

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE CITY COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
THURSDAY, OCTOBER 3, 1996.**

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96-40 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton.

Work Session on vacancies to the City's boards and commissions:

Council moved all nominations forward to next week's "A" Session.

"B" Session adjourned at 10:50 A.M.

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96-40 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; Absent: None.

96-40 Invocation - Reverend David Trawick, Northwest Hills United Methodist Church.

96-40 Pledge of Allegiance to the flag of the United States.

96-40 The Minutes of the August 8, 1996 and August 15, 1996, Regular City Council Meetings were approved.

"AT YOUR SERVICE" AWARD - MR. ABEL ARAIZA

Mr. Alexander E. Briseño, City Manager, spoke in recognition of Mr. Araiza, Executive Assistant in the Public Works Department, and introduced him to the Mayor and City Council, touching on the highlights of his background, accomplishments, and service to the City of San Antonio.

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A video presentation outlined his work with the City.

Mayor Thornton and Mr. Briseño congratulated Mr. Araiza and presented him with a Certificate of Recognition and a check for \$200.

Mr. Araiza thanked the Mayor and City Council for the recognition, and introduced other members of his family present in the audience.

96-40 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 8 through 28, constituting the Consent Agenda. Mr. Solis seconded the motion.

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

AN ORDINANCE 84,890

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATIVE 1 OF LVA CONSTRUCTION COMPANY IN THE AMOUNT OF \$77,750.00 IN CONNECTION WITH THE LA VILLITA/TOWER ADA IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING THE TRANSFER OF FUNDS; AUTHORIZING \$7,775.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$625.00 FOR BID ADVERTISING EXPENSES; ADOPTING A BUDGET; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 84,891

ACCEPTING THE LOW, QUALIFIED BASE BID AND DEDUCTIVE ALTERNATE 2 OF GREYSTONE INDUSTRIES, LTD. IN THE AMOUNT OF \$184,000.00 IN CONNECTION THE OLMOS BASIN GOLF CLUBHOUSE ADA MODIFICATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING THE TRANSFER OF FUNDS; AUTHORIZING \$18,400.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$7,198.00 FOR PROFESSIONAL SERVICES PAYABLE TO ACCESSIBILITY UNLIMITED, INC.; AUTHORIZING \$630.00 FOR ADVERTISING

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EXPENSES; ADOPTING A BUDGET; AND PROVIDING FOR PAYMENT. (WBE)

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AN ORDINANCE 84,892

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$208,535.30 IN CONNECTION WITH THE CAROLYN STREET - BRADY TO HIGHWAY 90 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$10,500.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 84,893

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,277,833.00 IN CONNECTION WITH THE MICHIGAN AVENUE - CRAIG TO HILDEBRAND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$53,615.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 84,894

ACCEPTING THE PROPOSAL OF OPERATIONAL TECHNOLOGIES CORPORATION IN THE AMOUNT OF \$40,000.00 FOR PROFESSIONAL SERVICES IN CONNECTION WITH ENVIRONMENTAL ENGINEERING SERVICES FOR THE ASBESTOS AND DEMOLITION IN DREAMLAND OAKS PROJECT; AUTHORIZING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,895

RATIFYING AND CONFIRMING ALL ACTIONS TAKEN BY CITY STAFF AND AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH POZNECKI-CAMARILLO & ASSOCIATES, INC. IN CONNECTION WITH THE TAXIWAY H RECONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT BY INCREASING THE SCOPE OF WORK TO INCLUDE DESIGN OF THE UNDERGROUND STORM DRAINAGE SYSTEM FOR THE TAXIWAY H AREA AND INCREASING THE TOTAL FEES PAYABLE BY THE AMOUNT OF \$141,033.83; REVISING THE PROJECT BUDGET FOR THE PROJECT TO INCLUDE THE FEDERAL GRANT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,896

DESIGNATING CHESNEY-MORALES & ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL, ENGINEERING SERVICES AND PLANNING SERVICES IN CONNECTION WITH THE TERMINAL AND LANDSIDE IMPROVEMENTS STUDY AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT IN THE TOTAL AMOUNT NOT TO EXCEED \$465,000.00; AND APPROPRIATING FUNDS FOR SAID PURPOSE.

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AN ORDINANCE 84,897

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,070.57 FOR TITLE SERVICES FOR THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE II; BASSE ROAD AT SAN PEDRO METROPOLITAN PLANNING ORGANIZATION PROJECT; SAN PEDRO AVENUE & ASHBY STREET INTERSECTION IMPROVEMENTS PROJECT; AND 34TH STREET PROJECT - HIGHWAY 90 TO CASTROVILLE ROAD; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,898

AUTHORIZING PAYMENT TO DUGGER, CANADAY, GRAFE & WOELFEL, INC. IN THE AMOUNT OF \$6,750.00 FOR APPRAISAL SERVICES FOR THE E. COMMERCE STREET AND S. NAVARRO STREET SITE; APPROPRIATING FUNDS; AND PROVIDING

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FOR PAYMENT.

