

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,
THURSDAY, SEPTEMBER 26, 1996.**

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96-39 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, Solis, Herrera, Ross, Peak, Webster, Thornton. Absent: Billa Burke, Avila, Marbut.

Briefing on the Employment and Training Services to be provided to Kelly AFB Dislocated Workers by the Alamo Workforce Development Council.

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

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96-39 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.

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96-39 Invocation - Father Raymond Schuster, St. Bonaventure Catholic Church.

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96-39 Pledge of Allegiance to the flag of the United States.

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"A MONTH OF PEACE" PROCLAMATION

Mayor Thornton stated that the San Antonio Peace Event '96 will be held on Saturday, October 5, 1996 at the Municipal Auditorium, and he introduced Rev. Ann Helmke, Chairperson for the event, present in the audience to accept the proclamation and to brief the Council on the upcoming event.

Rev. Helmke spoke to details of "A new Generation of Peace", a copy of which is made a part of the papers of this meeting. She spoke to the growth of the two-year-old event.

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Mayor Thornton then read the Proclamation and presented it to Rev. Helmke.

Individual City Council members then spoke to the history of this event, and congratulated all involved.

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MS. SUE SUTHERLAND

Mayor Thornton stated that Ms. Sue Sutherland, Libraries Manager of the Canterbury Public Library in Christchurch, New Zealand, is currently visiting San Antonio as part of a tour of selected libraries across the United States. He noted that she has come to learn more about the American public library system as a result, and welcomed her to City Hall.

Ms. June Garcia, Director of the San Antonio Library System, then formally introduced Ms. Sutherland.

Ms. Sutherland briefly spoke to the reasons for her trip to the United States, and presented greetings to the City of San Antonio from her own Mayor of Christchurch, New Zealand. She thanked the Mayor and City Council for the recognition and presented several books for inclusion in the collections of the San Antonio Library System.

Mayor Thornton, in turn, presented Ms. Sutherland with the official book on San Antonio, for her own collection.

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96-39 CONSENT AGENDA

Mr. Solis made a motion to approve Agenda Items 7 through 57b, constituting the Consent Agenda, with Item 51 having been pulled for individual consideration. Mr. Peak seconded the motion.

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

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AN ORDINANCE 84,808

ACCEPTING THE LOW QUALIFIED BID OF HILL COUNTRY EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A MOBILE LIFT SYSTEM FOR A TOTAL OF \$39,360.00. (WBE)

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AN ORDINANCE 84,809

ACCEPTING THE BID OF NATIONWIDE HOMES TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A MOBILE HOME FOR A TOTAL OF \$40,869.00.

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AN ORDINANCE 84,810

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1996-97 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$807,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT; MBE/WBE)

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AN ORDINANCE 84,811

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$25,396.55 PAYABLE TO S.A. WINCO, INC. IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT NO. 80, PHASE II; AND PROVIDING FOR PAYMENT.

(Amends Ordinance 81,202 dated November 17, 1994)

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AN ORDINANCE 84,812

RATIFYING THE CONTRACT WITH JOHNSON CONTROLS, INC. IN THE TOTAL AMOUNT OF \$79,200.00 FOR SERVICES INVOLVED IN MAINTAINING THE HEATING, AIR CONDITIONING AND VENTILATION SYSTEM AT THE CENTRAL LIBRARY BY

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RENEWING THE PROFESSIONAL SERVICES CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,813

SELECTING THE FIRM OF RABA-KISTNER CONSULTING ENGINEERS, INC., AND AUTHORIZING STAFF TO NEGOTIATE THE TERMS AND CONDITIONS OF A PROFESSIONAL SERVICES CONTRACT TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR THE PURPOSE OF PERFORMING A HAZARDOUS MATERIALS SURVEY OF THE EXISTING CONVENTION CENTER FACILITY FOR THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT.

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AN ORDINANCE 84,814

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE WITH JIM DUNWORTH, INC. D/B/A NATIONAL CAR RENTAL FOR PREMISES AT SAN ANTONIO INTERNATIONAL AIRPORT USED IN CONNECTION WITH ITS TERMINAL BUILDING CAR RENTAL OPERATIONS FOR THE STORAGE OF RENTAL VEHICLES, EXTENDING THE LEASE FOR AN ADDITIONAL FIVE YEAR TERM ENDING ON AUGUST 30, 2001, UPDATING BOND AND INSURANCE REQUIREMENTS, AND STANDARD CONTRACT PROVISIONS, AND INCREASING THE ANNUAL RENT TO \$63,961.50.

(Amends Ordinance 74,193 dated August 29, 1991)

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AN ORDINANCE 84,815

AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE WITH CONTINENTAL AIRLINES, INC. TERMINATING NO LATER THAN SEPTEMBER 30, 2001, FOR A TOTAL OF 432 SQUARE FEET OF OFFICE SPACE IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR USE BY THE TENANT FOR THE PROVISION OF SCHEDULED AIR SERVICE AND FOR A TOTAL ANNUAL RENT OF \$17,837.28.

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AN ORDINANCE 84,816

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION (FAA) FOR LEASE OF GROUND SPACE FOR THE CONTINUED OPERATION AND MAINTENANCE BY THE FAA OF THE CENTER FIELD WIND INSTRUMENT AT STINSON MUNICIPAL AIRPORT; THE CITY WILL FURNISH ELECTRIC POWER REQUIRED FOR THE CENTER FIELD WIND INSTRUMENT AND WILL BE PAID BY THE FAA IN AN AMOUNT OF \$300.00 ANNUALLY.

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AN ORDINANCE 84,817

AUTHORIZING AN AGREEMENT WHICH AMENDS A LEASE WITH SAN ANTONIO AVIATION, INC. BY ADDING 2000 SQUARE FEET OF GROUND SPACE FOR THE SALE OF AVIATION FUEL VIA AN ABOVE GROUND FUEL STORAGE TANK AT AN ADDITIONAL YEARLY RENTAL OF \$100.00 AND AUTHORIZING A RENTAL CREDIT OF \$1,317.83 FOR LESSEE'S REQUIRED USE OF DISSIMILAR INTERIM FACILITIES DURING CITY REPAIRS TO BUILDING 602 AT STINSON MUNICIPAL AIRPORT.

(Amends Ordinance 73,640 dated May 16, 1991)

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AN ORDINANCE 84, 818

ACCEPTING A DONATION DEED IN CONNECTION WITH THE SAN PEDRO AVENUE AND ASHBY INTERSECTION IMPROVEMENT PROJECT; AND A DEED FOR PUBLIC DEDICATION FOR SIDEWALK CIRCULATION PURPOSES FROM ALAMO COMMUNITY COLLEGE DISTRICT.

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AN ORDINANCE 84,819

DECLARING A PUBLIC NECESSITY TO ACQUIRE FEE SIMPLE TITLE TO A PORTION OF TRACT 3B, NEW CITY BLOCK 11154; A PORTION OF LOT 46, NEW CITY BLOCK 11153; A PORTION OF LOT 9, BLOCK 1, NEW CITY BLOCK 11157; A PORTION OF LOT 10, BLOCK 1, NEW CITY BLOCK 11157; AND A DRAINAGE EASEMENT OUT OF TRACT 3B, NEW CITY BLOCK 11154, BEXAR COUNTY, TEXAS FOR USE IN THE ASHLEY RECONSTRUCTION PROJECT - BASCUM BOULEVARD TO SOUTH FLORES AND AUTHORIZING THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 84,820

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$60,000.00 TO PURCHASE A PARCEL OF REAL PROPERTY OUT OF COUNTY BLOCK 4936, BEXAR COUNTY, TEXAS TO BE USED FOR THE STONE OAK FIRE STATION SITE.

