

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 10, 2000**

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2000-06 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):

**Boards & Commissions Work Session** – City Council asked that all the nominations move forward to the "A" Session of the February 17, 2000 City Council meeting for action (South Fort Sam Houston Development Advisory Board; Bexar Metro 9-1-1 District' Board of Adjustment; and Housing Authority of the City of San Antonio).

**Presentation on the Creation of a Parking Revenue System and Financing the Construction of City of San Antonio Parking Garage** – City Council concurred to move forward.

The Council members present were: Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: Vásquez.

The "B" Session adjourned at 11:10 A.M.

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2000-06 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro Tem Bonnie Conner, acting in the temporary absence of Mayor Howard W. Peak, with the following members present: Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: None.

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2000-06 Invocation - Rev. C.J. Walker, Walker Temple African Methodist Episcopal Church.

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2000-06 Pledge of Allegiance to the flag of the United States.

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2000-06 Minutes of the Regular City Council Meeting for January 6, 2000 were approved.

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**RESOLUTION OF RESPECT – STATE SENATOR GREGORY**

Mayor Pro Tem Conner stated that, on November 6, 1999, the City of San Antonio lost a valuable friend in the passing of State Senator Gregory Luna. She noted that members of the late Senator Luna's family have been invited to today's City Council meeting so that the Council might officially present them with a Resolution of Respect.

Mayor Pro Tem Conner then read the following Resolution of Respect:

**RESOLUTION  
OF RESPECT  
NO. 2000-06-08**

**Whereas,** on Saturday, November 6, 1999, death brought to a close the life of Gregory Luna, a former State Senator and respected citizen of our city; and

**Whereas,** born in New Braunfels, Texas, Senator Luna spent most of his life in San Antonio, graduating from trinity university and St. Mary's school of law; After graduation, he worked for the city's legal department as a municipal court prosecutor before entering private practice; and

**Whereas,** Senator Luna was one of the founders of the Mexican American Legal Defense and Educational Fund, a national organization involved in civil rights cases that have effected positive changes for minorities; he sat on THE ORGANIZATION'S original national board and served as its chairman on several occasions; and

**Whereas,** he was elected to the Texas Legislature and served first as a state representative from 1985 to 1993 and then AS a State Senator from 1993 until his retirement in 1999; and

**Whereas,** Senator Luna worked tirelessly for his community devoting much of his energy to issues related to education and earning the respect and admiration of those whose lives he touched; his legacy of service, devotion, and concern WILL SERVE as an outstanding example for others in public service: **NOW, THEREFORE:**

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

SECTION 1. that with the death of Senator Gregory Luna, the City of San Antonio has lost a valuable asset to its past, present, and future.

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SECTION 2. that the City Council joins with his family and friends in their sorrow over his death, and extends its sincerest sympathy and prayers of comfort to those who were near him.

SECTION 3. and it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy be presented to his family as a token of our deepest sympathy.

**PASSED AND APPROVED** this 10th day of FEBRUARY, 2000.

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Mr. Prado made a motion to approve the proposed Resolution. Ms. Guerrero seconded the motion.

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

Mr. Gregory Luna, son of the late Senator Luna, spoke on behalf of the Luna family, thanking the Mayor and City Council for this recognition, and addressed his late father's background in community service.

Mayor Pro Tem Conner and other members of City Council spoke to the impact of the loss of such a community leader and addressed their own personal remembrances of him and his service to San Antonio and this area.

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**2000-06      TRADE MISSION FROM CHIHUAHUA, MEXICO**

Mayor Pro Tem Conner stated that the City's International Affairs Department and the Free Trade Alliance San Antonio are hosting a group of business persons and government officials from the State of Chihuahua, Mexico, and have invited them to be with us today. She then introduced St. Leopoldo Mares, Chihuahua State Secretary of Commercial and Tourism Development.

Sr. Mares spoke to the development of better trade relations between San Antonio and the State of Chihuahua, and invited members of the City Council to reciprocate with a visit to Chihuahua, at their convenience. He then introduced other members of his delegation, after which there was an exchange of official gifts.

Members of City Council welcomed the group to San Antonio and expressed their personal hope for an expanded trade relationship between Chihuahua and San Antonio.

(At this point, Mr. Carpenter presided in the temporary absence of Mayor Peak, who is attending a funeral.)

2000-06      CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Consent Agenda item and commented on several.

Mr. Jack Finger, P.O. Box 12048, asked if the City is getting its money's worth from support of the Education Partnership with six school districts, noted in Agenda Item 17, and asked that Council members receiving political contributions from principals of firms noted in Agenda Items 9 and 10 to abstain from voting on those items.

2000-06      CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 7 through 22, constituting the Consent Agenda. Ms. Guerrero seconded the motion.

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

AN ORDINANCE 91235

ACCEPTING THE LOW, QUALIFIED BIDS OF NILFISK-ADVANCE, ITEM 1 FOR A TOTAL OF \$5,982.00; ALTERNATIVE CLEANING TECHNOLOGY, INC. (WBE), ITEMS 2 AND 3 FOR A TOTAL OF \$19,980.00; YATES INDUSTRIAL SUPPLY CO., (WBE), ITEM 4 FOR A TOTAL OF \$425.00; MARATTA ENTERPRISES, INC. D/B/A CLEANING TECHNOLOGIES, (MBE/WBE), ITEMS 5 AND 7 FOR A TOTAL OF \$2,436.00, SANIVAC/DAVIS MFG. (BID #2), ITEM 6 FOR A TOTAL OF \$520.30; UNISOURCE D/B/A NATIONAL SANITARY, ITEM 8 IN THE AMOUNT

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OF \$619.56; COLEMAN ENTERPRISES CLEANING IDEAS, ITEM 9 IN THE AMOUNT OF \$2,850.00; SANIVAC/DAVIS MFG. (BID #1), ITEM 10 IN THE AMOUNT OF \$517.00; SANIVAC, INC. D/B/A CLEANING IDEAS (BID #1), ITEM 11 FOR A TOTAL OF \$1,323.00; HILLYARD MISSION, ITEM 12 FOR A TOTAL OF \$750.00, FOR A TOTAL OF \$35,402.86.