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AN ORDINANCE 84,899

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$33,483.00 FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE STREET TO BROWNLEAF; ACQUIRING FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE BABCOCK AT HILLCREST INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT; AND ACQUIRING FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE BASSE ROAD AT SAN PEDRO METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 84,900

AUTHORIZING PAYMENT TO ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR APPRAISAL SERVICES IN THE AMOUNT OF \$1,775.00 FOR THE WURZBACH PARKWAY PROJECT AND THE BANDERA ROAD PROJECT - LOOP 410 TO I.H. 10; AND APPROPRIATING FUNDS. (WBE)

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AN ORDINANCE 84,901

AUTHORIZING PAYMENT IN THE AMOUNT OF \$500.00 TO JOE L. SCATES, MRA, MSA FOR REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH THE KENNITH/TAHOKA AREA STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,902

AUTHORIZING THE RENEWAL AND EXTENSION OF THE LEASE OF 1,780 SQUARE FEET OF RETAIL SPACE AT THE HEMISFAIR PARKING GARAGE TO THE SAN ANTONIO SPURS, LTD FOR ONE (1) YEAR AT \$1.35 PER SQUARE FOOT PER MONTH,

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FOR A TOTAL OF \$28,836.00.

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AN ORDINANCE 84,903

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SERVICES WITH VERTEX TARGETED OPPORTUNITIES, INC. FOR THE COMPLETION OF QUARTERLY MEDICAID ADMINISTRATIVE CLAIMS FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND APPROVING PAYMENTS OF UP TO 15.5% OF ALL REVENUE ACTUALLY RECEIVED AS A DIRECT RESULT OF THIS CONTRACT.

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AN ORDINANCE 84,904

AUTHORIZING THE EXECUTION OF A CONTRACT WITH ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF \$74,000.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO IMPLEMENT A LITTER ABATEMENT PROGRAM; ESTABLISHING A PROJECT FUND AND BUDGET; AND AUTHORIZING ONE (1) PERSONNEL POSITION.

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AN ORDINANCE 84,905

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH GREATER SAN ANTONIO SAFETY COUNCIL, INC. TO PROVIDE DRIVING SAFETY TRAINING SERVICES TO CITY EMPLOYEES WHO POSSESS A CLASS "C" DRIVERS LICENSE FOR A TERM BEGINNING OCTOBER 14, 1996 AND ENDING SEPTEMBER 30, 1997 AT A COST NOT TO EXCEED \$9,000.00.

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AN ORDINANCE 84,906

AMENDING ORDINANCE NO. 83597, PASSED AND APPROVED ON FEBRUARY 15, 1996, TO DELETE OCTOBER 4TH, 5TH, 6TH, 1996 AND ADD OCTOBER 18TH, 19TH AND 20TH, 1996 TO THE LIST OF DATES FOR THE TEMPORARY CLOSURE OF SAN SABA STREET FOR MARKET SQUARE SPECIAL EVENTS IN 1996.

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AN ORDINANCE 84,907

AUTHORIZING THE TEMPORARY CLOSURE OF S. SAN AUGUSTINE STREET BETWEEN W. COMMERCE AND BUENA VISTA STREETS FROM 9:00 A.M., SATURDAY, OCTOBER 26, 1996 UNTIL 12:00 MIDNIGHT, SUNDAY, OCTOBER 27, 1996 IN CONNECTION WITH THE ANNUAL FALL FESTIVAL, SPONSORED BY ST. JUDE'S CATHOLIC CHURCH.

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AN ORDINANCE 84,908

AUTHORIZING THE TEMPORARY CLOSURE OF NUNES STREET BETWEEN EL DORADO AND W. THEO STREETS FROM 9:00 A.M. UNTIL 11:00 P.M., SUNDAY, OCTOBER 13, 1996 IN CONNECTION WITH THE ANNUAL PARISH FALL FESTIVAL, SPONSORED BY ST. JAMES THE APOSTLE CATHOLIC CHURCH.

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AN ORDINANCE 84,909

AUTHORIZING THE TEMPORARY CLOSURE OF THE CULDESAC ON HOUSTON STREET AT BONHAM STREET FROM 8:00 A.M. UNTIL 10:00 P.M., SUNDAY, OCTOBER 20, 1996 IN CONNECTION WITH THE THIRD ANNUAL "BRAVO AT THE ALAMO", SPONSORED BY THE DAUGHTERS OF THE REPUBLIC OF TEXAS.

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AN ORDINANCE 84,910

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 7:00 A.M. UNTIL 2:00 P.M., SATURDAY, OCTOBER 19, 1996 IN CONNECTION WITH THE 15TH ANNUAL JOG-WALK FOR NON-PUBLIC EDUCATION.

94-40 It was the consensus of City Council members present to undertake consideration of Agenda Item 33 at this time.

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The Clerk read the following Ordinance:

AN ORDINANCE 84,911

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN "INTERLOCAL COOPERATION AGREEMENT" FOR STORMWATER SERVICES WITH THE SAN ANTONIO WATER SYSTEM FOR ADMINISTRATIVE AND OPERATIONAL SERVICES ASSOCIATED WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER QUALITY PERMIT REQUIREMENTS AS AUTHORIZED BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA).

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

Mr. Clarence Daugherty, Assistant Director of Public Works, narrated a video presentation outlining the background of the Environmental Protection Agency stormwater regulations, and the need for the Interlocal Agreement of Cooperation with the San Antonio Water System on this subject. He noted that the Agreement will move the many administrative costs and responsibilities from SAWS to the City of San Antonio.

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

94-40

DESIGNATION OF ACTING MAYOR PRO TEM

Mayor Thornton noted that both he and the current Mayor Pro Tem, Ms. Billa Burke, will be out of the country during the October 17, 1996 City Council meeting, and an Acting Mayor Pro Tem needs to be appointed by the City Council to preside at that meeting. He recommended that the Council concur to designate Ms. Lott to serve as Acting Mayor Pro Tem during the absence of the Mayor and current Mayor Pro Tem.