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AN ORDINANCE 84,821

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,550.69 FOR TITLE SERVICES FOR THE VAN DE WALLE PROPERTIES AND DREAMLAND OAKS AREA PROPERTY ACQUISITION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,822

AUTHORIZING THE CITY MANAGER TO ACCEPT AND EXECUTE A PIPELINE CROSSING AGREEMENT WITH THE MISSOURI PACIFIC RAILROAD COMPANY IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASE IV; AUTHORIZING THE PAYMENT OF A ONE-TIME LICENSE FEE OF \$1,470.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,823

DECLARING CITY-OWNED PROPERTY LOCATED ON RENOVAL STREET, BEING LOT 13, BLOCK 18, NEW CITY BLOCK 15647, VILLA CORONADO SUBDIVISION, AS SURPLUS TO THE NEEDS OF THE CITY OF SAN ANTONIO; AND APPROVING THE SALE OF SAID LOT 13 TO FRED AND NINFA GARCIA ("MR. AND MRS. FREDDIE GARCIA"), THE ABUTTING PROPERTY OWNERS TO EITHER SIDE OF THIS PROPERTY FOR A TOTAL CONSIDERATION OF \$2,060.00, SUCH LOT PLANNED TO BE USED FOR A LANDSCAPED PARK AREA IN CONNECTION WITH THEIR NEW VICTORY OUTREACH PROGRAM LOCATION.

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AN ORDINANCE 84,824

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE JUNE 25, 1982 AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT TO PROVIDE FOR CONVEYANCE TO THE CITY OF A STRIP OF LAND NEEDED FOR THE CITY'S ED CODY BRANCH LIBRARY EXPANSION PROJECT.

(Amends Ordinance 55,482 dated June 24, 1982)

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AN ORDINANCE 84,825

APPROVING A PROFESSIONAL SERVICES CONTRACT WITH CENTRO PROPERTIES TO PERFORM REAL ESTATE LEASING SERVICES FOR THE INTERNATIONAL CENTER; APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$8,650.00 TO BE TRANSFERRED FROM THE INTERNATIONAL CENTER PROJECT - DESIGN COMPETITION TO THE INTERNATIONAL CENTER PROJECT - LEASING SERVICES EXPENSES; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$1,350.00 TO BE TRANSFERRED FROM THE INTERNATIONAL CENTER PROJECT - DESIGN COMPETITION TO REIMBURSE THE ASSET MANAGEMENT DEPARTMENT FOR A PORTION OF THE INTERNATIONAL CENTER ADVERTISING EXPENSES FOR THE REAL ESTATE LEASING AGENT SERVICES RFQ PROCESS.

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AN ORDINANCE 84,826

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE 1995 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANT CONTRACT, AUTHORIZED BY ORDINANCE NO. 82884, PASSED AND APPROVED ON SEPTEMBER 28, 1995, TO EXTEND THE CONTRACT PERIOD THROUGH NOVEMBER 13, 1996.

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AN ORDINANCE 84,827

CONFIRMING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$1,087,975.00 TO THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT UNDER THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) - COMPETITIVE PROGRAM BY STAFF OF THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES IN COLLABORATION WITH THE METROPOLITAN HEALTH DISTRICT, THE ALAMO AREA RESOURCE CENTER, THE BLACK EFFORT AGAINST THE THREAT OF AIDS, THE HISPANIC AIDS COMMITTEE, AND THE MUJERES PROJECT.

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AN ORDINANCE 84,828

CONFIRMING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$100,000.00 TO THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) FOR COMPREHENSIVE HOUSING COUNSELING SERVICES BY CITY STAFF IN COLLABORATION WITH THE SAN ANTONIO DEVELOPMENT AGENCY (SADA).

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AN ORDINANCE 84,829

CONFIRMING AND APPROVING THE CITY'S PARTNERSHIP WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS AND CITY PUBLIC SERVICE IN THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$500,000.00 TO THE STATE OF TEXAS, GENERAL SERVICES COMMISSION, STATE ENERGY OFFICE TO

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PROMOTE THE EFFICIENT USE OF ENERGY IN LOW-TO-MODERATE INCOME HOUSING.

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AN ORDINANCE 84,830

CONFIRMING AND APPROVING THE CITY'S PARTNERSHIP WITH ST. PHILIPS COLLEGE IN THE SUBMISSION OF A THREE (3) YEAR GRANT APPLICATION IN THE AMOUNT OF \$500,000.00 TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, OFFICE OF COMMUNITY SERVICES FOR THE CREATION OF JOB OPPORTUNITIES THROUGH SELF-EMPLOYMENT, MICRO-ENTERPRISE DEVELOPMENT OR JOB EXPANSION OF EXISTING COMPANIES.

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AN ORDINANCE 84,831

APPROVING THE FISCAL YEAR 1996-97 PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION (W.A.R.M.) PLAN, WHICH IS PROJECTED TO PROVIDE APPROXIMATELY \$630,000.00 IN ASSISTANCE.

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AN ORDINANCE 84,832

ACCEPTING A GRANT FROM THE AREA AGENCY ON AGING/ALAMO AREA COUNCIL OF GOVERNMENTS IN THE AMOUNT OF \$242,257.00 FOR THE CONTINUATION OF PROVIDING TRANSPORTATION SERVICE THROUGH THE DEPARTMENT OF COMMUNITY INITIATIVES SUPPORTIVE SERVICES FOR THE ELDERLY PROGRAM FOR PRIMARILY MEDICALLY RELATED TRIPS FOR ELDERLY CITIZENS OF SAN ANTONIO AND BEXAR COUNTY FOR THE PERIOD BEGINNING OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FY 1996-97; APPROPRIATING FUNDS AND AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS.

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AN ORDINANCE 84,833

AUTHORIZING THE EXECUTION OF TWELVE (12) CONTRACTS WITH ARTISTS OR ARTISTS MANAGEMENT ENTITIES FOR A TOTAL AMOUNT NOT TO EXCEED \$202,150.00 FOR PERFORMANCES RELATED TO THE CARVER COMMUNITY CULTURAL CENTER 1996-97 SEASON; AUTHORIZING EXPENDITURES FOR RELATED TECHNICAL SERVICES, BOX OFFICE SECURITY AND EQUIPMENT RENTAL; AUTHORIZING THE EXECUTION OF AGREEMENTS WITH FOUR CONTRACTORS FOR SERVICES RELATED TO THE CONDUCT AND MANAGEMENT OF THE SEASON FOR A TOTAL AMOUNT NOT TO EXCEED \$23,400.00; AUTHORIZING NEGOTIATIONS WITH COMPARABLE CONTRACTORS IN THE EVENT OF CONTRACT CANCELLATION; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,834

AUTHORIZING THE SUBMISSION BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES, OF A PERFORMANCE STATEMENT AND PLANNING BUDGET FOR THE FY '97 COMMUNITY SERVICES BLOCK GRANT (CSBG) FOR THE PERIOD JANUARY 1, 1997 TO DECEMBER 31, 1997 IN THE AMOUNT OF \$1,193,253.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; RATIFYING FUNDS FOR DELEGATE AGENCY CONTRACTS WITH ELLA AUSTIN IN THE AMOUNT OF \$103,258.00, AVANCE IN THE AMOUNT OF \$50,000.00, AND PROJECT QUEST IN THE AMOUNT OF \$50,000.00; AND AMENDING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 84,835

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS WORKFORCE COMMISSION WHICH WILL PROVIDE FOR THE CERTIFICATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$1,462,000.00 AS MATCHING FUNDS FOR THE PROVISION OF CHILD CARE SERVICES; AUTHORIZING THE ACCEPTANCE OF FEDERAL FUNDS GENERATED BY THESE MATCHING FUNDS IN AN AMOUNT NOT

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TO EXCEED \$2,522,737.00; AND AMENDING THE CHILD CARE MANAGEMENT SERVICES (CCMS) BUDGET.

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AN ORDINANCE 84,836

ACCEPTING A GRANT FROM THE AREA AGENCY ON AGING/ALAMO AREA COUNCIL OF GOVERNMENTS IN THE AMOUNT OF \$1,108,031.00 FOR THE CONTINUATION OF THE COMPREHENSIVE NUTRITION PROGRAM FROM OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FY 1996-97; APPROPRIATING FUNDS; AUTHORIZING THE EXECUTION OF CONTRACTS WITH PRIVATE AGENCIES FOR OPERATION OF SERVICE SITES; AND AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS.

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AN ORDINANCE 84,837

AUTHORIZING THE TRANSFER OF \$1,200,000.00 IN GENERAL FUNDS TO THE DEPARTMENT OF COMMUNITY INITIATIVES, CHILDREN'S RESOURCES DIVISION GRANT FUND ACCOUNTS TO BE USED AS MATCHING FUNDS WHICH WILL GENERATE FEDERAL FUNDS UP TO \$1,811,815.00 FOR THE PROVISION OF CHILD CARE SERVICES; AMENDING THE CHILD CARE MANAGEMENT SERVICES (CCMS) BUDGET; AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR PAYMENT OF \$1,050,000.00 OF THESE FUNDS TO THE TEXAS WORKFORCE COMMISSION.