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AN ORDINANCE 91236

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY JAMES LAWNMOWER, ITEMS 1, 3, 4, 11, 12, 13 AND 14; JOHN H. SOROLA, INC., (MBE/WBE), ITEMS 5, 6, 8, 9 AND 10; MENCO, INC. D/B/A GRAVELY SALES & SERVICE, ITEM 7 TO PROVIDE THE CITY OF SAN ANTONIO WITH LAWN MOWER, EDGER AND CHAIN SAW PARTS AND SERVICE ON AN ANNUAL BASIS FOR AN ESTIMATED TOTAL OF \$105,000.00 ANNUALLY.

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AN ORDINANCE 91237

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH MARMON MOK, L.L.P. IN AN AMOUNT NOT TO EXCEED \$30,200.00 TO PROVIDE DESIGN OF THE REVENUE AND PARKING CONTROL SYSTEM PHASE II FOR THE AVIATION DEPARTMENT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; REVISING THE BUDGET AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91238

AUTHORIZING A METROPOLITAN PLANNING ORGANIZATION (MPO) FUNDED PROFESSIONAL SERVICES CONTRACT TO ACQUIRE RIGHTS-OF-WAY IN AN AMOUNT NOT TO EXCEED \$9,600.00 TO LOCKWOOD, ANDREWS AND NEWNAM, INC., IN CONNECTION WITH THE LOCKHILL SELMA PROJECT FROM GEORGE ROAD TO WHISPER PATH, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING \$2,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91239

AUTHORIZING PAYMENT OF \$460,361.47 FROM MPO MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) URBAN STREET PROGRAM (USP) PROJECT ON RITTIMAN FROM AUSTIN HWY. TO HARRY WURZBACH, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$92,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91240

ACCEPTING THE LOW BID OF MOBILE INTERPRISES, INC. FOR A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$88,506.00; IN CONNECTION WITH THE RIVERBEND PARKING GARAGE REPAIR PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$6,195.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$565.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91241

APPROPRIATING \$510,000.00 FROM THE MISCELLANEOUS SPECIAL REVENUE FUND FOR THE ESTABLISHMENT OF A PROJECT AND BUDGET FOR THE INSTALLATION OF TRAFFIC SIGNALS AT THE FOLLOWING SEVEN (7) LOCATIONS THROUGHOUT THE CITY OF SAN ANTONIO: ROOSEVELT AVENUE AND MARCH AVENUE; GUILBEAU AND OLD TEZEL; MEDICAL AND HORIZON HILL/BLUFFCREEK; PRUE AND SOUTHWELL/NETWORK; BASSE AND FORESTSHIRE; BROADWAY AND BURR; AND STONE OAK AND KNIGHTS CROSS.

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AN ORDINANCE 91242

AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,300.00 TO ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR APPRAISAL FEES IN CONNECTION WITH THE MCKAY STREET - CONNER TO GRAND JEAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT IN THE AMOUNT OF \$1,400.00 AND THE HARVARD TERRACE - YALE TO UNIVERSITY

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT IN THE AMOUNT OF \$900.00; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91243

ACCEPTING THE DEDICATION OF A TEMPORARY EASEMENT FROM ALAMO KAMPGROUNDS, INC. AND A TEMPORARY EASEMENT FROM JACK ROTH, A SINGLE MAN, IN CONNECTION WITH THE I.H. 35 TO GEMBLER ROAD ON SALADO CREEK PROJECT; THE DEDICATION OF A PEDESTRIAN EASEMENT FROM H. E. BUTT COMPANY, A TEXAS CORPORATION, IN CONNECTION WITH THE BLANCO ROAD AT LOOP 1604 PROJECT; AND ACCEPTING A RIGHT OF ENTRY AGREEMENT FROM BILLY J. LAFORCE AND WIFE, MICHELE P. LAFORCE AND A RIGHT OF ENTRY AGREEMENT FROM GARY S. TANGRADY, A SINGLE MAN, IN CONNECTION WITH THE BABCOCK ROAD - DEZAVALA ROAD TO HAUSMAN PROJECT.

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AN ORDINANCE 91244

AUTHORIZING THE EXPENDITURE OF \$200.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE EXECUTION OF AN EASEMENT SUBORDINATION IN CONNECTION WITH THE HARVARD - TERRACE - YALE TO UNIVERSITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91245

AUTHORIZING THE ACCEPTANCE OF FUNDS FROM SIX (6) INDEPENDENT SCHOOL DISTRICTS IN THE AMOUNT OF \$111,250.00 FOR SUPPORT OF THE SAN ANTONIO EDUCATION PARTNERSHIP; ESTABLISHING A BUDGET; AND AUTHORIZING THE TRANSFER AND EXPENDITURE OF ANY REMAINING FUNDS FROM PREVIOUS PROGRAM YEARS IN SUPPORT OF THE CURRENT FISCAL YEAR OPERATIONS.

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AN ORDINANCE 91246

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARENT/CHILD INCORPORATED (PCI) ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO PROVIDE PHYSICAL AND DENTAL EXAMINATIONS REIMBURSABLE ON A FEE-FOR-SERVICE BASIS FOR THE PERIOD FEBRUARY 1, 2000 TO JANUARY 31, 2001; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 91247

AUTHORIZING REIMBURSEMENT IN THE AMOUNT OF \$147,021.00 TO THE TEXAS DEPARTMENT OF HEALTH (TDH) TO LIQUIDATE OVERPAYMENTS MADE TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) PROJECT; AND APPROVING PAYMENTS TO TDH IN CONNECTION THEREWITH.

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AN ORDINANCE 91248

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE MASONIC LODGE PROCESSION ON SATURDAY, MARCH 4, 2000, BEGINNING AT 8:15 A.M. UNTIL 9:15 A.M.

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AN ORDINANCE 91249

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE ST. PATRICK'S DAY RUN ON SATURDAY, MARCH 11, 2000 BEGINNING AT 7:00 A.M. UNTIL 10:00A.M.; AS REQUESTED BY THE ST. PATRICK'S DAY COMMISSION.

