

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, OCTOBER
12, 1995.

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95-44 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, PEAK, WEBSTER. Absent: MARBUT, THORNTON.

A. Boards and Commissions Work Session - Interviews held for the following: Firemen's and Policemen's Civil Service Commission, Municipal Civil Service Commission, Historic and Design Review Commission, Advisory Board of Health of Metropolitan Health District, Urban Renewal Agency, Center for Health Care Services Board of Trustees, Noise Abatement Advisory Committee, Small Minority and Women-Owned Business Advocacy Advisory Committee, San Antonio AIDS/HIV Commission.

B. Update on the Municipal Leadership Program - Presentation by Ms. Rebecca Waldman, Assistant to the City Manager; Council concurred that program continue as presented.

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95-44 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro Tem Avila, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER. Absent: THORNTON.

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95-44 Invocation - Father David Garcia, San Fernando Cathedral.

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95-44 Pledge of Allegiance to the flag of the United States.

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95-44 COUNCILMAN DAVID PRATT, OTTAWA, CANADA

On a Point of Personal Privilege, Mr. Ross introduced Councilman David Pratt of the City of Ottawa, Canada, noting that Councilman Pratt is in San Antonio attending a major transportation conference here.

Councilman Pratt was welcomed to San Antonio and to City Hall.

95-44 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 7 through 42n, constituting the Consent Agenda, with the exception of Item 8, removed from consideration earlier by the City Manager, and Items 10 and 42n, pulled for individual consideration. Mr. Solis seconded the motion.

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

AN ORDINANCE 82,965

ACCEPTING THE LOW, QUALIFIED BID OF LABATT FOOD SERVICE TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH GROCERY PRODUCTS, FROZEN FOODS, MEATS, PAPER PRODUCTS AND JANITORIAL SUPPLIES FOR THE NUTRITION CENTERS FOR A TOTAL OF APPROXIMATELY \$411,590.23.

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AN ORDINANCE 82,966

ACCEPTING THE LOW BID OF QUALITY MANUFACTURING, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN AERIAL TRUCK FOR A TOTAL OF \$537,750.00.

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AN ORDINANCE 82,967

ACCEPTING THE LOW QUALIFIED BID, IN THE AMOUNT OF \$66,115.00, FROM POWELL ROOFING & CONSTRUCTION CO., D/B/A SUPERIOR ROOFING & CONSTRUCTION CO. FOR THE CENTRAL PLANT ROOFING REPAIRS AT SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONTRACT FOR SAID WORK; AUTHORIZING AN ADDITIONAL \$6,611.00 FOR A CONTINGENCY ACCOUNT; ENCUMBERING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,968

ACCEPTING THE LOW QUALIFIED BID OF WST BUILDING SPECIALTIES, INC., IN THE AMOUNT OF \$375,000.00, TO

CONSTRUCT THE ACOUSTICAL INSULATION OF TWO (2) NURSING HOMES NEAR SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING AN ADDITIONAL \$37,500.00 FOR A CONTINGENCY ACCOUNT ACCOUNT; ACCEPTING A PROPOSAL FROM LANE & SMART ARCHITECTURAL CONSULTANT FOR THE PROJECT TO PROVIDE RESIDENT INSPECTION SERVICES FOR A TOTAL FEE NOT TO EXCEED \$60,952.73; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING AN ADDITIONAL \$37,500.00 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM LANE & SMART ARCHITECTS, THE ARCHITECTURAL CONSULTANT FOR THE PROJECT TO PROVIDE RESIDENT INSPECTION SERVICES FOR A TOTAL FEE NOT TO EXCEED \$60,952.73; AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENTS WITH THE NURSING HOMES TO BE INSULATED; ENCUMBERING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,969

ACCEPTING THE LOW QUALIFIED BID OF WST BUILDING SPECIALTIES, INC., IN THE AMOUNT OF \$584,628.00, TO CONSTRUCT THE ACOUSTICAL INSULATION OF FOUR (4) CHURCHES AND A SCHOOL FACILITY NEAR SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING AN ADDITIONAL \$58,462.00 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM WOODROW W. WOODS ARCHITECT, INC., THE ARCHITECTURAL CONSULTANT FOR THE PROJECT, TO PROVIDE RESIDENT INSPECTION SERVICES FOR A TOTAL FEE NOT TO EXCEED \$47,109.55; AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENTS WITH THE CHURCHES AND SCHOOL TO BE INSULATED; REVISING THE BUDGET FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,970

ACCEPTING THE LOW QUALIFIED BID OF TEXAS WINDOW SPECIALTIES, IN THE AMOUNT OF \$383,000.00, TO CONSTRUCT THE ACOUSTICAL INSULATION OF FOUR (4) CHURCHES AND ONE (1) PUBLIC LIBRARY NEAR SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING AN ADDITIONAL \$38,300.00 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM DAVIS, DURAND-HOLLIS, RUPE ARCHITECTS, THE ARCHITECTURAL CONSULTANTS FOR THE PROJECT, TO PROVIDE RESIDENT INSPECTION SERVICES FOR A TOTAL FEE NOT TO EXCEED \$39,674.32; AUTHORIZING EXECUTION OF

INTERLOCAL AGREEMENTS WITH THE CHURCHES TO BE INSULATED; ENCUMBERING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,971

ACCEPTING THE LOW QUALIFIED BID OF AMERICAS CONTRACTING, INC., IN THE AMOUNT OF \$968,200.00, TO CONSTRUCT THE ACOUSTICAL INSULATION OF FOUR (4) CHURCHES NEAR SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING AN ADDITIONAL \$96,820.00 FOR A CONTINGENCY ACCOUNT; ACCEPTING A PROPOSAL FROM BENDER ASSOCIATES ARCHITECTS, THE ARCHITECTURAL CONSULTANT FOR THE PROJECT, TO PROVIDE RESIDENT INSPECTION SERVICES FOR A FEE NOT TO EXCEED \$46,233.51; AUTHORIZING EXECUTION OF INTERLOCAL AGREEMENTS WITH THE CHURCHES TO BE INSULATED; ENCUMBERING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,972