(Amends Ordinance 84,562 dated August 15, 1996)

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AN ORDINANCE 84,838

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS), ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION 19-68(B) TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULE FOR "STOP" SIGNS, "YIELD RIGHT-OF-WAY" SIGNS, "PROHIBITED PARKING AT ALL TIMES" SIGNS, AND "PROHIBITED TURN" SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO;

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AND DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE THAN \$200.00, AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-225 (ADMINISTRATIVE ADJUDICATION OF STOPPING, STANDING, AND PARKING VIOLATIONS) AND AUTHORIZING THE PLACEMENT OF A BARRICADE ON LONGING TRAIL AT THE CITY'S CORPORATE LIMITS LINE.

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AN ORDINANCE 84,839

AMENDING ORDINANCE NO. 82702, PASSED AND APPROVED ON AUGUST 31, 1995, TO AUTHORIZE PAYMENT IN THE AMOUNT OF \$301,000.00 FOR IMPROVEMENTS TO MOCKINGBIRD PLAZA FOR OPERATIONAL UPGRADES OF THE LEASED FACILITIES IN COMPLIANCE WITH THE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM.

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AN ORDINANCE 84,840

AUTHORIZING THE EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN SAN ANTONIO COLLEGE AND THE SAN ANTONIO POLICE ACADEMY FOR TUITION AND FEES IN AN AMOUNT NOT TO EXCEED \$45,850.00 TO PROVIDE COLLEGE COURSE INSTRUCTION AND CREDITS TO POLICE CADETS FOR THE CURRENT FISCAL YEAR; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,841

APPROVING THE GENERAL OPERATING AGENCY CONTRACT WITH, AND ADMINISTRATIVE BUDGET OF, THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. IN THE AMOUNT OF \$196,382.00 FOR THE ADMINISTRATION OF THE CITY OF SAN ANTONIO HOUSING TRUST; AND AUTHORIZING THE EXECUTION OF A CONTRACT.

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AN ORDINANCE 84,842

ESTABLISHING CITY AD VALOREM TAX COLLECTION SUB-STATIONS AT VARIOUS H.E.B. GROCERY STORES AND LA FIESTA SUPERMARKETS OF SAN ANTONIO, INC.; AND AUTHORIZING THE CITY TO PAY \$0.50 PER TRANSACTION AT EACH SUB-STATION.

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AN ORDINANCE 84,843

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AND EXTEND THE CONTRACT WITH TEXAS MUNICIPAL LEAGUE (TML) FOR THE PERIOD FROM OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997 AT AN ESTIMATED COST OF \$11,000.00 TO PROVIDE VARIOUS WORKERS' COMPENSATION SELF INSURANCE FUND-RELATED SERVICES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,844

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AND EXTEND THE CONTRACT WITH WILLIS-ROLLINSON, INC., AUTHORIZED THROUGH ORDINANCE NO. 82770, PASSED AND APPROVED ON SEPTEMBER 7, 1995, TO PROVIDE THIRD PARTY ADMINISTRATION (TPA) CLAIMS MANAGEMENT SERVICES AND SUPPORT FOR THE CITY'S LIABILITY AND WORKERS' COMPENSATION SELF-INSURANCE FUNDS FOR THE TERM FROM OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997 FOR AN AMOUNT NOT TO EXCEED \$830,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,845

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO PURCHASE THE CITY'S COMMERCIAL CRIME POLICY FROM THE NATIONAL UNION FIRE INSURANCE COMPANY THROUGH THE CITY'S BROKER OF RECORD, SEDGWICK JAMES OF TEXAS, INC., FOR A TOTAL PREMIUM OF \$6,078.00 FOR A POLICY PERIOD OF

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OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,846

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE PUBLIC OFFICIAL BONDS WITH CRUM & FORSTER INSURANCE COMPANY THROUGH THE CITY'S BROKER OF RECORD, SEDGWICK JAMES OF TEXAS, INC., FOR A TOTAL PREMIUM OF \$7,000.00 FOR A POLICY PERIOD OF OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,847

ACCEPTING A \$10,000.00 GRANT FROM THE TEXAS FOREST SERVICE TO ESTABLISH A FORESTRY PUBLIC OUTREACH PROJECT IN THE DEPARTMENT OF PARKS AND RECREATION; APPROPRIATING FUNDS INCLUDING \$10,000.00 IN IN-KIND SUPPORT AS MATCHING FUNDS; AND ESTABLISHING A PROJECT FUND AND BUDGET.

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AN ORDINANCE 84,848

AMENDING ORDINANCE NO. 71255, PASSED AND APPROVED ON MARCH 22, 1990, BY INCREASING ADMISSION FEES, AND ESTABLISHING NEW SPACE RENTAL FEES AND PROGRAM FEES FOR THE HERTZBERG CIRCUS MUSEUM; AND AMENDING CITY CODE SECTION 2-6.2 ENTITLED "CENTRAL LIBRARY MEETING ROOM RENTAL FEES; SECURITY SERVICE FEE" TO ADD SUB-SECTION (C) TO BE ENTITLED "HERTZBERG CIRCUS MUSEUM FEES".

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AN ORDINANCE 84,849

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY, ENTITLED LIBRARY SYSTEM SERVICES - FEDERAL GRANT FY 1996/97, BUDGETED AT \$292,107.00; AUTHORIZING EXECUTION OF A CONTRACT FOR THESE FUNDS; AND

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ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 84,850

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY, ENTITLED LIBRARY SYSTEM SERVICES - STATE GRANT FY 1996/97, BUDGETED AT \$459,909.00; AUTHORIZING THE EXECUTION OF A CONTRACT FOR THESE FUNDS; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 84,851

AUTHORIZING AN EXPENDITURE OF APPROXIMATELY \$98,769.75 IN FUNDS BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES TO OVERSIZE A SINGLE CUSTOMER LOCAL BENEFIT WATER MAIN EXTENSION TO 19240 REDLAND ROAD.

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AN ORDINANCE 84,852

AUTHORIZING THE TEMPORARY CLOSURE OF CLOWER STREET BETWEEN BRAD STREET AND THE ACCESS ROAD OF IH-10 FROM 6:00 A.M. UNTIL 12:00 MIDNIGHT, SUNDAY, OCTOBER 6, 1996 IN CONNECTION WITH THE ST. MARY MAGDALEN CHURCH - 1996 OCTOBER FESTIVAL.

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AN ORDINANCE 84,853

AUTHORIZING THE TEMPORARY CLOSURE OF STONEY STAR STREET BETWEEN STONEY SUMMIT AND RIDGE CROWN STREETS FROM 4:00 P.M. UNTIL 12:00 MIDNIGHT, SATURDAY, OCTOBER 26, 1996 IN CONNECTION WITH A FUND-RAISER TO RAISE MONEY FOR A SICK YOUNG BOY, SPONSORED BY MR. JOHN LADD.

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AN ORDINANCE 84,854

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 7:45 A.M. UNTIL 9:00 A.M., SATURDAY, OCTOBER 26, 1996 IN CONNECTION WITH THE HOLY FAMILY CHURCH MARCH OF FAITH WALK.

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AN ORDINANCE 84,855

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 3:00 P.M. UNTIL 5:30 P.M., SATURDAY, OCTOBER 12, 1996 IN CONNECTION WITH THE VICTORY GOSPEL CHAPEL JESUS PARADE.

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AN ORDINANCE 84,856

AUTHORIZING THE TEMPORARY CLOSURE OF JOHN ADAMS STREET BETWEEN ST. CLOUD AND WILLIFORD WAY FROM 9:00 A.M. UNTIL 10:00 P.M., SUNDAY, OCTOBER 13, 1996 IN CONNECTION WITH THE ANNUAL FALL FESTIVAL, SPONSORED BY ST. PAUL'S CATHOLIC CHURCH.

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AN ORDINANCE 84,857

REAPPOINTING GLORIA BARRERA (DISTRICT 4) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 1998.

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AN ORDINANCE 84,858

APPOINTING MARIA ELENA TORRALVA-ALONSO (MAYOR) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 1998.