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AN ORDINANCE 91250

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE ST. PATRICK'S DAY PARADE ON SATURDAY, MARCH 18, 2000 BEGINNING AT 12:00 NOON UNTIL 4:00 P.M.; AS REQUESTED BY THE ST. PATRICK'S DAY COMMISSION.

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2000-06 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Jack Finger, P.O. Box 12048, questioned what action the City Council would take relative to Agenda Item 29, a proposed Resolution opposing expansion of the BFI landfill in the east and southeast parts of San Antonio. He questioned the lack of names of the firms to be assisted in Agenda Item 30; why the Overseas Private Investment Corporation (OPIC) was not currently present in Mexico, as outlined in Agenda Item 30; and expressed his concern with possible loopholes in the proposed hazardous materials route plan and proposed penalties addressed in Agenda Item 27.

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2000-06 It was the concensus of City Council members present to temporarily bypass Agenda Item 23, pending arrival of the Canary Islands delegation.

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2000-06 Agenda Item 24, being a proposed ordinance establishing the Brooks Advisory Board ("Board") to advise staff and Council in planning and implementing the City-Base Project with the Air Force and to serve as a forum for public participation and input into the City-Base planning and development process; and appointing members to the Board, was earlier removed from consideration by the City Manager.

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2000-06 The Clerk read the following Ordinance:

AN ORDINANCE 91251

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO \$400,000.00 TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION ("EDA") FOR FINANCIAL ASSISTANCE IN DEVELOPING A STRATEGIC PLAN TO IMPLEMENT THE CITY-BASE PROJECT AT BROOKS AIR FORCE BASE (AFB); AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD; AND AUTHORIZING A PROJECT BUDGET AND ADMINISTRATION OF PROJECT FUNDS.

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

Mr. Manuel Longoria, Acting Director of Economic Development Department, narrated a video presentation on the City-Base Project at Brooks Air Force Base, a copy of which presentation is made a part of the papers of this meeting.

Ms. Guerrero spoke to this as being a pro-active step toward developing a strategic plan for the Project, and noted that City Council will be appointing a committee in two weeks.

Mr. Bannwolf noted that this is an exciting concept, the first of its kind in the nation, and aims this project toward being the nucleus of a biotechnical center in San Antonio.

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

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2000-06 The Clerk read the following Ordinance:

AN ORDINANCE 91252

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY, TEXAS, PROVIDING FOR (1) THE COLLECTION OF CERTAIN HOTEL OCCUPANCY TAXES AT A MAXIMUM RATE OF ONE AND THREE QUARTERS PERCENT FOR THE PURPOSE OF FINANCING A SPORT AND COMMUNITY VENUE PROJECT AND RELATED INFRASTRUCTURE; (2) A COLLECTION FEE OF ONE

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HALF OF ONE PERCENT OF THE GROSS COLLECTION, NOT TO EXCEED \$50,000.00 PER YEAR; AND (3) AUTOMATIC RENEWAL ON A YEARLY BASIS UNLESS TERMINATED AS THEREIN PROVIDED.

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

Mr. Octavio Pena, Director of Finance, narrated a video presentation on the proposed Interlocal Agreement for the City to collect certain Hotel Occupancy Taxes to be used in financing a Sport and Community Venue Project for Bexar County. A copy of his presentation is made a part of the papers of this meeting.

Mr. Bannwolf offered an amendment to direct City staff to include language in this and future contracts with Bexar County that addresses 'dispute resolution'. Ms. Guerrero seconded the motion.

After discussion, the amendment prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter. NAYS: None. ABSENT: Vásquez, Peak.

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. NAYS: None. ABSENT: Vásquez, Peak.

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2000-06 The Canary Islands delegation having now arrived in Council chambers, it was the concensus of City Council members present to undertake consideration of Agenda Item 23 at this time.

Mayor Pro Tem Conner read the following proposed Resolution:

AN RESOLUTION  
2000-06-09

OF SUPPORT TO HOLD THE 2001 "CONFERENCE OF BANKERS, ENTREPRENEURS, AND INDUSTRIALISTS OF CANARY ISLANDERS LIVING ABROAD" IN SAN ANTONIO.

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

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

Sr. Mauricio Romero, Chief Executive Officer, Canary Islands Economic Development Foundation (SOFESA), thanked all who took part in the January 15-22, 2000 trade mission to the Canary Islands.

Mr. Henry Sauvignet, Director of International Affairs Department, briefly explained the purpose for this Resolution.

Mr. Carpenter spoke to a general overview of the recent trade mission.

The following citizen(s) appeared to speak:

Mr. Henry Feldman, President, La Mansion Del Rio Hotel, spoke to the business contacts made related to the hotel industry, and proposed future projects, including participation of Canary Islands representation in a coming wine festival to be held in San Antonio.

Ms. Alicia Burger, President, Canary Islands Descendents Association, described the opportunities afforded to research family history during the trade mission, and spoke to the opening of a new Canary Islands Descendents Museum, complete with library, in the restored Carter Building at the intersection of Commerce and Main Avenue.

Ms. Patricia Stout, President, Alamo Travel Group, addressed the business opportunities related to the travel industry and links to European destinations.

Father David Garcia, Rector, San Fernando Cathedral, spoke to meetings held with Canary Islands public and private sectors to identify financial support for the planned renovation of Main Plaza and San Fernando Cathedral. He noted that some 90 per cent of the church restoration in the Canary Islands is by the government.

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Mr. Garza noted the diversity of the trade mission group and its successful trip, thanking all involved.

Mr. Sauvignet then introduced other members of the trade mission, present in the audience.

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2000-06      ZONING HEARINGS – CITIZEN COMMENTS

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

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2000-06      ZONING HEARINGS

4A.            CASE NO. #Z99273 - The request of Jason N. Chin, Applicant, for Jason N. Chin, Owner, for a change in zoning from "R-1" Single Family Residence District to "R-2A" Three and Four Family Residence District on Lot 26, NCB 852 and the east irregular 37.62 feet of Lot 26, NCB 828 (447 East Magnolia Avenue). Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 1).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case, noting that nine affirmative votes of City Council would be required to approve the requested rezoning.