ACCEPTING THE LOW, QUALIFIED BID OF BRODBECK CONSTRUCTION, INC. IN THE AMOUNT OF \$242,574.00 IN CONNECTION WITH THE SAN ANTONIO METROPOLITAN HEALTH DEPARTMENT AMERICANS WITH DISABILITIES ACT (ADA) MODIFICATION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT BUDGET; AUTHORIZING \$24,257.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,973

ACCEPTING THE LOW, QUALIFIED BID OF E.E. ROBERTS, INC. IN THE AMOUNT OF \$400,500.00 IN CONNECTION WITH THE WESTFALL BRANCH LIBRARY ADDITION AND RENOVATION PROJECT; AUTHORIZING A CONTRACT; AUTHORIZING \$60,075.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,974

AUTHORIZING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$24,988.84 PAYABLE TO STODDARD CONSTRUCTION COMPANY IN CONNECTION WITH THE POLICE HEADQUARTERS RENOVATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,975

APPROVING A SUPPLEMENTAL FINAL FIELD ALTERATION IN THE AMOUNT OF \$112,384.08 PAYABLE TO H.B. ZACHRY COMPANY IN CONNECTION WITH THE CHERRY STREET DRAINAGE NO. 15B, PHASE I PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,976

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO THE CROWNHILL PARK HOMEOWNERS ASSOCIATION TO INSTALL TWO (2) NEIGHBORHOOD ENTRANCE SIGNS WITHIN JONES MALTSBERGER ROAD RIGHT-OF-WAY.

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AN ORDINANCE 82,977

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO ALAMO COMMUNITY COLLEGE DISTRICT TO INSTALL A PRIVATE UNDERGROUND EMERGENCY TELEPHONE COMMUNICATIONS LINE ACROSS IMPROVED LEWIS STREET.

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AN ORDINANCE 82,978

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO ALAMO COMMUNITY COLLEGE DISTRICT T INSTALL A PRIVATE UNDERGROUND EMERGENCY TELEPHONE COMMUNICATIONS LINE ACROSS WEST PARK STREET.

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AN ORDINANCE 82,979

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO ALAMO COMMUNITY COLLEGE DISTRICT TO INSTALL A PRIVATE UNDERGROUND EMERGENCY TELEPHONE COMMUNICATIONS LINE ACROSS IMPROVED HOWARD STREET.

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AN ORDINANCE 82,980

AUTHORIZING THE ACQUISITION OF TITLE TO TWO PARCELS AND AUTHORIZING THE EXPENDITURE OF \$426.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN CONNECTION WITH THE BUSTILLOS DRIVE PROJECT-KELLY DRIVE TO ROOSEVELT.

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AN ORDINANCE 82,981

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$800.00 OUT OF GENERAL OBLIGATION BONDS; ACCEPTING A RIGHT OF ENTRY AGREEMENT AND CONSENT IN CONNECTION WITH THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BOULEVARD TO S. FLORES; AND ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD.

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AN ORDINANCE 82,982

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,387.00 FOR TITLE SERVICES ON THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C, AND THE F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO HUEBNER ROAD; AN ASBESTOS & LBP SURVEY ON THE WURZBACH PARKWAY P.A.S.S. PROJECT; AND APPRAISAL SERVICES ON FIRE STATION NO. 20; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,983

AUTHORIZING THE ACCEPTANCE OF \$1,484,634.00 IN CASH, IN-KIND AND CONTRACT SUPPORT FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING OF ON-GOING PUBLIC HEALTH ACTIVITIES; AUTHORIZING THE USE OF FUNDS AS FOLLOWS; MILK SAMPLE LAB TESTS \$13,992.00, CHRONIC DISEASE PREVENTION \$59,969.00,

GENERAL PUBLIC HEALTH SUPPORT \$239,820.00, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) \$59,297.00, TUBERCULOSIS OUTREACH \$189,979.00, STATE IMMUNIZATION SUPPORT \$177,182.00, STATE IN-KIND SUPPORT \$94,500.00, AND MATERNAL & CHILD HEALTH SUPPORT \$649,895.00; AUTHORIZING THE EXECUTION OF DOCUMENTS; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1995/96 ESTABLISHED IN ORDINANCE 79398 PASSED AND APPROVED JANUARY 6, 1994; AUTHORIZING PERSONNEL POSITIONS; AND APPROVING PAYMENTS IN CONNECTION WITH THE PROJECT.

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AN ORDINANCE 82,984

RATIFYING PAYMENT TO CENTRAL TRANSPORTATION SYSTEMS IN THE AMOUNT OF \$14,332.20 FOR TRANSPORTATION OF VOTING MACHINES AND OTHER RELATED ELECTIONS MATERIAL FOR BOTH THE REGULAR AND RUNOFF MUNICIPAL ELECTIONS IN MAY 1995.

