

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, AUGUST
25, 1994.

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94-41 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: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON. Absent: WOLFF.

Staff briefing and City Council discussion of a possible Moratorium on development activities over the Edwards Aquifer Recharge Zone including zoning, platting, and issuance of permits for underground petroleum storage tanks and other related matters.

City Council gave direction to staff to expedite 33 items pending over the Edwards Recharge Zone District and to bring back to City Council for final action no later than September 30, 1994.

Council also directed that staff bring back for formal consideration at next week's meeting a Resolution directed to the Texas Natural Resources Conservation Commission with a list of recommendations to expedite action toward a Regional Approach to protection of the Edwards Aquifer.

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94-41 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Pro-Tem Henry Avila with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON. Absent: WOLFF.

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94-41 Invocation - Father Ed Kelly, St. Matthew's Church.

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94-41 Pledge of Allegiance to the flag of the United States.

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94-41 Minutes of the June 30, 1994 Regular City Council Meeting were approved.

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GRAFFITI GRAPPLERS

Mayor Pro Tem Avila, presiding in the absence of Mayor Wolff, stated that San Antonio 2000 has selected for recognition today "Graffiti Grapplers", a program at Anson Jones Middle School. He noted that the group's mission is to reclaim and beautify the community, eliminating visual pollution, and, since March of 1993, the group has removed more than 200 cubic yards of illegally-dumped rubbish, and volunteered almost 2,000 hours to improve the neighborhood. He then introduced the group and its sponsor, Ms. Linda Pruski, 7th grade Life Science teach at Anson Jones Middle School.

The students each came forward to identify themselves and to explain the program. They then distributed copies of a newsletter and other memorabilia to members of City Council.

Ms. Linda Pruski, the sponsor, spoke to the program's impact upon the neighborhood by removing graffiti from numerous locations.

Several City Council members congratulated the class members and teacher, and urged them to continue to beautify their community.

Mayor Pro Tem Avila then presented a special Citation to the group, to mark the occasion.

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It was the concensus of City Council members present to undertake consideration of Agenda Item 32 at this time, in as much as it will require eight affirmative votes to make it effective immediately.

The Clerk read the following Ordinance:

AN ORDINANCE 80,648

CLOSING THE EAST END OF OAKMONT COURT STREET ON TUESDAY, AUGUST 30, 1994, FROM 5:30 P.M. UNTIL 11:00 P.M. FOR THE PURPOSE OF HOLDING A "BACK TO SCHOOL" RECEPTION/STREET DANCE AS REQUESTED BY TRINITY UNIVERSITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON ENACTMENT BY EIGHT (8) AFFIRMATIVE VOTES.

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Mr. Peak 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: Perez,

McClendon, Billa Burke, Avila, Solis, Ayala, Thornton, Peak, Larson;
NAYS: None; ABSENT: Ross, Wolff.

94-41 CONSENT AGENDA

Mr. Peak made a motion to approve Agenda Items 6 through 15d, constituting the Consent Agenda, with Agenda Item 9 being pulled for individual consideration. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Billa Burke, Wolff.

AN ORDINANCE 80,649

RATIFYING THE ACTION OF CITY STAFF IN ACCEPTING THE BID OF CARRIER BUILDING SERVICES IN THE AMOUNT OF \$19,433.32 FOR EMERGENCY REPAIRS OF THE AIR CONDITIONING SYSTEM SERVICING THE FRANK D WING MUNICIPAL COURT BUILDING.

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AN ORDINANCE 80,650

RATIFYING A PROFESSIONAL SERVICES CONTRACT WITH LAKE/FLATO ARCHITECTS, INC. IN THE AMOUNT OF \$10,322.50 FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF THE GREAT NORTHWEST BRANCH LIBRARY LOCATED AT THE NORTHEAST CORNER OF CULEBRA ROAD AND TIMBERWILDE.

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AN ORDINANCE 80,651

ACCEPTING THE LOW, QUALIFIED BID OF COR CONSTRUCTION CO., INC. IN THE AMOUNT OF \$43,465.00 IN CONNECTION WITH THE HIGHLAND PARK PARKING LOT COMMUNITY DEVELOPMENT BLOCK GRANT; (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING REVISING THE PROJECT BUDGET; AUTHORIZING \$4,000.00 FOR CONSTRUCTION CONTINGENCIES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,652

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH

S.R. DOOLEY & ASSOCIATES, FOR PREPARATION OF
RIGHT-OF-WAY ACQUISITION APPRAISALS FOR THE WESTERN
AVENUE DRAINAGE PROJECT #74, PHASE III AND
AUTHORIZING PAYMENT UP TO \$12,000.00.