Mr. Perez made a motion to approve the recommendation of the Zoning Commission, and to deny the requested rezoning. Ms. Guerrero seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Vásquez, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Barrera, Bannwolf, Peak.

Zoning Case Z99273 was denied.

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4B.            CASE NO. #Z99271 - The request of Stephen W. Yndo, Applicant, for Graham B. Knight, Owner, for a change in zoning from "R-2A" (HD) Historic Three and Four Family Residence District to "R-3" (HD) Historic Multiple Family Residence District and from "B-3NA" (HD) Historic Business District, Non Alcoholic Sales to "B-2NA" (HD) Non-Alcoholic Sales on Lots 3, 4, and 5, Block 4, NCB 741 and Lot 13 and

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the northeast 37 feet of Lot 14, Block 4, NCB 741 (210, 212 Madison Street and 923 South Alamo Street). Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

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

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, Vásquez, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Barrera, Bannwolf, Peak.

#### AN ORDINANCE 91253

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 3, 4, AND 5, BLOCK 4, NCB 741 AND LOT 13 AND THE NORTHEAST 37 FEET OF LOT 14, BLOCK 4, NCB 741 (210, 212 MADISON STREET AND 923 SOUTH ALAMO STREET), FROM "R-2A" (HD) HISTORIC THREE AND FOUR FAMILY RESIDENCE DISTRICT TO "R-3" (HD) HISTORIC MULTIPLE FAMILY RESIDENCE DISTRICT; LOT 13 AND THE NORTHWEST 37 FEET OF LOT 14, BLOCK 4, NCB 741, FROM "B-3NA" (HD) HISTORIC BUSINESS DISTRICT, NON ALCOHOLIC SALES TO "B-2NA" (HD) HISTORICAL BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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4C. CASE NO. #Z99236 - The request of Elena D. Moreno, Applicant, for Elena D. Moreno, Owner, for a change in zoning from "B" Residence District to "B-3NA" Non Alcoholic Sales Business District on Lot 9, New City Block 9782 (1202 McCauley Drive). Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 4).

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

Mr. Prado 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:** Guerrero, Prado, Vásquez, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Perez, Salas, Barrera, Bannwolf, Peak.

AN ORDINANCE 91254

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 9, NEW CITY BLOCK 9782 (1202 MCCAULEY DRIVE), FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT.

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4D. CASE NO. #Z99244 - The request of Charles W. Bauchman, Applicant, for Charles W. Bauchman, Owner, for a change in zoning from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District on Lots 3, 4, 4A, 17,17A and 18, Block A, NCB 14653 (5908 Babcock Road). Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

The following citizen(s) appeared to speak:

Mr. Jerry Arredondo, representing the applicant, spoke to details of the restrictive covenants worked out with the neighborhood association.

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Mr. Garza asked that the Declaration of Restrictive Covenants dated February 10, 2000 become a part of the official papers of this meeting, and provided the same to the City Clerk. He noted that he would initiate a memorandum to restore the current zoning if the integrity of the Declaration of Restrictive Covenants is not preserved. He then addressed the differences between the proposed zoning for this property and that called for in the Alamo Farmsteads Association plan.

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

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

AN ORDINANCE 91255

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 3, 4, 4A, 17, 17A AND 18, BLOCK A, NCB 14653 (5908 BABCOCK ROAD), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

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4E. CASE NO. #Z20012 - The request of The Francis Law Firm, P.C., Applicant, for B & M Real Estate, Ltd., Owner, for a change in zoning from "B-2" Business District to "B-3 NA" Non-Alcoholic Sales Business District on a 0.102 acre (4,442 square feet) tract of land being a portion of Lot 10, Block 18, New City Block 15046. (6420 N. W. Loop 410). Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza 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:** Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Perez, Salas, Vásquez, Peak.

AN ORDINANCE 91256

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 A 0.102 ACRE (4,442 SQUARE FEET) TRACT OF LAND BEING A PORTION OF LOT 10, BLOCK 18, NEW CITY BLOCK 15046. (6420 N. W. LOOP 410), FROM "B-2" BUSINESS DISTRICT TO "B-3 NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

\* \* \* \*

4F. CASE NO. #Z99282 - The request of Brett J. Baillio, Applicant, for Zachey Lee, Owner, for a change in zoning from P-1 (R-5) Planned Unit Development Single Family Residence District to "O-1" Office District and "B-2" Business District on 6.6603 acres ("O-1") and 1.5503 acres ("B-2") out of Lot 16, Block 22, NCB 13405 (8206 Callaghan Road). Staff's recommendation was for approval of R-6.

Zoning Commission has recommended approval of O-1 and B-2 (Council District 8).

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

Ms. Conner made a motion to uphold the recommendation of the Zoning Commission, subject to the Declaration of Development Restrictions and Covenants for the Callaghan Office/Business Park. Ms. Guerrero seconded the motion.

Ms. Conner then handed over the said Declaration of Development Restrictions and Covenants to the City Clerk, a copy of which Declaration is made a part of the papers of this meeting.

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

#### AN ORDINANCE 91257

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 6.6603 ACRES OUT OF LOT 16, FROM P-1 (R-5) PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT; 1.5503 ACRES OUT OF LOT 16, BLOCK 22, NCB 13405 (8206 CALLAGHAN ROAD), FROM P-1 (R-5) PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4G. ZONING CASE NO. Z20007: The request of NORTH PARK MEDICAL CONFERENCE CENTER, L.L.C., Applicant, for NORTH PARK MEDICAL CONFERENCE CENTER, L.L.C., Owner, for a change in zoning from "B-1" and "B-3" Business Districts to "B-2" Business District on a 9.812 and a 9.840 acre tracts of land out of NCB 14445 (between Data Point Drive and Bluffdale Drive). 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 uphold the recommendation of the Zoning Commission, subject to the Protective Covenants previously filed for record, a copy of which is made a part of the papers of this meeting. Mr. Bannwolf seconded the motion.

