

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 13, 2000**

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2000-15 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) Boards and Commissions Work Session** – City Council directed that all nominations be moved forward for consideration at a regular Council meeting.

**B) Presentation of the 311 Customer Service Call Center** – presented by Mr. Antonio Bosmans, Director of Community Relations.

The Council members present were: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: None.

The "B" Session adjourned at 11:45 A.M.

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2000-15 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. ABSENT: None.

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2000-15 Invocation - Rev. Ilene Dunn, Madison Square Presbyterian Church.

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2000-15 Pledge of Allegiance to the flag of the United States.

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Mayor Peak presented the Citation to Mr. Perez and congratulated him.

Other members of City Council congratulated Mr. Perez and his band for receiving the Grammy Award, and thanked them for representing San Antonio.

Mr. Perez thanked the Mayor and City Council for their kind words and best wishes and also thanked his family present in the audience.

Mr. Alexander E. Briseño, City Manager, noted that Mr. Perez' mother, Carmen Cadena, works in the Parks & Recreation Department, while his step-father, David Cadena, is a former employee.

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**2000-15      NATIONAL CRIME VICTIMS' RIGHTS WEEK**

Mayor Peak noted that Bexar County District Attorney Susan Reed and Chief of Police Al A. Philippus were present in the audience today to receive this proclamation. He then read the formal proclamation of "National Crime Victims' Rights Week" in San Antonio and presented it to the delegation present.

District Attorney Reed thanked the Mayor and City Council for the proclamation and spoke to the reasons for the week's observance around the nation. She then spoke to the aid available for victims of crime.

Chief Philippus also thanked the Mayor and City Council on behalf of the Police Department and its programs that bear upon victims' rights.

Bexar County Sheriff Ralph Lopez noted this observance is a partnership of all local law enforcement agencies.

Members of City Council spoke to the importance of recognition for this need in the community and addressed the professionalism of law enforcement in San Antonio and Bexar County.

Mayor Peak congratulated the law enforcement representatives present, and recognized the presence in the audience of some of the victims of crime, asking them to stand and be recognized.



AN ORDINANCE 91576

AUTHORIZING ADDITIONAL 1999 BONDS AND AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$25,000.00 PAYABLE TO POST, BUCKLEY, SCHUH & JERNIGAN, INC. D/B/A PBS&J, FOR ADDITIONAL GEOTECHNICAL AND SURVEYING WORK IN CONNECTION WITH THE CULEBRA/LOOP 410 (LEON CREEK) REGIONAL STORMWATER DETENTION FACILITY PROJECT LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING MISCELLANEOUS ENGINEERING CONTINGENCY FUNDS IN THE AMOUNT OF \$2,500.00; AUTHORIZING REIMBURSEMENT FROM THE SALE OF 1999 DRAINAGE BONDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91577

RATIFYING FIELD ALTERATION NO. 2 IN THE DECREASED AMOUNT OF \$39,247.47 PAYABLE TO SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION WITH THE AARON PLACE - PLEASANTON TO COMMERCIAL STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91578

SELECTING ROSIN GROUP TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE WALTON - NOGALITOS TO ZARZAMORA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 23<sup>RD</sup> YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$63,544.56; AUTHORIZING \$6,354.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91579

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$412,018.40 IN CONNECTION WITH THE PACE - ELMENDORF TO N. BRAZOS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$24,489.46 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$5,418.76 PAYABLE TO FLORES & COMPANY CONSULTING ENGINEERS FOR DESIGN EXPENSES; AUTHORIZING \$1,127.76 FOR ADVERTISING EXPENSES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91580

ACCEPTING THE LOW QUALIFIED BID OF BRODBECK CONSTRUCTION, INC. IN THE AMOUNT OF \$158,800.00 IN CONNECTION WITH THE LANDA BRANCH LIBRARY RESTORATION OF THE EXTERIOR WOODWORK, FASCIAS, SOFFITS, DOORS, WINDOWS AND WINDOW SCREENS; AUTHORIZING 1989 AND 1999 LIBRARY BOND FUNDS AND SAN ANTONIO BRANCH LIBRARIES - GIFT AND MEMORIAL FUNDS; AUTHORIZING \$23,800.00 FOR CONSTRUCTION CONTINGENCY; AUTHORIZING \$100.42 FOR PRINTING BID SETS; AUTHORIZING \$600.00 FOR BID ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91581

ACCEPTING THE LOW BID OF ARTISAN GROUP, INC. IN THE AMOUNT OF \$1,549,337.00 IN CONNECTION WITH THE NEW FIRE STATION NO. 16 PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING \$56,667.38 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91582

AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH THE UNION PACIFIC RAILROAD COMPANY AND THE STATE OF TEXAS,

ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, IN CONNECTION WITH THE HILDEBRAND AVENUE – I.H. 10 TO BREEDEN METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 1.

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AN ORDINANCE 91583

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A 0.0307 ACRE TRACT OF LAND OUT OF LOT 300, NEW CITY BLOCK 11553, BLOCK “E”, WOODLAWN HILLS, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE CALLAGHAN ROAD – W. HORSESHOE BEND TO BANDERA METROPOLITAN PLANNING ORGANIZATION PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91584

AUTHORIZING PAYMENT OF THE AMOUNT OF \$462,712.49 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR BENTURA V. AGUILAR FOR ONE PARCEL (\$66,500.00), NATALIE A. KOPECK FOR ONE PARCEL (\$70,000.00), JUNE MARIE FALCON, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF ANTHONY S. GARCIA, AND JANE GARCIA, INDIVIDUALLY, FOR ONE PARCEL (\$71,000.00), ROBERT ROTHER AND WIFE, DORA ROTHER FOR ONE PARCEL (\$60,500.00), 1376 FAMILY LIMITED PARTNERSHIP FOR ONE PARCEL (\$70,000.00), UMBERTO HERNANDEZ, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF MARIA G. HERNANDEZ, AKA GUADALUPE HERNANDEZ, FOR ONE PARCEL (\$34,000.00), HAROLD H. SHOOK AND WIFE, ELIZABETH L. SHOOK FOR ONE PARCEL (\$59,400.00) AND CHRISTINE B. JAMES FOR ONE PARCEL (\$31,312.49), IN CONNECTION WITH THE MARTINEZ CREEK FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91585

