

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
THURSDAY, JANUARY 9, 1997.**

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97-01 The City Council convened in an informal "B" Session at 10:00 a.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

A) Presentation of the Projects for the FY 2000-2001 Transportation Improvement Program - Council concurred to move staff recommendation forward to "A" Session for more consideration on January 16, 1997.

The Council members present were: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster and Thornton.

97-01 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, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster and Thornton. **Absent:** None.

97-01 Invocation - Dr. Carl Johnson, Greater Corinth Baptist Church.

97-01 Pledge of Allegiance to the flag of the United States.

97-01 **CTRC "BOSOM BUDDIES 4 SAN ANTONIO DAY"**

Mayor Thornton introduced Ms. Debora Daniels and Mrs. Carolyn Thornton and asked them to come forward.

Ms. Daniels and Mrs. Thornton briefed the City Council on the Cancer Therapy Research Center's breast self-examination campaign, explained how the campaign will work, and discussed its details.

Mayor Thornton then read a formal Proclamation designating "CTRC Bosom Buddies 4 San Antonio Day" in San Antonio and presented it to Ms. Daniels and Mrs. Thornton.

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CAROLINA ZAPATA - "AT YOUR SERVICE" AWARD

Mr. Alexander E. Briseno, City Manager, introduced Ms. Carolina Zapata, Public Health Nurse Supervisor, San Antonio Metropolitan Health District, and spoke briefly to her background and position.

A videotaped presentation detailed her job function and performance.

Mayor Thornton presented Ms. Zapata with a Certificate of Recognition, while Mr. Briseno presented her with a check for \$200.00. Both offered their congratulations, and the Mayor spoke to the importance of the "At Your Service" program honoring City employees.

Ms. Zapata introduced her husband, present in the audience, along with a number of co-workers, and addressed the importance of one co-worker, her mentor.

Individual City Council members offered their congratulations.

Ms. Zapata stated that she is donating the \$200.00 to the family she assisted in securing a Habitat For Humanity-constructed home recently, so that the family might purchase a new washer and dryer.

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STATE OF THE CITY MESSAGE

Mayor Thornton spoke to the background of the annual Mayor's address on the State of the City, and he recognized the presence of a number of persons in the audience invited to be present to hear this message.

STATE OF THE CITY OF SAN ANTONIO

**WILLIAM E. THORNTON
MAYOR**

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"It is tradition that the Mayor gives a report at the first meeting of the calendar year to review the last year and set an agenda for the new year. I want this to be a time when we not only look to 1997 but also to the 21st century. The actions we take in 1997 will prepare and set our course for the new millennium.

As we prepare that course, we must recognize the diversity of issues which stretch out before us. Fortunately, we as a community are blessed to possess the necessary diversity of people, talents and resources to meet the particular needs of each of those issues. So as we begin a new year and speed toward a new millennium, we must all agree on one thing: that addressing these issues is in

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our best interest and the best interest of our children. We must at once celebrate our diversity and share one vision. Let me tell you how I believe this should happen.

I want to talk about the issues that I believe will most affect the lives of our people, their hopes, their opportunities and their future.

First, let me briefly review where we are today as we finish 1996

- San Antonio's economy finished 1996 on a high note as we are enjoying our lowest unemployment rate ever (3.7% in October and now 4%)
- We fully expect this job creation trend to continue in 1997. Most economic forecasts indicate that the city's economy will remain strong in the new year
- In the first 10 months of 1996 the city created 20,200 new jobs which is a continuation of the last 5 years, meaning that we now have over 100,000 net new jobs than we did in 1991.

We are focusing on creating quality jobs for the entire community within industries that offer long-term growth and economic stability for San Antonio.

What investments in time and money must we now be making in our people? What must we now be doing to assure a bright, vibrant economy that allows every San Antonian the ability to meet their needs and the needs of their family?

I believe our future rests on 5 issues:

- The Kelly Transition
- Water
- Education
- Our International presence
- Good quality job creation

KELLY

Let me discuss the first of the five major areas before us... Kelly. The future for Kelly is exciting and filled with opportunity. In 1997 we will continue to accomplish the Kelly 21 Strategic Plan which was developed by 167 of our citizens from throughout our community. What we do in 1997 will greatly affect our ability to create 21,000 jobs at Kelly by the year 2001. Specifically in 1997 I expect that:

- The Kelly Redevelopment Master Plan will be completed. This will clear the way for the Federal Government to transfer assets of \$1.5 billion dollars to the Greater Kelly
- Development Corporation. This will pave the way for significant job creation activity to occur at Kelly.
- The C-5 Galaxy Cargo Plane privatization contract will be awarded. This is the first phase of the Federal Government's efforts to privatize the heavy aircraft maintenance work at the base.

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The GKDC hopes to successfully locate this work, valued at \$180 million dollars annually, at Kelly and use it as a model for future privatization contracts, such as the jet propulsion contract which will bring in \$800 million dollars annually

- The Defense Logistics Agency will privatize a large section of the Kelly warehousing areas. This will complement and enhance the City's efforts to establish "Inland Port San Antonio"
- In 1997 the Air Force will rely on the GKDC to provide operational support services at East Kelly. This is significant because it will require services by small businesses and we will direct these new and expanded opportunities directly toward our small and medium sized businesses
- In 1997 the City will begin managing a \$4.1 million dollar grant that we won from the U.S. Economic Development Administration for Kelly projects. The grant funds will go to the GKDC, the UTSA Small Business Development Center and the St. Philips College. These entities are addressing essential needs of infrastructure, job re-training and small business development.

In 1997, Foreign Trade Zone and Enterprise Zone status is expected to be granted to Kelly. These are proven economic incentives for attracting private-sector businesses and new industries.

In June of 1995, just 1 ½ years ago, the news that Kelly was to be closed hit this community like a cannon ball to the stomach. But now as we enter 1997, because of hard, good, inclusive work and planning by the entire community, we see Kelly as a tremendous opportunity to greatly expand and diversify our economic and job base for the future. As a community we've done a great job in dealing with the Kelly issue.

WATER

The next, and equally important issue is water. We, as a community, must do better than we've done in the past regarding water. We are surrounded by forces that are threatening and influencing our future. Those forces include:

- Mother Nature herself and the drought
- A Federal Judge who makes rulings that recognize rice and lizards but never considers the health and well-being of people
- Agricultural interests to the west that need and use great quantities of water at the very time when we also need water and water is least available
- Spring and environmental interests to the east that use the irresponsible actions of the Sierra Club to try to choke our city down rather than trying to work together to resolve this issue with the least amount of harm done to everyone in the region.

The great problem we've had in the past is that we, with the greatest number of people and jobs in the region, have had no policy regarding water that is embraced and agreed upon by our community. We remain divided as to whether or not we even have a water problem. We must come together as a community with an agreed upon water policy.

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I'm one who believes we need as many options as possible with the fullest use of all existing resources such as re-use and the development of new and additional sources of water.

This month we will receive a report from a group of citizens from throughout our community who represent all the views that have been expressed in the past regarding water and the need for water to build our economy. I await their report so that we can come together and forward to SAWS and the Edward's Aquifer Authority what we believe needs to be done to bring certainty and predictability in our future regarding water.

I challenge the SAWS Board to continue and expedite the construction of the water re-use project. This will provide 20% of our current city usage of water so that we will have certainty of water for commercial and industrial users, even in times of drought, and will also reduce our dependency on our only source of water, the Edward's Aquifer.

We have been told in very clear terms by leaders in the State Legislature that we must come together and do for ourselves, or we should not be surprised when others step in and demand and require actions that they determine. I want San Antonio to set its own course in water policy, not a Federal Judge or a Federal or State bureaucrat.

Our future in the 21st Century will be greatly determined by how you and I deal with this water issue in 1997.

EDUCATION

In 1989 this community came together and said we needed to improve our Library System. And, in fact, we voted then to invest \$46 million dollars to build a new Central Library and improve and expand our branch libraries. Also in that bond package, we did what few cities have done in the building of Literacy Centers throughout our community so that adults can learn to read.

I believe that our community is coming together again and is saying loudly and clearly that we need to improve our educational system and opportunities for our young people. We have COPS, Metro Alliance, teachers, superintendents, parents, school boards, PTA's, civic leaders, corporations, business leaders, business groups, elected officials and many others saying in unison that we must do better in educating our young people.

I created a Mayor's Education Advisory Committee under the leadership of Rudy Reyna of the SBC Corporation. We have pulled these groups together to improve the achievement levels of our young people, foster partnerships and community communication and strengthen parent and community involvement.

As a city we have also recommitted to the Education Partnership \$276,000 for 10 high schools in this year's budget. We will enlarge our After School programs for over 30,000 children in 136 schools.

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We will become the city we hope to be only if we make certain that all of our young people stay in school, learn and succeed.

And by the way, the city's Internet sites are constantly being expanded and enhanced. We want to make certain that every student in our city has Internet access. Our Central Library, as well as each branch library, provides free access for our citizens. We are in the process of establishing a Technology Center at the Central Library with the help of a grant from Microsoft. Our Central Library is the only library in Texas to win such a grant.

INTERNATIONAL

So many things have come together to give us hope and encourage us to make San Antonio a city for International trade and commerce. Among our assets and strengths are:

- Our geographic location near Mexico and in the southern and central part of the United States
- Our long-standing, good relationship with the people, the cities and the government of Mexico
- The \$1.5 billion dollar assets at Kelly which were developed as a logistics center to move products literally around the world
- The impressive and complete multi-modal transportation infrastructure surrounding Kelly
- A city that uses and values the Spanish language as we look to opportunities in all of Latin America.

We are doing all we can to build this part of our economy. The City has partnered with the Economic Development Foundation, the Greater Chamber and the Hispanic Chamber to create the Free Trade Alliance. This partnership has effectively brought focus and energy to our international efforts. We will see the fruits of these efforts as the Free Trade Alliance works in 1997.