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AN ORDINANCE 80,653

AUTHORIZING THE ACCEPTANCE OF A \$175,490.00 GRANT
AWARD THE TEXAS STATE LIBRARY FUNDS TO PROVIDE
SALARIES AND ALL SUPPORT COST, INCLUDING INDIRECT
COST FOR THE OPERATION OF THE SAN ANTONIO
INTERLIBRARY LOAN CENTER; AND REVISING THE BUDGET.

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AN ORDINANCE 80,654

AUTHORIZING THE ACCEPTANCE OF A \$18,800.00 GRANT
AWARD FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO
ESTABLISH A REFUGEE HEALTH SCREENING PROJECT IN THE
SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD);
AUTHORIZING THE EXECUTION OF A REVISION TO THE
CONTRACT WITH TDH; AND REVISING TO THE CONTRACT
WITH TDH; AND REVISING THE BUDGET FOR THE PUBLIC
HEALTH STATE SUPPORT PROJECT 1993/94 ESTABLISHED IN
ORDINANCE 77194 PASSED JANUARY 14, 1993.

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AN ORDINANCE 80,655

ACCEPTING AN ADDITIONAL AWARD OF \$55,386.00 IN CASH
AND \$833,081.00 IN IN-KIND VACCINE FROM THE U.S.
PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF
THE 1994 CHILD IMMUNIZATION MAINTENANCE PROJECT BY
THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT;
AMENDING THE PROJECT BUDGET TO REFLECT THESE
ADDITIONAL FUNDS; AND AUTHORIZING FOUR ADDITIONAL
PERSONNEL POSITIONS FUNDED BY THIS AWARD.

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AN ORDINANCE 80,656

AUTHORIZING THE TEMPORARY CLOSURE OF CAMINO SANTA
MARIA ST., BETWEEN CULEBRA RD. AND WESTMINSTER ST.,
FROM 6:00 A.M. UNTIL 11:59 P.M. ON SUNDAY, OCTOBER
9, 1994, SO THAT THE HOLY ROSARY PARISH CAN HOLD THE

"1994 HOLY ROSARY ANNUAL CAMINO SANTA MARIA STREET FESTIVAL."

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AN ORDINANCE 80,657

REAPPOINTING EDWARD MATA (DISTRICT 4) TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1996..

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AN ORDINANCE 80,658

APPOINTING MANUEL SILVA, SR. (DISTRICT 6) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 1996.

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AN ORDINANCE 80,659

APPOINTING AND REAPPOINTING MEMBERS TO THE HIGHER EDUCATION AUTHORITY.

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AN ORDINANCE 80,660

REAPPOINTING VERA BANNER (DISTRICT 3) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 1996.

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94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,661

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO PORTIONS OF LOTS 9 AND 7, NEW CITY BLOCK 8371, AND LOT 13, NEW CITY BLOCK 7201, IN SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF THE BABCOCK ROAD RECONSTRUCTION, PROJECT - FREDERICKSBURG ROAD TO ST. CLOUD.

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Ms. Billa Burke 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: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Thornton, Peak, Larson; NAYS: None; ABSTAIN: Ross; ABSENT: Wolff.

94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,662

SETTING A PROPOSED TAX RATE FOR FISCAL YEAR 1993-94 (TAX YEAR 1994) AND SETTING A PUBLIC HEARING ON SUCH PROPOSED TAX RATE FOR THURSDAY, SEPTEMBER 9, 1994, AT 3:00 P.M., IN THE CITY COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, 103 MAIN PLAZA, SAN ANTONIO, TEXAS 78205.

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

Mr. George K. Noe, Director of Management Services, spoke to City staff's recommended tax rate, representing a decline of 1.3 cents per \$100 property valuation.

Mr. Peak spoke in support for the cut in the tax rate.

In response to a question by Mr. Ross, Mr. Noe noted that City Council can cut the tax rate even further, if it wishes.

