

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, SEPTEMBER
28, 1995.

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95-42 The regular meeting was called to order at 1:00 P.M. by the
Presiding Officer, Mayor William E. Thornton, with the following
members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA,
ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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95-42 Invocation - Reverend Paul Van Coillie, Our Lady of Good
Counsel Catholic Church.

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95-42 Pledge of Allegiance to the flag of the United States.

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95-42 Minutes of the August 24, 1995 Regular City Council Meeting
were approved.

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95-42 RESOLUTION OF RESPECT - WILLIAM T. "BILL" MILLER

Mayor Thornton stated that, on August 17, 1995, the City of San
Antonio lost William T. "Bill" Miller, founder of the Bill Miller
Bar-B-Q chain. He noted that Mr. Miller was a pioneer in the
restaurant business in San Antonio, and the restaurant chain that he
founded now operates some 58 restaurants in south and central Texas,
including 49 in San Antonio. He further stated that the City lost a
respected citizen and valued friend upon his passing, and the City
Council has invited his family to be with us today so that the Council,
on behalf of the citizens of San Antonio, can officially express its
sympathy.

for Thornton then read following Resolution of Subject:

A RESOLUTION NO: 95-42-50

WHEREAS, LIFE CAME TO A CLOSE ON AUGUST 17, 1995, FOR WILLIAM T. "BILL" MILLER, FOUNDER OF THE BILL MILLER BAR-B-Q CHAIN; AND

WHEREAS, MR. MILLER MOVED TO SAN ANTONIO IN 1939 AS A YOUNG MAN OF NINETEEN, AND AFTER SERVING IN WORLD WAR II, BEGAN A SUCCESSFUL VENTURE INTO THE WORLD OF BUSINESS; AND

WHEREAS, HIS SUCCESS AS A RESTAURATEUR WAS EQUALLED BY HIS DEDICATION TO THE CITY HE ADOPTED AS HIS HOME; HE BELIEVED THAT "WHAT YOU PUT BACK INTO THE COMMUNITY YOU REAP TENFOLD"; AND

WHEREAS, HE CONSISTENTLY DEMONSTRATED HIS COMMITMENT TO OUR CITY BY THE MANY CONTRIBUTIONS HE MADE TO VARIOUS CAUSES THROUGH THE YEARS; HE ENTHUSIASTICALLY SUPPORTED THE COMPANY'S RECENT MOST GENEROUS DONATION OF LAND FOR BUILDING UTSA'S NEW DOWNTOWN CAMPUS; AND

WHEREAS, MR. MILLER SET AN EXAMPLE OF DEDICATION AND DETERMINATION FOR GENERATIONS TO COME, AND HAS LEFT AN INDELIBLE MARK IN SAN ANTONIO; NOW, THEREFORE;

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

SECTION-1. THAT WITH THE DEATH OF WILLIAM T. "BILL" MILLER, THE CITY OF SAN ANTONIO HAS LOST A VALUABLE ASSET TO ITS PAST, PRESENT AND FUTURE.

SECTION-2. THAT WE JOIN WITH HIS FAMILY AND FRIENDS IN THEIR SORROW OVER HIS DEATH, AND EXTEND OUR SINCEREST SYMPATHY AND PRAYERS OF COMFORT TO THOSE WHO WERE NEAR HIM.

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

PASSED AND APPROVED THIS 28TH DAY OF SEPTEMBER 1995.

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

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

Mayor Thornton then presented the Resolution of Respect to the widow and other family members of the late Mr. Miller, and spoke to examples in which the Bill Miller family has stepped forward in time of community need. He spoke specifically to the donation of some \$300,000 to fund the School Crossing Guard Program for the City several years ago, and the purchase of the downtown site of the former Fiesta Plaza and subsequent donation of that site to the University of Texas System as the site for the soon-to-be-constructed University of Texas at San Antonio downtown campus.

Mr. Balous Miller, speaking on behalf of the family, thanked the Mayor and City Council for this Resolution of Respect, and stated that his father tried to repay to the community what San Antonio meant to him.

Ms. Billa Burke spoke to her close relationship to the Bill Miller family and their commitment to San Antonio and its citizens.

Mr. Marbut stated that the family was special to San Antonio.

Mr. Avila spoke to the impact of the Bill Miller family on the community and its government.

Mr. Solis stated that the downtown UTSA campus is a fitting tribute to the Bill Miller family.

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

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

95-42 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 12 through 44, constituting the Consent Agenda, with Item 35 having earlier been removed from consideration by the City Manager. 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, Solis, Herrera, Peak, Webster, Thornton. NAYS: None. ABSENT: Ross, Marbut.

AN ORDINANCE 82,862

ESTABLISHING CITY AD VALOREM TAX COLLECTION SUB-STATIONS AT VARIOUS LA FIESTA SUPERMARKETS OF SAN ANTONIO, INC. AND ALBERTSON'S SOUTHCO, INC.; THE CITY WILL PAY \$.25 PER TRANSACTION AT EACH SUB-STATION.

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AN ORDINANCE 82,863

ACCEPTING THE LOW BID OF SELRICO SERVICES, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH AN AFTER SCHOOL CHALLENGE/SNACK PROGRAM FOR A TOTAL OF APPROXIMATELY \$390,037.50. (MBE)

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AN ORDINANCE 82,864

ACCEPTING THE LOW BID OF CENTURY INDUSTRIES, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH SHOWMOBILE FOR A TOTAL OF \$60,695.00.

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AN ORDINANCE 82,865

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,508,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT, MBE/WBE.)

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AN ORDINANCE 82,866

ACCEPTING THE LOW QUALIFIED BID AND ALTERNATE ONE OF RANSOR TOWER COMPANY IN THE TOTAL AMOUNT OF \$95,600.00 FOR REPLACEMENT OF THE TOWER MAST ON THE TOWER OF THE AMERICAS FUNDED OUT OF 1994 CERTIFICATE OF OBLIGATION BONDS; AUTHORIZING A CONTRACT; AMENDING THE PROJECT BUDGET; AUTHORIZING \$23,900.00 FOR CONSTRUCTION CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,867

ACCEPTING THE LOW, QUALIFIED BID OF S.A. WINCO, INC. IN THE AMOUNT OF \$106,779.04 IN CONNECTION WITH THE CORNELL - SABINAS TO NAVIDAD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$4,741.74 FOR MISCELLANEOUS CONSTRUCTION

CONTINGENCY EXPRESS; AUTHORIZING \$800.00 FOR
ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,868

ACCEPTING THE LOW QUALIFIED BID OF S.A. WINCO, INC.
IN THE AMOUNT OF \$616,508.71 IN CONNECTION WITH THE
GRANT, MICHIGAN CAPITAL-HERMOSA TO EDISON COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING
A CONTRACT; REVISING THE PROJECT BUDGET;
AUTHORIZING 40,981.00 FOR MISCELLANEOUS CONSTRUCTION
CONTINGENCY EXPENSES; AUTHORIZING \$17,540.00 FOR
ADDITIONAL ENGINEERING EXPENSES; AUTHORIZING
\$800.00 FOR ADVERTISING \$800.00 FOR ADVERTISING
EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,869

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF
\$800.00 PAYABLE TO JAMES LITRELL CONSTRUCTION, INC.
AND AMENDING THE CONSTRUCTION CONTINGENCY TO PROVIDE
FOR PAYMENT IN CONNECTION WITH THE HOUSEHOLD
HAZARDOUS WASTE FACILITY AT THE NORTHWEST SERVICE
CENTER.

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AN ORDINANCE 82,870

APPROVING ARCHAEOLOGICAL AND ARCHIVAL RESEARCH AND
INVESTIGATION SERVICES FOR THE THREE HISTORIC HOUSES
IN HEMISFAIR PARK RELATED TO THE CONVENTION CENTER
EXPANSION PROJECT; AND APPROPRIATING FUNDS IN THE
AMOUNT OF \$6,991.00, TO KELL MUNOZ WIGODSKY, INC.,
WHO WILL CONTRACT WITH THE UNIVERSITY OF TEXAS AT
SAN ANTONIO CENTER FOR ARCHAEOLOGICAL RESEARCH, TO
PERFORM THE ARCHAEOLOGICAL STUDY.

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AN ORDINANCE 82,871

ACCEPTING THE LOW, QUALIFIED BASE BIN AND ALTERNATES
2,3,4,5 AND 6 OF THE INDUSTRIAL CONSTRUCTION COMPANY
IN THE TOTAL AMOUNT OF \$214,999.00 FOR AMERICANS
WITH DISABILITIES ACT (ADA) MODIFICATIONS TO
FRIEDRICH PARK FUNDED OUT OF THE FRIEDRICH PARK
HANDICAPPED ACCESS MODIFICATION COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING

A CONTRACT; REVISING THE PROJECT BUDGET;
AUTHORIZING \$21,500.00 FOR CONSTRUCTION CONTINGENCY
EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,872

AUTHORIZING THE CITY MANAGER, THE ASSISTANT CITY
MANAGER OR THE ASSISTANT TO THE CITY MANAGER TO
EXECUTE AN AGREEMENT WITH THE AIR FORCE FOR THE
RENEWAL OF THREE LICENSES FOR STORM SEWER AND STREET
PURPOSES ADJACENT TO THE LACKLAND TRAINING ANNEX.

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AN ORDINANCE 82,873

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH
JEAN M. ENGLE, D/B/A "MUSTANG GREY'S" FOR
APPROXIMATELY 326 SQUARE FEET OR REAL PROPERTY
LOCATED AT 305 1/2 ALAMO STREET IN LA VILLITA FOR A
RENTAL OF \$249.40 PER MONTH, PLUS THE COST OF
UTILITIES AND AN ADJUSTMENT FOR THE NIGHT IN OLD SAN
ANTONIO ("NIOA") EVENT.