AUTHORIZING PAYMENT OF THE AMOUNT OF \$15,899.00 TO LAWYER'S TITLE OF SAN ANTONIO AS ESCROW AGENT FOR MARY LOU RIOJAS FOR ONE PARCEL (\$1,590.00), DELIA CARDENAS ARZOLA FOR ONE PARCEL (\$2,340.00), MELISSA JANE FLORES FOR ONE PARCEL (\$2,106.00), JOHN J. DAVIS, JR. FOR ONE PARCEL (\$4,000.00), RICHARD ALMAREZ AND WIFE, DIONISIA ALMAREZ FOR ONE PARCEL (\$712.00), WILLIAM TYLER SMITH AND WIFE, MARTHA A. SMITH, FOR TWO PARCELS (\$1,970.00), DOMINGO R. RODRIGUEZ AND WIFE, LYDIA G. RODRIGUEZ FOR ONE PARCEL (\$740.00), HARRY RICHARD BAKER AND CONNIE R. LUMSDON FOR ONE PARCEL (\$1,150.00) AND ROSIE M. MENCHACA FOR TWO PARCELS (\$1,291.00), AND THE AMOUNT OF \$124.00 IS PAYBLE TO DEODATO Y. RUIZ AND WIFE, JESUSA B. RUIZ FOR ONE PARCEL, THE AMOUNT OF \$545.00 TO JAMES W. BAKER AND WIFE, LUCILLE BAKER FOR ONE PARCEL AND THE AMOUNT OF \$444.00 TO NATIVIDAD PORTILLO AND WIFE, CARMEN PORTILLO FOR ONE PARCEL, FOR A TOTAL SUM OF \$17,012.00, IN CONNECTION WITH THE SOUTHCROSS - NEW BRAUNFELS TO S. PRESA PROJECT; PAYMENT OF THE AMOUNT OF \$3,900.00 TO LAWYER'S TITLE OF SAN ANTONIO AS ESCROW AGENT FOR RICHARD A. SCHAEFER FOR ONE PARCEL (\$2,500.00) AND JOSE LUIS MEDINA AND WIFE, MAGDA R. MEDINA FOR ONE PARCEL (\$1,400.00) IN CONNECTION WITH THE PECAN VALLEY - J STREET TO I.H. 10 PROJECT; AND PAYMENT OF THE AMOUNT OF \$7,137.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR THE NORTHEAST INDEPENDENT SCHOOL DISTRICT FOR ONE PARCEL IN CONNECTION WITH THE HIGGINS ROAD - NACOGDOCHES TO STAHL ROAD PROJECT; FOR A GRAND TOTAL OF \$28,049.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91586

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A TEMPORARY EASEMENT CONSISTING OF A 0.058 ACRE TRACT OF LAND OUT OF A PART OF LOT 78, NEW CITY BLOCK 10754, SRUBAR SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE W. W. WHITE ROAD - RIGSBY TO LORD ROAD PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91587

AUTHORIZING A THREE (3) YEAR LICENSE AGREEMENTS WITH THE HIGHLAND ROCKETS POP WARNER FOOTBALL AND CHEERLEADER ORGANIZATION, INC. FOR THEIR USE OF APPROXIMATELY 3.235 ACRES OF PUBLIC PROPERTY IN CITY COUNCIL DISTRICT 3 FOR YOUTH ATHLETIC RECREATION PROGRAMS.

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AN ORDINANCE 91588

DECLARING A 0.49 OF AN ACRE TRACT OF LAND, OUT OF THE SALEM CHARLES SURVEY NO. 81, ABSTRACT 138, COUNTY BLOCK 4788, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS SURPLUS TO THE CITY'S DRAINAGE NEEDS; AND AUTHORIZING THE STATE OF TEXAS, ACTING BY AND THROUGH ITS TEXAS TRANSPORTATION COMMISSION, TO DECLARE SAID EXISTING 0.49 OF AN ACRE CHANNEL EASEMENT APPURTENANT TO NW LOOP 1604, WEST OF ROGERS RANCH PARKWAY, TO BE SURPLUS TO ITS NEEDS.

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AN ORDINANCE 91589

AUTHORIZING AN AMENDMENT TO THE SECOND INTEREXCHANGE POINT-TO-POINT LICENSE AGREEMENT WITH WILLIAMS COMMUNICATIONS, INC. (D/B/A VYVX INC. IN TEXAS), WHICH WAS APPROVED BY ORDINANCE NO. 91180, DATED JANUARY 27, 2000, IN ORDER TO ALLOW WILLIAMS TO TRENCH APPROXIMATELY 14,905 INTERMITTENT LINEAR FEET WITHIN CITY RIGHTS-OF-WAY BEGINNING NEAR THE INTERSECTION OF HOUSTON STREET AND RAMBLING ROAD, AND PROCEEDING IN A WESTERLY DIRECTION AND ENDING AT A POINT EAST OF CHERRY STREET AT WESTFALL ROAD; FOR A TOTAL CONSIDERATION OF \$40,057.00 TO BE RECEIVED BY THE CITY.

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AN ORDINANCE 91590

AUTHORIZING THE TERMS AND CONDITIONS, AND THE EXECUTION OF A THIRD TEN (10) YEAR INTEREXCHANGE POINT-TO-POINT LICENSE

AGREEMENT TO ALLOW WILLIAMS COMMUNICATIONS (D/B/A VYVX, INC. IN TEXAS), A DELAWARE CORPORATION, TO LOCATE APPROXIMATELY 29,043 (5.5 MILES) OF FIBER OPTIC CABLE WITHIN, UNDER AND ACROSS PUBLIC RIGHTS-OF-WAY BEGINNING AT 1203 N. FRIO STREET AND PROCEEDING SOUTHWESTERLY AND ENDING AT HIGHWAY 90 AND SOUTHWEST 35<sup>TH</sup> STREET IN ORDER TO OPERATE A LONG DISTANCE TELECOMMUNICATIONS SYSTEM; FOR A TOTAL CONSIDERATION OF \$594,658.25 TO BE RECEIVED BY THE CITY.

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AN ORDINANCE 91591

AUTHORIZING THE PAYMENT OF \$26,809.00 TO THE AIRPORTS COUNCIL INTERNATIONAL (ACI) NORTH AMERICA FOR MEMBERSHIP FEES FOR THE YEAR 2000.

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AN ORDINANCE 91592

AUTHORIZING THE EXECUTION OF AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF SCHOOL FLASHER EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$684,312.00 FOR THE INSTALLATION OF NEW SCHOOL FLASHER EQUIPMENT AT SIXTY (60) LOCATIONS THROUGHOUT THE CITY.

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AN ORDINANCE 91593

APPOINTING JAMES BIAS (DISTRICT 1) TO THE ANIMAL CONTROL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2002.

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AN ORDINANCE 91594

APPOINTING LORENZO RIVERA (DISTRICT 1) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2002.

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AN ORDINANCE 91595

APPOINTING MICHAEL DANIELS (DISTRICT 1) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2002.