Mr. Solis made a motion to name Ms. Lott the Acting Mayor Pro Tem in the absence of the Mayor and current Mayor Pro Tem. Mr. Peak seconded the motion.

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

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Ross, Marbut.

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,912

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 7:00 P.M. UNTIL 8:00 P.M., WEDNESDAY, OCTOBER 9, 1996 IN CONNECTION WITH THE AIDS PROCESSION OF HOPE, SPONSORED BY THE HISPANIC AIDS COMMITTEE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

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

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

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,913

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 7:00 A.M. UNTIL 9:30 A.M., SATURDAY, OCTOBER 12, 1996 IN CONNECTION WITH THE CHILDREN'S SHELTER OF SAN ANTONIO BENEFIT RUN, SPONSORED BY THE CONCORD ATHLETIC CLUB; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Lott, Billa Burke, Avila, Solis, Ross, Marbut, Peak,

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Webster, Thornton; NAYS: None; Absent: Flores, Herrera.

It was the consensus of City Council members present to temporarily bypass consideration of Agenda Item 31 for consideration later in the meeting.

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,914

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FUNDING IN THE AMOUNT OF \$22,021,588.00 THROUGH THE ECONOMIC DEVELOPMENT INITIATIVES (EDI) GRANT PROGRAM FOR THE DEVELOPMENT OF HOMEOWNERSHIP OPPORTUNITIES, NEW RESIDENTIAL DEVELOPMENT AND COMMERCIAL REVITALIZATION IN TARGET AREAS; AUTHORIZING THE SUBMISSION OF AN APPLICATION TO HUD FOR A 108 LOAN IN THE MINIMUM AMOUNT OF \$22,021,589.00, SUCH SUBMISSION CONDITIONED ON APPROVAL BY HUD OF THE EDI APPLICATION; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Andrew Cameron, Director of Housing & Community Development, narrated a video presentation, a copy of which is made a part of the papers of this meeting. He explained the Housing and Urban Development (HUD) Section 108 Loan and its advantages, and noted that there is the potential for San Antonio to lose certain Community Development Block Grant (CDBG) monies in the event of loan default. He then addressed eligibility requirements for program funding, and identified the two projects identified for funding: Alamodome/Travis Park Neighborhood Redevelopment Project Villas de Esperanza. He then spoke to the target areas involved and the leveraging of private funds, as well as details of the two projects involved, and summarized the total grant request of some \$22 million.

Mr. Alexander E. Briseño, City Manager, noted that a quick turnaround is required for this loan request, and spoke to the need to seek funding of existing project plans because of the lack of planning time to develop a new project request. He then spoke to 'projects within a project'.

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Mayor Thornton spoke to the "Metropolitan in the Park" project on the east side of Travis Park.

Mr. Solis addressed the advantages of the two projects to provide home ownership possibilities.

Ms. Lott stated that she is anxious to see the Alamodome/Cherry Street Project because of neighborhood needs, and addressed the difficulties for home ownership for young people today.

A discussion ensued concerning the eligibility requirements for home ownership.

In response to a question by Mr. Peak, Mr. Cameron explained the possibility of loss of certain CDBG funding, should there be a loan default in the 108 Loan area.

Mr. Ross spoke to the chances for recovery of any CDBG funding loss due to default, by virtue of the City having a first lien on properties involved.

Mr. Solis spoke to the minimal exposure to any CDBG funding loss because of this 108 Loan program.

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

96-40 Public Hearing and Consideration of An Ordinance approving the reprogramming of the 1996 Housing Opportunities for Persons with AIDS budget to reassign funding to the Community Clinic in the amount of \$12,448.00 from the allocation previously approved for the San Antonio Metropolitan Health District; and authorizing the execution of a contract in connection therewith

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Mayor Thornton declared the Public Hearing to be open.

Mr. Rolando Morales, Acting Director, Department of Community Initiatives, explained the reprogramming of HOPWA funds.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 84,915

APPROVING THE REPROGRAMMING OF THE 1996 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS BUDGET TO REASSIGN FUNDING TO THE COMMUNITY CLINIC IN THE AMOUNT OF \$12,448.00 FROM THE ALLOCATION PREVIOUSLY APPROVED FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND AUTHORIZING THE EXECUTION OF A CONTRACT IN CONNECTION THEREWITH.

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

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

96-40

The Clerk read the following Resolution:

A RESOLUTION 96-40-42

ADOPTING THE CITY OF SAN ANTONIO'S 1997 LEGISLATIVE PROGRAM FOR THE 75TH STATE LEGISLATIVE SESSION BEGINNING JANUARY 14, 1997.

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

Ms. Myra Leo, former Director, Intergovernmental Relations, narrated a video presentation of the City's recommended 19-point Legislative Package for 1997, a copy of which is made a part of the papers of this meeting.

Mr. Joe Aceves, President, San Antonio Water System, then narrated a brief video presentation of his agency's legislative program, a copy of which is made a part of the papers of this meeting.

Ms. Stella Kyle, Presiding Judge of Municipal Court, spoke to the 11-point legislative package of the Greater San Antonio Crime Commission, a copy of which is made a

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part of the papers of this meeting.

Mr. Webster spoke in support of the idea of having cities receive a portion of the Road & Bridge Fund proceeds now going only to counties; against an increase in gasoline taxes or motor vehicle fees; the need to change graffiti laws; and the need for the Edwards Aquifer Authority to be subject to sunset review, like other state agencies.