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AN ORDINANCE 82,784

APPROVING THE ASSIGNMENT TO THE FARMER'S MARKET
PLAZA LEASE AGREEMENT CURRENTLY HELD BY MARCUS A.
HART AND JACK BARBEAU, D/B/A DELTA FOOD SERVICE TO
SCOTT BOONE BRINSON WITH AN EFFECTIVE DATE OF
OCTOBER 15, 1995; AT ANNUAL RATE OF \$5,625.00
ADJUSTED EACH YEAR FOR ANY INCREASE IN THE CONSUMER
PRICE INDEX.

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AN ORDINANCE 82,875

APPROVING A 25-YEAR LICENSE AGREEMENT FROM THE CITY
OF SAN ANTONIO TO FAIRMOUNT HOLDINGS, INC. TO USE
PEACOCK ALLEY PUBLIC RIGHT-OF-WAY DIRECTLY BEHIND
THE KRESS BUILDING LOCATED AT 315 EAST HOUSTON
STREET FOR A ONE TIME LICENSE FEE OF \$2,500.00.

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AN ORDINANCE 82,876

APPROVING A 25-YEAR LICENSE AGREEMENT FROM THE CITY

OF SAN ANTONIO TO RIVERWALK HOTEL, INC. TO USE PUBLIC RIGHT-OF-WAY (AIR RIGHTS) FOR A PORTION OF AN EXISTING GARAGE STRUCTURE IN CONNECTION WITH RENOVATION OF AN EXISTING STRUCTURE LOCATED AT 201 N. ST. MARY'S STREET FOR A ONE TIME LICENSE FEE OF \$2,500.00.

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AN ORDINANCE 82,877

APPROVING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO RIVERWALK HOTEL, INC. TO USE PUBLIC RIGHT-OF-WAY (GROUND LEVEL) AT TWO (2) SEPARATE LOCATIONS ADJACENT TO AN EXISTING STRUCTURE UNDER RENOVATION AT 201 N. ST. MARY'S STREET AND ADJACENT TO SAID STREET AND TO THE SAN ANTONIO RIVER FOR A ONE TIME LICENSE FEE OF \$5,000.00.

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AN ORDINANCE 82,878

AUTHORIZING PAYMENT IN THE AMOUNT OF \$21,408.96 FOR TITLE SERVICES ON THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM TO S. FLORES AND LEGAL SERVICES ON THE WURZBACH PARKWAY P.A.S.S. PROJECT; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,879

ACCEPTING THE PROPOSAL OF INTERNATIONAL PARTS, INC. (IPI) FOR AN AMOUNT NOT TO EXCEED \$65,000 TO PROVIDE COMPUTER SYSTEM ENGINEERING SERVICES AND DESKTOP SUPPORT SERVICES TO THE CITY OF SAN ANTONIO FOR UP TO 900 HOURS (SYSTEM ENGINEERING) AN UP TO 200 HOURS (DESKTOP SUPPORT), WITH AN OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL 900 AND 200 HOURS, RESPECTIVELY.

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AN ORDINANCE 82,880

AUTHORIZING THE PAYMENT OF \$11,235.00 IN ADMISSION AND CATERING FEES TO FIESTA TEXAS THEME PARK IN CONNECTION WITH A COALITION (CO) SPONSORED EVENT HELD AT FIESTA TEXAS ON JULY 21, 1995.

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AN ORDINANCE 82,881

AUTHORIZING THE PAYMENT OF \$10,071.20 IN ADMISSION AND CATERING FEES TO SEA WORLD OF TEXAS IN CONNECTION WITH A CO-EVENT HELD AT SEA WORLD ON JULY 13, 1995.

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AN ORDINANCE 82,882

AUTHORIZING THE FISCAL YEAR 1995-96 EMERGENCY SHELTER ENTITLEMENT GRANT (ESG) PROGRAM; ACCEPTING EMERGENCY SHELTER ENTITLEMENT GRANT FUNDS IN THE AMOUNT OF \$769,000.00; DESIGNATING AN EMERGENCY SHELTER ENTITLEMENT GRANT PROGRAM FUND; APPROPRIATING SAID PROGRAM FUNDS; ALLOCATING SAID PROGRAM FUNDS TO PROJECT; ESTABLISHING ACCOUNTS IN CONNECTION WITH SAID PROGRAM; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AND AUTHORIZING THE EXECUTION OF ALL RELATED CONTRACTS AND OTHER DOCUMENTS IN CONNECTION WITH SAID FISCAL YEAR 1995-96 ESG ENTITLEMENT GRANT.

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AN ORDINANCE 82,883

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR AN AMOUNT NOT TO EXCEED \$84,401.00 FOR THE PERIOD FROM SEPTEMBER 1, 1995 THROUGH AUGUST 31, 1996 TO PROVIDE SERVICES IN CONNECTION WITH THE CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM; AUTHORIZING THE ACCEPTANCE OF \$187,333.00 IN CHILD CARE DEVELOPMENT BLOCK GRANT (CCDBG) FUNDS FROM THE TDHS FOR THE EARLY CHILDHOOD DEVELOPMENT RESOURCES PROJECT (ECDR) AUTHORIZING THE ACCEPTANCE OF \$783,089.00 FROM THE TDPRS FOR THE PROVISION OF CHILD CARE SERVICES IN CONNECTION WITH THE CCMS PROGRAM; AUTHORIZING THE ACCEPTANCE OF AN ADVANCE PAYMENT OF CHILD CARE SERVICES; AUTHORIZING THE EXECUTION OF STANDARD-FORM VENDOR CONTRACTS WITH DESIGNATED CHILD CARE AGENCIES; AUTHORIZING THE REIMBURSEMENT TO PARENTS QUALIFYING FOR SELF-ARRANGED CARE UNDER TDHS GUIDELINES FOR CHILD CARE ARRANGEMENTS; AMENDING ORDINANCE NO. 82690 PASSED AND APPROVED ON AUGUST 24, 1995 TO APPROVE A CCMS BUDGET AND PERSONNEL COMPLEMENT FOR FY 96.

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AN ORDINANCE 82,884

AUTHORIZING THE FISCAL YEAR 1995-96 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) PROGRAM; ACCEPTING HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT FUNDS IN THE AMOUNT OF \$693,000.00; DESIGNATING AN HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT PROGRAM FUNDS; APPROPRIATING SAID PROGRAM FUNDS; ALLOCATING SAID PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS IN CONNECTION WITH SAID PROGRAM; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AND AUTHORIZING THE EXECUTIONS OF ALL RELATED CONTRACTS AND OTHER DOCUMENTS IN CONNECTION WITH SAID FISCAL YEAR 1995-96 HOPWA ENTITLEMENT GRANT.

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AN ORDINANCE 82,885

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE STATE APPLICATION TO THE STATE DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY SECTION FOR A \$70,000.00 GRANT TO CONTINUE THE EL PROTECTOR SAFETY PROGRAM; AND AUTHORIZING ACCEPTANCE OF THE FUNDS.

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AN ORDINANCE 82,886

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 94-CI-18217, IN THE 131ST JUDICIAL DISTRICT COURT, STYLED ARTURO CASTANEDA, ET AL VS. VOLZ AND CITY OF SAN ANTONIO, IN THE AMOUNT OF \$25,000.00, PLUS COURT COSTS.

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AN ORDINANCE 82,887

AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,000.00 IN SETTLEMENT OF DOLORES ALVAREZ, ET AL V. CITY OF SAN ANTONIO, ET AL CAUSE 94-CI-03911.

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AN ORDINANCE 82,888

AUTHORIZING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$247,896.00 FROM THE TEXAS CRIMINAL JUSTICE DIVISION AND THE ALAMO AREA COUNCIL OF GOVERNMENTS TO SUPPORT

VARIOUS CITY PROGRAMS; URBAN SMARTS, RUN-A-WAY
YOUTH PROGRAM, FAMILY ASSISTANCE CRISIS TEAM, AND
TECHNICAL UNIT.

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AN ORDINANCE 82,889

AUTHORIZING THE PAYMENT OF \$6,975.00 FOR TUITION FOR
THIRTY-ONE EMS DISPATCH PERSONNEL TO ATTEND THE
EMERGENCY MEDICAL DISPATCH TRAINING AND
CERTIFICATION COURSE.

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AN ORDINANCE 82,890

AUTHORIZING THE TEMPORARY CLOSURE OF JOHN ADAMS
STREET BETWEEN ST. CLOUD AND WILLIFORD WAY FROM
9:00 A.M. UNTIL 10:00 P.M., SUNDAY, OCTOBER 8, 1995
IN CONNECTION WITH THE ST. PAUL'S CATHOLIC CHURCH
ANNUAL FALL FESTIVAL.

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AN ORDINANCE 82,891

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS
FROM 6:00 A.M. UNTIL 12:30 P.M., SUNDAY, NOVEMBER
12, 1995 IN CONNECTION WITH THE 21ST ANNUAL SAN
ANTONIO MARATHON AND MAYOR'S FIVE-MILE FITNESS
CHALLENGE AND THREE MILE WALK.

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AN ORDINANCE 82,892

APPROVING A PARADE PERMIT AND AUTHORIZING THE
TEMPORARY CLOSURE OF CERTAIN STREETS FROM 9:30 A.M.
UNTIL 11:00 A.M. ON SATURDAY, OCTOBER 14, 1995, IN
CONNECTION WITH THE RIGSBY 2000 WAR ON DRUGS PARADE.

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AN ORDINANCE 82,893

AUTHORIZING THE APPOINTMENT OF FOUR (4) MEMBERS TO
TO THE YOUTH COMMISSION OF THE CITY OF SAN ANTONIO.