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2000-15 Councilman Salas being temporarily out of the Council Chambers, it was the concensus of City Council members present to temporarily bypass Agenda Item 8 until Mr. Salas' return.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91596

ACCEPTING AN EASEMENT DEDICATION FROM H.E. BUTT GROCERY COMPANY, A TEXAS CORPORATION, IN CONNECTION WITH THE W. COMMERCE STREET AT CALAVERAS PROJECT AND AUTHORIZING PAYMENT OF THE AMOUNT OF \$200.00 TO CITY PUBLIC SERVICE FOR A TRANSFER OF CONTROL OF PROPERTY AGREEMENT IN CONNECTION WITH THE PROBANDT – U.S. 90 TO MITCHELL PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Garcia, Barrera, Conner, Peak. **ABSTAIN:** Perez. **NAYS:** None. **ABSENT:** Garza, Bannwolf, Carpenter.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91597

AUTHORIZING PAYMENT IN THE AMOUNT OF \$37,489.22 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$9,956.48); HILDEBRAND AVENUE – I.H. 10 TO BREEDEN METROPOLITAN PLANNING ORGANIZATION PROJECT (\$15,134.39); WESTERN AVENUE DRAINAGE PROJECT #74 (\$97.50); WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$3,536.55); UPPER SIX MILE CREEK DRAINAGE PROJECT (\$3,671.86); MILITARY DRIVE WEST CONNECTION TO REED ROAD PROJECT (\$722.41); LARKSPUR DRIVE DRAINAGE PROJECT (\$682.50); CHERRY STREET DRAINAGE PROJECT #15B, PHASE II (\$2,137.43); OCTAVIA PLACE DRAINAGE PROJECT (\$597.60); AND THE SAN PEDRO AVENUE - QUINCY TO ROMANA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$952.50); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Carpenter, Peak. **ABSTAIN:** Bannwolf. **NAYS:** None. **ABSENT:** Garza.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91598

ACCEPTING THE LOW, QUALIFIED BID SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$510,102.88 IN CONNECTION WITH CARSON – WALTERS TO FRANK STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$35,774.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$14,500.00 PAYABLE TO K. M. NG & ASSOCIATES, INC. FOR DESIGN EXPENSES; AUTHORIZING \$485.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Salas spoke to the great need for this project on the City's East Side.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza, Bannwolf.

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**2000-15 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS**

Mr. Jack Finger, P.O. Box 12048, spoke to Agenda Items 28 and 29, and urged City Council to vote against items which are not submitted for Council adoption in time to allow for the normal 10-day timeframe before an Ordinance becomes effective without an emergency clause. He questioned the need for additional parking garages, such as outlined in Agenda Item 31, or another chilled water plant for San Antonio Water System, as outlined in Agenda Items 30 and 40. He also questioned the need for rapid action on this project, as requested.

2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91599

AUTHORIZING THE TEMPORARY CLOSURE OF MAIN STREET BETWEEN DOLOROSA AND COMMERCE STREETS ON SUNDAY, APRIL 16, 2000 BEGINNING AT 5:00 A.M. UNTIL 5:30 P.M. AND ON FRIDAY, APRIL 21, 2000 BEGINNING AT 5:30 A.M. UNTIL 2:00 P.M. AND BEGINNING AGAIN AT 7:00 P.M. UNTIL 9:00 P.M. IN ORDER FOR SAN FERNANDO CATHEDRAL TO HOLD ITS ANNUAL "HOLY WEEK SERVICES", AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Bannwolf.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91600

AUTHORIZING THE TEMPORARY CLOSURE OF HOEFGEN STREET FROM E. COMMERCE STREET TO GONZALES STREET; HEIMAN STREET FROM HOEFGEN STREET TO SYCAMORE STREET, SYCAMORE STREET FROM E. COMMERCE STREET TO HEIMAN STREET, AND GONZALES STREET FROM HOEFGEN STREET TO THE SERVICE ROAD OF NORTHBOUND INTERSTATE HIGHWAY 37, ON SATURDAY, APRIL 22, 2000 FROM 2:00 P.M. UNTIL 2:00 A.M. ON SUNDAY, APRIL 23, 2000; FROM 12:00 NOON ON SUNDAY, APRIL 23, 2000 UNTIL 2:00 A.M. ON MONDAY, APRIL 24, 2000; MONDAY, APRIL 24, 2000 THROUGH FRIDAY, APRIL 28, 2000 FROM 5:00 P.M. UNTIL 2:00 A.M. OF EACH DAY FOLLOWING; AND FROM 12:00 NOON ON SATURDAY, APRIL 29, 2000 UNTIL 2:00 A.M. ON SUNDAY, APRIL 30; IN ORDER FOR THE SUNSET STATION GROUP L.L.C. TO HOLD ITS ANNUAL "LA SEMANA TEJANA"

EVENT, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Salas. **NAYS:** None. **ABSENT:** Salas.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91601

RATIFYING SERVICES AND APPROVING SAWS FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$188,000.00 PAYABLE TO R. L. JONES COMPANY, INC. IN CONNECTION WITH THE LAKE/WOODLAWN/WOODLAWN LAKE AREA STREETS PHASE I PROJECT LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING AN INCREASE IN THE PROJECT'S RECEIVABLE ACCOUNT IN AN AMOUNT NOT TO EXCEED \$188,000.00 FOR ADDITIONAL WORK AUTHORIZED BY SAWS WITH \$15,469.62 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY; AUTHORIZING ADDITIONAL 1994 G. O. STREET BONDS IN AN AMOUNT NOT TO EXCEED \$17,125.96 MADE PAYABLE TO S.M. GALINDO ENGINEERS, INC. (MBE); AUTHORIZING AN INCREASE IN THE PROJECT'S RECEIVABLE ACCOUNT OF \$3,559.33 FOR DESIGN AND CONSTRUCTION SERVICES; AND PROVIDING FOR PAYMENT.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

Mr. Tom Wendorf, Assistant Director of Public Works, narrated a video presentation on the project, a copy of which presentation is made a part of the papers of this meeting. He spoke to neighborhood concerns over street cuts and maintenance procedures, and a lack of coordination of each between agencies and firms involved. He explained how uncoordinated street cuts and poor repair of utility trenching can damage City streets. He

spoke to the Street Cut Manual that has been developed and addressed the options available: leave the Street Cut Manual unchanged, or improve its procedures. He spoke to reasons why City streets are cut into, including emergency cuts for utilities such as during water-main breaks. He spoke to the coordination and communications efforts among agencies to prevent unnecessary and uncoordinated street cuts, and spoke to the reduction in such cuts in recent years as a result. He noted, however, that continuing development would inevitably require more street cuts. He addressed staff's recommendations, found on pages 16-19 of his presentation, and spoke to what other comparable cities are doing about this same problem. He asked that staff be allowed to incorporate into a revised Street Cut manual those recommendations being made, and review those recommendations and their results for City Council in 60 days.

Mayor Peak noted improvements made in street-cut procedures, but noted the expense of retrofitting in street maintenance and repair.