Ms. Billa Burke asked that any Council amendments to the Legislative Package as presented today be made in writing and sent to the State Initiative Committee, which she chairs. She also thanked Ms. Leo for her service to the City.

Mr. Solis spoke in support for defense transition funding; a change to the Road & Bridge Fund tax revenue sites; and a change to the graffiti laws. He spoke to his belief that the City Council should oppose privatization of municipal utilities ("retail wheeling"), and stated that he would suggest an amendment to the committee.

Mayor Thornton spoke to his desire to have representatives of the City and City Public Service discuss this matter further, and asked to have this particular matter pulled from the program for discussion.

Mr. Avila spoke to the Crime Commission's recommendations for stricter penalties and punishment.

Mr. Flores spoke in general support for the legislative program.

Mr. Ross stated his support for increased funding for the Texas Natural Resources Conservation Commission, and expressed a desire to see local fees paid to TNRCC stay in the local office.

Mr. Peak spoke to the need to discuss all aspects of our utilities' futures.

Mayor Thornton spoke to his desire to have a future "B" Session on this matter, and noted that citizens need to be kept informed, as well.

Ms. Billa Burke stated her belief that changes to the legislative program should come to her committee, even during the coming legislative session, for coordination.

Ms. Lott addressed the need for an increased street improvements fund, but spoke to her concern with any increase in gasoline taxes to fund it.

Mr. Webster agreed that the Council needs to address the question of "retail wheeling" of utilities and the ramifications of such an event.

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Mr. Webster then made a motion to amend the current motion on the floor by pulling Item 14 "Street Improvement Fund" from the legislative packet so that the Council's State Initiatives Committee can review it for tax impact. Mr. Solis seconded the motion.

Ms. Billa Burke spoke to her preference that this issue go to her committee, first.

The Following Citizen Appeared To Speak:

Mr. Jack M. Finger stated that he has major problems with this proposed legislative program, and asked that the Mayor's Water Policy Committee look at the SAWS proposals, first, and not be circumvented. He questioned several SAWS' proposals as well as several from the Crime Commission package, and asked that the SAWS recommendations be dropped until the Water Committee reviews it. He asked that the City's Legislative Committee meetings be open to the public.

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

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

96-40 The Clerk read the following Resolution:

A RESOLUTION 96-40-43

EXPRESSING CITY COUNCIL'S SUPPORT OF SENATOR TOM HAYWOOD'S PROPOSED SENATE BILL THAT WOULD REQUIRE THE TEXAS LOTTERY COMMISSION TO RETURN FIVE CENTS OF EVERY DOLLAR OF THE TEXAS STATE LOTTERY TICKET SALES TO THE CITIES AND COUNTIES WHERE THE SALES WERE TRANSACTED; AS REQUESTED BY COUNCILMAN BOB ROSS.

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

Mr. Ross addressed the rationale for the recommended City Council support of a pending legislative bill to return five cents of every dollar collected by the Texas state lottery to

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the cities and counties where those funds were spent. He noted that some \$2 million was spent in San Antonio alone last year on the lottery, and surmised that the City's general fund could realize some \$10 million, had that bill been law at that time.

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

96-40 Second Public Hearing Concerning The Annexation Of Six Areas
(Walzem/Gibbs-Sprawl, Heritage Park, Mountain View, Greystone, Medio Creek Facility And
Kelly Air Force Base) Effective December 31, 1996

Mayor Thornton declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, stated that this is the Second Public Hearing on the proposed annexation of six areas, and addressed details of the service plans for City services into newly-annexed areas. He spoke to details of the proposed annexation of a portion of Kelly Air Force Base, and addressed answers to certain questions raised during the First Public Hearing on the proposed annexations last week.

Fire Chief Robert Ojeda, Police Sgt. Dominguez, Mr. Clarence Daugherty, and Mr. Pasley then spoke to fire, police, public works, and other departmental services to the newly-annexed areas.

A representative from the Greater Kelly Development Corporation then made a brief video presentation on the Kelly Air Force Base annexation proposal and services to be provided to that area in a transition schedule between 1997 and 2001.

Citizens Appearing to Speak:

Mr. Jesse H. Gonzales, 9910 Cinnamon Ridge, provided a letter handout and statement addressed his concerns for the proposed annexation of the Stonegate Hill area, a gated community. Copies of those papers are made a part of the papers of this meeting.

Mr. Joe Nix, representing W.F. Castella & Associates, Engineers, spoke to his firm's opposition to annexation of partially-developed Greystone Subdivision, and asked for a two-year delay in that annexation.

There being no further citizens signed to speak to this matter, Mayor Thornton declared the Public Hearing to be closed, and spoke briefly on the proposed annexation schedule

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presented by staff.

96-40 STATUS REPORT FROM THE CITY/COUNTY GOVERNMENT COMMISSION

Mr. Bill Sinkin, Chairman, City/County Government Commission, spoke to a background of the government consolidation study. A copy of his presentation is made a part of the papers of this meeting. He asked for a Council decision by October 24, 1996 in order that the plan may proceed toward legislative consideration.

Ms. Joyce Dorrycott, Commission member, addressed the pros and cons of the structural consolidation of city and county; efficiency benefits; evidence on efficiency benefits; local examples; effectiveness benefits; examples of effectiveness issues; equity issues; service districts in consolidation; and accountability benefits.