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95-42 City Clerk Norma S. Rodriguez stated that, prior to approval of this ordinance, it would be necessary for the Mayor to cast lots to determine the successful low bidder on Item 31, Pens, in the Annual Contract for Office Supplies, since both H & H Business Products Center and TNT Office Supply, Inc. had submitted tie bids.

Prior to the casting of lots, Mayor Thornton announced that the highest-numbered of the two balls drawn from the cage would be the winner.

Mayor Thornton then drew ball number 63 for H & H Business Products Center and ball number 19 for TNT Office Supply, Inc.

The Clerk read the following Ordinance:

AN ORDINANCE 82,894

ACCEPTING THE LOW, QUALIFIED BID OF BOISE CASCADE OFFICE PRODUCTS, BT OFFICE PRODUCTS INTER., CORPORATE EXPRESS, H&H BUSINESS PRODUCTS CENTER, OFFICE RESOURCES CENTER, AND TNT OFFICE SUPPLY, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH ANNUAL CONTRACT FOR OFFICE SUPPLIES FOR A TOTAL OF APPROXIMATELY \$100,000.00. (MBE/WBE)

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

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

95-42 The Clerk read the following Resolution:

A RESOLUTION NO: 95-42-51

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION OF ISSUE REVENUE BONDS; APPROVING THE DISTRIBUTION OF A OFFICIAL NOTICE OF SALE, OFFICIAL BID FORM, AND PRELIMINARY OFFICIAL STATEMENT RELATING TO THE SALE OF THE REVENUE BONDS; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SALE; COMPLYING WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS PROMULGATED BY THE MUNICIPAL SECURITIES RULE-MAKING BOARDS; AND PROVIDING AN EFFECTIVE DATE.

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

Mr. Howard Freeman, Assistant General Manager, City Public Service, explained the need for the revenue improvement bonds in order to finance capital improvements necessary for the City Public Service system for 1997-98.

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

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,895

AUTHORIZING THE ACCEPTANCE OF A THREE-YEAR COPS AHEAD GRANT IN THE AMOUNT OF \$3,225,000.00 FROM THE OFFICE OF COMMUNITY POLICING SERVICES, U.S. DEPARTMENT OF JUSTICE.

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

Chief of Police Al Philippus outlined the grant details and its benefits to the San Antonio Police Department, including the funding of police cadet classes. He explained the 'community policing' aspects of the grant and the City of San Antonio's equipment funding responsibilities under terms of the grant.

Mayor Thornton spoke to the impact of 'community policing' on the drop in crime statistics in San Antonio.

Ms. McClendon lauded the proactive aspects of 'community policing'.

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

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,896

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A GRANT FROM THE CARNEGIE CORPORATION IN THE AMOUNT OF \$400,000.00 AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT FOR THE PURPOSE OF IMPLEMENTING THE STARTING POINTS SAN ANTONIO PROJECT.

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

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,897

APPROVING THE GENERAL OPERATING AGENCY CONTRACT WITH, AND ADMINISTRATIVE BUDGET OF, THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. IN THE AMOUNT OF \$196,382.00 FOR THE ADMINISTRATION OF THE CITY OF SAN ANTONIO HOUSING TRUST; AND AUTHORIZING THE EXECUTION OF A CONTRACT.

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

Mr. Andrew Cameron, Director of Housing & Community Development, explained details of the Housing Trust and its administration.

Mr. Alexander E. Briseno, City Manager, spoke to the pulling together of housing endeavors in the city. He then introduced Mr. Tim Hathaway, Chairman of the Housing Trust, and Mr. Marc Ross, Vice-Chair.

Mr. Ross spoke to how the Housing Trust works, and highlighted the coming Coliseum Oaks housing project and its feature in the next Parade of Homes as an example of housing endeavors. A copy of his presentation is made a part of the papers of this meeting.

Mr. Hathaway noted that the Housing Trust has been responsible

for some 836 housing units thus far in its existence. He spoke to the City's \$3.6 million funding, and the large amount of funding attracted to finance new housing within Loop 410.

Mr. Ross then detailed the Coliseum Oaks project and spoke to future plans of the Housing Trust.

Ms. McClendon addressed details of the groundbreaking for the Coliseum Oaks project earlier today, and lauded the Housing Trust for its innovative work on behalf of affordable housing.

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, Peak, Webster, Thornton; NAYS: None; ABSENT: Marbut.

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,898

APPROPRIATING AND AUTHORIZING DISBURSEMENT OF \$40,000.00 IN SETTLEMENT OF CERTAIN CLAIMS IN CAUSE NO. 90-CI-03285 IN THE 166TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

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

Mr. Lloyd Garza, City Attorney, noted that this proposed settlement action has been discussed by City Council in Executive Session, and he spoke briefly to this resolution of an old landfill issue.

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, Webster, Thornton; NAYS: None; ABSENT: Marbut, Peak.

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,899

AUTHORIZING THE EXECUTION OF SETTLEMENT AGREEMENT, IN THE AMOUNT OF \$435,530.70, AND RELEASE OF CLAIMS BETWEEN GENCORP, INC. D/B/A/ GENEFLEX ROOFING SYSTEMS AND THE CITY OF SAN ANTONIO PERTAINING TO REPLACEMENT OF A PORTION OF THE ROOFING SYSTEM ON

TERMINAL 1 AT SAN ANTONIO INTERNATIONAL AIRPORT;
AUTHORIZING AN ADDITIONAL AMOUNT OF \$22,223.30 FOR A
CONTINGENCY ACCOUNT; AUTHORIZING ADDITIONAL
ARCHITECTURAL FEES, IN THE AMOUNT OF \$26,642.54
PAYABLE TO DONOUGHUE & ASSOCIATES, INC.;
APPROPRIATING THE AMOUNT OF \$484,396.54 IN THE
AIRPORT SYSTEM CONTINGENCY & IMPROVEMENT FUNDS; AND
PROVIDING FOR PAYMENT OF SAID AMOUNT IN CONNECTION
WITH SAID SETTLEMENT AGREEMENT.

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

Mr. Frank Melton, attorney, Department of Aviation, outlined
details of this proposed negotiated settlement of a roofing problem at
International Airport.

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, Webster, Thornton;
NAYS: None; ABSENT: Marbut, Peak.

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,900

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING
THE EXECUTION OF A 30-DAY EXTENSION AND 30-DAY
INTERVALS THEREAFTER OF THE TERMS AND CONDITIONS OF
A CONTRACT WITH BEXAR COUNTY TO PROVIDE HEALTH
SERVICES TO CITIZENS OF UNINCORPORATED BEXAR COUNTY;
AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON
EIGHT (8) AFFIRMATIVE VOTES.

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

Ms. Myra Leo, Director of Intergovernmental Relations,
addressed the ongoing negotiations with Bexar County officials on an
'actual cost' model for payments to the City for providing certain
health services to unincorporated portions of Bexar County.

Mr. Peak spoke to the close cooperation between the City and
County on this matter.

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, Thornton; NAYS: None; ABSENT: None.

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,901

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A 30-DAY EXTENSION OF A 30-DAY EXTENSION AND 30-DAY INTERVALS THEREAFTER OF THE TERMS AND CONDITIONS OF A CONTRACT WITH BEXAR COUNTY TO PROVIDE LIBRARY SERVICES TO SUBURBAN CITIZENS AND CITIZENS OF UNINCORPORATED BEXAR COUNTY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, briefly explained this extension of the current contract, so that ongoing negotiations on a new contract might continue.

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, Thornton; NAYS: None; ABSENT: None.

95-42 "WOMEN THAT MAKE A DIFFERENCE" AWARD

Mayor Thornton, on a Point of Personal Privilege, spoke to Ms. McClendon's recent selection to receive the "Women That Make A Difference" award from the Women's' Forum Hall of Fame, and the impact of that selection on San Antonio. He further noted that only 29 outstanding women have been selected for the Hall of Fame.

Ms. McClendon thanked the Mayor for the recognition and spoke to the highlights of the recent Forum conference.

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,902

APPOINTING COUNCILMAN ROBERT MARBUT TO FILL THE VACANCY ON THE FIREMEN'S AND POLICEMEN'S PENSION

FUND BOARD OF TRUSTEES.

* * * *

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

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,903

CREATING THE CONVENTION CENTER EXPANSION OFFICE
ADVISORY COMMITTEE AND APPOINTING MEMBERS TO SAID
COMMITTEE, AS REQUESTED BY COUNCILMEMBERS ROGER
FLORES, II, RUTH JONES MCCLENDON AND HOWARD W. PEAK.

* * * *

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

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

95-42 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Savannah, Georgia, and Guadalajara from October 5, 1995 to October 8, 1995, to attend the NLC Fair Steering Committee.

* * * *

95-42 TRAVEL AUTHORIZATION - Granted:

Mayor William E Thornton to travel to Druskininkai, Lithuania, and Copenhagen, Denmark. from October 10, 1995 to October 16, 1995, to attend the Union of Baltic Municipalities Organizational Conference.

* * * *

Mayor Thornton briefly explained that he will be travelling to Europe at the request of the National League of Cities as leader of a delegation.

- - -
95-42

CONVENTION CENTER EXPANSION COMMITTEE

Mr. Peak introduced members of the Convention Center Expansion Committee, present in the audience.

Mayor Thornton spoke to that Committee's importance in the expansion of our convention center.

Former Mayor Charles Becker then spoke briefly to San Antonio's growth and its good leadership.

- - -
95-42

MONEY MAGAZINE HONORS SAN ANTONIO SPURS

Ms. Billa Burke noted that Money Magazine has cited the San Antonio Spurs of the National Basketball Association as 'one of the nation's best sports buys' for the entertainment dollar.