Let me add that one of our city's greatest strengths in building our economy and creating opportunity is Consul General Carlos Sada and his family, Maria Elena, Andres and Manuel. San Antonio remains a special city in the eyes of the people and the leaders of Mexico. We are the only American city to be received by the President of Mexico.

JOBS

The first three issues we discussed are essential bed-rock concerns that must be addressed with the goal of creating good jobs so that people can work and meet their needs and provide for their families. All of these efforts are directed at building our economy and creating good jobs for the future.

We have just revised and improved our work force development efforts under the new Alamo Work Force Development Corporation. I, and this Council, are stating clearly that every San
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Antonian deserves a job that enables families to meet their needs and provides essential family benefits such as health care protection.

We should set as our goal that San Antonio is not thought of as a low wage city, but rather a city with the best and most efficient work force... a pro-business city where companies can succeed.

The City will maintain its commitment to ensuring that all businesses have a fair and equal opportunity to win City and other public-sector contracts. Equally important, the City will continue to provide the tools and programs through our San Antonio business Assistance Focus Center to make certain these businesses become successful.

OTHER ON-GOING PROJECTS AND ISSUES

VISITOR INDUSTRY

1997 will be a year of great activity and support for our visitor industry. Over 7 million visitors a year bring over \$3 billion dollars a year into our economy. There is also great benefit in having people from around the world visit our city and then spread the word that San Antonio is a very special place in which to live and work.

1997 will be the beginning of the \$188 million dollar expansion and renovation of our Convention Center as we begin construction in April. This is a time of excitement and anticipation but also a time for monitoring and stewardship of this important community project.

In March this council will select a developer for a new Convention Center hotel that will be even larger than the existing Marriott River Center hotel.

We will host the NCAA Basketball Midwest Regionals in March as we prepare to host the NCAA Final Four Basketball Championships in 1998.

We've just finished the successful Builder's Square Alamo Bowl which now brings \$9 million dollars into our economy during what used to be a slow time for our hotels and restaurants.

Our largest convention for 1997 will be the Church of the Nazarene which will bring over 40,000 attendees to our city.

Our Visitor Industry is growing and continues to bring more and more new dollars into our economy.

DOWNTOWN PROJECTS

1997 will see many milestones for some of downtown's biggest projects. A total of 12 major projects, with a value of \$1.5 billion dollars, will either be completed or begun.

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They are:

- The Convention Center Expansion
- The UTSA Downtown Campus which will open for classes in September. The Board of Regents have already approved the funding of the second phase of this project. This campus will bring over 3,000 undergraduate and graduate students to the center city and will open opportunities for the near-Westside in terms of housing for students, cultural offerings, educational programs and economic development.
- The International Center, a \$11.7 million dollar project, will open in the Fall housing the North American Development Bank, the City's International Affairs Department and the Convention and Visitor's Bureau, the Free Trade Alliance, BancoMex and the many Mexican Casa's present here in San Antonio.
- The Robert E. Lee Building which saves a historic structure and will provide housing units for the elderly
- The Maverick Building which will also save a historic structure and provide multi-family residential units
- The new Convention Center hotel
- The Adam's Mark hotel which will open an additional part of our river to activity for citizens and visitors
- The Sunset Station at St. Paul Square
- A new Visitor Center
- The Alamosa River Walk hotel
- The Marriott Residence Inn Tower
- The Convention Plaza Trolley Station
- The Alameda Theater and Cultural Zone
- The Majestic and Empire Theaters

Next week the Council will appoint qualified individuals to the new Downtown Advisory Board which will oversee the implementation of the Downtown Strategic Plan. We are doing what is necessary to build, while protecting, our downtown. We are addressing pedestrian needs, public transportation, improved connections between the River Walk and street level, residential development, historic preservation, parking and other quality-of-life issues that will strengthen downtown's character and vitality.

NEIGHBORHOOD REVITALIZATION

We'll be focusing on San Antonio's older neighborhoods in 1997. Our goal is to revitalize commercial districts in our inner city neighborhoods such as the Deco District on Fredericksburg Road, the Fort Sam Houston Gateway, Avenidas Del Rio on the Southside and the Kelly Business Corridor.

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These neighborhoods have all the right elements to be transformed into unique and successful living and commercial centers.

They are neighborhoods that are charming, have beautiful and historic buildings and enthusiastic residents.

1997 will be the first full year of funding for the Enterprise Community Zone that stretches from the near-East to the near-Westside. This program pairs federal funds and programs with local government initiatives and neighborhood-based efforts and goals.

The City is involved in multiple projects that will provide attractive, high quality, affordable housing to deserving families and individuals.

Villa de Esperanza will be the second affordable single-family housing development that the City has undertaken with the help of many public and private partners, including the Greater San Antonio Housing Trust, the Enterprise Foundation, SAWS, CPS, Bexar County Metropolitan Water District, Southwestern Bell, Paragon Cable, HUD, the San Antonio Board of Realtors and the Greater San Antonio Builders Association.

Just like Coliseum Oaks, Villa de Esperanza will bring a new outlook and attitude to inner city housing.

The Master Plan Policies will be coming to the Council for adoption in May. The Master Plan goals and objectives have already been adopted, forming the basis for policies required for implementation of the plan. The Master Plan has been developed by an Ad Hoc Citizens Committee which has placed significant emphasis on neighborhoods.

PUBLIC SAFETY

City Council has made public safety its top priority for 1997

San Antonio can point to many public safety accomplishments over the past few years. Most importantly, the violent crime rate, that is crimes against persons, has decreased by 7.66% in 1996.

We completed the 4 year Police Manpower Plan which we began in 1992 and went immediately into a 5 year Master Plan for manpower, equipment and facilities. We are beginning the second year of that plan.

We will continue to deepen our neighborhood-based policing and safety efforts. We will cultivate the Weed & Seed Program, increase the number of citizens who are actively working to keep their neighborhoods safe through Cellular on Patrol and install more "speed humps" to slow traffic on the streets where our children walk and play.

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I assure you that all San Antonians will be better protected from fire in 1997 and the years beyond. Our new and relocated fire stations will guarantee that rapidly growing areas of San Antonio have effective, fast fire protection while our established, inner city neighborhoods will continue to receive the high-level of service they enjoy and value now.

PUBLIC WORKS

1997 will be a busy year for the Public Works Department. The first Mission Trails Project will begin at Mission Espada and extend to Southeast Military Drive.

The Street Resurfacing Program will be enhanced by an additional \$700,000, bringing that program up to \$13.8 million dollars.

With term limits of at most 4 years of service, I want to make certain that there are ways to monitor long-term capital improvement projects so they don't become lost or delayed. Our citizens voted for these improvements and they deserve to see them completed. These are many in numbers but examples include the Salado Creek Nature Trail and the Mission Trails Project.

Councilman Ross and I will lead a delegation from the Greater Chamber, the Hispanic Chamber and the Alamo Area Council of Governments to Washington to address the EPA's proposed revisions to the National Ambient Air Quality Standards. All San Antonians must work to make sure that our city maintains its clean air attainment status.

I'm proud to say that we are not only meeting the needs and demands of our citizens, but also increasing services. And most noteworthy, we've adopted a budget again without raising taxes in 1997!

There are other non-budget issues that determine the kind of city we will become.

The recent ban on selling cigarettes from vending machines continues our efforts to protect our citizens, our workers and our young people from the dangers of tobacco. This was a bold move which made San Antonio the first American city to take this step.

What began in 1991 with the Urban Corridor Ordinance has been continued with the Sign Ordinance, the Landscape Ordinance and now the Tree Preservation Ordinance.

We are working to assure that as growth occurs it will occur with grace and a commitment to protect our beautiful city and its high quality-of-life. Among the concerns for the future is monitoring traffic capacity and congestion as commercial and residential development occurs.

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I believe that we nurture the soul of our city when we nurture its culture and its art. I want to see local individual artists grow in numbers and in exposure and I want our major art institutions to flourish so that young, old, everyone in our city can enjoy the beauty and inspiration of art.

The Texas Legislature is convening. I, and other council members, under the organizational leadership of Councilwoman Burke, will be in Austin protecting the interests of our city. Of particular note is the deregulation of the energy utilities since our city owns City Public Service. CPS is the single largest contributor to our city's general fund and that interest must be protected.

We will receive a report from the Charter Revision Committee and consider if any changes should be made in our charter and what they might be. I personally want Campaign Reform and Ethics to be addressed in that report and considered for incorporation into our charter.

CITY - COUNTY

I want to complement the County Judge for her leadership in many areas such as making certain that all of our citizens will benefit from having 3 Level One Trauma Centers waiting on a 24 hour basis for us and our families in times of need.

I also want to thank her for her leadership in looking for ways to reduce costs in government by removing duplication and over-lay of services. When I expressed concern about the layering of representation in local government, she listened and worked for a way to continue moving consolidation efforts forward. I intend to continue working with her to provide better, more efficient, less costly, more accountable government for us all.

Our gratitude is to City staff. I thank them for their good and hard work. They are the one who "deliver the goods" to our citizens. I remain grateful and respectful for all they do for this City and it's citizens. Thank you, Alex.

As we work this year on these issues we will spend a great deal of time talking of numbers, dollars, bricks, buildings, asphalt and such. I remind myself and I encourage all to see the faces of people as we deal with these issues. What we do effects virtually every person in this City and will also, in large part, determine the City we will become and the opportunities available for those who live here.

As we talk about our people and our future, I want to announce a new initiative which I think has great value. None of the issues we've talked about to this point will be effectively addressed and none of our hopes for the future will be fulfilled if we become a city that is divided. I began by talking about diversity of issues, yet emphasized the need for unity in purpose and effort.

I intend to appoint a Mayor's Commission on Diversity. The purpose is to declare that we are a community of inclusion and that San Antonio is a city where everyone is valued, encouraged and allowed to contribute to their highest potential. Our diversity makes this city special and gives us

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its charm. We must always be diligent that differences among us are viewed with respect and sensitivity, in and beyond the work place.