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AN ORDINANCE 82,985

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) FOR THE CITY TO PERFORM VARIOUS PLANNING TASKS STUDIES FOR AN AMOUNT NOT TO EXCEED \$385,000.00 AS PART OF MPO'S UNIFIED PLANNING WORK PROGRAM FOR FY 1995-96, APPROPRIATING FUNDS, AND AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 82,986

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE THE CITY'S COMMERCIAL CRIME POLICY THROUGH THE CITY'S BROKER OF RECORD, SEDGWICK JAMES OF TEXAS, INC., FOR THE PERIOD FROM OCTOBER 1, 1995 THROUGH SEPTEMBER 30, 1996 WITH A PREMIUM OF \$8,848.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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AN ORDINANCE 82,987

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO RENEW OR PURCHASE PUBLIC OFFICIAL'S BONDS THROUGH THE CITY'S BROKER OF RECORD, SEDGWICK JAMES OF

TEXAS, INC., FOR THE PERIOD FROM OCTOBER 1, 1995 THROUGH SEPTEMBER 30, 1996 WITH A PREMIUM OF \$35,000.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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AN ORDINANCE 82,988

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EXTENSION OF THE CONTRACT WITH TEXAS MUNICIPAL LEAGUE (TML) FOR THE PERIOD OF OCTOBER 1, 1995 THROUGH SEPTEMBER 30, 1996 AT AN ESTIMATED COST OF \$11,000.00 FOR VARIOUS WORKERS' COMPENSATION-RELATED SERVICES PROVIDED BY TML TO THE CITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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AN ORDINANCE 82,989

AMENDING SECTION 1 OF ORDINANCE NO. 81507, PASSED AND APPROVED ON JANUARY 19, 1995, TO ADD THE HAYMARKET FESTIVAL ON OCTOBER 27 THROUGH OCTOBER 29, 1995 AS A MARKET SQUARE SCHEDULED EVENT REQUIRING THE TEMPORARY CLOSURE OF SAN SABA STREET, BETWEEN WEST COMMERCE AND DOLOROSA.

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AN ORDINANCE 82,990

AUTHORIZING THE TEMPORARY CLOSURE OF TERRY COURT AT NORTH ST. MARY'S STREET FROM 12:00 NOON, FRIDAY, OCTOBER 20, 1995 UNTIL 7:00 P.M., SUNDAY, OCTOBER 22, 1995 IN CONNECTION WITH THE 1995 FESTIVAL, AND DECLARING AN EMERGENCY.

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AN ORDINANCE 82,991

AUTHORIZING THE TEMPORARY CLOSURE OF CONVENT STREET BETWEEN SOLEDAD AND AUGUSTA FROM 10:00 A.M. UNTIL 12:00 MIDNIGHT, SATURDAY, OCTOBER 28, 1995 IN CONNECTION WITH THE SAN ANTONIO AIDS FOUNDATION BENEFIT.

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AN ORDINANCE 82,992

AUTHORIZING THE TEMPORARY CLOSURE OF ST. ANN'S

STREET BETWEEN ASHBY AND FRENCH FROM 7:00 A.M.
UNTIL 12:00 MIDNIGHT, SATURDAY, OCTOBER 28, 1995 IN
CONNECTION WITH THE ST. ANN'S SCHOOL FESTIVAL.

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AN ORDINANCE 82,993

APPROVING A PARADE PERMIT AND AUTHORIZING THE
TEMPORARY CLOSURE OF CERTAIN STREETS FROM 3:30 P.M.
UNTIL 8:00 P.M., SATURDAY, OCTOBER 21, 1995 IN
CONNECTION WITH JESUS PARADE SPONSORED BY VICTORY
GOSPEL CHAPEL; AND DECLARING AN EMERGENCY.

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AN ORDINANCE 82,994

APPROVING A PARADE PERMIT AND AUTHORIZING THE
TEMPORARY CLOSURE OF CERTAIN STREETS FROM 7:45 A.M.
UNTIL 9:00 A.M., SATURDAY, OCTOBER 28, 1995 IN
CONNECTION WITH THE MARCH OF FAITH WALK SPONSORED BY
HOLY FAMILY CHURCH.

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AN ORDINANCE 82,995

APPROVING A PARADE PERMIT AND AUTHORIZING THE
TEMPORARY CLOSURE OF CERTAIN STREETS FROM 10:00 A.M.
UNTIL 11:30 A.M., SATURDAY, OCTOBER 28, 1995 IN
CONNECTION WITH THE HALLOWEEN PARADE SPONSORED BY
THE HUNTERS CHASE NEIGHBORHOOD ASSOCIATION.

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AN ORDINANCE 82,996

APPROVING A PARADE PERMIT AND AUTHORIZING THE
TEMPORARY CLOSURE OF CERTAIN STREETS FROM 1:00 P.M.
UNTIL 2:30 P.M., TUESDAY, OCTOBER 31, 1995 IN
CONNECTION WITH THE BOOSTER CLUB HALLOWEEN PARADE
SPONSORED BY FRANKLIN ELEMENTARY SCHOOL.

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AN ORDINANCE 82,997

APPROVING A RUN PERMIT AND AUTHORIZING THE TEMPORARY
CLOSURE OF CERTAIN STREETS FROM 7:00 A.M. UNTIL
11:00 A.M., SUNDAY, OCTOBER 22, 1995 IN CONNECTION
WITH THE HELOTES RUN SPONSORED BY ROGER SOLER
SPORTS.

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AN ORDINANCE 82,998

REAPPOINTING DAVID ANDERSON TO THE BOARD OF APPEALS
FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1997.

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AN ORDINANCE 82,999

REAPPOINTING JAMES BODE AND RODRIGO GARCIA TO THE
CLEAN-UP CITY COMMISSION FOR TERMS OF OFFICE TO
EXPIRE FEBRUARY 24, 1997 AND 1998, RESPECTIVELY.

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AN ORDINANCE 83,000

APPOINTING MOLLY GREENE TO THE CABLE TELEVISION
ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON
DECEMBER 31, 1997.

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AN ORDINANCE 83,001

APPOINTING JESSICA MARIE CANTU TO THE DISABILITY
ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO
EXPIRE ON JUNE 30, 1996.

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AN ORDINANCE 83,002

REAPPOINTING FRANCISCO MATEO AND APPOINTING LARRY
MEADS TO THE ELECTRICAL EXAMINING AND SUPERVISING
BOARD FOR TERMS OF OFFICE TO EXPIRE ON JULY 31,
1996 AND 1997, RESPECTIVELY.