Mr. Larson spoke in support of the proposed City budget.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: McClendon, Ayala, Wolff;

94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,663

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 92-CI-14402, STYLED AMERICAN NATIONAL FIRE INSURANCE COMPANY VS. CITY OF SAN ANTONIO IN THE TOTAL AMOUNT

10,000.00 AND APPROPRIATE FUNDS THEREFOR.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the proposed settlement of the lawsuit over construction work.

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

94-41 Ms. Billa Burke made a motion to approve Agenda Item 18, being a proposed ordinance authorizing the settlement of Cause No. 92-CI-06643, styled Carlos Pedraza vs. City of San Antonio in the amount of \$20,000.00, plus court costs. Mr. Solis seconded the motion.

Mr. Lloyd Garza, City Attorney, explained details of the accidental slip and fall of a person at Arneson River Theater.

In response to a question by Mr. Larson, Mr. Garza spoke to how the City determines that the injury was not pre-existent to the fall.

After discussion, the motion failed to carry by the following vote: AYES: Perez, Avila, Ayala, Ross, Thornton. NAYS: Billa Burke, Solis, Larson. ABSENT: McClendon, Peak, Wolff.

Following further discussion, Mr. Solis, a member of the prevailing side in the previous vote, made a motion to reconsider Agenda Item 18. Mr. Perez seconded the motion to reconsider the item.

After consideration, the motion to reconsider Agenda Item 18 prevailed by the following vote: AYES: Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak. NAYS: Billa Burke, Solis, Larson. ABSENT: Wolff.

The Clerk read the following Ordinance:

AN ORDINANCE 80,664

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 92-CI-06643, STYLED CARLOS PEDRAZA VS CITY OF SAN ANTONIO IN THE AMOUNT OF \$20,000.00, PLUS COURT COSTS.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak; NAYS: Billa Burke, Solis; ABSENT: Wolff.

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94-41 TRAVEL AUTHORIZATION - Granted:

Councilwoman Helen Ayala to travel to Portland, Oregon from August 26, 1994 to August 28, 1994 to attend a meeting relating to transportation and MPO future planning as mandated by Intermodal Surface Transportation Efficiency Act (ISTEA.)

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94-41 TRAVEL AUTHORIZATION - Granted:

Councilwoman Helen Ayala to travel to Crystal City, Arlington, Virginia from September 23, 1994 to September 28, 1994 to attend National Council for Urban Economic Development Summit & Clinton Administration and Congressional Initiatives Legislative Conference.

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94-41 TRAVEL AUTHORIZATION - Granted:

Councilman Lyle Larson to travel to Washington, D. C. from September 30, 1994 to October 04, 1994 to attend an Annual Greater S.A. Chamber Of Commerce SA to DC Military Appreciation Trip.

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94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,665

AUTHORIZING THE TEMPORARY CLOSURE OF CASTROVILLE ROAD, BETWEEN CUPPLES AND GENERAL MCMULLEN, FROM 2:00 P.M. ON TUESDAY, SEPTEMBER 6, 1994, TO 3:00 A.M. ON WEDNESDAY, SEPTEMBER 7, 1994, IN ORDER THAT

WRIGHT & GREENHILL, P.C. MAY RECONSTRUCT A TRAFFIC ACCIDENT.

* * * *

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

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

94-41 At the request of Mr. Solis, Agenda Item 23, being a proposed ordinance approving the revisions to the PIC/CEO Agreement for the Job Training Partnership Act (JTPA) for Program Year 1994 (July 1, 1994 through June 30, 1995); amending Ordinance No. 80366, passed and approved June 30, 1994, in accordance with the revised agreement; and authorizing subsequent revisions to the Multijurisdictional Agreement, was temporarily bypassed in order that it might be considered in conjunction with Agenda Item 27, later during this meeting.

94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,666

RATIFYING A CONTRACT WITH PSYCHOLOGICAL TRAUMA CENTER, NICLOE YOUNG AND ASSOCIATES IN THE AMOUNT OF \$6,060.00 FOR PROVIDING COUNSELING AND SEMINARS UNDER THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE III PROGRAM TO KELLY FIELD DISLOCATED EMPLOYEES FOR A PERIOD ENDING JUNE 30, 1994.

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

Mr. Octavio Pena, Assistant Director of Finance, explained ratification of the contract to counsel with dislocated Kelly Air Force Base employees.