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96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,859

ACCEPTING FOUR CALOI BICYCLES VALUED AT \$3,580.00 DONATED BY MS. JUDITH G. GARDNER, PRESENT, AND THE MEMBERS OF THE NORTH CENTRAL THOUSAND OAKS NEIGHBORHOOD ASSOCIATION TO BE USED BY THE SAN ANTONIO FEAR FREE ENVIRONMENT OFFICERS TO PATROL THE NORTH SERVICE AREA NEIGHBORHOODS

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

Deputy Police Chief Albert Ortiz described how the bicycles will be utilized.

Mr. Peak introduced neighborhood association officials and others present in the audience.

Representatives of the neighborhood associations spoke to details of the bicycle donation program and its rationale, and to the importance of the SAFFE Program to the neighborhoods.

Mr. Webster thanked the neighborhoods for their participation in this program, to benefit the North Police Substation.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,860

DECLARING THE SUSPENSION OF THE ASSESSMENT OF THE CRITICAL PERIOD SURCHARGE WHICH APPLIES TO RESIDENTIAL USAGE GREATER THAN 17,205 GALLONS PER MONTH; RATIFYING THE ADMINISTRATIVE TERMINATION OF THE SURCHARGE BY THE SAN ANTONIO WATER SYSTEM; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE UPON EIGHT AFFIRMATIVE VOTES. (AMENDS

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ORDINANCE NO. 84286 DATED JUNE 13, 1996)

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

Mr. Joe Aceves, President, San Antonio Water System, narrated a video presentation on the Critical Period Surcharge, including its background, levels of the aquifer test-wells today, the Surcharge breakdown by City Council district, the Surcharge inside the city limits vs. outside, and SAWS actions relative to the Surcharge including recommendations on how to use the Surcharge's \$2.9 million revenues. Finally, he spoke to those recommendations for use of the Surcharge revenues, in detail.

Mr. Jack M. Finger, P.O. Box 12048, stated his belief that the Surcharge must be rescinded, inasmuch as he feels that no water emergency ever existed. He spoke to his views on how revenues from the Surcharge should to be used, and the need for citizen input into this matter. He then spoke against using those monies for repair of water-main breaks, and questioned the use of those funds for conservation programs until the Citizens' Water Policy Committee recommends them. He asked for a public hearing on the spending of these monies.

Ms. Kay Turner, representing People On Watch, spoke to the need to use those funds for proper studies, and she questioned the legality of the Surcharge. She further stated her belief that citizens need to make input into this matter.

Mr. Tom Culbertson, citizen, spoke against the Surcharge, and noted that he always has recommended water conservation as the number-one step in solving our water issue. He stated his belief that the Edwards Aquifer is a large water supply, and spoke to the rationale for rain-enhancement or cloud-seeding in order to recharge the aquifer.

Ms. Carol Patterson, former member of the Edwards Underground Water District, asked Council to hold off on spending these funds until the Water Committee makes recommendations.

Mr. Glenn Stehle, representing people on Watch, 701 North St. Mary's Street, narrated a video presentation. He stated his belief that the Surcharge is wrong, and that SAWS is lying to the citizens and causing the expenditure of some \$7 billion in water programs over the next 20 years. He stated his belief that there is no water shortage, and that the Edwards Aquifer can provide San Antonio water for 50 years without any rainfall. He expressed his belief that aquifer recharge exceeds discharge, and that SAWS is bowing to the downstream interests. Finally, he spoke against the SAWS recommendations for expenditure of the revenues from the Surcharge.

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Mayor Thornton briefly summarized the impact of the proposed ordinance, terminating the Surcharge, noting that it was created to encourage water conservation, not to penalize water users.

Mr. Ross spoke to two issues: (1) suspension of the Surcharge, and (2) speaking to how the revenues from that Surcharge should be used.

In response to a question by Mayor Thornton, Mr. Aceves stated that only the matter of elimination of the Surcharge is on the table for Council action today.

Mr. Ross spoke to the need to discuss the use of the Surcharge revenues.

Mayor Thornton noted that Council can suggest ways for SAWS to utilize those funds, and spoke to SAWS' recommendations.

In response to a question by Mr. Ross, Mr. Lloyd Garza, City Attorney, briefly compared San Antonio Water System and City Public Service, noting that Council can recommend the use of those funds to SAWS.

Mr. Ross expressed his opinion that the Surcharge was punitive, and should be terminated.

Mr. Peak spoke in support for spending some of the revenues on aquifer studies and other conservation programs. He spoke in support for the three SAWS recommendations in this regard.

Mr. Webster spoke in support for terminating the Surcharge, and expressed his belief that more money needs to be spent on conservation programs and studies as well as other uses, rather than using some \$1.5 million for payment for repair of water-main breaks.

In response to a question by Mr. Herrera, Mr. Aceves spoke to reasons for SAWS' recommendation for funding "dry-year" options, and the rationale for those recommendations.

Mr. Herrera spoke in favor of rebating Surcharge revenues back to the water users, and spoke against the 'dry-year' options and paying for water-main break repair.

Mr. Marbut spoke in support for removal of the Surcharge, and recommended that if SAWS enacts it again, it will be spread among all water-user groups, not just the residential customers. He spoke in support for purchasing land over the aquifer recharge zone and the rain-enhancement programs, emphasizing the need to hold cloud-seeding trials to see if that program will work here.

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Mayor Thornton stressed the use of the term 'weather modification' rather than 'cloud seeding'.

Mr. Flores spoke in support of funding aquifer studies and land purchases over the recharge zone.

Mr. Avila recommended returning the money to the ratepayers.

Mr. Aceves noted that the majority of those seeking waivers from the Surcharge were granted them, and stated that statistics show that some 75 per cent of ratepayers used less than 17,200 gallons of water per month.

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

Mr. Ross stated his belief that SAWS already has budgeted funds for aquifer studies, and asked that SAWS not pursue the 'dry-year' option. He stated his belief that it is premature to decide on any final uses for the Surcharge revenues until the Water Policy Committee discusses it. He also stated his belief that no new initiatives were to come up until the Committee completes its studies.

Mr. Ross made a motion to recommend to SAWS that it set aside the Surcharge Revenues until the Water Policy Committee makes its recommendations, then decide how to spend those funds. The motion died for lack of a second.

Mayor Thornton noted that lawsuits against San Antonio have been filed by others outside San Antonio, and he stressed the need for a regional approach to the water situation. He spoke in support for the 'dry-year' option to provide San Antonio with more water, and expressed his belief that the SAWS board appointees should be supported in this matter or replaced.

In response to a question by Mr. Webster, Mr. Aceves explained how the 'dry-year' option would work, expressing his belief that it would cost some \$3-4 million in dry years, to pay farmers to the west of San Antonio to use less water for their irrigation. He noted that others may want to join San Antonio in this 'dry-year' option.

Mr. Ross made a motion to request SAWS not to use the Surcharge revenues for the 'dry-year' option until the Water Policy Committee makes its recommendations. Mr. Webster seconded the motion.

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

96-39 REPORT BY THE MAYOR'S CITIZENS COMMITTEE ON WATER POLICY

Mr. John Folk Williams and Mr. Rafael Aldave, committee facilitators, provided a brief overview of the committee process and functions, after which each committee member present in the audience came forward to re-introduce themselves to City Council.

Mr. Williams then narrated a video presentation, speaking to (1) an overview of the committee, its diversity and its work; (2) activities and agreements thus far; (3) six-point recommendations; and (4) future reports.

Mayor Thornton lauded the consensus-building efforts of the group toward a final solution, and stated that City Council welcomes further reports leading up to the December deadline for the committee's final report. He stated his belief that San Antonio must have a simply water policy that can be implemented to avoid drought problems.

Mr. Ross lauded the dynamics of the committee toward its ultimate goal, and noted that the committee members this weekend will be making a bus tour of the Edwards Aquifer areas.

Mr. Peak congratulated the committee and made a motion to instruct City staff to work for a multi-phased in-depth study of the saline (or bad water) line. Mr. Webster seconded the motion.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,861

ADOPTING THE DOWNTOWN STRATEGIC PLAN AND RELATED POLICY RECOMMENDATION AS A GUIDE AND PLANNING TOOL FOR FUTURE DOWNTOWN

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DEVELOPMENT

* * * *

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

Mr. Clint Bolden, Director of Economic Development, narrated a video presentation on the Downtown Strategic Plan, a copy of which is made a part of the papers of this meeting.

Mr. Flores spoke to the positive nature of the public participation in the formulation of the plan, which he described as flexible and only a guide to downtown development.