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AN ORDINANCE 83,003

REAPPOINTING SUEANN PEMBERTON-HAUGH, JACK JUDSON AND
MILTON BABBIT TO THE HISTORIC AND DESIGN REVIEW
COMMISSION FOR TERMS OF OFFICE TO EXPIRE OCTOBER 31,
1997.

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AN ORDINANCE 83,004

REAPPOINTING BERTHA SAUCEDO TO THE HOME IMPROVEMENT
ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE JUNE
23, 1997.

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AN ORDINANCE 83,005

APPOINTING SUSAN P. RUST TO THE OPEN SPACE ADVISORY
BOARD FOR A TERM OF OFFICE TO EXPIRE AUGUST 29,
1996.

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AN ORDINANCE 83,006

APPOINTING HAROLD D. JOHNSON TO THE PLUMBING
APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO
EXPIRE MARCH 20, 1998.

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AN ORDINANCE 83,007

APPOINTING ANTONIO RIVERA TO THE SAN ANTONIO
COMMISSION ON LITERACY FOR A TERM OF OFFICE TO
EXPIRE SEPTEMBER 15, 1997.

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AN ORDINANCE 83,008

APPOINTING ALLEN TINCH, CORY THOMAS CLAIBORNE, SR.
AND MARK CARMONA TO THE SAN ANTONIO LOCAL
DEVELOPMENT COMPANY FOR TERMS OF OFFICE TO EXPIRE
MAY 9, 1996 AND 1997, RESPECTIVELY.

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AN ORDINANCE 83,009

REAPPOINTING JAMES BODE TO THE ZONING COMMISSION FOR
A TERM OF OFFICE TO EXPIRE JUNE 30, 1997.

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AN ORDINANCE 83,010

APPOINTING BILL SPRINGER, SAM GORENA, REBECCA
TAYLOR, AUGIE BELTRAN, MARY MARTINEZ, GRACE SENDEJO,
CHARLES CONNER AND JUNE BLOM TO THE CITIZENS

COMMITTEE FOR STREET MAINTENANCE, TERMS OF OFFICE
SHALL BE FOR THE DURATION OF THE PROJECT.

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95-44 Agenda Item 8, being a proposed ordinance accepting the bid of Alamo Cycle Plex for the lease of twenty-two motorcycles for the City of San Antonio Police Department for a monthly total of \$560.63 each for a two-year period, was earlier removed from consideration by the City Manager.

95-44 The Clerk read the following Ordinance:

AN ORDINANCE 83,011

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$81,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT, MBE/WBE.)

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

Ms. Janie Cantu, Acting Director, Department of Purchasing & General Services, noted that this is an Ordinance approving a number of annual-contract items, and explained the disqualification of the apparent low bidder for Mud Sump Service because the bidder did not sign the official bid form.

The following persons appeared to speak:

Mr. Daniel Harris, representing the disqualified firm, Biotech International, explained the bid sequence of events, and admitted that he did not sign the official bid form, feeling that he already was under contract for this service by virtue of a telephone contact with the Animal Control Facility, relative to the work to be performed.

Ms. Cantu explained that the Animal Control Facility had contacted Mr. Harris and authorized him to proceed with the schedule work, although no formal authorization to do so had been issued by the Department of Purchasing & General Services. She noted that the City staff cannot waive the failure to sign the bid form, and explained why the bid was disqualified.

Mr. Lloyd Garza, City Attorney, stated that it is City staff policy not to waive the requirement for a signature on the official bid form, although the City Council can do so, by Charter. He noted that Ms. Cantu feels that, should the Council decide to do so, she would recommend that all the bids on this matter be formally rejected, and the Mud Sump Service matter be re-bid.

Mr. Webster stated his belief that the City should review the options and perhaps have the right to waive some of the bid provisions, in order to save the City money.

Mr. Solis spoke to his concern with waiver of any such bid requirement, and spoke in support for City staff's recommendation. He stated that perhaps the Council's Small Business Committee might look at this matter for future consideration, and stated that the City's bid process is clearly outlined.

Mr. Peak spoke to his concern for the precedent that would be set, should the requirement be waived. He spoke in support of the staff recommendation, and stated his belief that perhaps the directions on bids could be made more clear.

Mr. Flores spoke in support for Mr. Peak's stance in this matter, and in support for City staff's recommendation.

Mr. Ross agreed that to waive the requirement in this case would be setting a precedent.

Mr. Webster stated that he would ask the Council's Small Business Committee to study this matter, in the interest of saving the City money on future such bids.

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

95-44 The Clerk read the following Ordinance:

AN ORDINANCE 83,012

REAPPOINTING ROSE BEAN, RICHARD BROWN, LAURA CALDERON, DAN GONZALES, ANTHONY HARGROVE, LINDA KASTANTENACO, KAREN MENGER, ANNA MUNOZ, KAREN NORMAN, NEIRA SOUTH, MARILYN STAVINOH, HELEN WRONSKI, MERCEDES DE COLON, SALLIE LUEDKE AND APPOINTING SUZANNE BARRIENTES, PEGGY WALKER AND NANCY HARD TO THE CHILD CARE MANAGEMENT SERVICES CHILD CARE ADVISORY COUNCIL FOR TERMS OF OFFICE TO EXPIRE JUNE 30, 1996 OR UNTIL SUCH TIME THE NEW TEXAS WORKFORCE COMMISSION IS ESTABLISHED.

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

After discussion, Mr. Ross made an amendment to make the appointment expiration date June 30, 1996 or until such time as the new Texas Workforce Commission is established. Mr. Solis seconded the motion.

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

The main motion, as amended, then prevailed by the following vote:
AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Thornton.

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95-44 RECOGNITION OF MS. JESSICA MARIE CANTU, DISABILITY ACCESS COMMITTEE.

Mr. Herrera, on a Point of Personal Privilege, recognized the presence in the audience today of Ms. Jessica Marie Cantu, new appointee to the Disability Access Committee.