In response to a question by Mr. Peak, Mr. Pena spoke to the availability of assistance from the State of Texas, involving counseling and other assistance to workers laid off from their jobs at Kelly Air Force Base.

Mr. Ross addressed his concern that the Alamo Workforce Development Council board has not approved this matter.

Responding to Mr. Ross' concerns, Mr. Pena and Ms. Bernadette Magaro, Assistant City Attorney, noted that the firm involved is on the "approved bidders" list of AWDC, and that board formal approval is not necessary.

Mr. Solis spoke to his concern with approving a contract two months after the work is performed.

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

94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,667

AUTHORIZING THE EXECUTION OF A CONTRACT WITH NORTHCOAST ADMINISTRATIVE CONSULTANTS, INC. FOR AN AMOUNT NOT TO EXCEED \$60,000.00 TO PROVIDE JOB TRAINING PARTNERSHIP ACT (JTPA) AUDIT RESOLUTION ASSISTANCE ON THE CITY'S DEPARTMENT OF LABOR - OFFICE OF INSPECTOR GENERAL (DOL-OIG) AUDIT FOR THE PERIOD JULY 1, 1994 THROUGH JUNE 30, 1995.

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

Mr. Octavio Pena, Assistant Director of Finance, explained the contract funded by carry-over Job Training Partnership Act funds.

Mr. Solis addressed his concern that the administrator of the Alamo Workforce Development Council is not present in Council Chambers today to speak to this issue, stating that he might be in favor of postponing action on this matter until the administrator appears before City Council to explain it. He noted that the former JTPA Department now is an independent agency.

Mr. Ross spoke in agreement with Mr. Solis, noting that the City is subject to a \$7 million liability because of earlier actions of JTPA, while it was under the City of San Antonio, prior to going independent. He stated his belief that the problem needs to be worked out with the State of Texas, and spoke in favor of turning this program over to the state.

Ms. Ayala spoke in favor of holding an Executive Session discussion on this matter.

response to a question by Mr. Solis, Mr. Ron Fleming, administrator of AWDC, who had entered the Council Chamber, explained details of the contract, noting that the firm no longer is employed by his agency, having resigned.

After consideration, and further discussion the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson; NAYS: None; ABSENT: Wolff.

94-41 Agenda Item 26, being a proposed Resolution requesting the resignation of certain members from the Private Industry Council, known as the Alamo Workforce Development, Inc., as requested by Councilman Juan F. Solis III, was earlier removed from consideration.

94-41 It was the concensus of City Council members present to undertake consideration of Agenda Item 23 at this time.

Ms. Billa Burke made a motion to approve Agenda Item 23 to approve the revisions to the PIC/CEO agreement for the job training partnership at (JTPA) for program year 1994 (July 1, 1994) through June 30, 1995); amending Ordinance No. 80366, passed and approved June 30, 1994, in accordance with the revised agreement; and authorizing subsequent revisions to the multijurisdictional agreement. Mr. Solis seconded the motions.

Mr. Solis then spoke in favor of a postponement of this proposed action, and explained the City of San Antonio's involvement in this matter.

Mr. Solis then made a substitute motion to postpone action on this proposed ordinance, and to direct staff to seek clarification, in writing, from the Executive Director of the Texas Department of Commerce as to the role of the Chief Elected Officials in the overall administration of Job Training Partnership Act Program and specifically clarify the role and liability of the City for any funds allocated to the Alamo SDA and administered by the Alamo Workforce Development Council, Inc. Mr. Ross seconded the substitute motion.

After consideration, the substitute motion prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Wolff.

The main motion, as substituted, then prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Wolff.

Agenda item 23 was postponed.

94-41 Mr. Solis made a motion to approve a ordinance authorizing the City of San Antonio to accept and approve the Job Training Partnership Act (JTPA) procurement process for Program Year 1994, as presented by the Alamo Workforce Development Council, Inc. (AWDC) in the selection of service providers for the twelve county Alamo Service Delivery Area, in accordance with the JTPA Private Industry Council/Chief Elected Official Agreement. Ms. Billa Burke seconded the motion.

After discussion, Mr. Solis made a substitute motion to postpone action on this matter and to direct staff to seek clarification, in writing, from the Executive Director of the Texas Department of Commerce as to the role of the Chief Elected Officials in the overall administration of Job Training Partnership Act Program and specifically clarify the role and liability of the City for any funds allocated to the Alamo SDA and administered by the Alamo Workforce Development Council, Inc. Mr. Ross seconded the substitute motion.

