

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, FEBRUARY  
15, 1996.

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96-07 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, McCLENDON, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON.

Staff Presentation of the proposed Underground Utilities Conversion District - Council concurred to have a more detailed "B" Session in the future on this issue. Also concurred that UTSA and San Pedro Park projects go forward.

Adjourned at 11:35 A.M.

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96-07 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, McCLENDON, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON. Absent: BILLA BURKE.

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96-07 Invocation - Father Henry Luna, Immaculate Heart of Mary Catholic Church.

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96-07 Pledge of Allegiance to the flag of the United States.

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96-07 Minutes of the December 14, 1995 and January 4, 1996 Regular City Council Meetings were approved.

96-07 ARTISTS

Mayor Thornton stated that Mssrs. Al Rendon, Mark Semmes, Mark Hogensen, and Doc Spellmon are the four artists currently exhibiting selections of their artwork in the reception area of the offices of the

Mayor and City Manager, and have been invited to be present at City Council meeting today to receive Certificates of Appreciation. He explained that these exhibits constitute the second cycle of this new program for the City.

Mr. Eduardo Diaz, Director, Department of Arts & Cultural Affairs, introduced the three artists present in Council chambers today, explaining that Mr. Spellmon is out of the city and unable to attend. He then spoke briefly to the backgrounds of the four artists involved.

Mayor Thornton then read the Certificates of Appreciation and presented them to the artists present.

96-07

MR. KEVIN MORIARTY

Mayor Thornton stated that Mr. Kevin Moriarty, Director of the Department of Community Initiatives, is present in Council chambers today to be recognized for his many years of service to the City of San Antonio. He further noted that Mr. Moriarty is leaving the City for a position in the private sector.

Mr. Moriarty introduced members of his family, present in the audience.

Mayor Thornton then read the following Resolution:

A RESOLUTION NO: 96-07-05

WHEREAS, KEVIN C. MORIARTY HAS SERVED THE CITY OF SAN ANTONIO WITH DISTINCTION FOR OVER TWENTY YEARS HOLDING INCREASINGLY RESPONSIBLE POSITIONS; HIS MOST RECENT ASSIGNMENT HAS BEEN AS DIRECTOR OF THE DEPARTMENT OF COMMUNITY INITIATIVES; AND

WHEREAS, MR. MORIARTY HAS PROVIDED QUALITY LEADERSHIP TO THIS DEPARTMENT WHICH SUPPORTS 45 HUMAN SERVICE PROGRAMS, INCLUDING CHILD CARE, YOUTH, LITERACY, THE ELDERLY AND DISABLED IN THE 12-COUNTY AREA OF SAN ANTONIO; AND

WHEREAS, IN ADDITION TO HEADING A DEPARTMENT WITH MORE THAN 700 EMPLOYEES AND A MULTI-MILLION DOLLAR BUDGET, MR. MORIARTY HAS BEEN AFFILIATED WITH MANY PROFESSIONAL AND COMMUNITY ORGANIZATIONS; HE HAS BEEN RECOGNIZED FOR HIS ACHIEVEMENTS AT THE LOCAL STATE, AND NATIONAL LEVELS AND BROUGHT MUCH POSITIVE RECOGNITION TO HIMSELF AND THE CITY OF SAN ANTONIO; AND

WHEREAS, THE CITY COUNCIL RECOGNIZES MR. MORIARTY'S DISTINGUISHED RECORD OF PUBLIC SERVICE; HIS

PROFESSIONAL AS WELL AS PERSONAL INVOLVEMENT IN OUR CITY HAS POSITIVELY TOUCHED THE LIVES OF MANY OF OUR CITIZENS; NOW THEREFORE:

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

THAT THE CITY COUNCIL HEREBY COMMENDS KEVIN MORIARTY FOR HIS LONG AND DEVOTED SERVICE TO SAN ANTONIO AND ITS CITIZENS AND PRESENTS THIS RESOLUTION AS A TOKEN OF ITS APPRECIATION.

PASSED AND APPROVED THIS 15TH DAY OF FEBRUARY, 1996.

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

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

Mr. Alex Briseno, City Manager, spoke to Mr. Moriarty's long record of service to the City in a series of capacities in public service, and spoke to his resourcefulness in securing grants for the City and managing large budgets with concern and sensitivity for people.

The Mayor and City Council members then recalled remembrances of their work with Mr. Moriarty, and his successes for the City.

Mr. Moriarty thanked the Mayor, City Council and City staff for its support over the years to the human service needs of San Antonio, and spoke briefly to details of his new private-sector position.