We must make certain that every person, every group has a stake in our future by being a part of the goal setting, the effort given and the rewards enjoyed when we succeed. No one or no group should be left out as we set our direction and then work our course.

One of the reasons the Kelly transition has gone so well is that we included every voice in the planning effort. That group of 167 citizens was the most inclusive planning group we've seen in many years. Because of inclusion, their plan was accepted by all.

In many ways we are already an example of how a diverse community can live comfortably with itself. I believe we can do even better for the present and we can better assure our successes in the future with this new initiative. I ask for your encouragement and support.

I have asked Iris Anne Francis to head up our efforts to form this committee. By trade, Iris is a kindergarten teacher. In fact, she tells me one-third of her class is African-American, one-third is Hispanic and one-third is a mix of Anglo and Asian children. That is diversity. Iris is also an entrepreneur, having owned her own apparel manufacturing company... and she is a long-time volunteer in our community. I thank Iris for undertaking this most important project.

San Antonio is a beautiful city filled with good people. Carolyn and I remain amazed at how hard so many people in every neighborhood are working to protect and build our city. It's clear that all of us love San Antonio and want to make it even better. For their sake, for our children's sake, let's all work together to give our best effort in 1997".

97-01 At this point, Mayor Thornton was obliged to leave the meeting. Mayor Pro Tem Flores presided.

97-01 CONSENT AGENDA

Ms. Lott made a motion to approve Agenda Items 8 through 39, constituting the Consent Agenda, with item 24 having been pulled by the City Manager, and Items 20 and 37 being pulled for individual consideration. Mr. Webster seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Flores, Lott, Avila, Solis, Herrera, Ross, Webster; NAYS: None; Absent: BillaBurke, Marbut, Peak, Thornton.

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AN ORDINANCE 85374

RENEWING THE MAINTENANCE AGREEMENT OF MATRIX SYSTEMS, INC. FOR A MATRIX AUTOMATED ACCESS CONTROL SYSTEM FOR THE CITY OF SAN ANTONIO AVIATION DEPARTMENT FOR A TOTAL OF APPROXIMATELY \$20,000.00 ANNUALLY.

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AN ORDINANCE 85375

ACCEPTING THE LOW BID OF VULCAN ALUMINUM TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$41,805.00.

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AN ORDINANCE 85376

ACCEPTING THE LOW BIDS OF BT OFFICE PRODUCTS INTERNATIONAL, J.R., INC., OFFICESOURCE, LTD, TEXAS WILSON OFFICE FURNITURE, WITTIGS OFFICE INTERIORS AND ARTURO SUAREZ TO PROVIDE THE CITY OF SAN ANTONIO WITH OFFICE FURNITURE FOR A TOTAL OF APPROXIMATELY \$120,000.00 ANNUALLY. (MBE/WBE)

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AN ORDINANCE 85377

AUTHORIZING AN APPROPRIATION OF \$72,000.00 TO FUND SEVERAL EXISTING ANNUAL CONTRACTS FOR CONTINUING THE CITY UNDERGROUND FUEL STORAGE TANK PROGRAM AND OTHER RELATED PROJECTS.

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AN ORDINANCE 85378

DESIGNATING RABA-KISTNER CONSULTANTS, INC. TO PROVIDE ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH THE ENVIRONMENTAL ASSESSMENT FOR THE PUBLIC PARKING FACILITIES EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$187,800.00;

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AUTHORIZING \$18,780.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85379

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$242,816.00 IN CONNECTION WITH THE STONEGATE/DUKE DRAINAGE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$12,186.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 85380

ACCEPTING THE LOW, QUALIFIED BID OF KGME, INC. IN THE AMOUNT OF \$494,153.10 IN CONNECTION WITH THE ESSEX STREET: HACKBERRY STREET - PIEDMONT AVENUE PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$21,720.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$833.56 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 85381

ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES CO., INC. IN THE AMOUNT OF \$641,350.55 IN CONNECTION WITH THE PINN ROAD: COMMERCE STREET - BROWNLEAF, PHASE II PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$41,862.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85382

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH OZUNA & ASSOCIATES, INC. BY AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$6,500.00 FOR THE PROVISION OF ADDITIONAL ENGINEERING SERVICES THROUGH FINAL DESIGN OF THE HOBART: ACME - 40TH STREET PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (MBE) (AMENDS ORDINANCE NO. 81898 DATED MARCH 23, 1995.)

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AN ORDINANCE 85383

SELECTING LOCKWOOD, ANDREWS & NEWMAN (LAN), INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SOUTH FLORES: DURANGO BOULEVARD - FRANCISCAN AVENUE PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$162,000.00; AUTHORIZING \$12,363.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85384

SELECTING CIVIL ENGINEERING CONSULTANTS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE PROBANDT STREET: U.S. HIGHWAY 90 - MITCHELL STREET PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$18,695.00; AUTHORIZING \$1,496.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85385

SELECTING CADY AND ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CASA BLANCA: BROADWAY - AUSTIN PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$12,637.00; AUTHORIZING \$1,011.00 FOR

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MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (WBE)

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AN ORDINANCE 85386

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF RABA-KISTNER CONSULTANTS, INC. TO PERFORM A HAZARDOUS MATERIALS SURVEY FOR THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS IN AN AMOUNT OF \$174,226.72 FOR SAID SERVICES, AND ESTABLISHES A CONTINGENCY FOR ABATEMENT DESIGN AND CONSTRUCTION DOCUMENTATION ASSOCIATED WITH THE RIVER LINK EXTENSION IN AN AMOUNT NOT TO EXCEED \$17,000.00; TO BE PAID FROM THE 2% HOTEL OCCUPANCY TAX DESIGNATED FOR THE CONVENTION CENTER EXPANSION AND PAID OUT OF THE "CONVENTION CENTER EXPANSION PROJECT FUND."

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AN ORDINANCE 85387

APPROVING THE EXECUTION OF AN AMENDMENT TO THE ARCHAEOLOGICAL INVESTIGATION CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER FOR ARCHAEOLOGICAL RESEARCH (UTSA - CAR) IN AN AMOUNT NOT TO EXCEED \$20,424.00 TO PERFORM ARCHAEOLOGICAL INVESTIGATION DURING THE THERMAL UTILITY CONSTRUCTION WORK ASSOCIATED WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; AND RATIFYING SERVICES PERFORMED TO DATE. (AMENDS ORDINANCE NO. 83779 DATED MARCH 14, 1996.)

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AN ORDINANCE 85388

AMENDING A LEASE AGREEMENT WITH RONALD R. DEROO, OWNER OF THE SAM HOUSTON SHOPPING CENTER, TO EXPAND THE CURRENT CLINIC LOCATED AT 1013 RITTIMAN ROAD FROM 2,950 SQUARE FEET TO 4,258 SQUARE FEET FOR THE PERIOD FEBRUARY 1, 1997 THROUGH DECEMBER 7, 1998 AT A LEASE RATE OF \$3,671.00 PER MONTH (86¢/SQ.FT) THROUGH DECEMBER 7, 1997 AND \$3,844.00 PER MONTH (90¢/SQ.FT) THROUGH DECEMBER 7, 1998, IN CONNECTION WITH THE

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WOMEN, INFANTS, AND CHILDREN (WIC) NUTRITION PROGRAM; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH. (AMENDS ORDINANCE NO. 78184 DATED JUNE 24, 1993.)

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AN ORDINANCE 85389

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF TWO TRACTS IN FEE SIMPLE TITLE AND ONE TEMPORARY EASEMENT OUT OF LOT 70, BLOCK 2, N.C.B. 11966, BEXAR COUNTY, TEXAS FOR PUBLIC PURPOSES, NAMELY THE CONSTRUCTION OF THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C.

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AN ORDINANCE 85390

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$672.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN CONNECTION WITH THE CLARK - ESSEX TO MARTIN LUTHER KING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING PAYMENT IN THE AMOUNT OF \$150.00 TO ALAMO TITLE COMPANY FOR TITLE FEES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85391

AUTHORIZING PAYMENT IN THE AMOUNT OF \$485.00 TO COMMERCE LAND TITLE OF SAN ANTONIO, INC. FOR TITLE SERVICES IN CONNECTION WITH THE KENNITH/TAHOKA AREA STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85392

AUTHORIZING THE EXECUTION OF AN EXTENSION LETTER AGREEMENT WITH THE MISSOURI PACIFIC RAILROAD COMPANY FOR THE EXTENSION OF A PIPE

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LINE LICENSE IN THE CEVALLOS/GOODWIN/SOUTHOLME/KECK/A & B RECONSTRUCTION PROJECT FOR THE SUM OF \$3,150.00 AND A \$200.00 ADMINISTRATIVE HANDLING FEE FOR THE TOTAL SUM OF \$3,350.00. (AMENDS ORDINANCE NO. 64249 DATED DEC. 12, 1986.)

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AN ORDINANCE 85393

AUTHORIZING THE EXECUTION OF AN EXTENSION LETTER AGREEMENT WITH THE MISSOURI PACIFIC RAILROAD COMPANY FOR THE EXTENSION OF A PIPE LINE LICENSE IN THE KELLER, REHMAN, STARK & STRIBLING PROJECT FOR THE SUM OF \$3,500.00 AND A \$200.00 ADMINISTRATIVE HANDLING FEE FOR THE TOTAL SUM OF \$3,700.00. (AMENDS ORDINANCE NO. 64703 DATED MARCH 12, 1987)

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AN ORDINANCE 85394

ACCEPTING THE PROPOSAL OF THE JOINT VENTURE TEAM OF RESEARCH/MAINSTREET ARCHITECTS, INC. TO PREPARE A NOMINATION TO THE NATIONAL REGISTER OF HISTORIC PLACES FOR THE MONTE VISTA HISTORIC DISTRICT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$16,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85395

AUTHORIZING THE ACCEPTANCE OF \$78,000.00 IN IN-KIND ASSISTANCE AND \$7,000.00 IN CASH ASSISTANCE FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING OF PUBLIC HEALTH LABORATORY ACTIVITIES IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 10, COMPRISED OF ATTACHMENT 20 TO CONTRACT 746002070897 WITH THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEATH STATE SUPPORT PROJECT 1996/97 ESTABLISHED IN ORDINANCE NO. 83917, PASSED APRIL 11, 1996; AND APPROPRIATING FUNDS.