- - -
95-42 TRAVEL AUTHORIZATION - Granted:

Councilman Robert Marbut to travel to Atlanta, GA. from October 4, 1995 to October 7, 1995, to attend the US Olympic Congress Committee Meetings.

* * * *

- - -
95-42 TRAVEL AUTHORIZATION - Granted:

Councilwoman Lynda Billa Burke to travel to Washington, D. C. from October 1, 1995 to October 4, 1995, to attend the annual SA to DC Trip to visit the Pentagon and meet with congressional representatives.

* * * *

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95-42 TRAVEL AUTHORIZATION - Granted:

Councilman Juan F. Solis, III, to travel to Mexico City, from September 24, 1995 to September 26, 1995, to attend the Opening of Casa San Antonio.

* * * *

4A. CASE #Z95192(CC) - to rezone and reclassify 19.996 acres out of NCB 13836 Henderson Pass, from 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. Property is located on the northwest side of Henderson Pass, 120 feet northeast of the intersection of Bluffridge Drive and Henderson Pass, having 695.01 feet on Henderson Pass and a depth of 1,144.20.

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

In response to a question by Mr. Peak, Mr. Timothy Pruski, representing the applicant, discussed concerns raised by the neighbors and the applicants' plans to meet their requests.

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

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

AN ORDINANCE 82,904

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 19.996 ACRES OUT OF NCB 13836 HENDERSON PASS, FROM 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. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4B. CASE #Z95201 - to rezone and reclassify Lots 7, 8, 9, 10 and 11, Block 3B, NCB 11955 and Lots 7, 14, 15, and the east 120 feet of Lot 6, Block 5A, NCB 11957, Hallmark the Eastern Avenue, from "A" Single Family Residence District to "I-1" Light Industry District. Properties are located on the east side of Eastern Avenue, between Parkridge Road and Chulie Drive, having 870.02 feet on Eastern Avenue, 120 feet on Parkridge Road and 150.41 feet on Chulie Drive.

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

In response to a question by Mr. Peak, Mr. Rudy Hettler, representing the applicant, spoke to neighbors' concerns about the weedy and trash-laden lot concerned.

Mr. Peak stated his desire to see that lot cleaned up as quickly as possible, and stated that he wants to be supplied with the information prior to the next City Council meeting as to when the lot will be cleaned up.

A discussion ensued concerning the planned uses for the property.

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

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

AN ORDINANCE 82,905

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 7, 8, 9, 10 AND 11, BLOCK 3B, NCB 11955 AND LOTS 7, 14, 15, AND THE EAST 120 FEET OF LOT 6, BLOCK 5A, NCB 11957, HALLMARK THE EASTERN AVENUE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4C. CASE #Z95212(CC) - to rezone and reclassify 9.358 acres out of NCB 17180, Proposed Wurzbach Parkway, from "R-3" Multiple Family Residence District to "B-2" CC Business District with special City Council approval for athletic fields. Property is located on the south side of the proposed Wurzbach Parkway, being 941.71 feet northeast of the intersection of N.W. Military Drive and proposed Wurzbach Parkway, having 1,010.51 feet on the proposed Wurzbach Parkway, being 941.71 feet northeast of the intersection of N.W. Military Drive and the proposed Wurzbach Parkway and a depth of 724.29 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: Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, McClendon, Webster.

AN ORDINANCE 82,906

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 9.358 ACRES OUT OF NCB 17180, PROPOSED WURZBACH PARKWAY, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR ATHLETIC FIELDS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4D. CASE #Z95140 (CC) - to rezone and reclassify A 0.500 acre tract of land out of Block 14, NCB 16150, 4939 DeZavala Road, from "B-2" ERZD Business Edwards Recharge Zone District to "B-2" ERZD CC Business Edwards Recharge Zone District with special City Council approval for a photography studio with no developing of film. Property is located on the northwest side of DeZavala Road, 288.82 feet northeast of the intersection of DeZavala Road and Brandeis Drive, having 143.58 feet on DeZavala Road and A depth of 149.41 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: Billa Burke, Avila, Solis, Herrera, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, McClendon, Ross, Webster.

AN ORDINANCE 82,907

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.500 ACRE TRACT OF LAND OUT

OF BLOCK 14, NCB 16150, 4939 DEZAVALA ROAD, FROM "B-2" ERZD BUSINESS EDWARDS REHARGE ZONE DISTRICT TO "B-2" ERZD CC BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A PHOTOGRAPHY STUDIO WITH NO DEVELOPING OF FILM. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4E. CASE #Z95163 - to rezone and reclassify 0.362 acres out of NCB 14862, Vantage Way, from "B-3NA" Non-Alcoholic Sales District to "I-1" Light Industry District. Property is located on the east of Network Boulevard 575.41, feet north of the intersection of Network Boulevard and Vantage Way, having 350.65 feet on Network Boulevard and a maximum depth of 69.6 feet.

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

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

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

AN ORDINANCE 82,908

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 0.362 ACRES OUT OF NCB 14862, VANTAGE WAY, FROM "B-3NA" NON-ALCOHOLIC SALES DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4F. CASE #Z95184 - to rezone and reclassify Lot 3 and a 0.4591 acre tract of land out of Block 1, NCB 14281, 9030 Wurzbach Road, from "O-1" Office District and "R-3" Multiple Family Residence District to "B-2" Business District. Property is located on the southeast side of Wurzbach Road, 410 feet southwest of the intersection of Wurzbach Road and Parkdale Drive, having 200 feet on Wurzbach Road and a depth of 342.35 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: Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Thornton; NAYS: None; ABSENT: Flores, McClendon, Webster.

AN ORDINANCE 82,909

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 3 AND A 0.4591 ACRE TRACT OF LAND OUT OF BLOCK 1, NCB 14281, 9030 WURZBACH ROAD, FROM "0-1" OFFICE DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4G. CASE #Z95186 - to rezone and reclassify 47.273 acres out of NCB 14890, I.H. 10 Expressway, from temporary "R-1" Single Family Residence District and Temporary "R-1" UC Single Family Residence Urban Corridor District to "B-2" Business District and "B-2" UC Business Urban Corridor District. Property is located northwest of the intersection of I.H. 10 Expressway and U.T.S.A. Boulevard, having 1,006.43 feet on I.H. 10 Expressway and 2,843.58 feet on U.T.S.A. Boulevard.

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.

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

AN ORDINANCE 82,910

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 47.273 ACRES OUT OF NCB 14890, I.H. 10 EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1" UC SINGLE FAMILY RESIDENCE URBAN CORRIDOR DISTRICT TO "B-2" BUSINESS DISTRICT AND "B-2" UC BUSINESS URBAN CORRIDOR DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4H. CASE #Z95190 - to rezone and reclassify A 0.0215 acre tract out of NCB 14862, 5405 #3 Prue Road, from temporary "R-1" Single Family Residence District to "O-1" Office District. Property is located 740 feet west of the intersection of Prue Road and Southwell, being 1,640.50 feet north of Prue Road, having a width of 26 feet and depth of 36 feet.

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

Mr. Andrew K. Syzmanski, the applicant, explained the rezoning request in order to bring the property's usage into compliance with the City Code. He noted that a small plat is to be rezoned in order to give him room to operate, and at the same time give him more time to find a relocation site for his accounting and administration office functions.

Mr. Steve Judson, 5405-B Prue Road, representing T-Road Association, briefly explained the requested rezoning.

Mr. George Calooy, P.O. Box 691656, noted that there is no public access to the site in question, and furthermore stated that plans for the neighborhood do not include this rezoning request. He addressed Code Compliance complaints filed on the current usage of the property, over the past 15 months.

Mr. Judson and Mr. Syzmanski then clarified the rezoning request and site access.

Mayor Thornton spoke to the residential character of this area.

Mr. Marbut made a motion to send this matter back to the Zoning Commission for consideration of an R-1 SUP Special Use Permit in order to allow the applicant time to find another location for his business. Mr. Solis seconded the motion.

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

Mr. Andy Guerrero, Land Development Services, noted that it

will take some 45 days for this referral process.

Zoning Case Z95190 was referred back to the Zoning Commission.

4I. CASE #Z95196 - to rezone and reclassify 1.570 acre tract of land out of 18292, Bandera Road, from "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the northwest side of Bandera Road, 110 feet southwest of the intersection of North Verde Drive and Bandera Road having 249.20 feet on Bandera Road and a depth of 457.92 feet.

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

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

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

AN ORDINANCE 82,911

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 1.570 ACRE TRACT OF LAND OUT OF 18292, BANDERA ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4J. CASE #Z95147 - to rezone and reclassify lots 19 and 20, Block 220, NCB 3947, 735 Viendo, from "B-3NA" Non-Alcoholic Sales District to "B-2" Business District. Property is located northeast of the intersection of West Avenue and Viendo Street, having 120 feet on West Avenue and 100 feet on Viendo Street.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES:

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

AN ORDINANCE 82,912

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 19 AND 20, BLOCK 220, NCB 3947, 735 VIENDO, FROM "B-3NA" NON-ALCOHOLIC SALES DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4K. CASE #Z95176 - to rezone and reclassify lots 26B, 27 and 28, Block 208, NCB 9661, 2210 Basse Road, from "E" Office District and "B" Residence District to "B-3NA" Non Alcoholic Sales District. Property is located southwest of the intersection of Basse Road and Neer Avenue, having 292.30 feet on Basse Road and 175.85 feet on Neer Avenue.