Mayor Pro Tem Avila welcomed Ms. Cantu to the City Council chambers.

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95-44 The Clerk read the following Ordinance:

AN ORDINANCE 83,013

ESTABLISHING A TEMPORARY NAMING OF A STREET PROGRAM,
AS REQUESTED BY COUNCILMAN HOWARD PEAK.

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

Mr. John German, Director of Public Works, addressed creation of a new program for the temporary naming of a City street in honor of a person, and spoke to details of how the program would work.

Mr. Peak noted that this new program is the product of a request made last spring, for the City to temporarily name a street after a citizen. He spoke in support for the program.

In response to a question by Mr. Solis, Mr. German noted that the recommended \$150.00 fee would recover all City costs of administering the program.

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

95-44 DISCUSSION-REPORTING SYSTEM FOR BOND TRANSACTIONS

Mr. Alexander E. Briseno, City Manager, discussed briefly the item circulated for posting by City Council members on a reporting system for Bond transactions.

Mr. Marbut spoke to details of the matter, noting that such a reporting system for bond transactions has been successfully implemented at the state level, as well as by several cities. He asked that City Council give direction to City staff to implement such a program for San Antonio and its agencies, and spoke to the rationale for the program.

Ms. Nora Chavez, Director of Finance, noted that the City of San Antonio normally seeks such disclosure as a matter of course.

In response to a question by Mr. Ross, Ms. Chavez discussed the impact of such a reporting system upon her staff and those of the public utilities, if required. She noted that some of the suggested information might be difficult to determine and obtain, in some cases, and spoke to her concern with the impact involved, should the data not be readily-available.

Mr. Ross stated his belief that the Council might need to postpone action on this item in order to work out any concerns the staff may have.

Mr. Marbut stated his opinion that all bond-related firms soon will be reporting this data.

State Rep. Sylvia Romo, author of the state bill on this matter during the last session of the State Legislature, spoke to the need for full disclosure, and addressed her concern that there is no accountability, at present, in bond transaction reporting. She spoke in favor of a single format that would be applicable to all entities.

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

Mr. Marbut made a motion to send this matter to City staff for its recommendations, to be brought back to City Council at its November 16, 1995 Council meeting. Mr. Peak seconded the motion.

The motion directing City staff accordingly prevailed by the following vote: AYES: Flores, McClendon, Solis, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: Billa Burke, Avila, Thornton.

A RESOLUTION NO. 95-44-53

EXPRESSING CITY COUNCIL'S SUPPORT OF AVENIDA GUADALUPE IN THEIR PROCESS OF APPLYING FOR THE GREAT AMERICAN MAIN STREET AWARD SPONSORED BY EDWARD D. JONES & CO., AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

Mr. Solis briefly explained the Great American Street Award, being applied for by the Avenida Guadalupe Association, and noted that Council support would greatly enhance the application.

Mr. Ross asked for assurances that the City would not be contributing \$25,000.00 in order to seek the award.

Mr. Solis assured him that this was not the case.

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

95-44 Agenda Item 46, being a proposed Resolution expressing City Council's support of an Affirmative Action Program, as requested by Councilman Juan F. Solis III, was earlier removed from consideration by the City Manager.

95-44 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Dallas, Texas to Washington, D. C. to Dallas, Texas October 25, 1995 to October 28, 1995, to attend the Texas Municipal League Annual Conference and The Ford Foundation 1995 Awards for Innovations in American Government.

* * * *

95-44 The Clerk read the following Ordinance:

AN ORDINANCE 83,014

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO COUNCILWOMAN RUTH JONES MCCLENDON IN THE AMOUNT OF \$480.00 FROM SEPTEMBER 18, 1995, TO SEPTEMBER 29, 1995, FOR AN ADMINISTRATIVE SERVICES CONTRACT, AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON.

* * * *

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

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

95-44 The Clerk read the following Ordinance:

AN ORDINANCE 83,015

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO COUNCILWOMAN RUTH JONES MCCLENDON IN THE AMOUNT OF \$34,260.00 FROM OCTOBER 1, 1995, TO SEPTEMBER 30, 1996, FOR ADMINISTRATIVE SERVICES CONTRACTS (RENTAL AND TELEPHONE EXPENSE), AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON.

* * * *

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

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

95-44 City Council recessed its regular meeting at 2:00 P.M. in order to convene in Executive Session for:

A. Staff briefing and report on litigation case styled City of San Antonio v. Alamo Auto Auction, Inc., Frank L. Massey and Charles Massey, Cause No. 224889.

B. Staff briefing on litigation case styled Maria Mendoza v. City of San Antonio, et al, Cause No. 95-CI-08330.

C. Staff briefing on litigation case styled James G. Kalisem v. Garcia, City of San Antonio, Cause No. 92-CI-11632, 225th Judicial District Court.

95-44 City Council adjourned the Executive Session and reconvened in regular session at 2:40 P.M., at which time Mayor Pro Tem Avila stated that City Council had been briefed on the above three items and had given City staff direction, but had taken no official action.

95-44

ZONING HEARINGS

3-A. CASE #Z95177 - to rezone and reclassify 54.68 acres out of NCB 14614, Hausman Road - Bandera Road, from "R-1" ERZD Single Family Edwards Recharge Zone District, "R-1" Single Family Residence District and "B-3" Business District to "P-1(R-1) ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District and "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located between Hausman Road and Bandera Road, 810 feet northwest of the intersection of Hausman Road and Prue Road, having 1,499.80 feet on Hausman Road and 515.63 feet Bandera Road.