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:** Guerrero, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Perez, Salas, Prado, Vásquez, Peak.

AN ORDINANCE 91258

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 9.812 AND A 9.840 ACRE TRACTS OF LAND OUT OF NCB 14445 (BETWEEN DATA POINT DRIVE AND BLUFFDALE DRIVE), FROM "B-1" AND "B-3" BUSINESS DISTRICTS TO "B-2" BUSINESS DISTRICT.

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4H. CASE NO. #Z99195 - The request of Frank A. Stanush, Applicant, for Frank A. Stanush, Owner, for a change in zoning from "R-3" Multiple Family Residence District to "O-1" Office District on Lot 18, Block 3, NCB 16789 (12000 block of Jones Maltsberger Road). Staff's recommendation was for approval.

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Zoning Commission has recommended approval (Council District 9 ).

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

The following citizen(s) appeared to speak:

Mr. A.D. Evans, 1818 Archers Bow, president of the neighborhood association, spoke in support for the proposed rezoning, so long as the requirements of the tree ordinance and other provisions of the Unified Development Code as they relate to trees and landscaping are followed.

Mr. Bannwolf 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:** Guerrero, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Perez, Salas, Prado, Vásquez, Peak.

#### AN ORDINANCE 91259

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 18, BLOCK 3, NCB 16789 (12000 BLOCK OF JONES MALTSBERGER ROAD), FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

\* \* \* \*

4I. CASE NO. #Z99251 - The request of Allen and Susan Hansen, Applicant, for Allen and Susan Hansen, Owner, for a change in zoning from Temporary "R-1" Single Family Residence District to "B-2" Business District and "I-1" Light Industry District on the south 195 feet of Lots 25 and 28A, NCB 14952. Temporary "R-1" on Lots 28 and 28A, save and except the south 195 feet, NCB 14952 (5807 Randolph Boulevard) Staff's recommendation was for denial as requested and approval of "B-2" and "I-1" with a 20 foot buffer of "B-2".

Zoning Commission has recommended approval (Council District 10).

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

Mr. Bannwolf 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, Guerrero, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Salas, Prado, Vásquez, Peak.

AN ORDINANCE 91260

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 THE SOUTH 195 FEET OF LOTS 25 AND 28A, NCB 14952, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; ON LOTS 28 AND 28A, SAVE AND EXCEPT THE SOUTH 195 FEET, NCB 14952 (5807 RANDOLPH BOULEVARD), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

\* \* \* \*

— — —  
2000-06 The Clerk read the following Resolution:

AN RESOLUTION  
NO. 2000-06-10

IN SUPPORT OF AND URGING THE TEXAS DEPARTMENT OF TRANSPORTATION TO APPROVE A NON-RADIOACTIVE HAZARDOUS MATERIALS ROUTE, CONCERNING MATERIALS DEEMED CAPABLE OF POSING AN UNREASONABLE RISK TO HEALTH, SAFETY, OR PROPERTY WHEN TRANSPORTED IN COMMERCE, WHICH AGENCY APPROVAL WOULD ENABLE LOCAL REGULATIONS AND APPROPRIATE AMENDMENT TO THE CITY CODE OF THE CITY OF SAN ANTONIO, TEXAS, UNDER A PROSPECTIVE ORDINANCE TO BE APPROXIMATELY ENTITLED NON-RADIOACTIVE HAZARDOUS MATERIALS ROUTE; WHICH PROSPECTIVE ORDINANCE COULD PROVIDE FOR SAFE LOCAL DELIVERY, PERMISSIBLE ROUTE DESIGNATIONS, ENFORCEMENT, AND PENALTIES.

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

Fire Chief, Robert Ojeda, provided the Council with a brief overview of the proposed Non-Radioactive Hazardous Materials Route.

Assistant Fire Chief, Steve Worley, then narrated a video presentation on the proposed route, a copy of which presentation is made a part of the papers of this meeting. He explained the proposed route and its need as part of a county-wide plan, and addressed the three goals involved. He then spoke to the proposed designated routes for through hazardous materials traffic and its enforcement, and identified the businesses which have already pledged voluntary compliance with the route plan. He spoke to certain modifications made to the original plan and certain suggestions implemented as a result of public hearings, as well as several suggestions which were not adopted. He then spoke to the timeline from this point forward, and asked Council to approve the plan.

Mr. Perez thanked all concerned for their hard work on this difficult matter, noting that the community indicated that it wanted to be heard on this issue, and in fact was heard.

Chief Worley noted that the next step will be delivery of the necessary documents to the Texas Department of Transportation in Austin, and asked other municipalities along the proposed route to adopt like Resolutions of Support for the Non-Radioactive Hazardous Materials Route.

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

— — —  
2000-06 The Clerk read the following Ordinance:

AN ORDINANCE 91261

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 7 BUDGET ACCOUNT TO COUNCILMAN ED GARZA IN THE AMOUNT OF \$10,200.00 FOR ADMINISTRATIVE SERVICES CONTRACTS WITH CLARISSA M. RODRIGUEZ (\$9,200.00) FROM FEBRUARY 1, 2000, THROUGH MAY 31, 2000; AND CHRIS

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CANTU (\$1,000.00) FROM FEBRUARY 1, 2000, THROUGH FEBRUARY 29, 2000;  
AS REQUESTED BY COUNCILMAN ED GARZA.

\* \* \* \*

Ms. Guerrero 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, Vásquez, Barrera, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Bannwolf, Peak.

— — —  
2000-06 It was the concensus of City Council members present to temporarily bypass Agenda Item 29 at this time.

— — —  
2000-06 The Clerk read the following Resolution:

AN RESOLUTION  
NO. 2000-06-11

EXPRESSING CITY COUNCIL'S SUPPORT OF AN INITIATIVE BY THE OVERSEAS PRIVATE INVESTMENT CORPORATION ("O.P.I.C.") TO EXTEND ITS PROGRAMS INTO MEXICO.