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

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

AN ORDINANCE 82,913

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 26B, 27 AND 28, BLOCK 208, NCB 9661, 2210 BASSE ROAD, FROM "E" OFFICE DISTRICT AND "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4L. CASE #Z95185 - to rezone and reclassify Lot 5, Block 2, NCB 6201, 618 E. Woodlawn, from "B" Residence District and "B" UC Residence

Urban Corridor District to "O-1" UC Office Urban Corridor District. Property is located on the south side of E. Woodlawn Avenue, 159 feet east of the intersection of North St. Marys and E. Woodlawn Avenue, having 50 feet on E. Woodlawn Avenue and a depth of 105 feet.

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

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

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

AN ORDINANCE 82,914

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 5, BLOCK 2, NCB 6201, 618 E. WOODLAWN, FROM "B" RESIDENCE DISTRICT AND "B" UC RESIDENCE URBAN COORIDOR DISTRICT TO "O-1" UC OFFICE URBAN CORRIDOR DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4M. CASE #Z95072 - to rezone and reclassify Lot 24, save and except the east 150 feet, NCB 7899, West of 731 Pleasonton Roa, from "B" Residence District to "B-1" Business District. Property is located 525 feet north of the intersection of Brighton Avenue and Pleasonton Road, being 150 feet west of Pleasonton Road having a width of 212 feet and a depth of 477 feet.

Mr. Solis made a motion to continue this rezoning case for a period of 30 days. Mr. Avila seconded the motion.

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

Zoning Case Z95072 was continued for 30 days.

4N. CASE #Z95101 - to rezone and reclassify lots 4, 5 and 6, Block 1, NCB 11998, 4230-4234 Culebra Road, from "A" Single Family Residence District to "B-3" Business District. Property is located on the south

side of Culebra Road, 150 feet east of the intersection of Laven Drive and Culebra Road, having 150 feet on Culebra Road and a depth of 150 feet.

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

Mr. Herrera spoke to the proponent's plans for the property, and made a motion to approve the requested rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 82,915

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 4, 5 AND 6, BLOCK 1, NCB 11998, 4230-4234 CULEBRA ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

40. CASE #Z95175 - to rezone and reclassify Lot 3, Block 30, NCB 18080, 8035 Culebra Road, from temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located on the northeast side of Culebra Road, 394 feet southeast of the intersection of Pipers Lane and Culebra Road, having 135 feet on Culebra Road and a depth of 200 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. Avila seconded the motion.

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

AN ORDINANCE 82,916

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 3, BLOCK 30, NCB 18080, 8035 CULEBRA 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."

* * * *

4P. CASE #Z95191 - to rezone and reclassify lots 17, 18 and 19, Block 1, NCB 11998, Tellez and Rena, from "A" Single Family Residence District to "B-2NA" Non-Alcoholic Sales District. Property is located northwest of the intersection of Tellez and Rena, having 140 feet on Rena and 148 feet on Tellez.

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

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

AN ORDINANCE 82,917

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 17, 18 AND 19, BLOCK 1, NCB 11998, TELLEZ AND RENA, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4Q. CASE #Z95095 - to rezone and reclassify lot 396-H, NCB 7853, 6631 South Zarzamora, from "I-1" Light Industry District to "B-3NA" Business District. Property is located on the west side of S.

September 28, 1995

bgg

Zarzamora Street, between Pyron Avenue and Mayfield Boulevard, having 448.05 feet on S. Zarzamora Street, 226.59 feet on Pyron Avenue and 226.50 feet on Mayfield Boulevard.

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

AN ORDINANCE 82,918

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 396-H, NCB 7853, 6631 SOUTH ZARZAMORA, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3NA" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4R. CASE #Z95151 - to rezone and reclassify Lot 5, Block 3, NCB 8934, 1717 S.W. Military Drive, from "E" Office District to "B-3R" Restrictive Business District. Property is located on the north side of S.W. Military Drive, 235 feet east of the intersection of Nock Avenue and S.W. Military Drive, having 50 feet on S.W. Military Drive and a depth of 155.4 feet.

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

AN ORDINANCE 82,919

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 5, BLOCK 3, NCB 8934, 1717 S.W. MILITARY DRIVE, FROM "E" OFFICE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4S. CASE #Z95183 - to rezone and reclassify lots 5 thru 9, Block 54, NCB 8033, 900 Block of Wagner Avenue, from "R-1" Single Family Residence District to "O-1" Office District. Property is located on the south side of Wagner Avenue, 50 feet west of the intersection of Zarzamora Street and Wagner Avenue, having 125 feet on Wagner Avenue and a depth of 125 feet.

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

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

AN ORDINANCE 82,920

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 5 THRU 9, BLOCK 54, NCB 8033, 900 BLOCK OF WAGNER AVENUE, 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."

* * * *

4T. CASE #Z95193 - to rezone and reclassify Lot 204, Block 8, NCB 15624, 5306 Gavilan Drive, from temporary "R-1" Single Family Residence District to "R-2" Two Family Residence District. Property is located on the southwest side of Gavilan Drive, 110 feet northwest of the intersection of Clegg Drive and Gavilan Drive, having 70 feet on Gavilan Drive and a depth of 135 feet.

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

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

AN ORDINANCE 82,921

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 204, BLOCK 8, NCB 15624, 5306 GAVILAN DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4U. CASE #Z95194 - to rezone and reclassify Lots 2 and 3, NCB 17364, 8600 New Laredo Highway, from "R-4" Manufactured Home Residence District and "B-2" Business District to "I-1" Light Industry District. Property is located on the southeast side of New Laredo Highway, 282 feet northeast of the intersection of Plumber Road and New Laredo Highway, having 510.66 feet on New Laredo Highway and a depth of 503.73 feet.

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

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

AN ORDINANCE 82,922

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 AND 3, NCB 17364, 8600 NEW LAREDO HIGHWAY, FROM "R-4" MANUFACTURED HOME RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO

"I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4V. CASE #Z95199 - to rezone and reclassify A 0.287 acre tract out of NCB 15178, 303 Cedarhurst, from temporary "R-1" Single Family Residence District to "R-1" CC Single Family Residence District with special City Council approval for a day care center. Property is located on the southwest side of Cedarhurst Drive, 160 feet southeast of the intersection of Knollwood Drive, and Cedarhurst Drive, having 100 feet on Cedarhurst and a depth of 150 feet.

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

AN ORDINANCE 82,923

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.287 ACRE TRACT OUT OF NCB 15178, 303 CEDARHURST, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A DAY CARE CENTER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4W. CASE #Z95200(CC) - to rezone and reclassify P-19A, CNB 14566, 10520 Somerset Road, from "B-2" Business District to "I-2" CC Heavy Industry District with special City Council approval for an automobile salvage yard. Property is located northeast of the intersection of Somerset road and S.W. Loop 410 Expressway, having 575 feet on Somerset Road and 2,340 feet on S.W. Loop 410 Expressway.

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

In response to a question by Mr. Avila, Mr. Phil Garay, representing the applicant, explained the rezoning request for an auto salvage yard, noting that it is surrounded by similar industrial uses. He spoke to the property's zoning and use history as an industrial property, and addressed plans to locate a used car lot on the front of the lot in question. He then spoke to a list of three conditions of restriction on use of the property.

Mr. Avila addressed the three conditions he wished to have in place.

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

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

AN ORDINANCE 82,924

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS P-19A, CNB 14566, 10520 SOMERSET ROAD, FROM "B-2" BUSINESS DISTRICT TO "I-2" CC HEAVY INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR AN AUTOMOBILE SALVAGE YARD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4X. CASE #Z95187 - to rezone and reclassify P-14B, NCB 17973, 7626 Bandera Road, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Property is located on the northeast side of Bandera Road, 600 feet northwest of the intersection of Bandera Road and Eckhert Road, having 120 feet on Bandera Road and a depth of 210 feet.

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

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

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

AN ORDINANCE 82,925

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS P-14B, NCB 17973, 7626 BANDERA
ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE
DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY
FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4Y. CASE #Z95202 - to rezone and reclassify Lot 32, NCB 6797, 3201 West Poplar, from "B" Residence District to "B-2" Business District. Property is located on the west side of N.W. 24th Street, 57.91 feet north of the intersection of West Poplar and N.W. 24th Street, having 40 feet on N.W. 24th Street and a depth of 137.25 feet.

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

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

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

AN ORDINANCE 82,926

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 32, NCB 6797, 3201 WEST
POPLAR, FROM "B" RESIDENCE DISTRICT TO "B-2"
BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A
FINE NOT TO EXCEED \$1,000.00."

* * * *

4Z. CASE #Z95149 - to rezone and reclassify Lot 41, save and except the southeast 25 feet, Block 7, NCB 17363, from Temporary "R-1" Single Family Residence District, to "B-1" Business District; and Southeast 25 feet of Lot 41, Block 7, NCB 17363, 15118 Jones Maltsberger Road, from temporary "R-1" Single Family Residence District to "O-1" Office District. Property is located south of the intersection of Jones Maltsberger Road and Morning Trail, having 96.87 feet on Jones

Maltsberger Road and 109.52 feet on Morning Trail.

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

Mr. Webster stated his desire to set into place a one-foot non-access easement from the property onto Morning Trail.

Mr. Webster made a motion to approve the proposed Ordinance, provided that a one-foot non-access easement is imposed along Morning Trail. 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, Avila, Solis, Herrera, Webster, Thornton; NAYS: None; ABSENT: McClendon, Billa Burke, Ross, Marbut, Peak.

AN ORDINANCE 82,927

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 41, SAVE AND EXCEPT THE SOUTHEAST 25 FEET, BLOCK 7, NCB 17363, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT, TO "B-1" BUSINESS DISTRICT; AND SOUTHEAST 25 FEET OF LOT 41, BLOCK 7, NCB 17363, 15118 JONES MALTSBERGER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4AA. CASE #Z95197 - to rezone and reclassify Lot 7, save and except the north 60 feet, NCB 8691, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales District; and the north 60 feet of Lot 7, NCB 8691, 1035 Austin Highway, from "F" Local Retail District to "B-2NA" Non-Alcoholic Sales Business District. Property is located on the northwest side of Austin Highway and a depth of 300 feet.