Mr. Alexander E. Briseño, City Manager, noted that there has been an eightfold increase in street repair funding over the past eight years, from \$1 million per year to \$8 million this year.

Discussion then took place concerning emergency street-cuts/repairs versus non-emergencies.

Mr. Garza noted that Woodlawn Avenue near Woodlawn Lake is a good example of streets being cut into only weeks after the roadway was completely resurfaced. He addressed other examples around the City and their impact on neighborhoods. He urged the recommendations go before Councilman Prado's Street Maintenance Committee before they are brought back before the full City Council in 60 days.

Mr. Perez stated his opinion that there is no excuse for a lack of coordination in the matter of street cuts.

Ms. Conner urged multiple efforts of coordination of street cuts.

Mr. Bannwolf suggested that the Council might want to consider requiring that the repair of any street, after a street cut has been made into it, be a complete repaving, from curb to curb, for that entire block. He asked Mr. Prado's committee to look into this possibility.

Mr. Prado stated that his committee would address these concerns.

Ms. Guerrero thanked the various utilities for their cooperation in these matters, and noted that even with that, some slips will occur. She spoke in agreement with Mr. Bannwolf's suggestions.

Mayor Peak urged possible mandatory participation of all utilities and agencies in the coordination committee.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91602

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE CREATION OF A PARKING REVENUE SYSTEM, AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$24,860,000 IN PRINCIPAL AMOUNT OF "*CITY OF SAN ANTONIO, TEXAS, PARKING SYSTEM REVENUE BONDS, SERIES 2000*"; SECURING THE PAYMENT THEREOF BY A LIEN ON AND PLEDGE OF THE GROSS REVENUES OF THE CITY'S PARKING SYSTEM; APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT PERTAINING TO THE SALE OF SUCH BONDS; APPROVING THE FORM AND DISTRIBUTION OF AN OFFICIAL STATEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

Mr. Octavio Pena, Director of Finance, narrated a video presentation on the Parking Revenue System and its proposed bonds, a copy of which presentation is made a part of the papers of this meeting. He noted that this is the result of two years in planning, and noted that the bonds cover construction of two new parking garages and renovations to a third. He spoke to the City's bond ratings for parking systems and a proposed timeline for the bond sale, explaining "insured sale" benefits.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

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2000-15      ZONING HEARINGS – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each rezoning case and explained them.

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2000-15      ZONING HEARINGS

3A.)                      CASE NO. #Z99231 - The request of Maria and Jesus G. Mendoza, Applicant, for Maria and Jesus G. Mendoza, Owner(s), for a change in zoning from "B" Residence District to "O-1" Office District on Lots 27, 28, and 29, Block 1, NCB 2075, 851 Culebra Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza.

AN ORDINANCE 91603

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 27, 28, AND 29, BLOCK 1, NCB 2075, 851 CULEBRA ROAD, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

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3B.) CASE NO. #Z20040 - The request of Gene Toscano, Applicant, for Gene Toscano, Owner(s), for a change in zoning from "B" Residence District to "O-1" Office District on Lot 11, Block 1, NCB 2075, 843 Culebra Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza.

#### AN ORDINANCE 91604

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 11, BLOCK 1, NCB 2075, 843 CULEBRA ROAD, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

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3C.) CASE NO. #Z20027 - The request of City of San Antonio, Historic Preservation Office, Applicant, for Mr. and Mrs. Larry E. Huebner, Owner(s), for a change in zoning from "D" Apartment District to Historic "R-1" Single Family Residence District on Lot 6, Block 3, NCB 993, 609 East Carson Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza.

AN ORDINANCE 91605

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 ON LOT 6, BLOCK 3, NCB 993, 609 EAST CARSON STREET, FROM "D" APARTMENT DISTRICT TO HISTORIC "R-1" SINGLE FAMILY RESIDENCE DISTRICT.

\* \* \* \*

3D.) CASE NO. #Z20037 - The request of City of San Antonio, Applicant, for John Anthony Klonek, Owner(s), for a change in zoning from "B-3R" Restrictive Business District to "R-5" Single Family Residence District on Lot 12, Block 43, NCB 652, 1415 E Durango Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado, Garza.

AN ORDINANCE 91606

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 12, BLOCK 43, NCB 652, 1415 E DURANGO

STREET, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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3E.) CASE NO. #Z20043 - The request of Donald Keith Pike, Applicant, for C. G. House, Owner(s), for a change in zoning from "C" Apartment District to "B-3NA" Non-Alcoholic Sales Business District Parcel 100, NCB 1194; the east irregular 52.8 feet of Lot 17, Block 6, NCB 1194; the south irregular 110.14 feet of Lot 6, Block 1, NCB 1193; and, Lot 7, Block 1, NCB 1193, 2000 Block of Dignowity Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Prado, Garza.

#### AN ORDINANCE 91607

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 PARCEL 100, NCB 1194; THE EAST IRREGULAR 52.8 FEET OF LOT 17, BLOCK 6, NCB 1194; THE SOUTH IRREGULAR 110.14 FEET OF LOT 6, BLOCK 1, NCB 1193; AND, LOT 7, BLOCK 1, NCB 1193, 2000 BLOCK OF DIGNOWITY STREET, FROM "C" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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3F.) CASE NO. #Z20010 - The request of Alfonso Perez, Jr., Applicant, for Alfonso Perez, Jr. Owner(s), for a change in zoning from "A" Single Family

Residence District to "O-1" Office District on Lot 1 and Lot 2, Block 1, NCB 10853, 2130 Goliad Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Ms. Guerrero made a motion to continue this rezoning case to the City Council meeting of April 27, 2000, inasmuch as a neighborhood meeting concerning this matter is scheduled for Tuesday, April 18, 2000 at McCreless Mall. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case until April 27, 2000, prevailed by the following vote: **AYES:** Perez, Guerrero, Garcia, Barrera, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Salas, Prado, Garza, Carpenter.

Zoning Case Z20010 was continued to the Council meeting of April 27, 2000.

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3G.) CASE NO. #Z20047 - The request of Bertha R. Reyna, Applicant, for Bertha R. Reyna, Owner(s), for a change in zoning from "D" Apartment District to "B-2" Business District on North 201 feet of Lot 8, Block 1, NCB 7586, 2130 East Southcross Boulevard. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 3).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Ms. Guerrero made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Prado, Garza, Carpenter.

AN ORDINANCE 91608

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 NORTH 201 FEET OF LOT 8, BLOCK 1, NCB 7586, 2130 EAST SOUTHCROSS BOULEVARD, FROM "D" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT.

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3H.) CASE NO. #Z20011 - The request of Thomas F. Lynd, Applicant, for Thomas F. Lynd, Owner(s), for a change in zoning from "R-1" Single Family Residence District to "B-2" Business District on NCB 18557, Lot P-72, 7503 Mainland Drive. Staff's recommendation was for approval.