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AN ORDINANCE 85396

RATIFYING THE SUBMISSION OF A GRANT APPLICATION FOR AN AMOUNT OF \$595,879.00 TO THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE TO FUND AN ALCOHOL AND DRUG DETOXIFICATION PROGRAM COLLABORATIVE TO BE ADMINISTERED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD JANUARY 1, 1997 THROUGH AUGUST 31, 1997.

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AN ORDINANCE 85397

AUTHORIZING THE ACCEPTANCE OF \$366,254.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND ONGOING SAN ANTONIO METROPOLITAN HEALTH DISTRICT PROJECTS; APPROPRIATING \$146,225.00 OF SAID FUNDS FOR USE IN THE MAMMOGRAPHY PROJECT; APPROPRIATING \$220,029.00 FOR USE IN THE CORE PUBLIC HEALTH PROJECT; APPROVING THE EXECUTION OF A CONTRACT REVISION WITH TDH FOR ACCEPTANCE OF SAID FUNDS; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1996/97 ESTABLISHED IN ORDINANCE NO. 83917, PASSED AND APPROVED ON APRIL 11, 1996; AUTHORIZING AN AGREEMENT WITH SOUTH TEXAS RADIOLOGY GROUP FOR THE PROVISION OF MAMMOGRAPHY SERVICES; AND APPROVING PERSONNEL POSITIONS.

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AN ORDINANCE 85398

AUTHORIZING THE ACCEPTANCE OF A \$30,000.00 GRANT FROM MEDIMMUNE, INC. TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PERFORM CERTAIN DISEASE SURVEILLANCE AND TRACKING ACTIVITIES OF RESPIRATORY SYNCYTIAL VIRUS FOR THE PERIOD DECEMBER 1, 1996 THROUGH MAY 31, 1997; AUTHORIZING THE EXECUTION OF A GRANT ACCEPTANCE CONTRACT; ESTABLISHING A FUND; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 85399

AUTHORIZING THE ACCEPTANCE OF \$578,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND THE ON-GOING EPSDT (EARLY AND PERIODIC SCREENING, DIAGNOSIS, AND TREATMENT) PROJECT OF THE SAN ANTONIO

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METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 1996 THROUGH AUGUST 31, 1997; APPROVING A CHANGE IN THE CONTRACT WITH TDH: REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1996/97 ESTABLISHED IN ORDINANCE NO. 83917, PASSED AND APPROVED ON APRIL 11, 1996; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 85400

AMENDING ORDINANCE NO. 81968, PASSED AND APPROVED ON MARCH 30, 1995 BY ELIMINATING THE NEED TO INCLUDE IN THE TRANSFER DOCUMENT FROM THE CITY OF SAN ANTONIO TO THE SAN ANTONIO HOMEOWNERSHIP OPPORTUNITIES CORPORATION (SAHOC) A PROVISION REQUIRING SAHOC TO UTILIZE THE LOTS FOR ELIGIBLE "FIRST-TIME HOMEBUYERS."

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AN ORDINANCE 85401

APPOINTING LAURA ANN RUBALCAVA AND JENNIFER MARIE SALAZAR TO THE CITY OF SAN ANTONIO YOUTH COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 1, 1998.

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AN ORDINANCE 85402

APPROVING A PARADE PERMIT IN CONNECTION WITH THE 1997 MARTIN LUTHER KING, JR. MARCH AND CELEBRATION PROGRAM TO BE HELD ON JANUARY 20, 1997, AND AUTHORIZING THE TEMPORARY CLOSURE OR N. NEW BRAUNFELS FROM CROCKETT TO GULF STREETS AND E. HOUSTON FROM ST. JAMES TO POLARIS STREETS AND E. HOUSTON FROM ST. JAMES TO POLARIS STREETS AND OF MARTIN LUTHER KING FROM 3500 MARTIN LUTHER KING TO NEW BRAUNFELS, NEW BRAUNFELS FROM MARTIN LUTHER KING TO HOUSTON STREET AND DISBAND AT HOUSTON AND N. NEW BRAUNFELS AND SAID EVENT.

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97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85403

ACCEPTING THE DONATION OF A DIAMONDBACK Z-TECH BICYCLE FROM 3D INTERNATIONAL FOR USE BY THE CITY'S DEPARTMENT OF PARKS AND RECREATION PARK RANGERS FOR DOWNTOWN PARKS AND RIVER WALK PATROL.

* * * *

Mr. Ron Darner, Director of Parks & Recreation, spoke to the donation of a bicycle for the Park Rangers and thanked 3-D International Inc. for that donation.

The following person appeared to speak:

Mr. Andujar, representing the firm, addressed the reasons for the firm's donation.

* * * *

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

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85404

SELECTING GGC ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE NORTH NEW BRAUNFELS AVENUE: INTERSTATE HIGHWAY 35 - GRAYSON PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$33,188.00; AUTHORIZING \$2,655.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

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ZONING HEARINGS

3A. CASE #Z96248 - to rezone and reclassify Lot 14, save and except the northwest 200 feet, NCB 17994, 7304 I.H. 10 East, from "R-A" Residence Agriculture District to "R-4" Manufactured Home Residence District. Property is located 200 feet southeast off of U.S. Highway 90 East, between Foster Road and Highway 1516, having a width of 132 feet and a depth of over 1000 feet.

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

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Ms. Lott 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, Lott, , Avila, Solis, Marbut, Webster, **NAYS:** None; **Absent:** Billa Burke, Herrera, Ross, Peak, Thornton;

AN ORDINANCE 85405

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN LOT 14, SAVE AND EXCEPT THE NORTHWEST 200 FEET, NCB 17994, 7304 I.H. 10 EAST, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

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3B. CASE #Z96229 (CC) - to rezone and reclassify lot 35, block 8, NCB 12234, 4103 Wild Oak Drive, from "A" Single Family Residence District to "R-1" CC Single

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Family Residence District with special City Council approval for a group day care home. Property is located on the east side of Manhattan Drive, between Gemblar Road and Wild Oak Drive, having 110 feet on Manhattan Drive, 48.5 feet on Gemblar Road and 48.5 feet on Wild Oak Drive.

The following citizens appeared to speak:

Ms. Elverlene W. Johnson, property owner, explained the need to renovate the home for use as a child day-care home.

Ms. Sara Smith, 4219 Redstone Drive, spoke against intrusion of business into this neighborhood, and asked that it remain residential.

Ms. Alice Tomasello, 4255 King Krest, spoke to the same objections, and also spoke against further traffic into the neighborhood.

Mr. William Sahn, 4106 King Krest, submitted a petition containing some 71 signatures of persons in the neighborhood who are in opposition to the requested rezoning. Speaking on behalf of the Skyline Park Neighborhood Association, Mr. Sahn objected to the intrusion of business into the neighborhood and addressed previous attempts to locate businesses in this area.

Ms. Deborah Gee, 4354 Silver Lake, past president of the neighborhood association, spoke against any zoning change from R-1.

In rebuttal, Ms. Johnson stated that she seeks only to have zoning to accommodate a child care facility.

Mr. Manuel Wilson, 815 Manhattan Drive, stated that he believes such a child care facility would upgrade the neighborhood.

Ms. Sheila Anderson, 819 Manhattan Drive, spoke to the need for such a facility in this neighborhood.

* * * *

Ms. Lott made a motion to continue this rezoning case to the City Council meeting of January 23, 1997. Mr. Solis seconded the motion.

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

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(NOTE: LATER IN THE MEETING, MS. LOTT ASKED FOR, AND RECEIVED, PERMISSION TO CONTINUE THIS REZONING CASE TO FEBRUARY 13, 1997 IN LIEU OF JANUARY 23, 1997, AS ORIGINALLY VOTED, ABOVE.)

97-01 At the request of Mr. Ross, it was the concensus of City Council members present to temporarily bypass consideration of Agenda Item 3C until later in this meeting, in order to allow all parties concerned time to discuss the rezoning request matters.

3D. CASE #Z96150 - to rezone and reclassify lot 19, Block 19, NCB 8334, 2235 Cincinnati Avenue, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the north side of Cincinnati Avenue, 317.70 feet west of the intersection of Epworth Street and Cincinnati Avenue, having 43.00 feet on Cincinnati Avenue and a depth of 145.7 feet.

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

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

In response to a question by Mr. Ross, Mr. Rudy Hettler, representing the applicant, spoke to certain agreed-upon conditions of the rezoning, to include a fence, inside work only, and no outside storage.

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, Lott, Billa Burke, Avila, Solis, Ross, Marbut, Webster, **NAYS:** None; **Absent:** Herrera, Peak, Thornton.

AN ORDINANCE 85406

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 19, BLOCK 19, NCB 8334, 2235 CINCINNATI AVENUE, FROM "F" LOCAL RETAIL BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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3E. CASE #Z96252 - to rezone and reclassify 1.106 acre out of NCB 15004, Low Bid Circle and Heath Road, from "R-A" Residence Agriculture District to "O-1" Office District. Property is located northwest of the cul-de-sac, being low bid circle and on the northeast side of Heath Road, having 94.38 feet on Low Bid Circle and 84.48 feet on Heath Road.

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

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

In response to a question by Mr. Ross, Mr. Ken Brown, representing the property owner, spoke to a set of deed restrictions agreed to by all concerned parties, and noted that this rezoning will only involve a 0.62-acre tract out of NCB 15004, instead of the previously-requested 1.106-acre tract.

Mr. Ross made a motion to reject the recommendation of the Zoning Commission and to approve the rezoning of a 0.62-acre tract out of NCB 15004, as outlined in applicable field notes. Mr. Solis 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, Solis, Ross, Webster; **NAYS:** None; **Absent:** Lott, Herrera, Marbut, Peak, Thornton.