Ms. Linda Ximinez, voting rights chairperson of the Commission, spoke to possible impacts on voting rights; commission analysis of voting rights issues; assessment of voting rights issues; and recommendations to protect minority voting rights.

Mr. Johnny Lovejoy, Commission member, spoke to opportunities under the existing law; existing city-county contracts; functions studied by the Commission; recommendations for additional contracts; and contracts vs. consolidation.

Mr. Boots Gaubatz, chairman, legislation-writing committee of the Commission, spoke to the various elements of the recommended amendment to the State Constitution of 1876.

(Copies of the video presentations of the above speakers are made a part of the papers of this meeting.)

Discussion then took place concerning the pros and cons of consolidation.

Mr. Jesus V. Cardenas, 105 Monclova, read from a prepared statement, declaring that the voting rights protections must be guaranteed. A copy of his remarks is made a part of the papers of this meeting.

Mr. Robert Galvan, 214 West Academy, representing People On Watch, stated his belief that serious issues remain, and stated his contention that the Commission presentations are biased. He stated that 25 per cent of the county tax base will be allowed to opt out of consolidation, and expressed his belief that taxes will rise as a result of consolidation. He voiced his concern with the loss of voting rights and touched on several other concerns, including the

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loss of accountability, and a system of checks and balances. He spoke in favor of improving interlocal agreements, instead of consolidation.

Mr. Dan Wayland, Councilman, Universal City, spoke in favor of exploring interlocal agreements instead of consolidation. He spoke to the disadvantages of absorbing smaller communities and noted that once they opt to be in the consolidation action, they cannot then back out. He spoke in opposition to consolidation, and stated that his City Council will enact a Resolution to that effect.

Ms. Kay Turner, representing People On Watch, spoke against consolidation, stating her belief that efficient city and county governments need to be maintained, as well as the delicate balance between large and smaller communities.

Ms. Maria Dominguez spoke against consolidation.

Mr. Jack Finger, P.O. Box 12048, stated his belief that consolidation will not save money, and addressed his concern with voting away any rights, including term limits and single member districting. He spoke to the need to determine all the facts, first.

Mr. Don Green, 6454 Village Park Drive, stated that no one will know what will happen until the constitution is amended to allow people to vote on the consolidation issue, an issue he feels has worked well elsewhere. He spoke in favor of having a vote on the matter.

Ms. Angie Garcia, State director, League of United Latin American Citizens (LULAC), spoke against consolidation, stating her belief that it will not work and will be defeated at the polls.

Mayor Barbara Christian, Terrell Hills, stated that she probably would not recommend consolidation to her city, but spoke in favor of the idea of the city and county working together in many areas.

* * * *

Mr. Peak stated that he feels that consolidation would improve local government, and the idea has worked elsewhere. He stated his belief that interlocal agreements are inequitable to the City, and spoke to the need to allow citizens to vote on the issue.

Mr. Peak made a motion to refer this issue to the Council's State Initiatives Committee for review, along with City staff, with October 21, 1996 the date for committee review, and October 31, 1996 the date for City Council consideration. Mr. Solis seconded the motion.

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Mayor Thornton stated his desire that City staff give its input into this matter, such as fire and police issues.

Mr. Marbut spoke to policy issues such as the success of consolidation in other areas, and the lowering of taxes. He stated that some 671 jobs are duplicated between City and County here, which amounts to more than \$17.5 million, and spoke to examples of such duplication. He spoke in favor of a consolidation vote, to save money, noting his belief that interlocal agreements do not save money and are unfair to citizens of San Antonio.

Mr. Ross noted that, of the 671 jobs cited as duplicated positions, more than 400 will have to be added back on, after consolidation. He stated his belief that 75 per cent of county taxes pay for functions only provided by the county, not the city, and expressed his belief that there is no area of consolidation that cannot be handled by interlocal agreements. He read from a memorandum to City Council on the consolidation matter, and questioned professed savings to be derived from consolidation, stating his belief that costs will escalate; therefore, he cannot support the issue of consolidation.

Ms. Billa Burke noted that the issued needs to be discussed, and expressed her belief that the citizens should decide the issue at the ballot box. She spoke in agreement with a number of Mr. Marbut's points, and spoke in favor of taking the issue to the state legislature.

Mr. Webster spoke in agreement with Ms. Billa Burke's remarks, and spoke in favor of taking the issue to the legislature.

Mr. Solis stated his contention that the matter need continued discussion, noting that everyone favors savings in government, but expressed his concern with the claim of tax savings. He then spoke to such matters as extending collective bargaining agreements to sheriff's deputies, if consolidation passes, as an example. He noted that citizens are not demanding consolidation by petition, and expressed his belief that it will only make government larger. He spoke against fragmenting the community.

Mr. Peak noted that the City Manager has suggested that he could have City staff input to Ms. Billa Burke's committee during the week of October 21, and the Council can vote on the issue October 31.

Mayor Thornton stated his belief that city/county consolidation will take place eventually, perhaps when the City has annexed all of Bexar County. He spoke of equity of taxes and services as being a major concern, and spoke to the need for better communication and cooperation between city and county.

Mayor Thornton also stated that the City may be looking at a charter revision election next May, to cover "housekeeping matters", principally.

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In response to a question by Mayor Thornton, Assistant City Attorney Frank Garza noted that the state could enact legislation that could supersede the City Charter limitation on consideration of charter amendment matters only every two years.