Zoning Commission has recommended denial (Council District 7).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning, and stated that the applicant now is asking for a postponement of consideration of the request.

Mr. Garza made a motion to postpone consideration of Zoning Case Z20011. Ms. Conner seconded the motion.

After consideration, the motion to postpone this case, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

Zoning Case Z20011 was postponed.

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3I.) CASE NO. #Z20056 - The request of Val Dunis, A.I.A., Applicant, for Mission Park, II, Inc., Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3" CC Business District City Council approval for

operation of a Cemetery/Mausoleum on Lot (ARB A), NCB 14697, 10625 Fredericksburg Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Prado, Garcia, Garza.

#### AN ORDINANCE 91609

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 (ARB A), NCB 14697, 10625 FREDERICKSBURG ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" CC BUSINESS DISTRICT CITY COUNCIL APPROVAL FOR OPERATION OF A CEMETERY/MAUSOLEUM.

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3J.) CASE NO. #Z20032 - The request of Mike Coyle, Applicant, for Braun Road Limited, Owner(s), for a change in zoning from "R-1" Single Family Residence District to "B-3" Business District on Parcel 1F, NCB 15663, 9800 Block Braun Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Prado, Garcia, Garza.

AN ORDINANCE 91610

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 PARCEL 1F, NCB 15663, 9800 BLOCK BRAUN ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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3K.) CASE NO. #Z20048 - The request of BUSICK PROPERTIES, INC., Applicant, for Leslie P. Busick, Owner(s), for a change in zoning from "B-2" Business District to "B-2" SUP Business District with a special use permit for an automobile rental agency (without a repair facility or car wash) on 0.476 acre tract of land out of Lot 9, Block 24, NCB 13559, 9203 Interstate Highway 10 West. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Ms. Conner made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Prado, Garcia, Garza.

AN ORDINANCE 91611

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 0.476 ACRE TRACT OF LAND OUT OF LOT 9, BLOCK

24, NCB 13559, 9203 INTERSTATE HIGHWAY 10 WEST, FROM "B-2" BUSINESS DISTRICT TO "B-2" SUP BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR AN AUTOMOBILE RENTAL AGENCY (WITHOUT A REPAIR FACILITY OR CAR WASH).

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3L.) CASE NO. #Z20055 - The request of LYY Walker Ranch c/o LANCASTER DEVELOPMENT COMPANY, Applicant, for LYY Walker Ranch c/o LANCASTER DEVELOPMENT COMPANY, Owner(s), for a change in zoning from "R-3" Multiple Family Residence District to "B-2" Business District and "B-2" Business District and "R-3" Multiple Family Residence District to (P-1) "R-1" Planned Unit Development Single Family Residence District on the following: from "R-3" to "B-2" on 0.8542 acres out of Lot 1, Block 1, NCB 17160 and from "B-2" and "R-3" to (P-1)"R-1" on 0.5739 acres out of Lot 1, Block 1, NCB 17160, 14300 Block of Blanco Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Prado, Garcia.

#### AN ORDINANCE 91612

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 0.8542 ACRES OUT OF LOT 1, BLOCK 1, NCB 17160, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND 0.5739 ACRES OUT OF LOT 1, BLOCK 1, NCB 17160, 14300 BLOCK OF BLANCO ROAD, FROM "B-2" BUSINESS DISTRICT AND "B-2" BUSINESS DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO

(P-1)"R-1" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT.

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3M.) CASE NO. #Z20057 - The request of Bob Doyal, Applicant, for Bob Doyal, Owner(s), for a change in zoning from "A" Single Family Residence District to "B-3" SUP Business District with a Special Use Permit for a ceramic art studio on South IRR 99 feet of Lot 30, NCB 11875, 8212 Broadway. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Prado, Garcia.

AN ORDINANCE 91613

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 99 FEET OF LOT 30, NCB 11875, 8212 BROADWAY, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" SUP BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR A CERAMIC ART STUDIO.

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3N.) CASE NO. #Z97261-R - The request of City of San Antonio, Applicant, for Lumbermen's Investment Corporation, Owner(s), for a change in zoning from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District on 5.582 acre tract of land out

of NCB 19219, 1100 Block of Evans Road. Staff's recommendation was for denial as requested and approval of "R-5."

Zoning Commission has recommended approval (Council District 9).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning.

Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garcia.

AN ORDINANCE 91614

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 5.582 ACRE TRACT OF LAND OUT OF NCB 19219, 1100 BLOCK OF EVANS ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT.

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2000-15 At this point, Mayor Peak was obliged to leave the meeting. Mr. Carpenter presided.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91615

REGULATING THE RATES FOR ELECTRIC AND GAS SERVICE THROUGH THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS OPERATED BY THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO (CPS) AND APPROVING CPS' (A) PROCESS FOR WHOLESALE SPECIAL CONTRACT RATE TARIFFS; (B)

MISSION TRAILS STREETLIGHTING RATE TARIFF; (C) RENEWABLE ENERGY (WINDTRICITY) RATE TARIFF; (D) MODIFICATIONS OF EXISTING TARIFF RIDERS FOR INTERRUPTIBLE SERVICE AND CHANGES TO THE WORDING OF EXISTING ELECTRIC AND GAS RATES FOR COMMERCIAL AND INDUSTRIAL CUSTOMERS, INDUSTRIAL ELECTRIC RATES AND RIDERS, AND REVISIONS TO THE LARGE POWER TIME OF USE ELECTRIC RATE; AND (E) CHANGES IN THE SCHEDULE OF MISCELLANEOUS CUSTOMER CHARGES TO ADOPT A NEW FEE FOR GAS FURNACE LIGHTING, INCREASE RETURNED CHECK FEES AND CHARGES FOR CUSTOMER REQUESTED LOAD PROFILE DATA.

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Mr. Bannwolf made a motion to approve the proposed Ordinance. Mr. Barrera seconded the motion.

Mr. Octavio Pena, Director of Finance, narrated a video presentation on proposed City Public Service rates for electric and gas service, a copy of which presentation is made a part of the papers of this meeting. He noted that the proposed Ordinance approves three new rates, modifies certain existing rates and riders, and sets new fees and adjustments to miscellaneous charges. He noted that the impact is minimal on revenues of CPS.

Ms. Nadine Knaus, Director of Customer & Energy Services, City Public Service, explained the proposed changes.

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

Mayor Peak spoke in support for the proposed changes in certain rates that affect a new environment.

Mr. Bannwolf spoke to his confidence in CPS' position in an atmosphere of electric deregulation.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to his opinions on each of the proposed changes.

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In response to a question by Ms. Guerrero, a representative from the office of the CPS utility coordinator spoke to the special lighting design for the Mission Trails Project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Prado, Garcia.