96-07      CONSENT AGENDA

Mr. Webster made a motion to approve Agenda Items 7 through 30, constituting the Consent Agenda, with Item 18 having earlier been removed from consideration by the City Manager, and Items 17, 20, 25, 26, and 30 having been pulled for individual consideration. Mr. Avila seconded the motion.

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

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AN ORDINANCE 83,581

ACCEPTING THE LOW, QUALIFIED BIDS OF THE SCOTTS COMPANY, TERRA INTERNATIONAL, INC., BWI SCHULENBURG AND BONUS CROP FERTILIZER TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FERTILIZER FOR A TOTAL OF \$109,567.52.

\* \* \* \*

AN ORDINANCE 83,582

ACCEPTING THE LOW BID OF QUALITY MANUFACTURING, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE PUMPER TRUCKS FOR A TOTAL OF \$499,742.00.

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AN ORDINANCE 83,583

AUTHORIZING AN ADDITIONAL \$1,400.00 FOR ENGINEERING SERVICES PAYABLE TO K.M. NG AND ASSOCIATES IN CONNECTION WITH THE PENTAGON STREETS, PHASE IV COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,584

AUTHORIZING AN ADDITIONAL \$9,100.00 FOR ENGINEERING SERVICES PAYABLE TO M.W. CUDE AND ASSOCIATES, INC. IN CONNECTION WITH THE FORT SAM HOUSTON COMMERCIAL DISTRICT STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,585

AUTHORIZING AN ADDITIONAL \$6,000.00 FOR ENGINEERING SERVICES PAYABLE TO THE DABNEY GROUP, INC. IN CONNECTION WITH THE NORTH PINE-DUVAL TO IH 35 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,586

AUTHORIZING AN ADDITIONAL \$2,000.00 FOR ENGINEERING SERVICES PAYABLE TO BROWN ENGINEERING COMPANY, INC. IN CONNECTION WITH THE JEMISON-CLARK TO HALLIE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 83,587

AUTHORIZING AN ADDITIONAL \$10,000.00 FOR ENGINEERING SERVICES PAYABLE TO SINCLAIR AND ASSOCIATES, INC. IN CONNECTION WITH THE FENFIELD-LAREDO HIGHWAY TO SOMERSET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,588

AUTHORIZING ADDITIONAL 1987 GENERAL OBLIGATION DRAINAGE BONDS FUNDS IN THE AMOUNT OF \$10,000.00 PAYABLE TO BROWN ENGINEERING COMPANY FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD-HUEBNER TO HAMILTON WOLFE PROJECT.

\* \* \* \*

AN ORDINANCE 83,589

AUTHORIZING THE EXECUTION OF A 1985 GENERAL OBLIGATION DRAINAGE BOND FUNDED FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$29,965.82 TO THE CONTRACT WITH YANTIS CORPORATION IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE IMPROVEMENTS - PROJECT NO. 74, PHASE II; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 83,590

ACCEPTING A 1994 GENERAL OBLIGATION DRAINAGE BONDS FUNDED PROPOSAL IN THE AMOUNT OF \$62,400.00 PAYABLE TO JOHN C. KNIGHT, CONSULTING ENGINEER AND AUTHORIZING \$6,240.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES IN CONNECTION WITH PROJECT MANAGEMENT SERVICES RELATED TO THE LEON, SALADO, AND UPPER OLMOS CREEK WATERSHED STUDIES, THE MISSION

TRAILS PROJECT, AND OTHER 1994 G.O. BOND FUNDED  
PROJECTS.

\* \* \* \*

AN ORDINANCE 83,591

AUTHORIZING THE EXECUTION OF A 25-YEAR LICENSE  
AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LA  
QUINTA INNS, INC., FOR THE PURPOSE OF INSTALLING  
FOUR (4) - 2 INCH CONDUCTS, UNDER AND ACROSS THE  
PUBLIC RIGHT-OF-WAY LOCATED ON ELM STREET  
APPROXIMATELY 165 FEET SOUTH OF THE INTERSECTION  
WITH CROCKETT STREET.

\* \* \* \*

AN ORDINANCE 83,592

AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE  
TO BE EXTENDED NO FURTHER THAN JANUARY 31, 2001,  
WITH SIMMONS AIRLINES, INC., DOING BUSINESS AS  
AMERICAN EAGLE, FOR A TOTAL OF 1,025 SQUARE FEET OF  
SPACE IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL  
AIRPORT, CONSISTING OF ROOM 260 AND CERTAIN HOLDROOM  
SPACE, FOR A TOTAL ANNUAL RENT OF \$49,190.25, FOR  
USE BY THE TENANT FOR THE PROVISION OF SCHEDULED AIR  
SERVICE TO AND FROM SAN ANTONIO INTERNATIONAL  
AIRPORT.