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

AN ORDINANCE 82,928

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, SAVE AND EXCEPT THE NORTH 60 FEET, NCB 8691, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT; AND THE NORTH 60 FEET OF LOT 7, NCB 8691, 1035 AUSTIN HIGHWAY, FROM "F" LOCAL RETAIL DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4BB. CASE #Z95198 - to rezone and reclassify Lot 25, NCB 11862, 1910 Nacogdoches Road, from "D" Apartment District to "B-1" Business District. Property is located southeast of the intersection of Nacogdoches Road and Rockhill Drive, having 342 feet on Nacogdoches Road and 85.44 feet on Rockhill Drive.

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

The following persons appeared to speak:

Mr. Mike Johnson, property manager representing the applicant, noted that a doctor's office already occupies a portion of the building now, and spoke to the proponent's desire to locate his insurance business into the same building.

Mr. Tom McCorkle, owner of the building, spoke to the property's zoning history, and his plans for the property. He further stated his belief that his insurance business will not adversely affect traffic in the area, and noted that he desires the B-3 zoning for his wife's antique business, to locate there perhaps in the future.

Ms. Virginia Cooper, 218 Rockhill, board member of the neighborhood association, spoke to the fact that there have been six auto accidents on the nearby corner in the last six months, and stated her belief that uses like an insurance office could be located in an O-1 zoned area. She asked for denial of any other zoning but O-1 on the property.

Ms. Claire Golden, 219 Rockhill, spoke to the already-heavy traffic in the area, and spoke in support for an O-1 zoning on the property.

Mr. Lee McCarty, 117 Rockhill, also spoke to the heavy traffic

in the immediate area, and spoke in favor of an O-1 zoning rather than the heavier B-1.

Mr. McCorkle briefly discussed his conversations with the nearby neighbors and the need for a B-1 zoning.

Mr. Webster made a motion to approve an O-1 Office District zoning for the property at hand, with the stipulation that a one-foot non-access easement is imposed along Rockhill. 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, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: None.

AN ORDINANCE 82,929

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 25, NCB 11862, 1910 NACOGDOCHES ROAD, FROM "D" APARTMENT DISTRICT TO ~~"B-1" BUSINESS DISTRICT.~~ "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

"O-1" OFFICE
(DP)

* * * *

PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG ROCKHILL DR. AS AUTHORIZED BY SEC. 35-3256 OF ZONING ORDINANCE.
(DP)

4CC. CASE #Z95032 - to rezone and reclassify NCB 16587, all of NCB, save and except P-7, P-7A, P-11, P-12, Tracts 1-A, 2, 12, 12-A, the northwest 544.5 feet of Tract 6, Lots 7, 8, 11, 13, the northwest 709 feet of Lot 9, northwest 720 feet of Lot 10 and the northwest 544.5 feet of Tract 6, from Temporary "R-1" Single Family Residence District, to "R-1" Single Family Residence District; NCB, 16587, Tract 1-A and 2, those portions annexed December 31, 1994, NCB 17796, Block 1, the southwest 75 feet of Lot 1, from Temporary "R-1" Single Family Residence District to "B-2NA" Non Alcoholic Sales District; NCB 16587, Lot 7, that portion annexed December 31, 1994, NCB 16587, Tract 6, that portion annexed December 31, 1994, save and except the southeast 75 feet, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District; NCB 16587, P-11 and P-12, from Temporary "R-1" Single Family Residence District to "B-3NA" Non Alcoholic Sales District; NCB 16587, Lots 8, 11, 13, Tracts 12, 12-A, Lots 9 and 10, those portions annexed December 31, 1994, save and except the southeast 75 feet of Lots 9 and 10, NCB 17796, Block 1, Lot 1 save and except the southwest 75 feet, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District.

Mr. Andy Guerrero, Land Development Services, stated that this area was annexed into the City of San Antonio in 1994, and he outlined

the proposed rezonings, then addressed the individual requests for rezoning.

In response to a question by Mr. Webster, Mr. Guerrero discussed area zonings and rezoning requests.

The following persons appeared to speak:

Mr. Richard Bennett, the applicant, asked that the case be postponed in order to allow time for all sides to work out any problems.

Mr. Kyle King, 6814 Raintree Forest, stated that he resides adjacent to the proposed B-3 area, and spoke in opposition to the rezoning request, speaking to his concern for the safety of his family, adjacent to business zoning.

Ms. Patricia Wood, 6902 Raintree Forest, spoke against any industrial zoning in the area.

Mr. Michael Kopatz, 6722 Raintree Forest, spoke against locating any business so close to his residence.

Mr. Gordon A. Kisson, 6822 Raintree Forest, asked that this area remained zoning, as is, speaking to his concerns for traffic safety.

Mr. Guerrero noted that the Rayleigh property is outside the area under consideration today and must be referred to the Zoning Commission, first.

Mr. Bennett stated that he would like to save the option to sell this property in the future at a good price.

Mr. Michael Rayleigh, 14680 Toepperwein, asked for a B-3NA zoning on his property.

* * * *

Mr. Webster spoke in favor of the Zoning Commission recommendation of R-1 on Mr. Bennett's property, now, and stated his desire to take other zoning changes in this area on a case-by-case basis.

Mr. Webster made a motion that, on appeals 1 and 2, as outlined on the Minutes of the Zoning Commission recommendation, "I-1" Light Industry District zoning be granted for Lots 8, 11, 12 and 13, NCB 16587, being those portions annexed into the City on December 31, 1994. Mr. Solis seconded the motion.

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

Mr. Webster made a motion that, on appeal 3 as outlined on the Minutes of the Zoning Commission recommendation, the recommendation of the Zoning Commission be approved for "R-1" Single Family Residence District on Parcels P-1, P-1A, and P-1B, NCB 16587. Mr. Flores seconded the motion.

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

Mr. Webster made a motion that the Raintree annexation zoning plan be approved as recommended by the Zoning Commission, with the exception of those properties considered in the previous motions, and Parcels P-7 and P-7A, NCB 16587, which are to be referred back to the Zoning Commission for reconsideration of "B-3NA". 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, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: None.

AN ORDINANCE 82,930

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 NCB 16587, ALL OF NCB, SAVE AND EXCEPT P-7, P-7A, P-11, P-12, TRACTS 1-A, 2, 12, 12-A, THE NORTHWEST 544.5 FEET OF TRACT 6, LOTS 7, 8, 11, 13, THE NORTHWEST 709 FEET OF LOT 9, NORTHWEST 720 FEET OF LOT 10 AND THE NORTHWEST 544.5 FEET OF TRACT 6, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT, TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT; NCB, 16587, TRACT 1-A AND 2, THOSE PORTIONS ANNEXED DECEMBER 31, 1994, NCB 17796, BLOCK 1, THE SOUTHWEST 75 FEET OF LOT 1, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON ALCOHOLIC SALES DISTRICT; NCB 16587, LOT 7, THAT PORTION ANNEXED DECEMBER 31, 1994, NCB 16587, TRACT 6, THAT PORTION ANNEXED DECEMBER 31, 1994, SAVE AND EXCEPT THE SOUTHEAST 75 FEET, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; NCB 16587, P-11 AND P-12, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES DISTRICT; NCB 16587, LOTS 8, 11, 13, TRACTS 12, 12-A, LOTS 9 AND 10, THOSE PORTIONS ANNEXED DECEMBER 31, 1994, SAVE AND EXCEPT THE SOUTHEAST 75 FEET OF LOTS 9 AND 10, NCB 17796, BLOCK 1, LOT 1 SAVE AND EXCEPT THE SOUTHWEST 75 FEET, 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."

* * * *

4DD. CASE #Z95181 - to rezone and reclassify the property from "R-1" Single Family Residence District to "R-5" Single Family Residence District, from all of NCB's 18871, 18872, 18873, 18874, 18875, 18876, 18878, 18879, and 18880. Property located on Quail Creek Unit-1 Subdivision, Quail Creek Unit-2 Subdivision, and Quail Creek Unit-2A Subdivision.

Mr. Andy Guerrero, Land Development Services, stated that this proposed rezoning of the Quail Creek area is to correct certain pre-annexation platting problems.

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

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

AN ORDINANCE 82,931

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 PROPERTY FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT, FROM ALL OF NCB'S 18871, 18872, 18873, 18874, 18875, 18876, 18878, 18879, AND 18880. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON CLOSING ANGELES DRIVE AND RAMONA STREET WITHIN THE BOUNDARIES OF WHITTIER MIDDLE SCHOOL.

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,932

CLOSING, VACATING, ABANDONING AND QUITCLAIMING PORTIONS OF UNIMPROVED ANGELES DRIVE AND RAMONA STREET WITHIN THE BOUNDARIES OF WHITTIER MIDDLE SCHOOL AS REQUESTED BY THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Mr. Roland Lozano, Director of Asset Management, explained the proposed closure of two unimproved streets within the property of Whittier Middle School.

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, Thornton; NAYS: None; ABSENT: Ross, Webster.

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON CLOSING GIVENS AVENUE WITHIN THE BOUNDARIES OF HARRIS MIDDLE SCHOOL.

Mayor Thornton declared the Public Hearing to be open.

No citizen appeared to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,933

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN UNIMPROVED PORTION OF GIVENS AVENUE WITHIN THE BOUNDARIES OF HARRIS MIDDLE SCHOOL ASD REQUESTED BY THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Mr. Roland Lozano, Director of Asset Management, explained the proposed closure of a street within the boundaries of Harris Middle School.