Mayor Thornton stated his opinion that San Antonio needs to focus on the Kelly Air Force Base issue and water policy over the next two years, and expressed his hope that consolidation does not cause division in the community.

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

94-40 It was the consensus of City Council members present to undertake consideration of Agenda Item 50 at this time:

DISCUSSION OF A RESOLUTION REGARDING THE CITY COUNCIL'S SUPPORT OF THE "LA COORDINADORA '96 NATIONAL CIVIL RIGHTS MARCH TO WASHINGTON D.C." ON OCTOBER 12, 1996; AS REQUESTED BY COUNCILMAN HENRY AVILA.

Mr. Avila noted that, on October 9-10, a bus convoy will be heading to Washington, D.C. from San Antonio carrying citizens scheduled to take part in a National Civil Rights March set for October 12. He spoke to the event as being a matter of Latino civil rights.

Citizens Appearing to Speak:

Mr. Jaime Martinez, AFL-CIO, thanked the Mayor and City Council for its support for opposition to Proposition 187 in California, and he provided details of the Latino civil rights march to be held in Washington, D.C., and asked Council for its support.

Ms. Rosa Rosales, representing the League of United Latin American Citizens (LULAC), asked for Council support of the march involving every community on behalf of Latino civil rights.

Ms. Martha von Ellenrider asked for Council support for the march for equality.

Mr. Tony Garza asked the Council to support the cause of respect and dignity.

Mr. Jack Finger spoke in support for civil rights, and displayed a flyer of the October 12 march, questioning some of its listed aims. He spoke in question to the call for free

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in California.

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Mr. Avila made a motion to direct City staff to place this item on the Agenda for next week's City Council meeting for consideration, with staff to develop a proposed resolution with modifications in wording. Mr. Solis seconded the motion.

Mr. Solis noted that the Washington, D.C. march is about basic rights.

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

96-40 The Clerk read the following Resolution:

A RESOLUTION 96-40-44

EXPRESSING CITY COUNCIL'S SUPPORT OF THE FEDERAL 8(A) PROGRAM WHICH PROVIDES A LONG TERM COMMITMENT AIMED AT THE DEVELOPMENT OF SMALL BUSINESSES OWNED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED PERSONS; AS REQUESTED BY COUNCILMAN JUAN F. SOLIS.

* * * *

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

Citizens Appearing to Speak:

Mr. John Gonzalez, representing the Hispanic Chamber of Commerce, spoke in support for the Federal 8(a) Program to aid in development of small business.

Ms. Patricia Stout, also representing the same organization, spoke to how this federal program had aided her in developing her small business.

* * * *

Mr. Solis stated that this is an issue of jobs, and that some 117 San Antonio firms are affected by the program to the tune of some \$171 million. He stated that the program works.

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Mr. Webster noted that he owns a small business and spoke in support of small, minority and women-owned business goals, but questioned the wording of the proposed Resolution's first paragraph.

In response to a question by Mr. Peak, Mr. Gonzalez spoke to the types of businesses involved in this program.

Mr. Solis noted that the wording of the Resolution was determined by the wording in the federal program.

Mr. Ross stated his belief that this program is a 'set-aside', and too much like a quota program, in his estimation. He stated that he cannot support the proposed Resolution, and noted that large firms are participants in the federal 8(a) Program, as well.

Ms. Lott spoke in support for the program, if it benefits woman-owned businesses.

Mr. Gonzalez noted that the program supports the minority business community.

Mr. Webster stated his belief that most of the 8(a) Program participant firms would get business anyway, based upon the free enterprise system, and he spoke against having a divided playing-field.

Mr. Solis spoke to the need to be fiscally-sound toward San Antonio businesses.

Mayor Thornton addressed the need to create jobs for San Antonio, and to debate the other issues later.

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

94-40 It was the consensus of Council members present to undertake consideration of Agenda Item 46 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 84,916

APPROVING A PARADE PERMIT FOR THE MACARTHUR HIGH SCHOOL "SPIRIT PARADE" WHICH WILL BE HELD ON THURSDAY, OCTOBER 10, 1996 FROM 6:00

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P.M. UNTIL 7:30 P.M.; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES; AS REQUESTED BY COUNCILMAN JEFF WEBSTER

* * * *

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

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

96-40 It was the consensus of City Council members present to at this time undertake consideration of Agenda Item 34 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 84,917

AMENDING CHAPTER 19 OF THE CITY CODE BY ADDING CERTAIN DEFINITIONS TO SECTION 19-1; BY AMENDING SECTION 19-69 TO REFERENCE TRAFFIC IMPACT ANALYSIS REQUIREMENTS; BY ADDING NEW SECTIONS 19-82, 19-83 AND 19-84, ESTABLISHING TRAFFIC IMPACT ANALYSIS REQUIREMENTS; AMENDING CHAPTER 35 OF THE CITY CODE BY PROVIDING NOTICE OF SAID REQUIREMENTS UNDER SECTION 35-4002 THEREOF; AND PROVIDING FOR A SENIOR ENGINEERING TECHNICIAN POSITION IN THE PUBLIC WORKS DEPARTMENT.

* * * *

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

Mr. John German, Director of Public Works, summarized the proposed ordinance on traffic impact analysis requirements, and spoke to its background, noting that both neighborhood and developer groups are in support of the proposed ordinance.

Mr. Peak spoke in support for the proposed ordinance.