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

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

AN ORDINANCE 83,016

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 54.68 ACRES OUT OF NCB 14614, HAUSMAN ROAD - BANDERA ROAD, FROM "R-1" ERZD SINGLE FAMILY EDWARDS RECHARGE ZONE DISTRICT, "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "B-3" BUSINESS DISTRICT TO "P-1(R-1) ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "P-1(R-1)" PLANNED UNIT DEVELOPMENT

SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3-B. CASE #Z95211 (CC) - to rezone and reclassify A 0.062 acre tract out of NCB 17866, from Temp. "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-3NA" ERZD "B-3NA" ERZD CC Non-Alcoholic Sales Edwards Recharge Zone District with special City Council approval for a communication transmission tower; A 0.586 acre tract out of NCB 17866, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-3NA" ERZD Non-Alcoholic Sales Edwards Recharge Zone District and A 1.352 acre tract out of NCB 17866, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2NA" ERZD Non-Alcoholic Sales Business Edwards Recharge Zone District. Properties are located on the north side of Redland Road, between Highway 281 North and Loop 1604 Expressway; the "B-3NA" ERZD CC having 50.72 feet on Redland Road and a depth of 58.49 feet; the "B-3NA" ERZD having 52.96 feet on Redland Road and a depth of 306.36 feet and the "B-2NA" having 245.22 feet on Redland Road and a depth of 256.82 feet.

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

In response to a question by Mr. Peak, Mr. Harry Jewett, speaking for the applicant, explained the need for B-2NA and B-3NA zoning for a communications transmission tower and for other business uses.

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

AN ORDINANCE 83,017

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.062 ACRE TRACT OUT OF NCB 17866, FROM TEMP. "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD "B-3NA" ERZD CC NON-ALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER; A 0.586 ACRE TRACT OUT OF NCB 17866, FROM TEMPORARY

"R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD NON-ALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT AND A 1.352 ACRE TRACT OUT OF NCB 17866, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2NA" ERZD NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3-C. CASE #Z95213 - to rezone and reclassify 2.140 acres out of NCB 15664, Featherbrook and Braun Road, from "P-1(R-5)" Planned Unit Development Single Family Residence District to "B-2" Business District. Property is located northeast of the intersection of Featherbrook and Braun Road, having 313.27 feet on Featherbrook and 245.76 feet on Braun Road.

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

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

AN ORDINANCE 83,018

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.140 ACRES OUT OF NCB 15664, FEATHERBROOK AND BRAUN ROAD, FROM "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3-D. CASE #Z95204 - to rezone and reclassify 2.3041 acres out of NCB 13732, Tavern Oaks and Bridgeview, from "R-5" Single Family Residence District to "R-7" Small Lot Home District. Property is located northeast of the intersection of Tavern Oaks and Bridgeview, having

109.90 feet on Tavern Oaks and 858.22 feet on Bridgeview.

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

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

AN ORDINANCE 83,019

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.3041 ACRES OUT OF NCB 13732, TAVERN OAKS AND BRIDGEVIEW, FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3E. CASE #Z95179 - to rezone and reclassify Lot 46, NCB 17862, 14535 Blanco Road, from Temporary "R-1" Single Family Residence District to "B-1" Business District. Property is located on the northwest side of Blanco Road, 700 feet northeast of the intersection of Blanco Road and Cadillac Drive, having a width of 119 feet on Blanco Road and a depth of 188 feet.

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

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

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

AN ORDINANCE 83,020

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

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 46, NCB 17862, 14535 BLANCO ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3-F. CASE #Z95214 - to rezone and reclassify Lot 6, save and except the northwest 50 feet NCB 14968, Starcrest Drive, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales District. Property is located between Lime Blossom and Starcrest Drive, 217 feet northwest of the intersection of Budding Boulevard with Lime Blossom and Starcrest Drive, having 148.58 feet on both Starcrest Drive and Lime Blossom with 183 feet between these two streets.

Mr. Peak made a motion to continue this rezoning case until November 9, 1995. Mr. Herrera seconded the motion.

After consideration, the motion to continue the case until November 9, 1995 prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: Thornton.

Zoning Case Z95214 was continued until November 9, 1995.

3-G. CASE #Z95206 - to rezone and reclassify Lot 5, Block 1, NCB 7185, 251 Sherwood Drive, from "B-2" Business District to "B-3" Business District. Property is located between I.H. 10 Expressway and Sherwood Drive, 849.77 feet west of the intersection I.H. 10 Expressway and Sherwood Drive, having 102.24 feet on I.H. 10 Expressway, 102 feet on Sherwood Drive and 288 feet between these two streets.

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

Mr. Isaac Ayala, speaking for the applicant, Ms. Patricia Alvarez, explained the request for an auto dealership and B-2 zoning.

Mr. Flores spoke to his desire to split the lot in question into two parts: the south 144 feet to remain B-2, and the north 144 feet to be rezoning B-3NA, the area facing onto the I.H. 10 access road.

Ms. Julia Brown, 5822 I.H. 10 West, representing Joe Weiss & Associates, spoke against the rezoning request, noting that the property already is being utilized for a used car lot. She displayed photographs of the lot in question and its current usage.

Mr. Flores made a motion to approve B-3NA zoning on the north 144 feet of Lot 5, Block 1, NCB 7185, the portion fronting onto the I.H. 10 frontage road, with the remaining or south 144 feet of subject property to remain B-2. 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, Herrera, Ross, Peak, Webster; NAYS: None; ABSENT: McClendon, Thornton.

AN ORDINANCE 83,021

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 5, BLOCK 1, NCB 7185, 251 SHERWOOD DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3H. CASE #Z95169 (SUP) - to rezone and reclassify all of Block 1, save and except the north 60 feet, NCB 10443, 119 Castroville Road, from "B-3NA" Non-Alcoholic Sales District to "B-3NA" SUP Non-Alcoholic Sales District with a special use permit for a lumber company with a two year time limitation. Property is located on the northwest side of Castroville Road, 155.22 feet southwest of the intersection of Castroville Road and S.W. 19th Street, having 242.56 feet on Castroville Road and a depth of 205 feet.

Mr. Solis made a motion to continue the rezoning case until November 9, 1995. Mr. Herrera seconded the motion.