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, Thornton; NAYS: None; ABSENT: Webster.

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON CLOSING ALLEYS AND STREETS WITHIN THE BOUNDARIES OF WILSON ELEMENTARY SCHOOL.

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak on the matter.

Mayor Thornton declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,934

CLOSING, VACATING, ABANDONING AND QUITCLAIMING UNIMPROVED PORTIONS OF TWO ALLEYS AND TWO UNIMPROVED AND UNNAMED STREETS WITHIN THE BOUNDARIES OF WILSON ELEMENTARY SCHOOL AS REQUESTED BY THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

Mr. Roland Lozano, Director of Asset Management, briefly explained the proposed closure of two alleys and two streets within the boundaries of Wilson Elementary School.

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, Thornton; NAYS: None; ABSENT: Webster.

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON AMENDING CHAPTER #35 (ZONING)

Mayor Thornton declared the Public Hearing, continued from last week's City Council meeting, to be reopened.

No citizen was signed to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,935

AMENDING CHAPTER 35, ARTICLE III, DIVISION 2, OF THE SAN ANTONIO CITY CODE PERTAINING TO ZONING PROCEDURES BY MODIFYING THE LANGUAGE OF SECTION 35-3024 THEREOF TO REFLECT THE APPROPRIATE REGULATORY AGENCY RESPONSIBLE FOR CONDUCTING ENVIRONMENTAL ASSESSMENTS; AND AMENDING CHAPTER 35, ARTICLE III, DIVISION 6, SUBDIVISION A, OF SAID CODE PERTAINING TO THE EDWARDS RECHARGE ZONE DISTRICT BY MODIFYING THE LANGUAGE OF SECTIONS 35-3104 AND 35-3105 THEREOF TO REFLECT THE NAME CHANGES OF STATE AND LOCAL REGULATORY AGENCIES AND EXPAND THE ENVIRONMENTAL ASSESSMENT REPORT REQUIREMENTS OF SECTION 35-3104 TO ZONING CASES WITHIN THE EDWARDS TRANSITION ZONE INVOLVING UNDERGROUND STORAGE TANKS WHICH MAY ADVERSELY IMPACT THE ENVIRONMENT, AND BY ADDING A NEW SUBSECTION (3) TO SECTION 35-3106 THEREOF REQUIRING THE PAYMENT OF REGISTRATION, RENEWAL, AND INSPECTION FEES FOR UNDERGROUND STORAGE TANKS LOCATED WITHIN THE EDWARDS RECHARGE ZONE DISTRICT OR THE EDWARDS TRANSITION ZONE.

* * * *

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

Prior to any discussion or consideration, Mr. Marbut declared that he would be abstaining from any participation or vote on Agenda Items 6A and 6C, to come.

Ms. Rebecca Q. Cedillo, Vice-President/Planning, San Antonio Water System, explained the proposed textual amendments to the Edwards Aquifer Recharge Zone Overlay District.

Mr. Peak noted that this is a 'follow-through' to City Council direction.

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, Peak, Webster, Thornton; NAYS: None; ABSTAIN: Marbut; ABSENT: None.

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON AMENDING THE CHAPTER #35 CITY CODE (ZONING)

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

Ms. Rebecca Q. Cedillo, Vice-President/Planning, San Antonio Water System, briefly explained the fee changes being proposed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,936

AMENDING CHAPTER 35, EXHIBIT C, SECTION 35-C101 OF THE SAN ANTONIO CITY CODE PERTAINING TO ZONING FEES BY MODIFYING THE LANGUAGE OF SUBSECTION (k) THEREOF TO RENAME THE "ENVIRONMENTAL IMPACT FEE" TO THE "ENVIRONMENTAL ASSESSMENT FEE", AND BY INCREASING THE AMOUNT OF SAID FEE TO 1.5 TIMES THE ZONING COMMISSION FILING FEE.

* * * *

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

In response to a question by Mr. Ross, Ms. Cedillo noted that the fees charged do not make a full cost-recovery for the work performed. She noted that this is an interim schedule of fees, prior to a proposed new fee schedule to be considered next year.

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, Thornton; NAYS: None; ABSENT: None.

94-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON AMENDING THE CHAPTER #35 CITY CODE (ZONING).

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,937

AMENDING CHAPTER 35, EXHIBIT C, OF THE SAN ANTONIO CITY CODE BY AMENDING SUBSECTION 35-C101 (k) (2) TO ESTABLISH AN ENVIRONMENTAL ASSESSMENT FEE EQUAL TO THE ZONING COMMISSION FILING FEE FOR ZONING CASES WITHIN THE EDWARDS TRANSITION ZONE INVOLVING UNDERGROUND STORAGE TANKS WHICH MAY ADVERSELY IMPACT THE ENVIRONMENT; AND BY ADDING A NEW SECTION 35-C401 TO ESTABLISH REGISTRATION, RENEWAL, AND INSPECTION FEES FOR UNDERGROUND STORAGE TANKS LOCATED WITHIN THE EDWARDS RECHARGE ZONE DISTRICT OR THE EDWARDS TRANSITION ZONE.

* * * *

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

Ms. Rebecca Q. Cedillo, Vice-President/Planning, San Antonio Water System, explained why above-ground storage tanks are excluded from this consideration, pending more coordination with the San Antonio Fire Department.

In response to a question by Mr. Peak, Ms. Cedillo discussed the proposed fees relating to underground storage tanks over the recharge and transition zones of the Edwards Aquifer. She also discussed plans for a draft underground storage tank program.

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

Mr. Ross spoke against the proposed amendment.

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

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

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON AMENDING THE GROUND TRANSPORTATION.

Mayor Thornton declared the Public Hearing to be open.

(At this point, Mayor Thornton was obliged to leave the

meeting. Mayor Pro Tem Avila presided.)

Captain Jerry Pittman, San Antonio Police Department, addressed the proposed changes to Chapter 35 of the City Code (Vehicles For Hire), stating his belief that most operators and owners agree with the proposals. A copy of his presentation is made a part of the papers of this meeting.

The following persons appeared to speak:

Mr. Vincent Thompson, representing Alamo City Taxi Service, spoke in favor of most of the proposed changes, but spoke against certain permit caps and distribution, stating his belief that these would restrict his firm's growth.

Mr. James Munoz, representing Taxi Express, spoke to certain concerns within the taxicab industry about dispatching systems and call to taxi firms.

Mr. Gary Brandenburg, driver for Taxi Express, stated his belief that the new taxicab dispatching system is working well, and can not be blocked by radio system users.

Mr. Stan Sigler, representing River City Limo, spoke in support for the proposed changes.

Mr. Cruz Chavira, representing San Antonio Taxi Drivers Alliance, stated his belief that the proposed Ordinance does not address many of the industry's problems facing drivers, stating his opinion that those proposed changes are oppressive to the city's 1500 taxi drivers. He objected to the concept of having a 'hearing officer' for adjudication of questions of compliance with regulations, and asked that the Ground Transportation Division be removed from the purview of the Police Department, stating his belief that the tourism industry is no place for police officers. He then spoke to several other objections to the regulations, expressing the contention that they are adversely affecting taxi drivers.

Mr. David Nagle, representing Carey Transportation, spoke in support of most of the proposed changes, but spoke against the use of fees to raise revenues for the City of San Antonio, stating his belief that the current fees are more than enough to pay for permit costs.

Mr. Marbut stated that the Transportation Committee plans to 'fine-tune' the regulations periodically, after their implementation, and stated that the committee will work on questions that have arisen in regard to those regulations. He spoke to his hope that the regulations can be reviewed annually.

Mr. Avila noted that both citizens and City staff are frustrated by the current regulations.

Mr. Flores stated his belief that the proposed changes

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constitute a good ordinance, and commented that the committee will continue to address these questions. He spoke to the recent controversy over the radio dispatching system.

Mr. Webster spoke to his concern with the adverse effect of the new permit fees on small limousine firms, and the effects of other areas in the proposed changes, including new requirements for officing and staffing.

Captain Pittman spoke to the rationale for the proposed changes.

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

The City Clerk then read the following Ordinance:

AN ORDINANCE 82,938

AMENDING THE GROUND TRANSPORTATION ORDINANCE, CHAPTER 33 OF THE CITY CODE, REGULATING VEHICLES FOR HIRE (TAXICABS, LIMOUSINES, CHARTER AND TOUR VEHICLES); REQUIRING OPERATING PERMITS FOR GROUND TRANSPORTATION SERVICES, VEHICLES PERMITS FOR VEHICLES USED IN THE SERVICES, AND DRIVER PERMITS FOR DRIVERS OF VEHICLES FOR HIRE; SETTING UP PROCEDURES FOR THE APPLICATION FOR AND REVOCATION OR SUSPENSION OF THE PERMITS; PROVIDING REGULATIONS FOR PERMIT HOLDERS, DRIVERS AND VEHICLES; MAKING SOME VIOLATIONS MISDEMEANOR CRIMES SUBJECT TO PENALTIES OF UP TO \$500.00 AND OTHER VIOLATIONS ADMINISTRATIVE OFFENSES SUBJECT TO FINES OF \$10.00 TO \$500.00; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

* * * *

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

95-42 The Clerk read the following Ordinance:

AN ORDINANCE 82,939

ACCEPTING THE PROPOSAL OF LEMON BUSTERS DEVELOPMENT GROUP FOR PROFESSIONAL COMMERCIAL VEHICLE INSPECTION

SERVICES FOR THE GROUND TRANSPORTATION INDUSTRY;
AND AUTHORIZING A FOUR YEAR CONTRACT WITH FEES FOR
THE FIRST YEAR OF \$40.00 FOR TAXICABS AND LIMOUSINES
AND \$80.00 FOR VEHICLES WITH SEATING CAPACITY IN
EXCESS OF FIFTEEN PASSENGERS.