In response to a question by Ms. McClendon, Mr. Ron Fleming, Administrator, Alamo Workforce Development Council, Inc., explained the 'procurement process' for Job Training Partnership Act (JTPA) funds for Program Year 1994, and discussed the sequence of events involved in this matter, as well as the procurement guidelines for JTPA service providers. He explained the original Request For Proposal was changed, and a new RFP issued in July. He spoke to meetings set up to explain details of the RFP to prospective bidders, and spoke to three outside firms, approved by the Texas Department of Commerce, involved in screening proposals, along with the AWDC staff. He then spoke to the respective roles of the AWDC staff and the Board, to the entire process.

Mr. Fleming then discussed the sequence of events leading up to some 58 formal notifications to agencies, whether or not they had been approved. He also explained actions that need to be taken to protest board decisions, and what needs to be done for agencies to compete for JTPA contracts, in the future. He noted that his agency is funding only eight agencies out of some 58 which applied for JTPA funding.

Ms. McClendon stated her belief that some agencies need to know what they can do to better compete for JTPA contract funding in the future.

Mr. Fleming stated that correspondence with non-funded agencies will contain such information, noting that he plans meetings to help agencies be better prepared for grant applications.

Mr. Ross addressed a lack of communication between AWDC and the City of San Antonio, as one of the entities involved in JTPA funding. He spoke in support of the postponement motion.

discussion then ensued concerning possible conflict of information from the Texas Department of Commerce as to the role of the City of San Antonio to AWDC.

Mr. Solis stated his belief that the state understands the role of the Chief Elected Officials in the JTPA process to be one of review only, and stated his opinion that the CEO's should be involved in approval actions, as well. He stated his belief that, if the CEO's are involved only for review, then they have no financial liability for JTPA program funding actions.

After consideration, the substitute motion prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Wolff.

The main motion, as substituted, then prevailed by the following vote: AYES: McClendon, Avila, Solis, Ayala, Ross, Peak. NAYS: None. ABSENT: Perez, Billa Burke, Thornton, Larson, Wolff.

Agenda item 27 was postponed.

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94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,668

AUTHORIZING THE CITY MANAGER TO EXTEND THE CURRENT CONTRACT WITH BENEFIT PLANNER, INC., AND PREFERRED HEALTH ARRANGEMENT TO PROVIDE THIRD PARTY ADMINISTRATIVE SERVICES TO INCLUDE CLAIMS ADMINISTRATION AND PREFERRED PROVIDER NETWORK SERVICES FOR ACTIVE CIVILIAN EMPLOYEES, FIRE AN POLICE, AND RETIREES FOR A ONE YEAR PERIOD BEGINNING JANUARY 1, 1995, TO DECEMBER 31, 1995, AT AN ESTIMATED COST OF \$600,000.00; AND AUTHORIZING THE CITY MANAGER TO EXTEND THE CONTRACT WITH MANAGED HEALTHCARE, INC., TO PROVIDE UTILIZATION REVIEW AND LARGE CASE MANAGEMENT SERVICES FOR ACTIVE CIVILIAN EMPLOYEES, FIRE AN POLICE, AND RETIREES FOR A ONE YEAR PERIOD BEGINNING JANUARY 1, 1995, TO DECEMBER 31, 1995, AT AN ESTIMATED COSTS OF \$155,000.00.

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

Ms. Nora Chavez, Director of Finance, spoke to the sequence of events leading up to this proposed ordinance, noting that City staff now is recommending extension of current contracts for one year with Benefit Planners, Inc. and Preferred Health Arrangement for third-party administrative services on employee claims, and with Managed Healthcare,

Inc. for utilization review and large-case management services. At the same time, staff will be expanding the screening committee to include representatives of unions and retiree groups, and plans are to develop and put out a Request For Proposal for such services to open next May, for services to begin with the new fiscal year in October 1995.

Mr. Bob Thompson, representing Managed Healthcare, Inc. spoke to questions concerning the extended contracts, to which Ms. Chavez replied that all contractual matters remain the same, during the extension, and any clarifications can be negotiated. She noted that the relationship between Managed Healthcare, Inc. and HealthFirst is between those two firms, and doesn't affect the City of San Antonio. She stated that any change with a subcontractor would have to come back to City Council.