Mr. Peak spoke to the need for a cohesive, coordinated plan of downtown development, noting that the City Council needs to use this plan in future downtown development decisions.

In response to a question by Mr. Ross, Mr. Bolden stated that the plan addresses downtown housing, but not only land-use. He noted that the new board, called for in the ordinance, will work in that area.

Mr. Andy Hull, Alamo Historic District, Inc., stated that Alamo Plaza merchants and property owners want an independent Downtown Advisory Board, and asked the Council to consider its advice before any development plan strategies are enacted. A copy of his remarks 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, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: None.

96-39 The City Clerk read a proposed ordinance selecting San Antonio Hotel Venture, Sheraton San Antonio Hotel Partnership, and the team of Marriott International, Inc./Host Marriott Corporation to submit development proposals in connection with the Convention Headquarters Hotel Project; approving development parameters for the project; establishing a project account in the Hotel/Motel Tax Fund; approving a related project budget; and authorizing submittal fee refunds and project expenditures.

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

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Mr. Clint Bolden, Director of Economic Development, narrated a video presentation which spoke to the evaluation of the four groups submitting responses to the Request For Quotation, and the recommendation of three of those groups to submit development proposals. He then addressed details of the hotel specifics and spoke to why the fourth group is not being recommended for Step 2 in the development process. A copy of his presentation is made a part of the papers of this meeting.

Mr. B.K. Johnson, representing the Hyatt Group and owner of the Hyatt Regency Hotel, asked that his group be permitted to make a development proposal, as well, along with the other three groups being recommended. He then spoke to the investors involved in the venture and their experience in constructing such venues. He stated that his group did not make a complete proposal in the original response to the RFQ and spoke to the reasons why, but stated that the group would make a complete proposal if allowed. He then spoke to the group's financial backing.

Mayor Thornton stated that the goal is to complete the new headquarters hotel and expansion of the Convention Center at the same time, and noted that the Hyatt Group is bringing details of its proposal today.

Mr. Johnson stated that he was out of the country, in Hong Kong, at the time of the RFQ matter, and spoke to the reasons for his absence from the country.

In response to a question by Mr. Webster, Mr. Bolden discussed the need for parking in the planned future expansion of the Convention Center, and the competition by both for a single site. He then spoke to the possibility of instituting a 'park and ride' facility in St. Paul Square to provide parking for the new hotel.

Mr. Webster spoke against the off-site parking package, stating his belief that it will not work with a world-class hotel.

Mr. Peak voiced his concern with making a decision in this matter on minimal information and without more detail. He spoke of the need to leave space for future expansion of the Convention Center, yet provide for on-site parking for the hotel, as well, and its impact upon parking.

Ms. Jelyne Burley, Director, Convention Center Expansion Office, outlined the effects of parking usage in Area D, which is reserved for future expansion of the Convention Center. She stated that staff would have to evaluate any surrender of any portion of Area D to parking.

Mr. Steve Moore, Director, Convention & Visitors Bureau, discussed the desirable

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30,000-35,000-square-foot size for the headquarters hotel's main ballroom, with a 20,000-square-foot minimum.

In response to a question by Mr. Peak, Mr. Frank Garza, Assistant City Attorney, stated that City Council can move all four groups to Step 2 of the process, if it desires, since the Hyatt Group did submit a response to the RFQ. He noted that it is staff's evaluation that recommended the three groups to go forward to Step 2.

Mr. Solis stated his belief that off-site parking for the new hotel in St. Paul Square is not acceptable, and compared the parking proposals of all the presenters. He stated his belief that the use of a portion of Area D will take only some 10 per cent of the Convention Center's future expansion area, and suggested 'capping' any parking intrusion into Area D. He spoke in support for competition among the various developers, and also supports inclusion of the Hyatt Group into Step 2 of the process.

Mr. Solis made an amendment to limit the development area to Parcels A, B, C, and D, and to minimize the involvement in Parcel D. Mr. Herrera seconded the motion.

Mr. Ross spoke in support for adding the fourth group to Step 2 of the process, and discussed the parking needs versus future expansion needs of the Convention Center and the need for developers to address parking in Step 2.

Mr. Flores stated that he feels that some or all of Area D will be needed for parking, and spoke to the need to be flexible.

Mr. Flores then made an amendment to include the Hyatt Group as part of the Step 2 process and allow them to submit development proposals to the City. Ms. Billa Burke seconded the motion.

Mr. Peak urged developers to use as little as possible of Area D in their proposals.

Mr. Solis stated his willingness to accept the wording "minimal encroachment into Area D" into his pending amendment. The seconder of the motion concurred.

Mayor Thornton spoke to the need to look at this decision from long-range, taking the complete picture.

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

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

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

AN ORDINANCE 84,862

SELECTING SAN ANTONIO HOTEL VENTURE, SHERATON SAN ANTONIO HOTEL PARTNERSHIP, THE TEAM OF MARRIOT INTERNATIONAL, INC./HOST MARRIOT CORPORATION AND PROFESSIONAL DEVELOPMENT MANAGEMENT (PDM/HYATT) TO SUBMIT DEVELOPMENT PROPOSALS IN CONNECTION WITH THE CONVENTION HEADQUARTERS HOTEL PROJECT; APPROVING DEVELOPMENT PARAMETERS FOR THE PROJECT; ESTABLISHING A PROJECT ACCOUNT IN THE HOTEL/MOTEL TAX FUND; APPROVING A RELATED PROJECT BUDGET; AND AUTHORIZING SUBMITTAL FEE REFUNDS AND PROJECT EXPENDITURES

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Zoning Hearing

3A. CASE #Z96178 - to rezone and reclassify Lot 3, Block 1, NCB 14729 Huebner Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located west of the intersection of Huebner Road and the Southern Pacific railroad right-of-way, having 179.22 feet on Huebner Road and 148.85 feet on the Southern Pacific railroad right-of-way; and Lots 1, 4, 5, 6 and 7, Block 1, NCB 14729 Moonlight Way and Pebble Lane, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District. Properties are located east of the intersection of Pebble Lane and Moonlight Way, having 393.03 feet on Pebble Lane and 267.06 feet on Moonlight Way.

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

In response to a question by Mr. Marbut, Mr. Habib Erkan, Assistant City Attorney, spoke to the June 29, 1984 legal judgment involving certain covenants relating to this property.

Mr. John Lenz, 3915 Hunters Crest, asked for approval for O-1 and B-2 zoning. He

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submitted for the record a copy of the judgement in question and an engineering report, copies of which are made a part of the papers of this meeting.

Mr. Charlie Connor, 13306 Hunter Creek, representing the neighborhood association, noted that Mr. Harry Jewett, Engineer, had executed a small 'master plan' of this area. He then described the area and spoke in recommendation of the applicant's request for rezoning.

Speaking in opposition:

Mr. Chris Obrecht, 12307 Pebble, spoke to rezoning requests on the subject property, over the years, and stated that he has no problem with an O-1 zoning.

Ms. Pam Obrecht, same address, asked that any O-1 be granted on the frontage area only, and stated her belief that the covenant restrictions remain in effect.

In rebuttal:

Mr. Lenz stated that he needs B-2 zoning to move his business onto the subject property.

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

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

AN ORDINANCE 84,863

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 1, NCB 14729 HUEBNER ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. AND LOTS 1, 4, 5, 6 AND 7, BLOCK 1, NCB 14729 MOONLIGHT WAY AND PEBBLE LANE, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3B. CASE #Z96145 CC - to rezone and reclassify Lot 5 Block 19, NCB 14774, 15322 Red Robin Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" ERZD CC Single Family Residence Edwards Recharge Zone District with special City Council approval for a group day care home facility. Property is located on the northeast side of Red Robin Road, 191 feet southeast of the intersection of Red Robin Road and Wild Eagle Road, having 100 feet on Red Robin Road and a depth of 206.12 feet.

Mr. Marbut made a motion to continue this rezoning case until the Council meeting of October 24, 1996. Mr. Herrera seconded the motion.

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

Zoning Case Z96145 CC was continued to October 24, 1996.