AN ORDINANCE 85407

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.62 ACRE OUT OF NCB 15004, LOW BID CIRCLE AND HEATH ROAD, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "O-1" OFFICE DISTRICT.

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3F. CASE #Z96255 - to rezone and reclassify 9.098 acres out of Lot 6, Block 2, NCB 15054, 5820 N.W. Loop 410 Expressway, from "B-3" Business District to "ED" Entertainment District. Property is located on the southeast side of N.W. Loop 410 Expressway, 160.12 feet southwest of the intersection on N.W. Loop 410 Expressway and Zangs Road, having 710.13 feet on N.W. Loop 410 Expressway and a depth of 834.6 feet.

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

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

The following persons appeared to speak:

Mr. Robert Ashcroft, representing the applicant, spoke to the need for the rezoning to bring this family entertainment center into compliance with applicable zoning laws.

Mr. Charles Rodriguez, 5905 Deer Horn Drive, spoke to a brief history of the property's use by Pear Apple County Fair, the later inclusion of certain carnival rides, and their adverse impact upon the nearby neighborhood. He noted that he had discovered that these carnival rides did not fit the zoning in place, and spoke to several meetings that had taken place between the neighbors and representatives of Pear Apple County Fair. He asked that the proposed new owners of the facility provide some assurance that neighborhood concerns will be heard and redress provided for certain grievances.

* * * *

Mr. Ross then read for the record a letter from United Land Company, Inc., DBA Pear Apple County Fair, speaking to two agreements concerning this property. A copy of the letter is made a part of the papers of this meeting.

Mr. Ross made a motion to approve the recommendation of the Zoning Commission, provided that the agreed-to matters must be accomplished within 90 days or the property in question will be rezoned. Mr. Marbut seconded the motion.

In response to a question by Mr. Solis, Mr. Ashcroft spoke to certain physical changes made by the company after its original zoning was granted, concerning rides located on the site. He noted that permits for those rides were granted by the City of San Antonio.

Mr. Solis voiced his concern with the City's granting of those permits in view of the concerns raised by the neighbors.

Discussion then took place concerning the background details of this matter, including the addition of the new rides and the granting of City permits.

In response to a question by Mr. Solis, Mr. Gene Camargo, Director of Building Inspections, spoke to his conjecture that perhaps City employees felt that those rides were appropriate under the existing zoning.

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In response to a question by Mr. Solis, a representative of the company stated that the company did not realize at the time that the new rides were outside certain zoning restrictions, when their were installed and the permits sought.

Mr. Solis stated that he would be voting against this rezoning request.

Mr. Ross reiterated the conditions laid down in the motion for approval, and stated his belief that the affected neighbors now agree to the rezoning with the restrictions, as outlined and agreed to.

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

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

AN ORDINANCE 85408

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN 9.098 ACRES OUT OF LOT 6, BLOCK 2, NCB 15054, 5820 N.W. LOOP 410 EXPRESSWAY, FROM "B-3" BUSINESS DISTRICT TO "ED" ENTERTAINMENT DISTRICT.

* * * *

3G. CASE # Z96258 - to rezone and reclassify lot 13, NCB 8403, 143 Babcock Road, from "F" Local Retail District and "D" Apartment District to "B-2" Business District. Property is located on the northeast side of Babcock Road, 450.71 feet northwest of the intersection of Fredericksburg Road and Babcock Road, having 50 feet on Babcock Road and a depth of 120 feet.

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

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 85409

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED LOT 13, NCB 8403, 143 BABCOCK ROAD, FROM "F" LOCAL RETAIL DISTRICT AND "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

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It was the concensus of City Council members present to undertake consideration of Agenda Item 3C, previously bypassed, at this time.

3C. CASE #Z96243 - to rezone and reclassify 0.51 acres out of Block S, NCB 14667, "O-1" Office District to "B-1" Business District; 3.32 acres out of Block S, NCB 14667, from "O-1" Office District to "B-3NA" Non-Alcoholic Sales Business District; Properties are located on the southwest side of Babcock Road, between Horn Boulevard and Pembroke Road; and 9.15 acres out of Blocks P,S,T,NCB 14667; and 3.14 acres out of Block S, NCB 14667, from "O-1" Office District and "B-3" Business to "B-2" Business District. Property is located on the northwest side of Horn Boulevard, 310 feet southwest of the intersection of Horn Boulevard and Babcock Road; and 2.74 acres out of Block K, NCB 14667, from "B-2" Business District to "B-3" Business District. Property is located on the south side of Prue Road, 367.74 feet southeast of the intersection of Prue Road and Horn Boulevard.

Mr. Andy Guerrero, Land Development Services, spoke to petitions submitted with signatures of persons in opposition to the requested rezoning.

The following persons appeared to speak:

Mr. Ken Brown, representing the applicant, explained the history of the rezoning request , including some six months of meetings with neighbors and neighborhood associations. He stated that a comprehensive land use agreement has been entered into, and he addressed its specifics including certain deed restrictions agreed to. A copy of the Declaration of Restrictive Covenants is made a part of the papers of this meeting.

Mr. Ernani Falcone, 9322 Beowulf, introduced representatives of neighborhood associations present and in opposition to the requested rezoning.

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Ms. Kathy Harding, representing Alamo Farmsteads Neighborhood Association, addressed a brief history of rezoning requests in this area and her group's concerns with the plan for this rezoning. She stated that her group still opposes the rezoning, then described those concerns and opposition to the plan because of the changes that plan makes to the environment of this entire area. She stated her belief that the plan for development is not compatible with the neighborhood master plan, and expressed her belief that there is no requirement for more commercial zoning in the Alamo Farmsteads area.

Ms. Kim Hoskins, 6243 Babcock Road, spoke to her fears for a 'domino effect' if more commercial zoning is granted for this area.

Ms. Sallye Schwab, 7807 Braun Way, stated that the plan of development is in opposition to the neighborhood plan.

Ms. Noel Meza, 9307 Andersonville, in the Lincoln Green area, and Mr. Arthur Delgado, 203 Stardust, representing the Ingram Hills Neighborhood Association, both spoke in opposition to the rezoning.

Mr. Falcone then spoke to his concerns with certain misrepresentations he feels have been made in this case, and the need to protect the integrity of the neighborhood plan.

Mr. Chance McGhee, 5 Pembroke Lane, spoke to his own preferences for land uses, should this amended rezoning plan be adopted. He spoke in opposition to that plan because of a lack of notice for the public hearing concerning the rezoning.

Ms. Maria S. Lopez, 11 Pembroke Lane, also spoke to the short notice given in this matter, and stated her belief that the area homeowners know best concerning land uses there. She spoke in support for the comments of the previous speaker in relation to land uses, should the rezoning be granted.

Speaking in rebuttal, Mr. William Kaufman, attorney representing the applicant, stated that the proponents of the rezoning request have met with representatives of five neighborhood organizations in this matter, and he addressed the process leading up to the amended land use plan as presented. He stated his opinion that the neighborhood plan is out-of-date because commercial development already has taken place in areas of that plan marked 'residential'. He spoke to his belief that the neighborhood plan needs to be updated, and noted that this particular area is within Countryview Village, not Alamo Farmsteads. He noted that Countryview Village representatives agree to the rezoning, and he spoke to the rationale for the rezoning request.

* * * *

Mr. Ross stated that this matter presents somewhat of a dilemma, whereby the Neighborhood Alliance opposes the rezoning, but certain neighborhood associations in the area support it. He

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then read from a note in support for the rezoning, submitted by Countryview Village Neighborhood Association.

Discussion took place concerning the possibility of widening the O-1 buffer to 35 feet.

Mr. Ross made a motion to accept applicant's amended rezoning request that, on Tract 1 as shown on the attached sketch-map, a 35-foot buffer area of O-1 is established next to the Pembroke Village Subdivision, that the next 75 feet of Tract 1 be zoned B-1, and the remaining portion of Tract 1 be zoned B-2; that Tract 2 be zoned B-2; and that Tract 3 be zoned B-3, as requested.

The motion died for lack of a second.

No further action taken on this case.

3H. CASE #Z96247 - to rezone and reclassify lot 23, Block 4, NCB 3055, 235 Fair Avenue, from "B" Residence District to "R-3" Multiple Family Residence District. Property is located on the north side of Fair Avenue, 150.49 feet west of the intersection of Fair Avenue and Hackberry Street, having 50 feet on Fair Avenue, 150.49 feet west of the intersection of Fair Avenue and Hackberry Street, having 50 feet on Fair Avenue and a depth of 151.5 feet.

Ms. Lott made a motion to continue this rezoning request to the Council meeting of January 23, 1997. Mr. Avila seconded the motion.

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

Zoning Case Z96247 SUP was continued to January 23, 1997.

3I. CASE # Z96254 SUP - to rezone and reclassify lots 23, 48 and east 15 feet of Lot 22, Block 40, NCB 3834, 2746 Minnetonka Street, from "A" Single Family Residence District to "R-1" Single Family Residence District with special use permit for a personal care facility caring for (5) individuals with one year time limitation. Property is located southwest of the intersection of Minnetonka Street and Clark Avenue, having 65 feet on Minnetonka Street and 120 feet on Clark Avenue.

Ms. Lott made a motion to continued this rezoning request to the Council meeting of January 23, 1997. Mr. Avila seconded the motion.

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

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Zoning Case Z96254 SUP was continued to January 23, 1997.

3J. CASE #Z96240 (CC) - to rezone and reclassify Lots 6,7,8,12,13,16 and the east 58.2 feet of lots 9 and 10, the west 4.1 feet and the south 63 feet of Lot 11, Block 119, NCB 189, 909 Monterrey Streets, from "L" First Manufacturing District to "I-1" CC Light Industry District with special City Council approval for a correction institution. Property is located on the southwest side of Monterrey Street, between San Marcos Street and S. Comal Street, having 150.2 feet on Monterrey Street, 33.7 feet on San Marcos Street and 168.7 feet S. Comal Streets.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

Mr. Solis briefly explained the request, and stated his desire that the rezoning be contingent upon approval of a state contract for the facility.