* * * *

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

Captain Jerry Pittman, San Antonio Police Department, explained the proposed contract for commercial vehicle inspection services for the ground transportation industry, and spoke to the firm's good record of service to the City.

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

95-42 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON MAVERICK BUILDING (CDBG)

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

Mr. Andrew Cameron, Director of Housing & Community Development, spoke to a history of the Maverick Building in downtown San Antonio and current plans for its renovation and re-use. A copy of his presentation is made a part of the papers of this meeting.

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

Mr. Flores stated that he is pleased with new plans for use of the downtown building, and discussed the creation of the downtown development fund from interest earned on loan funds.

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

Mr. Ross made an amendment that the \$150,000 be escrowed for environmental clean-up on or before 90 days from the date of the note, and failure to deposit \$150,000 in an escrow account to start environmental clean-up shall be a default, and the note will be due and payable. Ms. Billa Burke seconded the amendment.

Mr. Cameron stated that City staff has no objection to the amendment.

Mr. Solis spoke in support of the amendment to insure having a

'clean' building, stating his belief that this is an important project to San Antonio housing.

In response to a question by Mr. Peak, Mr. Cameron discussed the need for downtown housing development.

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

After consideration, the motion as amended, 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, Thornton; NAYS: None; ABSENT: None.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,940

AUTHORIZING A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN IN THE AMOUNT OF \$800,000.00 TO HOUSTON STREET REDEVELOPMENT, INC. FOR ACQUISITION OF TITLE TO A TRACT OF LAND OUT OF LOT A-6, BLOCK 23, NCB 416, KNOWN AS THE MAVERICK BUILDING LOCATED AT 606 S. PRESA; AUTHORIZING THE REPROGRAMING AND BUDGET REVISION IN SUPPORT THEREOF; AUTHORIZING TH EXECUTION OF ALL DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

* * * *

95-42

CITIZENS TO BE HEARD

MARTHA VON ELLENRIEDER

Ms. von Ellenreider addressed her concern with the recent 88 per cent increase in bus fares by VIA Metropolitan Transit, and the brevity of a recent VIA meeting to explain the increase because it was so poorly publicized, in her opinion. She stated that persons who work cannot attend 5:00 P.M. meetings, and spoke of the bus fare rate hike as an economic hardship on low-income bus riders.

VIA CONCERNS/VIA ANTI-HIKE COMMITTEE

Mr. Jaime Martinez stated that there were a number of citizens in the audience who wanted to address the City Council regarding the recently proposed VIA hike which he stated will most affect the needy of the City. He spoke to the decline on wages of the working class

throughout the nation and stated that the rates being proposed are outrageous.

Also speaking in opposition were:
Teresa Barajas, Via Bus Rider;
Ms. Jeanette Hernandez, Via Bus Rider;
Armando Molina;
Araceli Herrera;
Elsa M. Call;
Jim Isaman
Rudy Casias
Lori Milam
Eric Myers
Antonio Cabral
Mary Elena Martinez
Mary Chapa
Nolan
Tony Garza
Maria Dominguez
Lucile Banta
Jay Moore
Don Wilkins Castillo
Marie Benavente

* * * *

Councilman Ross commended the individuals who appeared to speak. As a member of the Committee who oversees the rates at VIA, he stated he had voted against the raising of the fares. He also stated that the City Council had no jurisdiction of the setting of the fares and urged the individuals to address their concerns to the VIA Board.

Mr. Solis also thanked the individuals and expressed concern about the rate hikes and spoke to the need to have this opposition heard at the VIA Board.

Mr. Avila stated that he, too, like Mr. Ross had voted against the rate hikes.

MRS. PATSY CHEYNEY

Mrs. Cheyney, San Antonio Alliance for the Mentally Ill, invited the Mayor and City Council to the Walk/Run event to be held this coming Saturday at Brackenridge Park beginning at 8:00 A.M. The proceeds will go towards the homeless who are mentally ill.

MR. NEILS CHRISTENSEN

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Mr. Neils Christensen, 130 W. Wildwood, spoke to the City Council on the topics of "Culturalism". He expressed concern with the City of San Antonio's economic dealings with Mexico. He also expressed concern about the bilingualism working one way here in San Antonio.

95-42 City Council recessed its regular meeting at 6:55 P.M. for dinner, reconvening at 7:35 P.M.

95-42 1ST PUBLIC HEARING - ANNEXATION OF SIX AREAS

Mayor Thornton declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, narrated a presentation on the proposed annexation of six areas: Long's Creek, Flying "J", Foster Ridge/Lancer, S.W. Loop 410 (Pearsall Rd. Area), Heritage Northwest, and Seven Points North. He then spoke to be City's three-year annexation plan. A copy of his presentation is made a part of the papers of this meeting. He then spoke to a series of meetings held with the Heritage Northwest Neighborhood Association and Long's Creek area residents, the two areas with the most population among the six areas proposed for annexation this year. He stated that those meetings dealt with explanation of the annexation plans, City services to be gained, and then a question segment.

Fire Chief Robert Ojeda, Captain Tom Polonis of the San Antonio Police Department, and Mr. John German, Director of Public Works, addressed fire protection, police protection, and other major services to the areas in question.

Mr. Pasley then addressed other City services for the areas concerned, including Community Services, health services, library services, zoning/building permits, Certificates of Occupancy, code compliance, and other City functions available to citizens of San Antonio. He estimated the cost of City services to these six areas to be some \$1.6 million per year. He then spoke to savings for residents of these areas as a result of annexation, including water and sewer costs, and spoke to their eligibility for voting in City elections. Finally, he discussed taxes involved and exemptions available in that area.

The following persons appeared to speak:

Ms. Lisa Placencio, 15631 Legend Springs, spoke to her concern with not having been told of this pending annexation by Rayco, and her inability to have a part in the annexation decision. She spoke of her concern for the lack of communication, and asked that the annexation of her area be delayed.

Mr. Albert Guerra, Jr., 10311 Aristocrat, President of the Heritage Neighborhood Association, spoke to the cross-section of some 12,000 residents in his area, their opinions about the pending annexation, and the need for City services, if annexed, in order to address certain problems.

Mr. David Quintanilla, 10423 Eagle Fox, a member of the Heritage Neighborhood Association, thanked City staff for meeting with area residents about the proposed annexation, and noted that some 1,100 law enforcement responses were made to this area over the past year by the Sheriff's Office. He stated his opinion that most residents of his area feel they will be getting better police protection after annexation, and addressed several questions in regard to police protection.

Ms. Barbara Robinette, 1327 Temple Square, annexation coordinator of the Heritage Neighborhood Association, stated that City staff neighborhood meetings helped answer many questions from area residents, and she thanked the City staff for holding those meetings. She then spoke to the need for timely answers to service needs, and addressed specifics of fire, EMS and police coverage. She then addressed street-lighting installation scheduling, drainage, and street matters. She then recommended a one-year delay in the annexation of this area, and spoke to her reasons for that request. She also expressed a desire to have at least a temporary City fire station in place in this area by the time of its annexation.

Mr. William L. Mason, 10503 Braddock, asked that annexation of the Heritage Northwest area be delayed for one year, and spoke to his reasons for this request.

Mr. William E. Grisham, 3942 Heritage Hill, stated that he prefers to remain outside the City of San Antonio, and spoke to his satisfaction with current services.

Mr. John L. Marrs, 7910 Restless Wind, addressed certain concerns with a lack of services and with annexation. He also spoke to his fears that more landfills will be located in his area, if it is annexed into the City. He spoke against annexation plans for his area.

Mr. George Robbins, 10055 Marbach Road, noted that no municipal services exist in his area at this time, and he fears there will be no development, as a result. He spoke against annexation.

Mr. John Bain, Briarwick subdivision, spoke to a number of advantages of annexation, and he spoke in support of the annexation plans.

Mr. Arthur Holtz stated his belief that it will cost more if he is annexed into the City of San Antonio.

Mr. Webster thanked City staff for meeting with area residents on this proposed annexation plan.

Mr. Avila noted that meetings will continue with area residents.

There being no further residents signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed.

95-42 NOMINATIONS TO THE BEXAR APPRAISAL DISTRICT BOARD

Mr. Peak directed the Council's attention to a recent memorandum from the City Clerk, noting that the Council has two weeks in which to nominate between one and five candidates for the board of directors of Bexar Appraisal District; therefore, the City Council will need to act on this matter, officially, at either its October 5 or October 12 meeting.

After discussion, it was the unanimous consensus of City Council members present to place this matter on the Agenda for the October 5, 1995 meeting.

95-42 City Council recessed its regular meeting at 8:50 P.M. in order to convene in Executive Session for the purpose of receiving a briefing on proposed amendments to the Empire and Majestic Theaters Sublease Agreement with Las Casas and related capital improvements.

95-42 City Council adjourned the Executive Session and reconvened in regular session at 10:09 P.M., at which time Mayor Thornton stated that Council had been briefed on the above topic, had given staff direction, but had taken no official action during the Executive Session.

95-42 There being no further business to come before the Council, the meeting was adjourned at 10:10 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

95-42 PETITIONS

September 28, 1995

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

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

September 28, 1995

Petition submitted by Ms. Vera Lee Phillips, President, AARP, Chapter 2779, McCreless, 406 Uvalde Street, San Antonio, TX 78210, on behalf of concerned citizens, requesting that the City of San Antonio address the problem of prostitution in their area.

/s/ Norma S. Rodriguez
City Clerk

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