After consideration, the motion to continue the zoning case until November 9, 1995 prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: McClendon, Thornton.

Zoning case Z95169 SUP was continued until November 9, 1995.

3I. CASE #Z95113 - to rezone and reclassify 3.51 acres out of NCB 8416, to the rear of 2719 Fredericksburg Road, from "R-1" Single Family Residence District, "R-6" Townhouse Residence District and "B-2NA" Non-Alcoholic Sales Business District to "O-1" Office District. Property is located 673.59 feet northwest of the intersection of Fredericksburg Road and Quentin Drive, being 986.40 feet west of Fredericksburg Road, having a width of 393.07 feet and depth of 463.92

feet; and to rezone and reclassify 6.58 acres out of NCB 8410, 2719 Fredericksburg Road, from "R-1" Single Family Residence District, and "B-2NA" Non-Alcoholic Sales Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the southwest side of Fredericksburg Road, 512.75 feet northwest of the intersection of Fredericksburg Road and Quentin Drive, having 160.84 feet on Fredericksburg Road and a depth of 986.40 feet.

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

Mr. Don W. Saunders, attorney representing the applicant, stated that his client has outgrown this site and is moving in about six weeks to a 48-acre site elsewhere. He stated that his client, therefore, needs to sell this site on Fredericksburg Road in order to finance purchase of the new site, and spoke to the requested rezoning. He stated his belief that the R-1 and other similar zonings on the property cannot be used as such, and expressed his opinion that it is against the law to zone a property so that it cannot reasonably be used.

The following persons appeared to speak:

Mr. David R. Logan, 1616 Kampmann Blvd., presented petitions signed by area property owners against the proposed rezoning of this property, and addressed his reasons for opposing the rezoning, asking the City Council to uphold the Zoning Commission recommendation for denial of the request. He stated his belief that the property in question can be developed under its current zoning configuration.

Mr. Joe E. Stahle, 239 Quentin Drive, spoke against the requested rezoning, stating his belief that a retirement home could be developed on the property. He further stated his opinion that the current use of this property has destroyed the neighborhood for its residents.

Mr. Paul G. Kunkle, 1723 West Huisache, President, Jefferson Area Neighborhood Association, stated that the current usage of the property does not fit the Neighborhood Plan, and spoke to the rationale for seeking a greenbelt between the property and nearby residences. He stated that his organization would work with the new owners of the property on its development, and asked that the rezoning request be denied.

Mr. Edward Garza, 1915 West Magnolia Avenue, President, Jefferson/Woodlawn Lake Development Association, spoke in opposition to the requested rezoning, noting that this property is part of the Neighborhood Plan, which in turn is an integral part of the San Antonio Master Plan. He spoke to the need to preserve the residential character of the area.

Mr. Steven Avery, 2054 West Magnolia Avenue, President, Woodlawn Community Association, spoke to commercial intrusions into this residential neighborhood, and asked that the rezoning request be denied.

In rebuttal, Mr. Saunders stated his belief that the rezoning request is both reasonable and necessary.

In response to a question by Mr. Ross, Mr. Andy Guerrero, Land Development Services, spoke to the current zoning on the property in question and its present usage as an automobile auction. He spoke to the alleged illegal usage of portions of the property near the residences.

In response to a question by Mr. Ross, Mr. Martin Rodriguez, Director of Code Compliance, spoke to a series of citations issued by his office against this property's usage, and actions taken. He noted that 23 criminal cases are currently pending against the property owners as well as one civil action. He addressed the definition of "junk vehicles" and spoke to the adverse effects of auto auction activities on nearby residential area.

In response to a question by Mr. Ross, Mr. Arturo Rodriguez, Municipal Court prosecutor, spoke to the legal aspects of the matter and the judicial decisions handed down. He stated that once the administrative process has been exhausted, the City of San Antonio will proceed to seek relief. He then discussed the process being followed in compliance with court orders.

Mr. Ross spoke to the need to take defensive action in this case.

Mr. Ross made a motion to uphold the recommendation of the Zoning Commission and to deny this rezoning request. Ms. Billa Burke seconded the motion.

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

Zoning Case Z95113 was denied.

Mr. Ross then made a motion to direct City staff not to do any enforcement action relative to this property until after November 28, 1995, to allow the firm time to move to a new location. Mr. Webster seconded the motion.

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

3J. CASE #Z95203 - to rezone and reclassify 1.308 acre tract of land out of NCB 18233, Military Drive West, from "I-1" Light Industry District to "B-3" Business District. Property is located on the

October 12, 1995
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northwest side of Military Drive West, being 480 feet northwest of the intersection of Military Drive West and Loop 410, having 161.87 feet on Military Drive West and a depth of 377.44 feet.

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

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

AN ORDINANCE 83,022

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.308 ACRE TRACT OF LAND OUT OF NCB 18233, MILITARY DRIVE WEST, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3K. CASE #Z95209 - to rezone and reclassify A 0.0886 acre tract of land out of NCB 16045, 8648 Tesoro Drive, from "O-1" Office District to "B-2NA" Non-Alcoholic Sales District. Property is located on the northwest side of Tesoro Drive, 265.27 feet north of the intersection of Tesoro Drive, and Cheever Boulevard, having 150 feet on Tesoro Drive and a depth of 25 feet.

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

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

AN ORDINANCE 83,023

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.0886 ACRE TRACT OF LAND OUT OF NCB 16045, 8648 TESORO DRIVE, FROM "0-1" OFFICE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3L. CASE #Z95210 - to rezone and reclassify 2.922 acres out of NCB 10675, 4040 East Houston Street, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Property is located southeast of the intersection of I.H. 10 East and East Houston having 200 feet on I.H. 10 West and 393 feet on East Housing Street.