\* \* \* \*

Ms. Guerrero made a motion to approve the proposed Resolution. Mr. Prado seconded the motion.

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

— — —  
2000-06 City Council then recessed its regular session at 2:58 P.M., reconvening at 3:19 P.M., at which time Mayor Peak arrived at the meeting to preside.

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**2000-06 PUBLIC HEARING AND ORDINANCE: BETTER FUTURE PROGRAM: AN ELECTION.**

Mayor Peak declared the Public Hearing to be open.

Mr. Frank Garza, City Attorney, narrated a video presentation concerning the Better Future Program and the proposed Call of the Election on four (4) Venue Projects for May 6, 2000. A copy of his presentation is made a part of the papers of this meeting. He addressed the original five proposed Venue Projects, and addressed certain concerns with the Better Jobs Venue Project, as opposed to the other four Venue Projects. He addressed certain questions on the applicability of the Better Jobs Program to Chapter 334, Section 4B of the Local Government Code, and expressed his own legal opinion that the current law does not provide a clear legal authority to fund unlimited job training or associated programs. He spoke to the need to seek a change in that state law in the next session of the State Legislature before presenting the Better Jobs Program to the voters.

Mr. Manuel Longoria, Acting Director of Economic Development Department, then narrated a video presentation on the Better Future Program, including the four remaining Venue Projects, noting that more than 500 other cities levy sales taxes for economic development purposes, although most large Texas cities cannot do so, for several reasons he then cited. He addressed the impact of the 1/8<sup>th</sup>-cent sales tax over a 10-year period, and addressed the remaining four Venue Projects in detail.

City Attorney Garza addressed the proposed timetable leading up to a May 6, 2000 election date.

The following citizen(s) appeared to speak:

Ms. Chave Gonzaba, Chairperson of the Greater Kelly Development Authority and Kelly USA, stated that she does not like to lose the Better Jobs Venue Project proposal at this time, but stated that she would support it when possible. She urged that the election go forward on the other four issues, and spoke to the advantages.

Mr. Paul Roberson, Executive Director, GKDA, spoke to the need for the sales tax to fund further development of Kelly USA and creating an international center for logistical distribution there.

Mr. Andy Sarabia, representing Communities Organized for Public Service (COPS), reiterated the vision for the Better Jobs Program that his organization and Metro Alliance have. He asked that this particular portion of the proposed Venue Projects be postponed to allow time to work with the City Council and others to develop a strategy to seek a change in current state law which would allow sales taxes to support something like the Better Jobs Program.

The pastor of Sacred Heart Catholic Church, also representing COPS, spoke in support of a plan to seek a change in current state law to allow sales tax funds to support programs such as the Better Jobs Program, and asked for a City Council resolution next week to reserve a portion of the available sales tax for the Better Jobs Program, or to set aside certain City Public Service payments to the City to begin this program.

A spokesperson for Project Quest asked for an allocation of some \$4 million from the next City budget for jobs training.

Ms. Virginia Valenzuela, also representing COPS, asked for revised City Council funding of some \$2.5 million for the Education Partnership.

Father Jimmy Drennan stated that specific details need to be known as to who benefits from the projected \$210 million sales tax revenues over the next 10 years, if voters approve it in May. He spoke to the need to know how that money is to be spent.

Mr. Donze Lopez, representing the Greater San Antonio Chamber of Commerce, stated that his organization is committed to work to change the current state law in order that the Better Jobs Program can be funded through a sales tax allocation. He addressed the need to support the remaining four Venue Projects, regardless.

Mr. Blake Hastings, representing the Free Trade Alliance, spoke in support for funding of the Kelly proposal as a top priority.

Mr. Tony R. Garza stated his opinion that Boeing and other big companies at Kelly should pay for their improvements, instead of using sales tax revenues. He expressed his disappointment that the Better Jobs Program cannot be considered, and spoke against proceeding with a May 6, 2000 election on the other Venue Projects.

Mr. Faris Hodge, Jr., 140 Dora, stated his opinion that other organizations other than COPS should receive the benefits from this, as well. He spoke in support of the Kelly proposal and for river improvements.

Ms. Rita Elizondo, President, Hispanic Chamber of Commerce, stated that her organization supports both the Better Jobs Program and Kelly improvements and

development. She urged that all involved work together on legislation that would allow the Better Jobs Program to utilize sales tax revenues.

Mr. Jack Finger, P.O. Box 12048, spoke to the need for more information on the proposed projects, and spoke against financing any improvements for Boeing at Kelly Air Force Base.

Mr. Mario Hernandez, representing the San Antonio Economic Development Foundation, spoke in support for calling the May 6, 2000 election on the four Venue Projects, and to work toward legislation that would allow the Better Jobs Program to receive sales tax funding.

Mr. Fred Magee, 8826 Flint Valley, spoke in support for only the Kelly improvements, and not the others. He suggested certain other possibilities to accomplish the other Venue Projects, and spoke to the need for job training.

Mr. Jeff Labenz-Hough, representing the South San Antonio Chamber of Commerce, spoke in support for the remaining four Venue Projects in order to improve economic development and river development.

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

\* \* \* \*

Councilman Carpenter made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

Mayor Peak thanked all involved in presenting this package for consideration for their months and even years of work on this matter. He stated that this is only postponing the Better Jobs Program for a time, and noted that work already is underway on certain strategies to change the state law as it relates to funding for such a project. He spoke to his desire that the beginning of the Better Jobs issue can be implemented through the coming budget process through support programs. He amplified upon the need for the other four Venue Projects, including flood control, improvements at Kelly, parks development and aquifer protection, as well as economic development for this area.

Councilman Bannwolf spoke in support for the remaining package of four Venue Projects and addressed his rationale for that support, expressing his disappointment in having to postpone the Better Jobs Program at this time. He noted that the City Council currently is circulating a memorandum to move toward certain changes in state law relating to

funding of the Better Jobs Program, after which this issue can be revisited. He also spoke to his desire to fully educate the voters as to where the sales tax funds are being spent.