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

96-40 The Clerk read the following Resolution:

A RESOLUTION 96-40-45

EXPRESSING SUPPORT FOR A) THE UPGRADING OF IH 35 FROM SAN ANTONIO TO AUSTIN, B) THE CONCEPTUAL PLANNING OF AN INTERSTATE HIGHWAY OR TOLL ROAD PROVIDING A RELIEVER ROUTE AROUND AUSTIN, C) THE PLANNING AND DEVELOPMENT OF SH 130 EXTENDING FROM NORTH OF GEORGETOWN AT IH 35 TO THE EAST OF SEGUIN AT IH 10, D) THE RELOCATION OF FREIGHT RAIL SERVICE EAST OF IH 35 AND E) THE PLANNING FOR COMMUTER RAIL SERVICE BETWEEN AUSTIN AND SAN ANTONIO ON EXISTING TRACKS; AND AUTHORIZING THE CITY'S REPRESENTATIVES TO THE MPO STEERING COMMITTEE TO MONITOR PROGRESS OF THESE IMPORTANT NAFTA HIGHWAY PROJECTS AND TO PROVIDE GUIDANCE TO PLANNING AGENCIES IN THIS REGARD.

* * * *

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

Mr. John German, Director of Public Works, summarized the recent "B" Session briefing to City Council on this issue, and the contents of the proposed Resolution.

Mr. Peak spoke in support for the Resolution, calling it vital to the regional infrastructure.

In response to a question by Mr. Ross, Mr. German stated that there is no financial impact directly on the City from this matter.

Mayor Thornton noted that this Resolution will go to the Metropolitan Planning Organization, then on to Austin.

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

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96-40 It was the consensus of City Council members present to undertake consideration of Agenda Item 49 at this time.

The Clerk read the following Resolution:

A RESOLUTION 96-40-46

EXPRESSING CITY COUNCIL'S SUPPORT OF THE TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED WHICH HELPS PROVIDE EMPLOYMENT OPPORTUNITIES THROUGH THE STATE USE PROGRAM FOR TEXANS WITH DISABILITIES; AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

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

Mr. Leo Devora, representing Texas Industries for the Blind and Handicapped, spoke to the advantages of the program to San Antonio, which allows the City to negotiate a fair price for the organization's services.

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

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,918

AUTHORIZING THE ACCEPTANCE OF A THREE (3) YEAR GRANT IN THE AMOUNT OF \$5,165,099.00 FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER THE 1996 SUPPORTIVE HOUSING PROGRAM; AUTHORIZING THE EXECUTION OF DELEGATE AGENCY AGREEMENTS BETWEEN THE CITY OF SAN ANTONIO AND THE CHILDREN'S SHELTER IN THE AMOUNT OF \$1,300,000.00, NATIONAL VETERANS OUTREACH PROGRAM IN THE AMOUNT OF \$1,045,482.00, BUCKNER CHILDREN AND FAMILY SERVICES IN THE AMOUNT OF \$202,033.00, BOYS TOWN IN THE AMOUNT OF \$777,470.00, THE SALVATION ARMY IN THE AMOUNT OF \$1,494,157.00; AUTHORIZING THE APPROPRIATION OF \$345,957.00 TO THE DEPARTMENT OF COMMUNITY INITIATIVES; APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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

Mr. Rolando Morales, Acting Director, Department of Community Initiatives, narrated a video presentation of the Supportive Housing Program, a copy of which 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:** Flores, Lott, Avila, Ross, Peak, Webster, Thornton; **NAYS:** None; **Absent:** Billa Burke, Solis, Herrera, Marbut.

(At this time, Mayor Thornton was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,919

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND PAYABLE TO ST. JOHN BERCHMAN'S ATHLETIC SPORTS PROGRAM FOR THE PURCHASE OF BACKBOARDS AND RIMS FOR THE KIDS LEAGUE BASKETBALL COURT AND AN EQUIPMENT CAGE FOR STORAGE; AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA.

* * * *

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

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

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STATUS REPORT - INTERNATIONAL CENTER PROJECT

Ms. Jelynn Burley, Director, Convention Center Expansion Office, spoke to the rationale for moving the formal completion date for the project to December 1997, leaving the earlier completion date as an alternate. She noted that a profusion of major projects may well cause problems with the project bid completion date.

In response to a question by Mr. Ross, Ms. Burley discussed further the rationale for the staff recommendation.

Mr. Ross made a motion to direct City staff to proceed with their recommendations. Ms. Lott seconded the motion.

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

96-40

The Clerk read the following Ordinance:

AN ORDINANCE 84,920

APPROPRIATING FEES IN THE AMOUNT OF \$10,000.00 FOR ENROLLMENT INTO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION VOLUNTARY CLEANUP PROGRAM, FOR REGISTRATION FEES AND FUTURE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PROGRAM FOR SOIL REMEDIATION OVERSIGHT RELATED TO THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT.

* * * *

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

Ms. Jelynn Burley, Director, Convention Center Expansion Office, explained the Phase II assessment that indicates the need for soil remediation. She stated that the program at Texas Natural Resources Conservation Commission has been recommended for this oversight as a proactive move on the part of the City for an accelerated review process.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Lott, Billa Burke, Avila, Ross, Marbut, Peak, Webster,

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NAYS: None; Absent: Flores, Solis, Herrera, Thornton

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,921

AUTHORIZING REIMBURSEMENT TO SAN ANTONIO WATER SYSTEM (SAWS) FOR PROFESSIONAL SERVICE EXPENSES INCURRED RELATED TO THE DEVELOPMENT OF AN RFQ/RFP FOR THE POSSIBLE PRIVATIZATION OF THE SAWS CENTRAL PLANT; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$248,000.00 FOR SAID REIMBURSEMENT.