\* \* \* \*

AN ORDINANCE 83,593

ACCEPTING A GRANT OF \$417,168.00 IN CASH AND  
\$2,243,795.00 IN-KIND DIRECT ASSISTANCE VACCINE FROM  
THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE  
OPERATION OF THE 1996 CHILDHOOD IMMUNIZATION  
MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN  
HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 1996  
THROUGH DECEMBER 31, 1996; ADOPTING A BUDGET;  
AUTHORIZING LEASE PAYMENTS FOR OFFICE SPACE; AND  
APPROVING A PERSONNEL COMPLEMENT.

\* \* \* \*

AN ORDINANCE 83,594

APPROVING REVISED SUBGRANT AGREEMENTS WITH THE  
UNIVERSITY HEALTH SYSTEM AND THE UNIVERSITY OF TEXAS  
HEALTH SCIENCE CENTER AT SAN ANTONIO IN CONNECTION  
WITH THE RYAN WHITE TITLE I SUPPLEMENT PROJECT,  
ORIGINALLY PASSED AND APPROVED BY ORDINANCE NO.

82641 ON AUGUST 17, 1995.

\* \* \* \*

AN ORDINANCE 83,595

ACKNOWLEDGING THE DISSOLUTION OF THE SAN ANTONIO EDUCATION EDUCATION COALITION (SAN ANTONIO 2000), AND AUTHORIZING THE RECEIPT OF THE CITY'S SHARE OF THE RESIDUAL FUNDS.

\* \* \* \*

AN ORDINANCE 83,596

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$20,000.00 WITH TEXAS ANIMAL DAMAGE CONTROL SERVICE OF THE TEXAS A&M UNIVERSITY SYSTEM FOR THE PROVISION OF WILDLIFE DAMAGE MANAGEMENT SERVICES AND DISEASE SURVEILLANCE ACTIVITIES IN SAN ANTONIO FOR THE PERIOD OCTOBER 1, 1995 THROUGH SEPTEMBER 30, 1996; AND AUTHORIZING PAYMENT TO CONTRACTOR.

\* \* \* \*

AN ORDINANCE 83,597

AUTHORIZING THE TEMPORARY CLOSURE OF SAN ANTONIO SABA STREET, BETWEEN WEST COMMERCE AND DOLOROSA DURING 20 SCHEDULED SPECIAL EVENTS IN MARKET SQUARE BETWEEN MARCH 1, 1996, AND DECEMBER 31, 1996.

\* \* \* \*

AN ORDINANCE 83,598

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 12:00 P.M. UNTIL 2:00 P.M., SUNDAY, MARCH 3, 1996 IN CONNECTION WITH THE INTERNATIONAL WOMEN'S DAY CELEBRATION WALK.

\* \* \* \*

96-06 The Clerk read the following Ordinance:

AN ORDINANCE 83,599

ACCEPTING THE LOW QUALIFIED BID, IN THE AMOUNT OF \$483,279.00, FROM CARPET SERVICES, INC. FOR THE

CARPET RELACEMENT IN THE TERMINALS AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$43,287.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING AN ADDITIONAL \$6,900.00 PAYABLE TO THE BOMMARITO GROUP FOR INTERIOR DESIGN FEES; AMENDING ORDINANCE NO. 81268, DECEMBER 8, 1994 TO TRANSFER PREVIOUS APPROPRIATIONS, IN THE AMOUNT OF \$61,000.00 IN CONNECTION WITH THIS PROJECT FROM THE AIRPORT SYSTEM CONTINGENCY AND IMPROVEMENT FUND TO THE AIRPORT SYSTEM CONSTRUCTION BOND FUND, APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. Mike Kutchins, Director of Aviation, explained the bids received for carpet replacement in the terminals at San Antonio International Airport.

The following citizen appeared to speak:

Mr. Steven Gultzman, representing Carpet Management, spoke in question of the fairness of the process, and spoke to details of his specific protest thereto. He noted that the winning firm is from California, and stated his belief that a local firm should have gotten the bid. He then questioned the need to re-carpet Terminal 1.

\* \* \* \*

Mr. Kutchins spoke of staff's care and attention to maintaining an open and fair bid process.

Mr. Carl Baber, Director of Engineering, Aviation Department, spoke to the reasons of substitution of a portion of the carpeting bid.

In response to a question by Mr. Webster, Mr. Baber noted that the carpet in Terminal 1 originally was laid in 1984, and has become very expensive to maintain, inasmuch as it is not a 'running carpet line'.