— — —  
2000-15 The Clerk read the following Ordinance for the first time:

AN ORDINANCE 91616

AN ORDINANCE GRANTING GRANDE COMMUNICATIONS, INC. (GRANDE) A FIFTEEN (15) YEAR FRANCHISE AGREEMENT TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE/BROADBAND COMMUNICATIONS SYSTEM THAT UTILIZES PUBLIC RIGHTS-OF-WAY, FOR A CONSIDERATION OF 5% OF GROSS REVENUES TO BE RECEIVED BY THE CITY; PROVIDING FOR THREE (3) READINGS AND A PUBLIC HEARING; ESTABLISHING AN EFFECTIVE DATE OF SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER THE FRANCHISE AGREEMENT WITH GRANDE; AND TERMINATING THE INTERIM LICENSE AGREEMENT WITH GRANDE UPON THE EFFECTIVE DATE OF THE FRANCHISE AGREEMENT.

\* \* \* \*

Mr. Bannwolf made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Ben Gorzell, Assistant Director of Finance, narrated a video presentation on the proposed franchise agreement with Grande Communications, Inc., a copy of which presentation is made a part of the papers of this meeting. He spoke to specifics of the proposed agreement, including increases in the City franchise fee. He spoke to the possibility of having four cable companies operating in San Antonio.

The following citizen(s) appeared to speak:

Mr. Jerry James, Chief Operating Officer, Grande Communications, narrated a video presentation on his firm's plans, and introduced his local staff. He addressed the background of the firm in Texas, and noted that the system will serve primarily the San Antonio-to-Austin IH 35 corridor with a staff of some 1,200 persons, offering competitive choices for consumers.

\* \* \* \*

Mr. Garza addressed the creativity and energy of the firm, and urged that its operations seek to blend into the neighborhoods.

Ms. Guerrero spoke in support of the firm's plans and competition in the cable TV services available in San Antonio.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garcia.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91617

GRANTING GRANDE COMMUNICATIONS, INC. (GRANDE) AN INTERIM LICENSE AGREEMENT TO CONSTRUCT AND MAINTAIN A CABLE/BROADBAND COMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY; AUTHORIZING THE CITY MANAGER TO ENTER INTO THE INTERIM LICENSE AGREEMENT WITH GRANDE; AND TERMINATING THE INTERIM LICENSE AGREEMENT ON OCTOBER 31, 2000 OR UPON THE EFFECTIVE DATE OF THE CITY'S FRANCHISE AGREEMENT WITH GRANDE, WHICHEVER FIRST OCCURS.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Ben Gorzell, Assistant Director of Finance, explained the need for the interim license agreement with Grande Communications in order for the firm to begin its work.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Garcia.

— — —  
2000-15 The Clerk read the following Ordinance for the first time:

AN ORDINANCE 91618

AN ORDINANCE GRANTING WIDOPENWEST TEXAS, L.L.C. ("WOW") A FIFTEEN (15) YEAR FRANCHISE AGREEMENT TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE/BROADBAND COMMUNICATIONS SYSTEM THAT UTILIZES PUBLIC RIGHTS-OF-WAY, FOR A CONSIDERATION OF 5% OF GROSS REVENUES TO BE RECEIVED BY THE CITY; PROVIDING FOR THREE (3) READINGS AND A PUBLIC HEARING; ESTABLISHING AN EFFECTIVE DATE OF SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER THE FRANCHISE AGREEMENT WITH WOW; AND TERMINATING THE INTERIM LICENSE AGREEMENT WITH WOW UPON THE EFFECTIVE DATE OF THE FRANCHISE AGREEMENT.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

Mr. Ben Gorzell, Assistant Director of Finance, narrated a video presentation on the proposed franchise agreement with WideOpenWest Texas, L.L.C., a copy of which presentation is made a part of the papers of this meeting. He provided a summary of the proposed franchise agreement, noting that the firm is not proposing telephone service at this time, but voice-over Internet service.

The following citizen(s) appeared to speak:

Ms. Julie McGrath, Senior Vice President and General Manager, WideOpenWest Texas, L.L.P., spoke to a background of her firm and its mission.

\* \* \* \*

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia, Garza.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91619

GRANTING WIDOPENWEST TEXAS, L.L.C. ("WOW") AN INTERIM LICENSE AGREEMENT TO CONSTRUCT AND MAINTAIN A CABLE/BROADBAND COMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY; AUTHORIZING THE CITY MANAGER TO ENTER INTO THE INTERIM LICENSE AGREEMENT WITH WOW; AND TERMINATING THE INTERIM LICENSE AGREEMENT ON OCTOBER 31, 2000, OR UPON THE EFFECTIVE DATE OF THE CITY'S FRANCHISE AGREEMENT WITH WOW, WHICHEVER FIRST OCCURS.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mr. Ben Gorzell, Assistant Director of Finance, explained the need for an interim license agreement in order for the firm to begin work.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia, Garza.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91620

AMENDING ORDINANCE NO. 90976, PASSED ON DECEMBER 9, 1999 TO DESIGNATE REINVESTMENT ZONE NUMBER EIGHT, CITY OF SAN ANTONIO (REINVESTMENT ZONE NO. 8), TO INCREASE THE SIZE OF REINVESTMENT ZONE NO. 8 FROM APPROXIMATELY 340 ACRES TO APPROXIMATELY 733 ACRES AND TO CLARIFY ANY PREVIOUS ORDINANCES OR ANCILLARY DOCUMENTS; APPROVING THE FINAL PROJECT AND FINANCING PLAN (FINANCING PLAN) FOR REINVESTMENT ZONE NO. 8, ALSO REFERRED TO AS THE LA PAZ PROJECT; APPROVING THE PAYMENT OF ALL INCREMENTAL AD VALOREM TAXES GENERATED FROM NEW IMPROVEMENTS OCCURRING IN REINVESTMENT ZONE NO. 8 TO THE ZONE'S TAX INCREMENT FUND AS PROVIDED FOR IN THE FINANCING

PLAN; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE OTHER TAXING ENTITIES CONTRIBUTING AD VALOREM TAXES.

\* \* \* \*

Mr. Salas made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Ms. Frances Gonzalez, Director of Neighborhood Action Department, narrated a video presentation on a proposed amendment to designate Reinvestment Zone Number Eight, and approving the Final Project and Financing Plan for the La Paz Project. A copy of her presentation is made a part of the papers of this meeting. She spoke to the negotiations that had taken place and the agreements decided upon by the developer. She spoke to the various phases of the La Paz Project and their development over a period of years.

Mr. Milo Nitschke, Finance Department, addressed details of the Financing Plan.

Ms. Gonzalez spoke to the next steps in the time-line for project development.

Mr. Salas thanked all involved, and addressed the negotiations that led to donation by the developer of land for a new school in the area.