3C. CASE #Z96105 - to rezone and reclassify 3.326 acres out of NCB 12107, save and except the southeast of the northwest 100' feet, from "B-3" Business District, "J" Commercial District and Temporary "A" Single Family Residence District to "I-1" Light Industry District; and The southeast and northwest 100 feet of a 3.326 acres out of NCB 12107, Nacogdoches Road, from "B-3", Business District, "J" Commercial District and Temporary "A" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located between Nacogdoches Road and Salado Creek Drive 267.22 feet northeast of the intersection of Nacogdoches Road and Salado Parkway, having 220.20 feet on Nacogdoches Road, 197.20 feet on Salado Creek Drive and 686.04 feet between these two streets.

Mr. Webster made a motion to continue this rezoning case for a period of 60 days. Mr. Solis seconded the motion.

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

Zoning Case Z96105 was continued for a period of 60 days.

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3D. CASE #Z96181 - to rezone and reclassify Lot G, NCB 12179, 4459 Walzem Road, from "A" Single Family Residence District to "B-3R" Restrictive Business District. Property is located on the north side of Walzem Road, having 165 feet on Walzem Road and a depth of 310.31 feet. Property is located on the north side of Walzem Road, 619.4 feet east of the intersection of Austin Highway and Walzem Road, having 165 feet on Walzem Road and a depth of 310.31 feet.

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

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

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

AN ORDINANCE 84,864

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT G, NCB 12179, 4459 WALZEM ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3E. CASE #Z96202 - to rezone and reclassify 12.34 acres out of Lot 1, Block 8, NCB 17305 Harry Wurzbach Road, from "B-2" Business District to "P-1(B-2)" Planned Unit Development Business District. Property is located on the east side of Harry Wurzbach Road, between Oakwell Farms Parkway and Oakwell Court, having 732.29 feet on Harry Wurzbach Road, 452.35 feet on Oakwell Farms Parkway and 469.81 feet on Oakwell Court.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance,

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

AN ORDINANCE 84,865

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 12.34 ACRES OUT OF LOT 1, BLOCK 8, NCB 17305 HARRY WURZBACH ROAD, FROM "B-2" BUSINESS DISTRICT TO "P-1(B-2)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3F. CASE #Z96098 - to rezone and reclassify Lot 4, Block 10, NCB 10382, 1914 La Manda Street, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales District. Property is located on the south side of La Manda Street, 143.98 feet west of the intersection of La Manda Street and Blanco Road, having 110 feet on La Manda and a depth of 125 feet.

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

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

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

AN ORDINANCE 84,866

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 4, BLOCK 10, NCB 10382, 1914 LA MANDA STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3G. CASE #Z96179 - to rezone and reclassify Lots 7C and 7D, Block 6, NCB 2429 Guadalupe Street, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located northeast of the intersection of Rosillo Street and Guadalupe Street, having 72.5 feet on Rosillo Street and 51.2 feet on Guadalupe Street.

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

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

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

AN ORDINANCE 84,867

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 7C AND 7D, BLOCK 6, NCB 2429 GUADALUPE STREET, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3H. CASE #Z96133 - to rezone and reclassify Lots 3 and 4, Block 10, NCB 16196, 2510 and 2514 Wayne Drive, from "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District. Property is located on the east side of Wayne Drive, 120 feet south of the intersection of Wayne Drive and Keasler Drive, having 120 feet on Wayne Drive and a depth of 140 feet.

Mr. David Pasley, Director of Planning, stated that a letter has been received from the applicant in this case, formally withdrawing his rezoning request.

Zoning Case Z96133 was withdrawn.

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3I. CASE #Z96137 - to rezone and reclassify The east 41.15 feet of Lot 3, all of Lotus 4, 5, 12, 13, 14 and the west 23.75 feet of Lot 15, Block 4, NCB 600, 1616 E. Commerce, from "R-2" Two Family Residence District and "B-3" Business District to "I-1" Light Industry District. Properties are located between E. Commerce Street and Omaha Street, 72.08 feet east of the intersection of Olive Street and E. Commerce Street, having 144.31 feet on E. Commerce Street, 166.38 feet on Omaha Street and 260.52 feet between these two streets.

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

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

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

AN ORDINANCE 84,868

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 41.15 FEET OF LOT 3, ALL OF LOTUS 4, 5, 12, 13, 14 AND THE WEST 23.75 FEET OF LOT 15, BLOCK 4, NCB 600, 1616 E. COMMERCE, FROM "R-2" TWO FAMILY RESIDENCE DISTRICT AND "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3J. CASE #Z96185 - to rezone and reclassify 40.071 acres out of NCB 16552, F.M. 1604, from "R-A" Residence Agriculture District and "B-2" Business District to "R-4" Manufactured Home Residence District. Property is located on the northwest side of F.M. 1604 southwest of the intersection of F.M. 1604, southwest of the intersection of F.M. 1604 and N. Graytown, having 1,373.8 feet on F.M. 1604 and a depth of 1,904.67 feet.

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

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In response to a question by Ms. Lott, Mr. Ernie G. Arredondo, the applicant, stated that he would be willing to erect a fence between this property and nearby residences.

Mr. David Pasley, Director of Planning, noted that water mains serving this property must be of adequate size, as part of the planning process involved.

Ms. Lott made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

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

AN ORDINANCE 84,869

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 40.071 ACRES OUT OF NCB 16552, F.M. 1604, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT AND "B-2" BUSINESS DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3K. CASE #Z96184 - to rezone and reclassify Lot 2, Block 65, NCB 15403, 7504 S.W. Military Drive, from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the east side of S.W. Military Drive, 80.1 feet north of the intersection of S.W. Military Drive and Marbach Road, having 117.1 feet on S.W. Military Drive and a depth of 110 feet.

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

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

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

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AN ORDINANCE 84,870

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 2, BLOCK 65, NCB 15403, 7504 S.W. MILITARY DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3L. CASE #Z96186 - to rezone and reclassify 1.63 acres out of NCB 18558 Guilbeau Road, from "P-1(R-3)" Planned Unit Development Multiple Family Residence District to "B-2" Business District. Property is located on the southeast side of Guilbeau Road, 210 feet northwest of the intersection of Guilbeau Road and Bandera Road, having 11.47 feet on Guilbeau Road and a depth of 677.28 feet.

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

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

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

AN ORDINANCE 84,871

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.63 ACRES OUT OF NCB 18558 GUILBEAU ROAD, FROM "P-1(R-3)" PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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3M. CASE #Z96172 - to rezone and reclassify The northeast 200 feet of P-6, NCB 15178, 235 Cedarhurst Drive, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Property is located southwest of the intersection of Cedarhurst Drive and Knollwood Drive, having 160 feet on Cedarhurst Drive and 200 feet on Knollwood Drive.

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

In response to a question by Mr. Solis, Mr. Willie R. Pitts, the applicant, stated that he would agree to an O-1 Office zoning on the property in question.

Mr. Solis made a motion to approve the recommendation of the O-1 Zoning Commission. Mr. Herrera seconded the motion.

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

AN ORDINANCE 84,872

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 200 FEET OF P-6, NCB 15178, 235 CEDARHURST DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

3N. CASE #Z96007X - to rezone and reclassify Lots 3 & 4, Block 5, NCB 7842, The property is located at 148 Kendalia Ave, from "D" Apartment District to "R-1" Single Family Residence District.

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

Mr. Solis made a motion to approve the recommendation of the Zoning Commission,

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and to approve R-1 zoning on this property. Mr. Herrera seconded the motion.

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

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

AN ORDINANCE 84,873

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 200 FEET OF P-6, NCB 15178, 235 CEDARHURST DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

96-39 PUBLIC HEARING AND CONSIDERATION OF THE ORDINANCE ON PARKING OF OVERSIZED VEHICLES ON PRIVATE PROPERTY IN RESIDENTIAL ZONES.

Mayor Thornton declared the Public Hearing to be open.

Mr. Habib Erkan, Assistant City Attorney, narrated a video presentation explaining the proposed ordinance to regulate the parking of oversized vehicles on private property in residential zones. A copy of his presentation is made a part of the papers of this meeting.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 84,874

AMENDING SECTION 19-194 AND SECTION 35-3315 OF THE CITY CODE TO AMEND THE CURRENT REGULATION OF PARKING OF OVERSIZED VEHICLES ON

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PRIVATE PROPERTY IN RESIDENTIAL ZONES AND PROVIDING THAT VIOLATION OF SECTION 19-194 SHALL BE A CIVIL OFFENSE PUNISHABLE BY A CIVIL PENALTY NOT TO EXCEED \$200.00 AND VIOLATIONS OF SECTION 35-3315 SHALL BE A MISDEMEANOR, PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.00. (AND AMENDS SECTIONS OF ORD. NO. 72724 OF NOV. 29, 1990)

* * * *

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

(At this point, Mayor Thornton was obliged to leave the meeting. Mr. Flores presided in the temporary absence of the Mayor and Mayor Pro Tem.)