In response to a question by Ms. Ayala, Ms. Chavez noted that "extension of contracts" means that any changes made to subcontracts would have to come back to City Council.

Ms. Ayala addressed her concerns that Benefit Planners, Inc. had moved its main offices to Boerne, and out of San Antonio.

In response to a question by Ms. Ayala, Mr. Tom Cusick, representing Benefit Planners, Inc., discussed the number of BPI employees, noting that most live in San Antonio, even though the headquarters is in Boerne. He also noted that BPI handles claims from some 7,000 City of San Antonio employees.

A discussion then took place concerning maintenance of a one-person BPI office in San Antonio, and that person's ability to effectively handle all walk-in traffic. Mr. Cusick stated that he would make any changes to that scenario as they become necessary.

Ms. Ayala spoke to her concern that BPI has too few employees in its San Antonio office, and stated her belief that all City employees must be treated the same.

Mr. Thornton noted that the City of San Antonio is a \$30 million account for BPI, and spoke to his concern with complaints of slowness of response to claims filed by City employees.

(At this point, Mayor Pro-Tem Henry Avila was obliged to leave the meeting. Mr. Perez presided in the absence of the Mayor Pro Tem).

Mr. Ross addressed three major concerns with the present insurance administration services, including audit, turnaround time, and claims.

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

94-41 The Clerk read the following Ordinance:

AN ORDINANCE 80,669

APPROVING A CERTIFICATE OF OBLIGATION FUNDED FIELD ALTERATION NO. 10 RELATED TO THE CITY HALL RESTORATION PROJECT IN AN AMOUNT NOT TO EXCEED \$145,000.00 IN CONNECTION WITH THE RENOVATION OF THE NORTH SIDE OF THE FIRST FLOOR OF CITY HALL INTO A BRIEFING CENTER AND OFFICES.

* * * *

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

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

94-41

ZONING HEARINGS

CASE Z94158 (CC) - To rezone and reclassify 1.523 acres of land out of NCB 17857, Bitters Road and Huebner Road, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" ERZD CC Business Edwards Recharge Zone District with City Council approval for an animal clinic. Property is located 200 feet northeast of the intersection of Bitters Road and Huebner Road and 207.42 feet southwest of the same intersection, having 85.04 feet on Bitters Road, and 205 feet on Huebner Road.

Mr. Thornton 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: Perez, Billa Burke, Ayala, Ross, Thornton, Peak, NAYS: None; ABSENT: McClendon, Avila, Solis, Larson, Wolff.

AN ORDINANCE 80,670

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 1.523 ACRES OF LAND OUT OF NCB 17857, BITTERS ROAD AND HUEBNER ROAD, FROM "B-3"

ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD CC BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR AN ANIMAL CLINIC. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41

CASE Z94170 (CC) - To rezone and reclassify 88.4757 acres out of NCB's 15010, 15011, 18926, 18928, 18929, and 18930, Bitters Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1 (R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District. Property is located on the west side of Bitters Road, 400 feet southeast of the intersection of F.M. Loop 1604 Expressway and Bitters Road, having 1103.87 feet on Bitters Road and a depth of 2814.91 feet.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 80,671

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 88.4757 ACRES OUT OF NCB'S 15010, 15011, 18926, 18928, 18929, AND 18930. BITTERS ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1 (R-1)" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41

CASE #Z94172 - To rezone and reclassify Lot 1, Blk 1, NCB 17865 19240, Redland Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District. Property is located on the northeast side of Redland

Aug. 25, 1994
bg

Road, 300 feet southeast of the intersection of U.S. 281 North and Redland Road, having 405.49 feet on Redland Road and a depth of 930.01 feet.

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

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

AN ORDINANCE 80,672

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 1, BLK 1, NCB 17865 19240 REDLAND ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41

CASE Z94165 - To rezone and reclassify 16.9369 acres out of NCB 17627, Shavano Hollow and Shavano Birch, from "BP" ERZD Business Park Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District. Property is located 200 feet south of DeZavala Road and 300 feet east of the Southern Pacific Railroad, having a width of 804.87 feet and a length of 1383.89 feet.

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 80,673

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 16.9369 ACRES OUT OF NCB 17627.