Councilman Garza noted that everyone involved is disappointed in having to postpone the Better Jobs Program for the moment, until legal issues are resolved. He spoke to the need to continue to work toward better jobs and training, and spoke in support for the economic development allocations scheduled to be applied to each Council district, when approved by the voters.

Councilman Barrera spoke in support for moving ahead with the remainder of the package, and to explore options relating to where funds might be found for such jobs training in the upcoming budget.

Councilwoman Guerrero spoke in support for the remaining package and addressed the advantages of each segment.

Councilman Prado noted that the remaining four Venue Projects are truly important and needed, and he singled out the economic development funding to be allocated to each City Council district, although he has reservations as to the amount of money available in each district. He stated that he would be voting against going forward with certain Venue Project issues, as a result.

Councilwoman Conner noted that the Venue Projects are good for everyone throughout San Antonio. She spoke to the need to assess current programs and the future of the Better Jobs Program.

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:** Salas, Prado, Vásquez. **ABSENT:** None.

#### AN ORDINANCE 91262

ORDERING A SPECIAL ELECTION TO BE HELD ON THE 6<sup>TH</sup> DAY OF MAY, 2000, IN THE CITY OF SAN ANTONIO, TEXAS, IN ACCORDANCE WITH CHAPTER 334, AS AMENDED, TEXAS LOCAL GOVERNMENT CODE, AND OTHER APPLICABLE LAW, ON THE QUESTION OF IMPLEMENTING AND APPROVING CITY COUNCIL RESOLUTION NO. 2000-04-07 WHICH DESIGNATES, AND PROVIDES FOR THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION, OR RENOVATION OF, AND THE METHOD OF FINANCING FOR, THE FOLLOWING FOUR "VENUE PROJECTS": (1) THE SAN ANTONIO RIVER VENUE PROJECT, (2) THE KELLY AIR FORCE BASE VENUE PROJECT, (3) THE PARKS DEVELOPMENT AND EXPANSION

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VENUE PROJECT, AND (4) THE BUSINESS DEVELOPMENT AND EXPANSION VENUE PROJECT; MAKING PROVISIONS FOR THE HOLDING OF SAID ELECTION; CONTAINING OTHER PROVISIONS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

— — —  
2000-06 At this time, City Council recessed its regular session at 5:12 P.M. in order to convene in Executive Session for the purpose of Attorney/Client consultation relative to Agenda Item 29. The Council recessed its Executive Session and reconvened in regular session at 5:54 P.M., at which time Mayor Peak stated that City Council had been briefed on the above-styled matter but had taken no official action.

— — —  
2000-06 The Clerk read the following Resolution:

AN RESOLUTION  
NO. 2000-06-12

CONCERNING THE EXPANSION OF THE BFI LANDFILL IN SAN ANTONIO.

\* \* \* \*

Mr. John German, Director of Public Works, narrated a video presentation, providing a historical overview of the City's previous position on the issue of landfills and their locations serving San Antonio. He stated that the Rosillo Creek landfill could open for operations at any time. He spoke to an overview of the Browning Ferris Industries (BFI) permit situation, including its request to increase the permitted height of its Tessman Road landfill by 59 additional feet. He spoke to an historical overview since 1993 when the City closed its Nelson Gardens landfill and entered into three contracts with BFI, Texas Disposal Services, and Waste Management in 1995-96. He then addressed three staff concerns, as outlined on Page 10 of the staff presentation, and addressed certain elements of the disposal contracts. He then spoke to a chronology of City support for expansion of the BFI landfill in question, expressing his concern that opposition to the permit expansion might result in contractual obligation problems with BFI. He also spoke to concerns that the life of existing landfills may be reduced, and the costs of transportation and disposal of solid waste might increase. He recommended that the proposal Resolution be denied, or that it be amended to reflect opposition to the height increase only.

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The following citizen(s) appeared to speak:

Mr. William M. Davis, representing BFI, addressed a background of discussions held between his firm and the Martinez Environmental Group (MEG) relative to the BFI Tessman Road landfill and a proposed settlement agreement. He stated that attorneys for MEG in early February called off the negotiations, and he pledged better cooperation by BFI.

Mr. Paul Floyd, also representing BFI, stated that his firm develops state-of-the-art landfills, and supports the environment.

Mr. Tommy Adkisson, County Commissioner of Bexar County, spoke in opposition to the expansion of the BFI landfill in question, stating his opinion that the proposed buffer around the landfill is useless. He asked the City Council to support the proposed Resolution.

State Representative, Robert Puente asked the City Council to oppose the permit request for the BFI landfill in question, and spoke to the need to present a unified front when this matter goes to the Texas Natural Resources Conservation Commission (TNRCC).

Mr. Paul Aschbacher, representing BFI, stated his opinion that his firm is responsible in both waste disposal and recycling, and spoke to BFI programs that outline BFI's commitments to the community and its pro-active stance in these matters.

Ms. Lynda Rife, also representing BFI, spoke to the BFI agreements with the East Central Independent School District and with the area neighbors, stating her opinion that the firm's proposal put before MEG is a fair one.

Mr. Noel White, President, Greenway Neighborhood Association, noted that he initially opposed the BFI landfill proposal, but now feels that the firm is the industry leader in waste management and being a good corporate neighbor.

Mr. David Arevalo, representing ROSE, questioned why San Antonio contracted for 30 years with waste management firms, when the landfills couldn't cope with solid waste refuse for that long a period. He also spoke to his concern for BFI's record of service.

Mr. Faris Hodge, Jr., 140 Dora, questioned where the solid waste would be taken, if the BFI landfill in question were to close. He spoke to possible court proceedings.

Mr. Donald McKinzie, President of MEG, spoke against the landfill expansion request, noting that MEG had negotiated with BFI, but was unable to reach an agreement. He spoke against the proposed increase in the landfill height, size, and any future expansion.

He asked that a joint committee be formed to work on this problem, and spoke to his organization's decision to cease negotiations with BFI on January 12, 2000. He also asked the City Council to oppose expansion of the BFI landfill.