Mr. Kutchins then spoke to reasons for replacement of well-worn carpeting in many terminal areas.

Mr. Webster spoke to the need to have a bid appeal process, prior to a case coming before City Council for approval. He spoke in support for the selection of the new carpeting and style.

A discussion then took place concerning reasons for allowing changes in bid specifications, so close to the bid-opening date.

In response to a question by Mr. Solis, Mr. Baber spoke to minority participation problems in this bid because the carpet's installation is being done by the contractor.

In response to a question by Mr. Ross, Mr. Kutchins discussed the timing elements of this bid.

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

- - -  
96-06 The Clerk read the following Ordinance:

AN ORDINANCE 83,600

AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE TO BE EXTENDED NO FURTHER THAN FEBRUARY 28, 2001, WITH WESTERN PACIFIC AIRLINES, INC. FOR A TOTAL OF 2,242 SQUARE FEET OF OFFICE, TICKET COUNTER AND BAGGAGE MAKEUP SPACE IN TERMINAL 1 AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TOTAL ANNUAL RENT OF \$125,030.66, FOR USE BY THE TENANT FOR THE PROVISION OF SCHEDULED AIR SERVICE.

\* \* \* \*

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

Mr. Webster spoke to the national reputation of this small airline, known for its service.

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

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96-07 It was the informal concensus of City Council members present to temporarily bypass Agenda Item 25 at this time.

- - -  
96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,601

AUTHORIZING PAYMENT OF \$5,000.00 REPRESENTING THE

February 15, 1996

bgg

CITY'S SHARE OF COSTS FOR PARTICIPATING IN THE  
COMPARATIVE PERFORMANCE MEASUREMENT CONSORTIUM  
ADMINISTERED BY THE INTERNATIONAL CITY/COUNTY  
MANAGEMENT ASSOCIATION (ICMA).

\* \* \* \*

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

Ms. Terry Brechtel, Director, Budget and Management Analysis  
Department, explained the City's share of costs for participation in the  
Comparative Performance Measurement Consortium.

In response to a question by Mr. Webster, Ms. Brechtel spoke  
to other cities being compared to the City of San Antonio through  
performance measures.

Mr. Webster addressed the importance of performance measures.

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

- - -  
96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,602

AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS TO  
THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR  
\$180,950.00 IN FINANCIAL ASSISTANCE FROM THE TEXAS  
CRIMINAL JUSTICE DIVISION TO SUPPORT THE CITY'S  
CRIMINAL JUSTICE PROGRAMS IN FY 96-97.

\* \* \* \*

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

In response to a question by Ms. McClendon, Mr. Sergio Soto,  
Office of Youth Initiatives, addressed details of one of the programs  
involved in this grant.

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

96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,603

AMENDING ORDINANCE NO. 83301, PASSED AND APPROVED ON DECEMBER 14, 1995, TO INCLUDE TERMS OF OFFICE FOR EACH OF THE CITY APPOINTEES TO THE VIA METROPOLITAN TRANSIT AUTHORITY.

\* \* \* \*

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

Ms. McClendon briefly explained the reason for the proposed Ordinance, to include the staggered terms for the City's VIA Metropolitan Transit Authority appointees.

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

96-07 City / County Government Commission Funding

At the request of Councilman Peak, it was the informal consensus of City Council members present to undertake consideration of Agenda Item 36 at this time.

The City Clerk read a proposed ordinance authorizing a contract with the Greater San Antonio Chamber of Commerce for review by the City/County Government Commission of city and county cooperative efforts and pursuit of legislation which would allow, upon voter approval, for the consolidation of city and county governments; and providing for payment in the amount of \$20,000.00 to the Greater Chamber's City/County Government Committee Fund.

Mr. Peak made a motion to approve the ordinance. Ms. McClendon seconded the motion.

Ms. Myra Leo, Director, Office of Intergovernmental Relations, explained the proposed ordinance.

Mr. Ross stated that he felt that only 'recommendations' were to come from this study, and spoke to his concern that the process now appears to be to move forward with the consolidation idea, regardless.

In response to a question by Mr. Ross, Mr. Lloyd Garza, City Attorney, discussed the need for legislation and its impact upon charter revision matters to be placed before the voters.

In response to a question by Mr. Ross, Mr. Peak stated that this study only allows the process to move on to recommendations, including a possible draft of potential new needed legislation. He spoke to some four contracts involving city/county cooperation already in effect, and urged approval of this proposed ordinance.

Mr. Solis stated that he feels that this is a perception problem, that the Commission was charged to produce recommendations, whereas the proposed ordinance seems to make city/county consolidation a mandate. He stated his belief that the Council has not had time to develop a final decision, and feels the proposed action goes beyond 'recommendation'.