Mr. Andy Guerrero, Land Development Services, explained how such a stipulation can be applied to the rezoning case.

Mr. Solis made a motion to approve the recommendation of the Zoning Commission, provided that the State approval is obtained. 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, Lott, Avila, Solis, Herrera, Marbut. NAYS: None. ABSENT: Billa Burke, Ross, Peak, Webster, Thornton.

AN ORDINANCE 85410

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6,7,8,12,13,16 AND THE EAST 58.2 FEET OF LOTS 9 AND 10, THE WEST 4.1 FEET AND THE SOUTH 63 FEET OF LOT 11, BLOCK 119, NCB 189, 909 MONTERRY STREET, FROM "L" FIRST MANUFACTURING DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A CORRECTION INSTITUTION.

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3K. CASE #Z96256 - to rezone and reclassify Lot 46, Block 18, NCB 3461, 510 W. Theo Avenue, from "C" Apartment District to "R-1" CC Single Family Residence District with special City Council approval for a day care center. Property is located between W. Theo Avenue and W. Malone Avenue, 180 feet east of I.H. 35 access road, having 50 feet on W. Theo Avenue and W. Malone Avenue and 153 feet between these two streets.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

AN ORDINANCE 85411

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 46, BLOCK 18, NCB 3461, 510 W. THEO AVENUE, FROM "C" APARTMENT DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A DAYCARE CENTER.

* * * *

3L. CASE #Z96265 - to rezone and reclassify Lot 1, NCB 7576, 2422 S. Zarzamora Street, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District. Property is located east S. Zarzamora Street, between Fran Fran Street and Highway 90 West, having 58.37 feet on S. Zarzamora Street, 542.98 feet on Fran Fran Street and 373.94 feet on Highway 90 West.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

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AN ORDINANCE 85412

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, NCB 7576, 2422 S. ZARZAMORA , FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

3M. CASE #Z96233 - to rezone and reclassify Lots E, and Q, Block 6, NCB 832 from "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, and Lot P, NCB 832, 1118 E. Euclid Avenue from "R-1" Single Family Residence District to "O-1" Office District. Property is located on the southeast side of Euclid Avenue, 132.62 feet southwest of the intersection of Myrtle Street and Euclid Avenue, having 26.50 feet on Euclid Avenue and a depth of 251.80 feet.

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

AN ORDINANCE 85413

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS E AND Q, BLOCK 6, NCB 832, FROM "R-1" SINGLE RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND LOT P, NCB 832, 1118 E. EUCLID AVENUE, FROM "R-1" SINGLE RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

3N. CASE #Z96263 - to rezone and reclassify 0.105 acre tract out of Block 1, NCB 716, 111 Camargo Street, from Historic Significant Landmark "B-1" Business District to Historic Significant Landmark "B-2" Business District. Property is located on the northeast side of

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camargo Street, 125 feet southeast of the intersection of Camargo Street and South Alamo Street, having 57.72 feet on Camargo Street and a depth of 82.49 feet.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

AN ORDINANCE 85414

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.105 ACRE TRACT OUT OF BLOCK 1, NCB 716, 111 CAMARGO STREET, FROM HISTORIC SIGNIFICANT LANDMARK "B-1" BUSINESS DISTRICT TO HISTORIC SIGNIFICANT LANDMARK "B-2" BUSINESS DISTRICT.

* * * *

30. CASE #Z96228 - to rezone and reclassify A.0.111 acre tract of land out of Lot 4, Block 22, NCB 14732, Northwest of Vance Jackson, from "B-2" Business District to "B-3" Business District. Property is located 430 feet northwest of the intersection of Vance Jackson Road and Huebner Road, being 15.08 feet northeast of Vance Jackson Road, having a width of 57.88 feet and a depth of 167.88 feet.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

AN ORDINANCE 85415

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

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CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.111 ACRE TRACT OF LAND OUT OF LOT 4, BLOCK 22, NCB 14732, NORTHWEST OF VANCE JACKSON FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

3P. CASE #Z96226 - to rezone and reclassify Lot 7, Block 37, NCB 11753, 10911 West Avenue, from "O-1" Office District to "B-1" Business District. Property is located on the northwest side of West Avenue, 124.78 feet southwest of the intersection of West Avenue and Mt. Tipton Drive, having 125.02 feet on West Avenue and a depth of 152.44 feet.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Peak made a motion to reject the recommendation of the Zoning Commission and to grant B-1 zoning on Lot 7, save and except the northwest 50 feet, Block 37, NCB 11753. Mr. Webster seconded the motion.

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

AN ORDINANCE 85416

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, SAVE AND EXCEPT THE NORTHWEST 50 FEET, BLOCK 37, NCB 11753, 10911 WEST AVENUE, FROM "O-1" OFFICE DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

3Q. CASE #Z96267 - to rezone and reclassify P-17, NCB 17726, from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District and P-6 and the northwest 372.79 feet of P-6C out of NCB 17726, Classen Road and Knollcreek, from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Home Residence District. Parcel 17 is located northwest of Knollcreek and northeast of Classen Road, Parcel 6, located northeast of Classen Road, between Knollcreek and Purlane, Parcel 6-C is located southeast of Purlane and northeast of Classen Road.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

AN ORDINANCE 85417

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-17, NCB 17726, TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND P-6 AND THE NORTHWEST 372.79 OF P-6C, NCB 17726, CLASSEN ROAD AND KNOLLCREEK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME RESIDENCE DISTRICT.

* * * *

3R. CASE #Z96259 - to rezone and reclassify the southwest 200 feet of a 12.314 acre tract of land out of NCB 18890, from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District; A 12.314 acre tract of land, save and except the southwest 200 feet, NCB 18890, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, and A 2.686 acre tract of land out of NCB 18890, 14955 Bulverde Road, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located southwest side of Bulverde Road, being 340 feet southeast of the intersection of Quiet Meadow Drive and Bulverde Road, having 305 feet on Bulverde Road and a depth of 1060 feet.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Webster 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 by the vote: AYES: Flores, Lott, Avila, Solis, Herrera, Marbut, Peak, Webster, NAYS: None; ABSENT: Billa Burke, Ross, Thornton.

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AN ORDINANCE 85418

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN THE SOUTHWEST 200 FEET OF A 12.314 ACRE TRACT OF LAND OUT OF NCB 18890, TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; A 12.314 ACRE TRACT OF LAND, SAVE & EXCEPT THE SOUTHWEST 200 FEET, NCB 18890, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT AND A 2.686 ACRE TRACT OF LAND OUT OF NCB 18890 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

3S. CASE #Z96011 (CC) - to rezone and reclassify on an area being bordered on the north by Ray Ellison Drive, to the south by Pearsall Road, to the west by Covel Road and to the east by S.W. Loop 410 Expressway. From Temporary "R-1" Single Family Residence District to "R-A" Residence-Agriculture District, "R-4" Manufactured Home Residence District, "B-3" Business District, "I-1" Light Industry District, "I-2" CC Heavy Industry District for automotive salvage and "I-2" CC Heavy Industry District for a bulk oil storage.

Mr. Andy Guerrero, Land Development Services, briefly explained the S.W. 410 Zoning Plan. He noted that Lyda, Inc. wishes to pull Tract 4A, and portions of P-74 and P-74A, NCB 15248 so that they can be referred back to the Zoning Commission for consideration of I-1 zoning,

Mr. Avila made a motion that Tract 4A, and a portion of P-74 and P-74A, NCB 15248, 8331 S.W. Loop 410, be referred back to the Zoning Commission for consideration of I-1 zoning; and the remainder of the zoning case be continued to the Council meeting of January 23, 1997. Mr. Solis seconded the motion.

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

Zoning Case #Z96011 (CC) was continued to January 23, 1997.

3T. CASE #Z96262 - to rezone and reclassify Lots 5 thru 10, Block 32, NCB 15850, from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence

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District; and Lots 1 thru 4, Block 32, NCB 15850, from Temporary "R-1" Single Family Residence District to "R-2" Two Family Residence District. Properties are located on the west side of Boling Brook Drive, between Sand Harbor Drive and Saddlebrook Drive.

Mr. Andy Guerrero, Land Development Services, 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, Lott, Avila, Herrera, Marbut, Webster; **NAYS:** None; **ABSENT:** Billa Burke, Solis, Ross, Peak, Thornton.

AN ORDINANCE 85419

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 5 THRU 10 BLOCK 32, NCB 15850, 1019, 1023, 1027, 1031, 1035, 1039 BOLING BROOK DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND LOTS 1 THRU 4, BLOCK 32, NCB 15850, 1001-1003, 1005-1007, 1009-1011, 1013-1015 BOLING BROOK DRIVE FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT.

* * * *

3U. CASE #Z96012-F - to rezone and reclassify 39.444 acres out of NCB's 15850, 15859 and 15910 being further described by field notes filed in the office of the City Clerk's Department, from Temporary "R-1" Single Family Residence District to "R-1" Single family Residence District; P-1, NCB 15859, Lot 30, Block 19, NCB 15849, from 29.82 acres out of NCB's 15850, 15859 and 15910 being further described by field in the office of the City Clerk's Department, from Temporary "R-1" Single Family Residence District to "R-2" Business District and 5.737 acre tract out of NCB's 15890, 15859 and 15910 being further described by field notes filed in the office of the City Clerk's Department In the 10300, 10400, 10500 and 10600 Blocks of Potranco Road from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District.

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

The following person appeared to speak:

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Ms. Nancy Englebert, 10486 Pine Glade, spoke in opposition to the rezoning of the area behind her home, stating that she was told by the developer that it was to remain a greenbelt.