Mr. Alan Lee Copeland, also representing MEG, narrated a group of video and overhead presentations of the landfill area, and addressed his group's concerns with the produce of the landfill.

Mr. Leon Thomas, 1206 Picardie Drive, stated his feeling that the east side bears the brunt of trash disposal, and he spoke against expanding the height of the landfill.

Mr. Dennis A. Dunk, Mayor Pro Tem, City of China Grove and member of MEG, noted that a settlement agreement with BFI has failed, and noted that other area cities oppose expansion of the landfill. He asked City Council to oppose it.

Mr. John Vrzalik, Mayor of the City of China Grove, spoke in opposition to the expansion of the landfill, and asked that, if permitted, the expansion take place by phases and not in a single permit for the next 50 years. He expressed his desire that the landfill move to a less-populous area. He asked the City Council to oppose the proposed expansion.

Ms. Kristin Sczepanik, China Grove, read a prepared statement opposing expansion of the BFI landfill.

Ms. Barbara Traugott spoke to objectionable odors from the landfill.

Ms. Jackie Sczepanik, China Grove, stated that she lives one mile from the proposed landfill expansion, and spoke to her concern with area children being exposed to methane gas and the smell of refuse. She displayed photographs taken in the area of the landfill, and asked the Council to oppose the permit request.

Mr. Jay Ross stated that he has lived near the landfill for the past 18 years, and asked the Council to oppose the permit request.

Mr. Stephen Pruski provided Council members with a handout of materials. He expressed his opinion that BFI has over-extended itself, and that the residents in the area were there first.

Mr. David Windhorst, City Councilman, City of China Grove, stated his belief that BFI needs to move on.

Mr. T.C. Calvert, representing Neighborhood First Alliance, spoke in opposition to the expansion of the BFI landfill, and addressed the smell and sight concerns. He also spoke to the need for alternate sites of refuse disposal.

Mr. Frank Burney, attorney representing BFI, noted that a decision was made in 1994 on a 30-year solid waste disposal contract, and he urged the City Council not to oppose the expansion of the BFI landfill in question. He stated that 98 per cent of the waste in the landfill comes from within Bexar County. He stated that BFI had worked with the landowners and had negotiated in good faith and as a good corporate citizen. He stated that the landfill is a necessary part of urban life, and spoke in opposition to the proposed Resolution.

\* \* \* \*

Mr. Salas spoke to BFI's request for a permit extension and his concerns with possible health risks. He spoke against the proposed expansion of the landfill.

In response to a question by Mr. Salas, City Attorney Garza stated that most regulations forbid solid waste coming into this landfill from another country such as Mexico, and noted that concerned citizens can file complaints with the Texas Natural Resources Conservation Commission (TNRCC).

Mr. Salas stated his contention that BFI could work better with the area citizens.

Mr. Salas made a motion to approve the proposed Resolution. At this time, there was no immediate second to the motion. Following further discussion, Mr. Prado seconded the motion on the floor.

Ms. Guerrero stated her belief that opportunities to work this matter out should have been addressed earlier.

In response to a question by Ms. Guerrero, Mr. Rick Green, representing Waste Management, noted that his solid waste disposal firm has a major investment in the Covell Gardens landfill and owns the site of the Rosillo Creek landfill. He stated that his firm has no current plans to develop that Rosillo Creek landfill, but might do so at a later date. He also stated that the property containing that Rosillo Creek landfill site is not for sale.

Ms. Guerrero stated her hope that the citizens who were here today about the Tessman Road landfill can have the same confidence in BFI that other citizens have in Waste Management elsewhere. She also noted that the City of San Antonio has working relationships with three firms in the waste management business.

In response to a question by Mr. Prado, Mr. Jesse Oviedo, representing Waste Management, stated that there is no opposition to expansion of Covell Gardens landfill, and he has worked with the community in that area.

In response to a question by Mayor Peak, Ms. Guerrero reiterated that the permit request today is to expand the height of the Tessman Road landfill from 265 acres to 695 acres

Mayor Peak stated his opinion that it is important for all such developments to work with their neighbors and get their support. He spoke to the importance of the BFI landfill in question, and the proposed Resolution sends a message to the Texas Natural Resources Conservation Commission that the City is asking BFI to work with the neighbors. He also stated his desire that the proposed Resolution contain the accurate number of acres involved in the proposed expansion of that landfill.

At this point, Mr. Prado seconded the pending motion now on the floor, to approve the proposed Resolution.

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

Mayor Peak urged both sides on this issue to work together.

— — —  
2000-06      CITIZENS TO BE HEARD

**MR. FARIS HODGE**

Mr. Faris Hodge, Jr., 140 Dora, spoke in favor of City Council's action regarding the call of the Election on May 6, 2000 for the Better Futures projects. He disapproved of the action taken relative to the Resolution opposing the expansion of the landfill by BFI and spoke regarding other issues discussed by the City Council at today's meeting.

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**MS. MARY FENSTERMAKER**

Ms. Mary Fenstermaker, 27487 Stage Road (Boerne), read a prepared statement, a copy of which is on file with the papers of this meeting, regarding her concerns with the preservation of the George Madison Maverick Block, the 100 East Block of Houston Street.

\* \* \* \*

**MS. BEBE FENSTERMAKER**

Ms. Bebe Fenstermaker, P.O. Box 1264 (Boerne), also read a prepared statement, a copy of which is on file with the papers of this meeting, reiterating concerns made by Ms. Mary Fenstermaker.

\* \* \* \*

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the City Council about the actions taken by City Council with regard to the Resolution opposing the expansion of the BFI Landfill. He also spoke about his concerns with the City employing people and promoting them instead of promotion of current City employees.

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**2000-05      CITY MANAGER'S REPORT**

**EXECUTIVE WORK SESSION**

Mr. Alexander E. Briseño, City Manager, provided Council members with a memorandum as a reminder of the Executive Worksession for members of the City's Executive Team this Friday and Saturday at the Flying L Ranch in Bandera, Texas.

2000-06 There being no further business to come before the City Council, the meeting was adjourned at 8:07 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