Mr. Webster spoke to the petitions received, seeking approval for this proposed ordinance.

In response to a question by Mr. Peak, Mr. Erkan spoke to the proposed exception to the new regulations, involving handicapped stickers issued by the City of San Antonio, and not the state stickers.

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

In response to a question by Mr. Solis, Mr. Erkan discussed certain definitions in the proposed ordinance and the effects of these proposed new regulations, and their effects upon residents of large areas annexed into the City and subjected to the new regulations.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,875

AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE WITH LABORER'S UNION OF NORTH AMERICA ALF-CIO LOCAL 400, TERMINATING NO LATER THAN FEBRUARY 28, 1999, FOR SPACE IN TERMINALS 1 AND 2 AT SAN ANTONIO INTERNATIONAL AIRPORT TO INSTALL INFORMATION BOOTHS TO BE USED BY THE TENANT FOR THE DISSEMINATION OF INFORMATION REGARDING

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TAXI SERVICE FOR A TOTAL ANNUAL RENT OF \$6,000.00.

* * * *

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

Mr. Mike Kutchins, Director of Aviation, explained the proposed ordinance to allow taxicab information dissemination at International Airport.

Mr. Solis noted that this includes the taxicab industry in free enterprise.

Mr. Flores stated that he was glad that the issue is settled, and the result is only fair.

Mr. Marbut thanked all involved in the settlement of this issue.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,876

CONFIRMING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$7,263,715.00 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) UNDER THE 1996 SUPPORTIVE HOUSING PROGRAM BY A STAFF OF THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES IN COLLABORATION WITH THE CHILDREN'S SHELTER, THE CENTER FOR HEALTH CARE SERVICES, NATIONAL VETERANS OUTREACH PROGRAM, HISPANIC AIDS COMMITTEE, SAN ANTONIO AIDS FOUNDATION, BUCKNER CHILDREN AND FAMILY SERVICES, HOUSE OF HOPE, BOYS TOWN, ST. MARY'S CIVIL JUSTICE CLINIC, AND THE SALVATION ARMY.

* * * *

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

Mr. Rolando Morales, Acting Director of Community Initiatives, narrated a video

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presentation on the proposed ordinance.

In response to a question by Mr. Ross, Mr. Morales noted that no general fund match is required.

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

- - -
96-39 Agenda item 64, being a proposed resolution adopting the City of San Antonio's 1997 Legislative Program for the 75th State Legislative Session beginning January 14, 1997 was earlier removed from consideration by the City Manager, to be rescheduled for Council consideration next week.

- - -
96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,877

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A THREE (3) MONTH EXTENSION CONTRACT WITH BEXAR COUNTY TO PROVIDE CRIMINAL LABORATORY SERVICES TO THE SAN ANTONIO POLICE DEPARTMENT EFFECTIVE OCTOBER 1, 1996 THROUGH DECEMBER 31, 1996 WITH A MONTHLY PAYMENT TO BEXAR COUNTY IN THE AMOUNT OF \$36,475.00.

* * * *

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

Ms. Myra Leo, Director of Intergovernmental Services, briefly explained the proposed three-month contract extension.

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

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96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,878

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A THREE (3) MONTH EXTENSION CONTRACT WITH BEXAR COUNTY TO PROVIDE HEALTH SERVICES TO THE CITIZENS OF UNINCORPORATED BEXAR COUNTY EFFECTIVE OCTOBER 1, 1996 THROUGH DECEMBER 31, 1996 WITH A MONTHLY PAYMENT TO BEXAR COUNTY IN THE AMOUNT OF \$33,878.45.

* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, briefly explained the proposed three-month contract extension. She explained the recent transfer of this responsibility from Bexar County to the University Health System.

Mr. Solis expressed his concern that Commissioners Court of Bexar County appears to be dodging their responsibility in this area by transferring program responsibility to UHS.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,879

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF THREE (3) YEAR CONTRACTS FOR EMERGENCY MEDICAL SERVICES (EMS) WITH THE SUBURBAN CITIES OF BALCONES HEIGHTS, GREY FOREST, CASTLE HILLS, HELOTES, HOLLYWOOD PARK, HILL COUNTRY VILLAGE, AND WINDCREST EFFECTIVE OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1999, FOR A FEE DETERMINED BY THE RESPECTIVE PRO-RATA SHARE OF CITIES ELECTRICAL CONNECTIONS AND THE PROPOSED EMS OPERATING BUDGET.

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* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, explained the formula used to calculate the fee schedules.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,880

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A ONE (1) YEAR CONTRACT FOR EMERGENCY MEDICAL SERVICES (EMS) WITH THE BEXAR COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY HEALTH SYSTEM TO PROVIDE SERVICES TO CITIZENS OF UNINCORPORATED BEXAR COUNTY EFFECTIVE OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 1997 FOR A FEE DETERMINED BY A PRO-RATA SHARE OF ELECTRICAL CONNECTIONS, PRO-RATA SHARE OF RUN-MINUTES AND THE PROPOSED EMS OPERATING BUDGET.

* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, briefly explained the formula for calculating the fee schedules.

In response to a question by Mr. Webster, Ms. Leo spoke to the increase in City Public Service connections by some 10 per cent.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Lott, Solis, Herrera, Ross, Marbut, Peak, Webster,

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Thornton; NAYS: None; ABSENT: Billa Burke, Avila.

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,881

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR CONTRACT WITH BEXAR COUNTY TO PROVIDE LIBRARY SERVICES TO CITIZENS OF UNINCORPORATED BEXAR COUNTY EFFECTIVE OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 2001 FOR A FEE DETERMINED BY A MONTHLY RATE BASED ON THE ACTUAL CIRCULATION OF MATERIALS.

* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, explained the five-year contract for library services.

Mr. Ross and Mr. Rolando Bono, Assistant City manager, both spoke to the sliding scale of pay, based upon the library's budget.

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,882

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR CONTRACT WITH BEXAR COUNTY TO PROVIDE ANIMAL CONTROL SERVICES FOR AREAS OF UNINCORPORATED BEXAR COUNTY EFFECTIVE OCTOBER 1, 1996 THROUGH SEPTEMBER 30, 2001 BASED ON A FEE SCHEDULE FOR SERVICES.

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* * * *

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

Ms. Myra Leo, Director of Intergovernmental Relations, explained the proposed five-year contract for animal control services.

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

DEPARTURE OF MS. LYRA LEO FROM CITY EMPLOY

Mr. Rolando Bono, Assistant City Manager, spoke to Ms. Leo's resignation as Intergovernmental Relations Director after a two-year service with the City, and spoke in appreciation for her good work.

Mr. Solis congratulated Ms. Leo on her new employment with an Austin law firm, and spoke to her good work for the City of San Antonio.

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,883

AMENDING PRIOR APPROPRIATIONS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; CARRYING FORWARD CERTAIN FUNDS; APPROPRIATING FUNDS FOR REQUIREMENTS IN CITY PROJECTS AND DEPARTMENTS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS

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

Ms. Terry Brechtel, Director of Budget & Management Analysis, explained details of the annual 'closing ordinance' for the City of San Antonio for Fiscal year 1995-96.

After consideration, the motion, carrying with it the passage of the

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

96-39 The Clerk read the following Resolution:

A RESOLUTION 96-34-41

AUTHORIZING CITY STAFF TO NEGOTIATE A LEASE AGREEMENT WITH THE MAGIK THEATER FOR USE OF BEETHOVEN HALL IN HEMISFAIR PARK, WITH THE PURPOSE OF RESTORING A CULTURAL ARTS FACILITY AND REDUCING OPERATING EXPENSES TO THE CITY WHILE PROVIDING THE MAGIK THEATER A BETTER FACILITY FOR ITS PERFORMANCES

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

Mr. Roland Lozano, Director of Asset Management, narrated a video presentation on the lease agreement with Magik Theater for the use of Beethoven Hall.