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

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

AN ORDINANCE 82,024

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 2.922 ACRES OUT OF NCB 10675, 4040 EAST HOUSTON STREET, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3M. CASE #Z95122(CC) - to rezone and reclassify the east 150.5 feet of Lot 10, Block 12, NCB 608, 319 S. Mesquite, from "R-2" Two Family Residence District to "R-2" CC Two Family Residence District with

special City Council approval for a bed and breakfast. Property is located on the west side of S. Mesquite, 55.6 feet south of the intersection of S. Mesquite, 55.6 feet south of the intersection of S Mesquite and Jarmon Lane, Having 55.6 feet on S. Mesquite and a depth of 150.5 feet.

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

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

AN ORDINANCE 83,025

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 150.5 FEET OF LOT 10, BLOCK 12, NCB 608, 319 S. MESQUITE, FROM "R-2" TWO FAMILY RESIDENCE DISTRICT TO "R-2" CC TWO FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A BED AND BREAKFAST. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3N. CASE #Z95170 - to rezone and reclassify Lot 43, Block 6, NCB 7293, Belknap Place and Dora Street, from "B" Residence District and "C" Apartment District to "R-1" Single Family Residence District. Property is located on the west side of Belknap Place, between Rex Street and Dora Street, having 127.35 feet on Rex Street, 147.12 feet on Belknap Place and 10.62 feet on Dora Street.

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

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

AN ORDINANCE 83,026

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 43, BLOCK 6, NCB 7293, BELKNAP PLACE AND DORA STREET, FROM "B" RESIDENCE DISTRICT AND "C" APARTMENT DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

30. CASE #Z95162 - to rezone and reclassify Both sides of San Pedro Avenue Urban Corridor Overlay District. Both sides of San Pedro Avenue, an arterial, from IH-35 on the southern end to Ashby Street on the north for a distance of two hundred (200) feet from the Street right-of-way.

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

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

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

AN ORDINANCE 83,027

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS BOTH SIDES OF SAN PEDRO AVENUE URBAN CORRIDOR OVERLAY DISTRICT. BOTH SIDES OF SAN PEDRO AVENUE, AN ARTERIAL, FROM IH-35 ON THE SOUTHERN END TO ASHBY STREET ON THE NORTH FOR A DISTANCE OF TWO HUNDRED (200) FEET FROM THE STREET RIGHT-OF-WAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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95-44 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING ALLEY

Mayor Pro Tem Avila opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Thornton declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 83,028

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN UNIMPROVED 22.37-FOOT WIDE ALLEY LOCATED BETWEEN RIPLEY AVENUE AND NORTH FLORES STREET, WITHIN NEW CITY BLOCK 1855, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY THE SERAPHIC SISTERS, INC., A NON-PROFIT CORPORATION.

* * * *

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

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

95-44 City Council recessed its regular session at 3:28 P.M., reconvening at 4:01 P.M.

95-44 VISITOR INDUSTRY RESEARCH PRESENTATION

Mr. Steve Moore, Director of the San Antonio Convention & Visitors Bureau, spoke briefly to the background of the "1995 San Antonio Intercept Research and Economic Impact Analysis".

Mr. Mike McNabb, McNabb, DeSoto, Salter & Company, provided a five-part Executive Summary of the research and analysis. A copy of the Summary and his video presentation prints are made a part of the papers of this meeting.

Mr. Fred Walton, with Peckham, Guyton, Albers, & Viets Inc., spoke to the total economic impact of the visitor industry in San Antonio. A copy of his video presentation prints are made a part of the papers of this meeting.

Mr. Moore summarized the study report results, and spoke to a comparison of San Antonio to other 'destination' cities. He also noted that the Visitor Industry Master Plan will be coming to City Council next week.

Mr. Webster asked how this data will be used, inasmuch as only some 14 per cent of visitors to San Antonio are convention-related.

Mr. Moore discussed how this will be addressed, as part of the upcoming Master Plan, noting that San Antonio is fast becoming one of the nation's major 'destination' cities. He then addressed the convention and visitor business and action plans to come.

Mr. Ross and Mr. Moore spoke to the rise in the economic impact that the visitor industry is having on San Antonio, up from an estimated \$2 billion per year to some \$3 billion per year.

In response to a question by Mr. Ross, Ms. Kay Salter spoke to details of San Antonio's 'visitor profile', including the difference between "marrieds" and "married couples" visiting San Antonio.

Mr. Ross spoke to the need to have figures on "family visitors" in order to determine the degree of "family" orientation needed in advertising and promotion of San Antonio.

In response to a question by Mr. Peak, Mr. Moore reiterated the planned usage of the data compiled in the survey, and addressed San Antonio's statewide standing in critical visitor areas such as hotel occupancy. He stated that he finds no significant negative impact from the rise in San Antonio's hotel/motel room occupancy tax.

Mr. Peak addressed the need to protect our key visitor areas such as safety and cleanliness of the city, those things that attract visitors to San Antonio. He spoke to the need to target out marketing to key areas.

Mr. Flores and Mr. Avila both spoke to the positive aspects of the report.

Mr. McNabb, in summary, spoke to the impact of 'safety' on the visitor market.

Councilmembers thanked the group for thier preparation.

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95-44 Mr. Roger Flores presided in the absence of the Mayor Pro-Tem.
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95-44

CITIZENS TO BE HEARD

MRS. PATSY CHEYNEY

Mrs. Cheyney, San Antonio Alliance for the Mentally Ill, spoke to the Council regarding the work of this Committee and also spoke to the lack of services provided by the Center for Health Care Services.

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez again spoke to the need for the San Antonio Housing Authority to provide private security guards to patrol housing units. This action would then enable more police officers to be available for other police calls.

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo gave his reasons for being against the proposal to close San Saba Street between the Farmers Market and Market Square.

95-44 There being no further business to come before the Council, the meeting was adjourned at 5:01 P.M.

A P P R O V E D
M A Y O R

Attest:

Harmon S. Rodriguez
C I T Y C L E R K