* * * *

Mr. Avila noted that the heritage Northwest Neighborhood Association has agreed to the 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:** Billa Burke, Lott, Avila, Solis, Herrera, Peak; **NAYS:** None; **ABSENT:** Billa Burke, Ross, Marbut, Webster, Thornton.

AN ORDINANCE 85420

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 39.444 ACRES OUT OF NCB'S 15850, 15859 AND 15910 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK'S DEPARTMENT, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT; P-1, NCB 15859, LOT 30, BLOCK 19, NCB 15849, 29.82 ACRES OUT OF NCB'S 15850, 15859 AND 15910 BEING FURTHER DESCRIBED BY FIELD IN THE OFFICE OF THE CITY CLERK'S DEPARTMENT, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND 5.737 ACRE TRACT OUT OF NCB'S 15890, 15859 AND 15910 BEING FURTHER DESCRIBED BY FIELD NOTES IN THE OFFICE OF THE CITY CLERK'S DEPARTMENT, IN THE 10300, 10400, 10500 AND 10600 BLOCKS OF POTRANCO.

* * * *

97-01 Ms. Lott asked for concensus of City Council members present to make a minor amendment to the motion relating to Zoning Case Z96229 CC, listed as Agenda Item 3B on today's Agenda, asking that the case be continued to February 13, 1997 in lieu of January 23, 1997, as was recorded in the original motion earlier in this meeting. City Council members present consented to the amendment in continued dates, as presented, for the record.

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97-01 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

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

Mr. Oscar Serrano, Department of Asset Management, briefly explained the proposed closure and quitclaiming of an improved portion of Southeast Drive.

The following person appeared to speak:

Ms. Yulanee McKnight appeared to speak in support for the request.

* * * *

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

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

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

The Clerk read the following Ordinance:

AN ORDINANCE 85421

CLOSING, VACATING AND ABANDONING IMPROVED SOUTHEAST DRIVE WITHIN NEW CITY BLOCK 10838, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY GORDON V. HARTMAN ENTERPRISES, INC; FOR A TOTAL CONSIDERATION OF \$28,400.00.

* * * *

97-01 At this point, Mayor Thornton returned to the meeting to preside.

97-01 It was the concensus of City Council members present to temporarily bypass consideration of Agenda Item 5 at this time, for consideration later in this meeting.

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97-01 DOWNTOWN ADVISORY BOARD INTERVIEWS

Each of the 17 nominees to the Downtown Advisory Board, present in the audience, came forward to speak to their particular background.

Those nominees were:

SOUTH SECTOR - James Kifshutz
Steve Giust
Sally Buchanan

EAST SECTOR - Susan Tolar
Johnny Thomas
Edward Karam

NORTH SECTOR - Curtis Gunn, Jr.
Karen Burchard
David Lake

WEST SECTOR - Samuel Kirkpatrick
Ruben Cortez
Gary Vasquez

CENTRAL SECTOR - Michael Edelmann
James Hayne
Hector Venegas
Romelia Escamilla
Linda Winchester

* * * *

Mayor Thornton spoke to one of the group's tasks, that being to tie together the plans for the downtown area.

Mr. Flores noted that the formal appointment of the members of the Downtown Advisory Board, and the naming of its chairman, would come at next week's Council meeting, and that this group would help input plans for the downtown area.

Mr. Flores made a motion to move forward the matter of the Downtown Advisory Board and the naming of its members to next week's City Council "A" Session. Ms. Lott seconded the motion.

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

97-01 PUBLIC HEARING ON DANGEROUS BUILDINGS

Mayor Thornton declared the Public Hearing to be open.

Mr. Martin Rodriguez, Director of Code Compliance, noted that the Council had been presented with the proposed changes to Chapter 6, Article VIII of the City Code three weeks ago.

The following persons appeared to speak:

Ms. Sally Buchanan, President, San Antonio Conservation Society, stated that she was glad to see this proposed ordinance, but voiced her concern that there has not been enough time for public comment on the matter. She stated her belief that the new proposed ordinance is seriously flawed, and she spoke to details of that concern and recommendations for further changes to the ordinance. She asked the Council to delay passage of the ordinance until proper consideration is given to the proposed changes. A copy of her remarks is made a part of the papers of this meeting.

Mr. Rodrigo Garcia, Jr., Cleanup San Antonio Commission, spoke in support for the recommended changes to the 'dangerous buildings' code, and offered several possible changes to the recommendations in order to strengthen the ordinance, noting that people need protection from dangerous structures.

* * * *

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

In response to a question by Mr. Peak, Mr. Rodriguez spoke to the schedule for future actions.

Mr. Flores stated that he has problems with 'absentee landlords' and dangerous buildings.

Discussion then took place concerning the timetable and procedures to be followed in the proposed demolition.

In response to a question by Mr. Ross, Ms. Ann Benson McGlone, Historic Preservation Officer, discussed the Conservation Society's recommendations, and stated that they need to be studied.

Discussion ensued concerning recommendations to City Council for historic designations.

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Mr. Ross spoke of the condition of an old motel on Fredericksburg Road and lack of the City's ability to have it demolished.

In response to a question by Mr. Ross, Ms. McGlone discussed how poverty-level homeowners will be treated in respect to their homesites being declared 'dangerous buildings'.

AN ORDINANCE 85422

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$27,150.19 TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 14 TAX ACCOUNTS.

* * * *

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, Lott, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Billa Burke;

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85423

ACCEPTING THE LOW QUALIFIED BID, IN THE AMOUNT OF \$1,864,386.80, FROM YANTIS CORPORATION FOR THE TAXICAB H. RECONSTRUCTION - PHASE I, DRAINAGE PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$186,438.68 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM POZNECKI-CAMARRILLO & ASSOCIATES, INC. TO PROVIDE REQUIRED RESIDENT INSPECTION SERVICES FOR A FEE NOT TO EXCEED \$56,069.64; ACCEPTING A PROPOSAL FROM DRASH CONSULTING ENGINEERS, INC. TO PROVIDE CONSTRUCTION AND MATERIALS TESTING SERVICES FOR A FEE NOT TO EXCEED \$28,500.00; REVISING THE BUDGET APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Efren Gonzalez, Assistant Director of Aviation for Operations & Maintenance, briefly explained details of the project.

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

97-01 The City Clerk read a proposed ordinance ratifying an increase in the Paragon Cable Basic Tier Rate, based upon a finding that Paragon's Basic Tier Rate filing is in compliance with applicable Federal Communications Commission Regulations, from \$8.70 per month to \$8.84 per month, which became effective January 1, 1997.

Mr. Herrera made a motion to approve the proposed ordinance. Ms. Lott seconded the motion.

Mr. Octavio Pena, Director of Internal Review, explained City staff's analysis of the proposed increase in Paragon Cable's Basic Tier Rate. A copy of the staff memorandum is made a part of the papers of this meeting.

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

In response to a question by Mr. Webster, Mr. Pena noted that the City has only minimal control over the Basic Tier Rate, restricted to a finding on Paragon's figures in relation to whether or not the rate request is in compliance with applicable Federal Communications Commission regulations.

Mr. Ross noted that the Cable Television Advisory Committee feels that many public-access producers are dissatisfied with the services being provided by Paragon Cable and want the firm to provide them with more support personnel and equipment for producing their shows.

Mr. T.J. Connally, representing Paragon Cable, stated that Paragon's provision of public-access support and equipment exceeds FCC requirements, and he spoke to details. He noted that the agreement does not require Paragon to supply staffing for public-access production work, but the firm nevertheless dedicates 12 of his personnel to public-access production. He spoke to Paragon's plans for expanded studio space, noting that more than 200 persons each month produce public-access programs at Paragon, and only a few have voiced any concerns. He stated that he would meet with groups such as Inner City Advocates to discuss the matter, and spoke to the possibility of Paragon turning such programming over to a 501c(3) group sometime in the future.

In response to a question by Mr. Solis, Mr. Connally discussed the capacity of the Paragon system for public-access productions, and the fact that some 40 per cent of available daily air-time is devoted to public-access productions. He then spoke to the training offered and the equipment available to public-access producers.

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

Mr. Connally spoke to what rates are subject to control by the City of San Antonio, as opposed to rates controlled by the FCC, and the ramifications should the City, in effect, say "no" to this proposed ordinance.

Mr. Peak stated his belief that the City could file a petition with the FCC, should the Council vote "no" on the proposed ordinance.

Discussion took place on the history of Paragon's contract discussions with the Catholic TV channel and funding considerations.

Mr. Peak asked to see Paragon's reply to each point raised by the Cable Television Advisory Committee and its recommendations, to which Mr. Connally replied that he would provide that.

In response to a question by Mr. Webster, Mr. Connally described the Basic Tier as opposed to the Standard Tier. He noted that the average monthly Paragon bill would increase by about 15 cents, should Paragon decide to go to a 501c(3) agreement for public-access production.

In response to a question by Mayor Thornton, Mr. Pena noted that the proposed ordinance follows the prescribed format, but noted that staff could simply reply to the FCC by letter in the future, if the Council desires.

Mr. Lloyd Garza, City Attorney, explained the legal stance involved, noting that the Cable TV Act of 1992 gave the City's rate-making responsibilities to the FCC.

Mr. Ross stated that, by law, rate-making is not within the purview of the City, and stated his belief that the staff's report does not have to be ratified by the Council.

Mr. Ross made a substitute motion that the City Council receive the finding by City staff. Mr. Solis seconded the motion.

Mr. Solis stated that the Council may have to revisit its agreement with Paragon Cable, relative to the impact of the Cable Television Advisory Committee and the public's input into the process. He urged Council to receive the staff report on this matter.

Mr. Alexander E. Briseno, City Manager, noted that the Basic Tier is the only venue for City Council to comment, relative to cable television rates in San Antonio. He stated that City staff can change the procedure in the future, relative to the staff findings, if the Council desires.

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Mayor Thornton stated that the applicable law does not require the Council's affirmation of the cable television rate hike, but stated that the City might want to comment in the future. He asked that City staff continue bringing these ordinances before Council in the future, as before.