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

96-39 TRAVEL AUTHORIZATION - Granted:

TRAVEL AUTHORIZATION FOR COUNCILMAN ROBERT A. HERRERA (DISTRICT 6) TO ATTEND FIESTAS DE OCTUBRE - SISTER CITIES OF GUADALAJARA 1996 IN GUADALAJARA, MEXICO FROM OCTOBER 3-6, 1996.

96-39 TRAVEL AUTHORIZATION - Granted:

TRAVEL AUTHORIZATION FOR COUNCILMEMBERS JUAN F. SOLIS (DISTRICT 5),

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BOB ROSS (DISTRICT 7) AND HOWARD W. PEAK (DISTRICT 9) TO ATTEND A MEETING WITH JOHN BAKER, COMMISSIONER OF THE TEXAS NATURAL RESOURCES CONSERVATION COMMISSION REGARDING CHAPTER 313 EDWARDS RULES IN AUSTIN, TEXAS ON OCTOBER 2, 1996

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,884

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO HELD DEFRAID RENTAL COSTS OF THE CITY'S SHOWMOBILE USED IN CONNECTION WITH THE ANTIOCH MISSIONARY BAPTIST CHURCH'S WHEATLEY COURTS COLLEGE SCHOLARSHIP FUND RAISER FESTIVAL ON SATURDAY, SEPTEMBER 28, 1996; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILWOMAN DOLORES LOTT.

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

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,885

APPROVING A RUN/WALK PERMIT IN CONNECTION WITH THE MOUNTAIN DEW 5K RUN SPONSORED BY PEPSI-COLA, TO BENEFIT ST. MARK'S PELEGRINO FUND AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF THE FOLLOWING STREETS FROM 7:30 A.M. UNTIL 10:00 A.M., SATURDAY, SEPTEMBER 28, 1996 FOR SAID EVENT: ROGERS ROAD FROM HYATT RESORT DRIVE TO WESTOVERHILLS ROAD, WESTOVERHILLS ROAD FROM ROGERS ROAD TO HUNT LANE, HUNT LANE FROM WESTOVERHILLS ROAD TO MILITARY DRIVE WEST, MILITARY DRIVE WEST FROM HUNT LANE TO ROGERS ROAD, ROGERS ROAD FROM HUNT LANE TO

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HYATT RESORT DRIVE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

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

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,886

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO REIMBURSE THE ALAMO CITY YOUTH SOCCER ORGANIZATION FOR COSTS INVOLVED IN PURCHASING YOUTH SOCCER TEAM UNIFORMS AND EQUIPMENT, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA

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

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,887

AUTHORIZING THE EXPENDITURE OF \$385.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO ASSIST THE LACKLAND TERRACE NEIGHBORHOOD ORGANIZATION PURCHASE SEVEN (7) "CELLULAR ON PATROL" SIGNS FOR THE NEIGHBORHOOD, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA

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

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,888

AUTHORIZING THE TRANSFER OF \$1,500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO THE GENERAL FUND TO PAY FOR OFFICE SPACE, SUPPLIES AND EQUIPMENT USAGE FOR THE DISTRICT 6 ADMINISTRATIVE ASSISTANTS FOR THE PERIOD OF APRIL 1, 1996 THROUGH SEPTEMBER 30, 1996, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA.

* * * *

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

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

96-39 The Clerk read the following Ordinance:

AN ORDINANCE 84,889

AUTHORIZING THE EXPENDITURE OF \$2,000.00 FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND TO REIMBURSE THE NORTH CENTRAL/THOUSAND OAKS NEIGHBORHOOD ASSOCIATION FOR BICYCLES PURCHASED FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT FOR

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NEIGHBORHOOD AND PARK PATROLS, AS REQUESTED BY COUNCILMAN HOWARD W. PEAK.

* * * *

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

CITIZENS TO BE HEARD

John Noriega representing the Loma Park Neighborhood Association introduced himself and some of the members and officers of the association.

Mr. Ross commented that there is another organization which calls itself the Loma Park Neighborhood Association and advised Mr. Noriega to meet with this organization and resolve which is the "official" association. Mr. Noriega stated that his organization is officially registered and that he would meet with the other organization to resolve any issues of representation.

* * * *

Mary Alvarado presented copies of a letter to the Council and showed a video regarding allegations of alleged multiple violations of City ordinances committed by a property owner whose property is adjacent to hers. She further advised Council that the case is currently in Municipal Court. Mr. Flores requested that Mr. Lloyd Garza, City Attorney, get involved with Ms. Alvarado's case and assist her in expediting a resolution.

* * * *

Norman O. Posey requested that his sweeping allegations of violations of the law by City employees be placed on the Agenda. Mr. Posey contends that City employees are unlawfully issuing him citations. Mr. Posey provided copies of his allegations to the Council, a copy of which has been attached to the papers of this meeting.

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Mr. Solis urged Mr. Posey to meet with the Taxicab Commission to resolve his concerns.

Mr. Flores inquired as to why Mr. Posey failed to appear at a hearing at Municipal Court and urged him to ensure that he appears at hearings and to follow the proper procedures for resolving his concerns.

Mr. Marbut advised Mr. Posey that, as he had been terminated by his employer, that the Council is not the proper vehicle to resolve disputes with his employer, but that he should pursue the proper appeal process.

* * * *

Mr. Jack Finger spoke to his concerns with the manner in which Mayor Thornton is dealing with SAWS and alleged that Mayor Thornton is failing to make meetings with SAWS. Mr. Finger expressed his displeasure that Mayor Thornton was not present to hear his remarks, however, the Mayor was obliged to leave the meeting, leaving Mr. Flores to preside.

- - -
City Council recessed its regular session at 6:50 P.M., reconvening at 7:20 P.M.
- - -

FIRST PUBLIC HEARING ON ANNEXATION OF SIX AREAS

Mr. Flores, presiding in the absence of both Mayor and Mayor Pro Tem, declared the Public Hearing to be open.

Mr. David Pasley, Director of Planning, stated that this constituted the required First Public Hearing on the proposed annexation of six areas (Walzem/Gibbs-Sprawl, Heritage Park, Mountain View, Greystone, Medio Creek Facility, and Kelly Air Force Base).

Mr. Farris Hodges, Jr., 140 Dora, spoke to his concern with the lack of Code Compliance officers and the dilution of this service by continued annexation of new areas. He asked that the number of Code Compliance officers and clerks be increased, and also asked that the elevators at City Hall also be replaced. Finally, he spoke to the need for more health district personnel.

Mr. Henry M. Guerra, 2055 South Ellison Drive, spoke to his concern for dove hunting in areas adjacent to his home, and spoke to the need to annex these areas.

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Mr. Sidney Roberts, 1723 South Ellison Drive, spoke of his fear for the danger from shotgun pellets fired in an adjacent area to his home. He spoke to the need for annexation of hunting areas, and for something to be done. He stated his belief that the City Council is accountable for this problem.

Mr. Herrera noted that the Council enacted an ordinance last week which goes into effect shortly. He stated that when a certain area is annexed into the City, something now can be done.

Mr. Guerra noted that Sheriff's deputies say they cannot do anything about the matter.

Mr. Solis suggested that Mr. Guerra and Mr. Roberts request the Bexar County Commissioner's Court forbid dove hunting in these areas outside the city limits of San Antonio, like the City now has done for areas inside the city limits.

Mr. Jose A. Badillo, 10954 Mt. Hood, addressed his concerns for City services he will receive when his home is annexed and his taxes go up by some \$900.

Mr. Flores noted that a list of City services is included in the handout available.

Mr. Herrera spoke to the new City fire station under construction in this area in question.

There being no further citizens signed to speak to this matter, Mr. Flores, presiding, declared the Public Hearing to be closed.

Mr. Alexander E. Briseño, City Manager, and Mr. Pasley both spoke to the two required public hearings on this proposed annexation, to be followed by the required two readings of the annexation ordinance, which, if enacted, will become effective at midnight, December 31, 1996. They noted that City staff is available to speak to any questions that any citizen might have relative to the proposed annexations.

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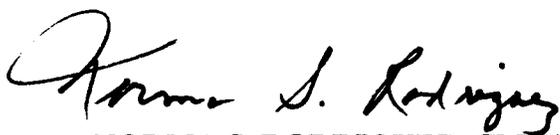
96-39 There being no further business to come before the Council, the meeting was adjourned at 7:40 P.M.

A P P R O V E D



WILLIAM E. THORNTON
MAYOR

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk

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