SHAVANO HOLLOW AND SHAVANO BIRCH, FROM "BP" ERZD BUSINESS PARK EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41

CASE #Z94166 - To rezone and reclassify 0.77 acre tract of land out of NCB 17305, Harry Wurzbach Highway and Oakwell Court, from "B-2" Business District to "B-3" Business District. Property is located northeast of the intersection of Oakwell Court and Harry Wurzbach Hwy., having 77.29 feet on Oakwell Court and 367.26 feet on Harry Wurzbach Hwy.

In response to a question by Mr. Larson, Mr. Gene Powell, representing the applicant, spoke to deed restrictions agreed to for a mirco-brewery, including the fact that no changes can be made to the planned usage on the property without the approval of Pius X Catholic Church and the Oakwell Farms Homeowners Association.

Mr. Larson made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 80,674

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 0.77 ACRE TRACT OF LAND OUT OF NCB 17305. HARRY WURZBACH HIGHWAY AND OAKWELL COURT, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41

CASE #Z94167 - To rezone and reclassify Lot 38, Block 2, NCB 15732, 260 Remount Street, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District. Property is located

on the north side of Remount Street, 291 feet west of the intersection of Fratt Road and Remount Street, having 50 feet on Remount Street and a depth of 150 feet.

Ms. McClendon made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 80,675

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 38, BLOCK 2, NCB 15732. 260 REMOUNT STREET, FROM TEMPORARY "R-1" 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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94-41

CASE #Z94171 - To rezone and reclassify 11.585 acres out of NCB 15329, Northwest Crossroads from Temporary "R-1" Single Family Residence District to "B-1" Business District. Property is located on the northeast side of Northwest Crossroads Street, 540.63 feet southeast of the intersection of Potranco Road Northwest Crossroads Street, having 639 feet on Northwest Crossroads Street and a depth of 830.01 feet.

In response to a question raised by Ms. Ayala, Mr. Andy Guerrero, Land Development Services, discussed possible uses for the property, noting that no alcohol will be allowed.

Ms. Ayala 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: Perez, McClendon, Billa Burke, Avila, Ayala, Thornton, Peak, Larson; NAYS: None; ABSENT: Solis, Ross, Wolff.

AN ORDINANCE 80,676

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 11.585 acres out of NCB 15329 Northwest Crossroads From Temporary "R-1" Single Family Residence District to "B-1" Business District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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94-41 City Council recessed its regular meeting at 3:16 P.M. to convene in informal "B" Session for a Work Session on the budget.

City Council adjourned its Work Session on the budget at 6:10 P.M. for dinner, reconvening at 6:43 P.M.

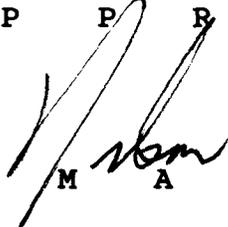
City Council immediately recessed its regular meeting to convene in Executive Session for:

A. Briefing and status report on the case styled Mancillas et al vs. City of San Antonio, Cause No. 94-CI-06929.

B. Briefing and status report of negotiation for the Petroleum Drive Access Agreement.

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94-41 City Council adjourned its Executive Session at 7:52 P.M., reconvening its regular meeting at 7:55 P.M. at which time Mayor Pro-Tem Henry Avila announced that the City Council had been briefed on Executive Session item(s) and took no action.

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94-41 There being no further business to come before the Council, the meeting was adjourned at 7:55 P.M.

A P P R O V E D

M A Y O R

Attest: 
C I T Y C L E R K

Aug. 25, 1994
bg

August 25, 1994

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

August 08, 1994

Petition submitted by Ms. Otilia Salaz, et al, 202 Laddie Place, San Antonio, Texas 78201, on behalf of residents and homeowners in the 100-300 blocks of Laddie Place, regarding the following items: drainage problems; heavy brush lining one side of the open drainage along the Fredericksburg Apartments property; and concern that construction of the Albertson's store at the corner of Fredericksburg and Babcock will result in increased flooding on Overdale and Laddie street properties.

August 10, 1994

Petition submitted by Mr. and Mrs. Roman Gonzales, 415 W. Hart, San Antonio, Texas 78214-1661, on behalf of area residents requesting the City to place a street light in the middle of the block, between 414 and 418 W. Hart.

/s/ Norma S. Rodriguez
City Clerk