREME JUDICIAL DISTRICT OF TEXAS.

* * * *

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

Mr. Steve Arrange explained the Ordinance, the transaction and the settlement with the City.

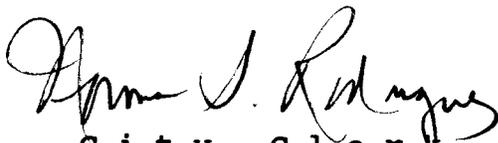
After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Herrera, Ross, Peak, Webster, Thornton; NAYS: None; ABSENT: Avila, Solis, Marbut.

95-28 There being no further business to come before the Council, the meeting was adjourned at 5:45 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