The following citizen(s) appeared to speak:

Dr. Doug Splitek, Assistant Superintendent, San Antonio Independent School District, provided Council members with materials relating to this agreement, and spoke in support for the development.

\* \* \* \*

Mr. Salas made a motion to amend the proposed Ordinance to include that the property designated by the developer within the La Paz Project for a future Pre-K – 12<sup>th</sup> grade education facility will be donated by the developer to the San Antonio Independent School District. Any eventual construction of an educational facility as referred to in the proposed budget will be under the sole auspices and control of the San Antonio Independent School District. The San Antonio Independent School District will establish a cooperative arrangement with the Alamo Community College District in the design and development of such facility. Mr. Perez seconded the motion.

Ms. Gonzalez then discussed the negotiations held with certain utilities relative to fee waivers.

Mr. Salas offered a second amendment to give staff direction to bring back the waiver of development fees on May 11, 2000, working with San Antonio Water system and City Public Service, and not linking this issue with the development agreement, but bringing forth an ordinance to accomplish the waiver of fees. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Leo Zuniga, representing Alamo Community College District, spoke in support of the statements previously made by Dr. Splitak.

\* \* \* \*

Mayor Peak noted that Tax Increment Financing designation is an important tool to address the housing needs of San Antonio. He stated that he is also excited by the educational possibilities in the development, as well, and he thanked both the SAISD and ACCD for their participation.

Mr. Garza spoke in support for the effort, stating his belief that the demand is there for this new housing development.

The second amendment then prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: Garcia.

The first amendment then prevailed by the following vote: Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: Garcia.

The main motion, as amended, carrying with it the passage of the Ordinance, then prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: Garcia.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91621

RATIFYING WORK COMPLETED AND APPROVING FIELD ALTERATION NO. 65 IN AN AMOUNT OF \$2,730,249.00 PAYABLE TO CLARK/JT CONSTRUCTION,

A JOINT VENTURE, IN CONNECTION WITH THE CONVENTION CENTER EXPANSION PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Ms. Jelynn Burley, Director of the Convention Center Expansion Office, narrated a video presentation on the proposed field alteration, a copy of which presentation is made a part of the papers of this meeting. She spoke to a background explanation of the field alteration and the need for re-sequencing the plan for the Convention Center Expansion work and settlement of all issues related to the work, thus eliminating potential litigation.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Salas, Carpenter.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91622

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A UTILITIES SERVICE AGREEMENT WITH THE SAN ANTONIO WATER SYSTEM ("SAWS") FOR CHILLED WATER AND STEAM SERVICE AND THE FINANCING, DESIGN AND CONSTRUCTION BY SAWS OF A CHILLED WATER FACILITY IN THE APPROXIMATE AREA OF THE EASTSIDE OF THE ALAMODOME ON PARKING LOT B TO MEET THE SERVICES NEEDS OF THE EXPANDED HENRY B. GONZALEZ CONVENTION CENTER; AND PROVIDING FROM CONVENTION CENTER EXPANSION PROJECT FUNDS FOR PAYMENT OF A \$200,000.00 CONNECTION FEE.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Garza seconded the motion.

Ms. Jelynn Burley, Director of the Convention Center Expansion Office, narrated a video presentation on the proposed Utilities Service Agreement relating to construction of a chilled water and steam service facility for San Antonio Water system on the Alamodome's parking Lot B. A copy of the presentation is made a part of the papers of this meeting. She spoke to SAWS' need for a new plant to serve an expanded Convention Center, to be located on Alamodome Parking Lot B. She then narrated a video presentation pertaining to a companion Ordinance following at Agenda Item 40, a copy of which presentation is also made a part of the papers of this meeting. That presentation dealt with selection of an independent consultant to provide certain services relating to construction of the chilled water and steam service facility. She enumerated the work already performed by Cook-Joyce Inc., environmental consultants, and noted that this second firm, an independent firm, would provide secondary environmental oversight to insure protection of the adjacent neighborhoods. She then spoke to the four candidate firms submitting proposals, the selection criteria used, and the final recommendation of Nova Consulting Group, Inc., including the reasons for its selection.

Mayor Peak spoke to the key points in negotiations with representatives of nearby neighborhoods on the project, and the protections to be afforded those neighborhoods.

The following citizen(s) appeared to speak:

Mr. David Arevalo, representing the ROSE organization, spoke in agreement to the need for the new facility, but expressed his opposition on the proposed location being on Parking Lot B. He asked the City to consider other possible sites, stating his belief that it would adversely affect the adjacent neighborhoods.

Mr. Abel P. Torres, 807 Delaware, also representing the ROSE organization, addressed his concern with noise and environmental concerns with the new plant if it is constructed on Parking Lot B of the Alamodome. He asked that, if it is indeed built there, then the City Council should allow the neighborhood citizens to have input and observation of the construction.

In response to a question by Mr. Salas, Ms. Burley noted that no construction contract has yet been awarded.

Mr. Leonard Young, representing San Antonio Water System, confirmed that bids on the construction have been opened, but no contract yet awarded. He further noted that Lyda Construction submitted the apparent low bid, some \$2.5 million below SAWS' estimate. He noted that SAWS' board will consider awarding this contract on April 18, 2000.

In response to a question by Mr. Salas, Mr. Frank Garza, City Attorney, stated that Lyda Construction was not part of the Alamodome dirt issue. He noted that the City had sued

several firms over the Alamodome dirt matter, but had hired Cook-Joyce Inc. to assist the City in environmental consulting matters.

Mr. Salas stated his belief that locating this facility on Parking Lot B at the Alamodome is inconsistent with planned development of the neighborhood, and spoke to the construction of new homes nearby in the Historic Gardens area. He spoke against locating anything else on that parking lot.

Ms. Burley spoke to details of two additional sites that were under consideration for the new facility, each of which is too small in area.

In response to a question by Mr. Salas, Ms. Burley stated that some 14,000 cubic yards of soil is scheduled to be excavated from this proposed new facility site, and addressed the actual footprint of that structure. She spoke to certain sampling of soils to be conducted for the facility and related piping into the nearby Alamodome, and addressed Nova's composition, and the rationale for the firm's selection.

In response to a question by Mr. Salas, Mr. Young spoke to certain landscaping and architectural features agreed to in order to make the new facility more aesthetically-pleasing, stating that SAWS is willing to work with the neighborhood on this.

Mr. Salas then offered a substitute motion to instruct San Antonio Water System to look for another site, rather than location of the facility on Parking Lot B of the Alamodome. The motion died for lack of a second.

Mr. Perez spoke in support of the proposal, as presented.