In response to a question by Ms. Lott, Mr. Pena noted that the next change in Paragon's rates could come next year.

Ms. Lott spoke to her concern with a continual rise in the cable television rates.

After consideration, the substitute motion prevailed by the following vote: AYES: Solis, Ross, Marbut, Peak, Webster, Thornton. NAYS: Flores, Lott, Avila, Herrera. ABSENT: Billa Burke.

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

AN ORDINANCE 85423-A

RECEIVING THE FINDING THAT PARAGON'S BASIC THEIR RATE FILING IS IN COMPLIANCE WITH APPLICABLE FEDERAL COMMUNICATIONS COMMISSIONS REGULATIONS; AND ACKNOWLEDGING THAT SAID FILING INCREASES PARAGON'S BASIC TIER RATE FROM \$8.70 PER MONTH TO \$8.84 PER MONTH WHICH BECAME EFFECTIVE JANUARY 1, 1997.

* * * *

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85424

AUTHORIZING THE CITY OF SAN ANTONIO TO FORWARD COMMENTS TO EPA ON THAT AGENCY'S PROPOSED REVISIONS OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) AND AUTHORIZING A REQUEST TO TNRCC FOR ADDITIONAL FUNDS TO IMPROVE UNDERSTANDING OF THIS AREAS'S AIR QUALITY AND TO IDENTIFY EFFECTIVE MEASURES WHEREBY THE CITYCAN MAINTAIN COMPLIANCE UNDER THE FEDERAL CLEAN AIR ACT.

* * * *

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

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Mr. John German, Director of Public Works, narrated a video presentation explaining the proposed Ordinance to forward comments to the Environmental Protection Agency on its proposed revisions to air quality standards. A copy of his presentation is made a part of the papers of this meeting. He spoke to the ramifications of a "non-attainment" status for San Antonio, and addressed the city's past history in this matter, including two cases of exceeding the EPA's ambient air quality standards in the past several years. He produced a chart showing the local readings.

Mr. Daniel Cardenas, Assistant Director of Public Works for Solid Waste, explained the EPA's proposed ozone standards, and contrasted the current estimated costs to maintain compliance versus what it would cost should San Antonio exceed those standards and become a "non-attainment" area. He then spoke to the proposed comments by the City and future plans to maintain the city's "attainment" status.

Mr. Ross stated that the proposed comments track the recommendations made by the City Council and other local agencies, and spoke to the need to address the 'transport issue'.

Mr. Ross asked for and received permission to include in the main motion a request that the state legislature provide additional funding to the City relative to this issue. Both the maker and seconded of the main motion agreed that his motion would be included in the main motion.

In response to a question by Mr. Peak, Mr. Ross stated his opinion that it will take five to six years to implement any new EPA changes in air-quality standards, if such are enacted.

In response to a question by Mr. Peak, Mr. Cardenas spoke to past, current, and future proposed actions taken to seek to maintain an "attainment" status for the city.

Mayor Thornton spoke to the ramifications of "non-attainment" and planned future actions, noting that both DPA test-sites are on the north side of the city.

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85425

AUTHORIZING THE EXPENDITURE OF \$1,200.00 FROM DISTRICT 2 CONTINGENCY ACCOUNT FUNDS TO ASSIST THE SOUTHEAST APACHES POP WARNER ASSOCIATION WITH THE PURCHASE EQUIPMENT AND UNIFORMS AND TO HELP

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FIFTEEN (15) CHILDREN WITH REGISTRATION FEES; AS REQUESTED BY COUNCILMAN DOLORES LOTT.

* * * *

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

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, voiced his concern with young people and the need to help them.

* * * *

Ms. Lott spoke to her own concerns with the involvement of young girls as cheerleaders and the stress placed upon them at such an early age.

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85426

AUTHORIZING THE EXPENDITURES OF \$719.50 FROM THE DISTRICT 9 (\$359.75) AND DISTRICT 10 (\$359.75) CONTINGENCY ACCOUNT FUNDS TO ASSIST IN PURCHASING BIG LEAGUE CARDS WITH SAN ANTONIO POLICE OFFICERS' PICTURES ON THE FRONT AND ON THE BACK OF THE CARD, INFORMATION ON THE INDIVIDUAL, WHAT THEY DO, AND A PERSONAL QUTATION TO THE KIDS BY THE OFFICER TO BE GIVEN OUT TO KIDS IN NEIGHBORHOODS TO HELP PROVIDE A TRUSTING RELATIONSHIP BETWEEN THE POLICE OFFICERS AND THE KIDS.

* * * *

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

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

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97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85427

AUTHORIZING REIMBURSEMENT IN THE AMOUNT OF \$7,000.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND TO COUNCILMAN HENRY AVILA FOR PART-TIME ADMINISTRATIVE SERVICES CONTRACTS WITH JOSEPH PINEDA (\$600.00 PER MONTH) AND ROSIE SOTO (\$800.00 PER MONTH) FROM JANUARY 2, 1997, TO MAY 31, 1997, AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

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

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, lauded District 4 staff members for their assistance to him, especially Joseph Pineda.

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85428

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO ASSIST ST. JOHN BERCHMAN'S ATHLETIC ASSOCIATION WITH THE PURCHASE OF UNIFORMS AND PAY GYM RENTAL FEES AND COMPETITION ENTRY FEES FOR THE BOYS BASKETBALL TEAM; AS REQUESTED BY COUNCILMA ROBERT A. HERRERA.

* * * *

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

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

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97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85429

AUTHORIZING REIMBURSEMENT IN THE AMOUNT OF \$9,500.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND TO COUNCILMAN JEFF S. WEBSTER FOR A FULL-TIME ADMINISTRATIVE SERVICES CONTRACT WITH JUDY JOHNSON FROM JANUARY 1, 1997, TO MAY 31, 1997, AS REQUESTED BY COUNCILMAN JEFF S. WEBSTER.

* * * *

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

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85430

AUTHORIZING REIMBURSEMENT IN THE AMOUNT OF \$250.00 FROM THE DISTRICT 8 CONTINGENCY ACCOUNT FUND TO COUNCILMAN ROBERT G MARBUT, JR. , FOR A PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH SARA BERG FROM DECEMBER 18, 1996 TO JANUARY 15, 1997; AS REQUESTED BY COUNCILMAN ROBERT G. MARBUT.

* * * *

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

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CITIZENS TO BE HEARD

MR. RUBEN ESPRONCEDA

Mr. Espronceda, representing Save Our Fire Stations, stated that the City has closed Fire Station 13 despite the Mayor's assurances that this would not be done until after the January 23, 1997 Public Hearing. He spoke to his concern that no citizens participated in drafting the Five-year Fire Department Master Plan, and stated his belief that Fire Chief Robert Ojeda is wrong in his estimation of response times in the area.

* * * *

MR. FRED REYNOLDS

Mr. Reynolds, 102 Waverly, stated his belief that the City needs to review the Police Department, speaking in particular to his own experience as a victim of crime and the subsequent actions of the Police Department. He stated his belief that the City needs an ombudsman in order to review the circumstances of police officers when charged with alleged wrongdoing.

* * * *

97-01 City Council recessed its regular session at 7:30 P.M. for dinner and to convene in Executive Session for Attorney/Client consultation regarding the TNRCC Executive Director's Preliminary Report related to Alamodome soils.

* * * *

City Council adjourned the Executive Session and reconvened in regular session at 8:23 P.M., at which time Mayor Thornton stated that City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85431

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREED ORDER WITH THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION ("TNRCC") IN THE MATTER OF THE CITY OF SAN ANTONIO AND VIA METROPOLITAN TRANSIT AUTHORITY, SWR NO. 30549 INVOLVING THE ALAMODOME AND AN AGREEMENT WITH VIA METROPOLITAN TRANSIT

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AUTHORITY ("VIA") RELATING TO VIA'S FINANCIAL PARTICIPATION IN THE AMOUNT OF \$350,000.00 FOR THE REMEDIATION OF ALAMODOME SOIL OFF-SITE LOCATIONS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT AFFIRMATIVE VOTES.

* * * *

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

Ms. Veronica Zertuche, Assistant City Attorney, summarized the terms of the Agreed Order with the Texas Natural Resources Conservation Commission (TNRCC) and with VIA Metropolitan Transit, relative to VIA's financial participation for remediation of Alamodome soils off-site location cleanup. A copy of her presentation is made a part of the papers of this meeting. She noted that the agreement relieves VIA of any future responsibilities except for soils in areas under their own control, and forestalls any legal actions and their allied costs.

Mr. John German, Director of Public Works, spoke to Supplemental Environmental projects (SEPs) and the important dates remaining to the final TNRCC agreement.

Mayor Thornton spoke to the City Council's deliberate and considered address of the Alamodome soils issue, and noted that the SEPs will benefit the community.

Mr. Avila spoke to the two Supplemental Environmental Projects in the Pearsall Road/Miller's Pond areas.

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

97-01 The Clerk read the following Ordinance:

AN ORDINANCE 85432

RATIFYING PROFESSIONAL SERVICES AND APPROPRIATING ADDITIONAL FUNDS FOR THE PROFESSIONAL SERVICES CONTRACTS WITH THE FIRMS OF COX & SMITH, INC., LLOYD, GOSSELINK, FOWLER, BLEVINS, AND MATHEWS, P.C., AND COOK-JOYCE, INC., RELATED TO ALAMODOME ENVIRONMENTAL LITIGATION, REGULATORY AND REMEDIATION EFFORTS, AND AUTHORIZING THE TRANSFER OF \$988,648.73 TO THE ALAMODOME ENVIRONMENTAL REMEDIATION FUND FOR SAID SERVICES.

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

Mr. John German, Director of Public Works, briefly explained the proposed ordinance. A copy of his video presentation is made a part of the papers of this meeting.

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

97-01 There being no further business to come before the Council, the meeting was adjourned at 8:39 P.M.

A P P R O V E D



WILLIAM E. THORNTON
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

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