*** * * ***

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

Ms. Jelyne Burley, Director, Convention Center Expansion Office, narrated a video presentation explaining the desire of the San Antonio Water System board to divest the utility of the SAWS Central Plant facility which produces heat and cooling for, among other clients, the Convention Center. She noted that talks have been held with City Public Service on the matter of acquisition of that facility by CPS, and several outside firms now have expressed interest in possibly acquiring the SAWS Central Plant facility. She spoke in recommendation of following a dual-track approach, using a Request For Quotation/Request For Proposal, noting that reimbursement would be sought for the facility, should a private firm be selected.

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

In response to a question by Mr. Peak, Ms. Burley spoke to the costs involved and the very short time-frame.

In response to a question by Mr. Ross, Mr. Ron Graff, San Antonio Water System, spoke to the ownership of the SAWS Central Plant, noting that SAWS plans to construct a second plant to serve the Convention Center, also.

Mr. Alexander E. Briseño, City Manager, explained the background for this proposal, noting that the City is affected because of the press of time to complete the Convention Center expansion project.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES: Flores, Lott, Billa Burke, Avila, Ross, Marbut, Webster,**

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Thornton; NAYS: None; Absent: Solis, Herrera, Peak.

96-40 The Clerk read a proposed ordinance approving the terms and conditions of a first amendment to the professional services contract with Kell Munoz Wigodsky, Inc., Which was authorized by Ordinance No. 78835, for design services on the Convention Center Expansion Project; authorizing the execution of said amendment; amending the appropriations of Ordinance Nos. 78835, 80551, 80974 and 81540 to reflect the projected construction costs and additional design services for the project; and appropriating funds in the amount of \$1,907,960.00 to be paid from the Convention Center Expansion Project - Capital Projects Fund for said design services.

* * * *

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

Ms. Jelyne Burley, Director, Convention Center Expansion Office, explained the need for additional design services for the Convention Center expansion project.

Ms. Billa Burke stated her desire to place a 'cap' on design funds for this project.

A discussion ensued concerning factors affecting changes in the design of the Convention Center expansion project, and overall project costs.

Mr. Ross spoke to his concern for possibly 'losing the handle' on this project, noting that traditionally, design costs should be only about 7.5 per cent of the total project cost.

Ms. Burley addressed details of the project.

Mr. Solis spoke against placing a 'cap' on design funds, noting that the bottom-line costs for the total project remain the same.

In response to a question by Mr. Webster, Ms. Burley stated that staff could put off a decision on this matter until next week in order to provide time to put together a spreadsheet of costs for the Council before it acts in this matter.

Mr. Briseño stated that staff can provide such spreadsheets on major projects in the future, if the Council desires.

Mr. Webster made a substitute motion to postpone action on this matter, and to bring it back to Council for action next week. Ms. Billa Burke seconded the motion.

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

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

96-40 The Clerk read the following Ordinance:

AN ORDINANCE 84,922

AUTHORIZING THE EXPENDITURE OF \$1,320.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND TO DEFRAY THE COSTS OF RESURFACING OF THE BASKETBALL/TENNIS COURT LOCATED IN THE VALLEY FORGE SUBDIVISION; AS REQUESTED BY COUNCILMAN JEFF WEBSTER.

* * * *

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

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

96-40 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Mayor William E. Thornton and Councilwoman Lynda Billa Burke to travel to Kumamoto City, Tokyo, Japan and Taipei, Seoul, Kwangju City, S. Korea for the 1996 Delegation to Asia from October 11-20, 1996.

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The Clerk read the following Resolution:

A RESOLUTION 96-40-47

EXPRESSING CITY COUNCIL'S APPRECIATION TO THE TEXAS TRANSPORTATION COMMISSION AND ADVOCATING THE CONTINUED DEVELOPMENT, FUNDING AND CONSTRUCTION OF MAJOR HIGHWAY IMPROVEMENTS IN THE SAN ANTONIO AREA; AS REQUESTED BY COUNCILMAN HOWARD W. PEAK.

* * * *

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

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

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CITIZENS TO BE HEARD

Mr. Norman Posey, identifying himself as Chairman of the San Antonio Independent Taxicab Drivers Legal Defense Fund, spoke to certain claims he has against the City and City Employees at the San Antonio International Airport, charging them alleged with violations of the law, going back some 12 years. He alleges that certain City Employees violated his individual rights and stated he intends to file lawsuits in either federal or state courts, prior to the deadline of such suits.

Mayor Thornton stated that he personally will not get involved if Mr. Posey intends to file a lawsuit.

Mr. Marbut noted that he and other Council members of the Transportation Advisory Committee have spoken to these matters, and stated that Mr. Posey still needs to exhaust his administrative remedies. He further noted that the issues involved are not policy issues, but rather at the staff implementation level.

Mr. Posey then spoke to specifics of the incidents in question involving certain citations written against him at the San Antonio International Airport.

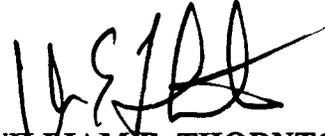
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96-40 There being no further business to come before the Council, the meeting was adjourned at 8:30 P.M.

A P P R O V E D



WILLIAM E. THORNTON
MAYOR

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

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