Mayor Peak reiterated plans to make the facility more pleasing to the neighborhood.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** Salas. **ABSENT:** None.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91623

AUTHORIZING THE SELECTION OF NOVA CONSULTING GROUP INC. INDEPENDENT CONSULTANT TO PROVIDE ENVIRONMENTAL MONITORING,

OVERSIGHT SERVICES FOR CONSTRUCTION OF THE NEW SAN ANTONIO WATER SYSTEM'S (SAWS) CHILLED WATER PLANT FACILITY LOCATED ON LOT "B" OF THE ALAMODOME; AUTHORIZING STAFF TO NEGOTIATE TERMS AND CONDITIONS OF AN AGREEMENT FOR SAID SERVICES.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

Mayor Peak spoke to the City's oversight capacity relative to construction of this facility.

Mr. Salas spoke to his desire to have community input into this facility's construction, and offered an amendment to instruct the independent consultant to contact the neighborhood organizations, ROSE and the Historic Gardens Association, to coordinate their presence to observe the excavated soil being hauled off from the site. Mr. Perez seconded the motion.

The amendment then prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

The main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91624

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 1 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$40,399.98 TO COUNCILMAN BOBBY PEREZ FOR AN ADMINISTRATIVE SERVICES CONTRACTS WITH THOMAS R. AGUILLON (\$18,000.00); MELISSA COULTER (\$13,999.98); AND DAN CANALES (\$8,400.00) FROM APRIL 1, 2000, THROUGH SEPTEMBER 30, 2000; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91625

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 4 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$4,200.00 TO COUNCILMAN RAUL PRADO FOR ADMINISTRATIVE SERVICES CONTRACT WITH LESLIE A. ZAVALA (\$2,100.00 PER MONTH) FROM APRIL 10, 2000, THROUGH MAY 31, 2000; AS REQUESTED BY COUNCILMAN RAUL PRADO.

\* \* \* \*

Mr. Prado made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91626

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 7 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$20,055.00 TO COUNCILMAN ED GARZA FOR ADMINISTRATIVE SERVICES CONTRACTS WITH VIVIAN MANGOLD (\$14,400.00) FROM APRIL 1, 2000, THROUGH SEPTEMBER 30, 2000, AND

PABLO OCCHIUZZI (\$5,655.00) FROM APRIL 1, 2000, THROUGH JUNE 30, 2000;  
AND; AS REQUESTED BY COUNCILMAN ED GARZA.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

— — —  
2000-15 The Clerk read the following Ordinance:

AN ORDINANCE 91627

AUTHORIZING REIMBURSEMENT TO COUNCILMAN TIM BANNWOLF, DISTRICT 9, IN THE AMOUNT OF \$211.00 IN CONNECTION WITH TRAVEL EXPENSES INCURRED FOR TRAINING FOR ADMINISTRATIVE STAFF OF THE DISTRICT 9 DISTRICT OFFICE; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

\* \* \* \*

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

**MR. JOHN THOMPSON**

Mr. John Thompson, presented a written report to the City Council, a copy of which is on file with the papers of this meeting, dealing with a loss of income and also a report entitled, "Economic Impact Study of the Cloggers Showcase", a copy of which is also on file with the papers of this meeting. He stated that they still have not resolved this issue with the Parks and Recreation Department and asked the City Council to assist them with the losses they have sustained.

In response to Mayor Peak, Mr. Malcolm Matthews, Director of Parks and Recreation, explained that the City staff has been meeting with the Cloggers organization to provide them assistance with their fundraising by making available different City venues.

Mayor Peak asked that City staff continue meeting with Mr. Thompson and his group to come to a resolution and made reference to the \$3,000 grant which they had previously received from the Arts and Cultural Department.

\* \* \* \*

**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, spoke to the City Council on several issues including the need for the new Sheraton Hotel to pay a living wage to their employees. He again spoke against the park curfew because he feels there are not enough park rangers to enforce it. He expressed concern about the Barge issue and feels that the contract should be negotiated to save monies.

\* \* \* \*

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke on various issues and concurred with remarks made by Councilman Salas on Item 39 on today's agenda. He then spoke of his opinion that Elian Gonzales should be allowed to stay in the United States.

\* \* \* \*

## **DATAFLEET OPPOSITION GROUP**

Mr. Miguel Juarez, Neighbors United Against Crime, spoke of his opposition to the proposed relocation of a fleet gasoline station to Hutchins Street which he stated will disrupt the entire neighborhood with increased traffic, noise pollution as well as air pollution. He urged the Council to do all he can to deny the station from being built at this new location.

Ms. Gloria Gutierrez, 1502 Parnell, reiterated remarks made by Mr. Juarez and asked Councilman Prado to do all he can to seek an alternative site and asked for a meeting with all respective parties.

Councilman Prado stated that he is very concerned about the situation and in spite of disparaging remarks made by the citizens he is involved with negotiations with the developers of this gas station to remedy the situation. He spoke of the many hours and numerous meetings he has expended on this very issue and asked Mr. Steve Arronge, Assistant City Attorney, to address the legal aspects.

Mr. Arronge reported on the legal issues involving state permits and state law and the only remedies available to the City and to the neighbors. He stated that there is no legal way to stop the relocation.

Mr. Prado then stated to the individuals that he has received several assurances from the developer involving restrictions and improvements to the property.

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## **PATRICK LECOMBE**

Mr. Patrick LeCombe, representing Senior Resources, appeared before the City Council and stated that he wanted to bring them up to date on the federal lawsuit which involved his agency and the Greater Kelly Development Authority. He gave the City Council background history on the lawsuit and stated that to date he has not successfully located a facility within the Kelly area to set up the housing for the homeless.

Councilwoman Guerrero spoke of her concerns with a home which has been deemed to be a safety hazard belonging to Mr. LeCombe's agency and urged him to either tear it down or allow the City to do so. She receives weekly complaints about the condition of the house by surrounding neighbors. Mr. LeCombe stated the reasons why he has been unable to restore the home to date.

— — —  
2000-15      EXECUTIVE SESSION

City Council recessed its regular session at 6:32 P.M. in order to convene in Executive Session for the purpose of:

A) Attorney/Client consultation regarding the terms and conditions of a: (1) Development Agreement; (2) long term lease; (3) Tax Phase-In Agreement; and (4) related documents with Starwood (formerly ITT Sheraton) and Related Lodging, in connection with the construction of a Convention Headquarters Hotel adjacent to the Henry B. Gonzalez Convention Center.

B) Attorney/Client consultation regarding the lawsuit between Yanaguana Cruises, Inc. and the City of San Antonio, Cause No. 2000-CI-04845.

— — —  
2000-15      City Council adjourned the Executive Session and reconvened in regular session at 7:40 P.M., at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2000-15      There being no further business to come before the City Council, the meeting was adjourned at 7:41 P.M.

A P P R O V E D

  
**HOWARD W. PEAK**  
M A Y O R

Attest:   
**NORMA S. RODRIGUEZ, CMC/AAE**  
City Clerk