Mr. Peak pointed out that the proposed ordinance will finance a year and a half of study, and public hearings on the matter.

Mayor Thornton stated his opinion that the City Council does not need to move forward on this matter with a divided vote, and he spoke in favor of pulling this issue today, if necessary.

Mr. Ross stated that he is not opposed to the study, but favors an amendment that says the funding process being approved is to look at the matter of city/county consolidation, after which the matter will come back to City Council with recommendations.

Mr. Marbut spoke in favor of moving forward, and he spoke to the need to educate the voters for their ultimate decision.

Ms. McClendon stated that she does not want to give the impression that consolidation is moving forward, and spoke to the need for a grass-roots effort to call for such a consolidation. She did speak in support of the study.

Mr. Solis spoke to the Commission's goals, listed in the staff memorandum, noting that the first goal was fine, but that the second listed goal should be deleted, and the third goal reworded so as to bring forward both the pros and the cons of consolidation, noting that the voters need to make the final decision on this matter.

Mr. Solis then made an amendment to include in the pending ordinance an amendment to Ordinance 82692 of August 24, 1995 which retains Commission goal number one; deletes goal number two; and re-words goal number three to read "To develop and conduct a public education and outreach program to effectively educate the citizens of San Antonio and Bexar County on the effects, pro and con, of city-county consolidation." Ms. McClendon seconded the amendment.

Mr. Webster spoke to the need to work on legislation in support of city/county consolidation, as part of the process being followed by the Commission.

Mr. Ross spoke in support for the proposed amended ordinance, with the understanding that Commission recommendations will be coming

back to City Council.

Mr. Peak spoke to his support to include goal number one; eliminate goal number two; and go forward with education of the citizens on possible legislative needs.

In response to Council questions, Mr. William Sinkin, Commission Chairman, stated his belief that the Commission was appointed to study city/county consolidation, and noted that enabling legislation is need to allow this consolidation. He discussed the process needed to arrive at a vote on the issue, noting that this is at least a four-year process. He further stated his opinion that the proposed amendment emasculates the Commission's charge. He stated that a legislative public hearing would be held here in San Antonio March 5, 1996 on city/county consolidation. He further stated that this study is not a mandate for consolidation; that only the City Council can decide the issue of calling for a vote on the matter.

Mayor Thornton noted that law forbids spending tax funds to finance a campaign for any issue, and questioned whether or not this issue today may have passed the line. He stated his belief that private funds must be used to finance such an issue-oriented campaign.

Mr. Garza spoke in agreement with the Mayor's contention, and addressed the parameters of how these public tax funds can be spent.

Mr. Solis spoke to the matter of differentiating between 'studying' and 'campaigning'.

Mr. Peak then offered a proposed second amendment that would accept the wording of Commission goal number one; delete goal number two; accept Mr. Solis' wording on goal number three; and include a fourth goal that states that "following the public participation process, return to the City Council in six months for discussion and recommendations for possible legislation." Ms. McClendon seconded the motion.

After discussion, both the maker and seconder of the first amendment agreed to accept Mr. Peak's motion as part of the first amendment.

Ms. McClendon stated her belief that the role of government is not to push for an issue without a citizen mandate.

Mayor Thornton spoke to his concern that the City Council may have moved backward today, and spoke to the need to re-group.

Mr. Peak then made a substitute motion to postpone this issue. Ms. McClendon seconded the substitute motion.

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

The main motion, as substituted, then prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Peak, Thornton. NAYS: Marbut, Webster. ABSENT: Billa Burke.

96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,604

ADOPTING THE UPPER OLMOS CREEK WATERSHED DRAINAGE MASTER PLAN, AS PREPARED BY RUST LICHLITER/JAMESON, INC., DIRECTING CITY STAFF TO FINALIZE THE 100-YEAR FLOOD PLAIN MAPS, AND TO SUBMIT THEM FOR REVIEW AND APPROVAL BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA); AND AUTHORIZING CITY STAFF TO BEGIN THE IMPLEMENTATION OF 1994 GENERAL OBLIGATION (G.O) DRAINAGE BOND PROJECTS, INCLUDING THE DREAMLAND AREA PROPERTY ACQUISITION PROJECT, THE VULCAN QUARRY PROJECT, THE SHAVANO PARK DETENTION PROJECT AND THE LOCKHILL-SELMA BRIDGE AND DETENTION PROJECT.

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

Mr. John German, Director of Public Works, narrated a video presentation of the Upper Olmos Creek Watershed Drainage Master Plan. He spoke to a background of flooding problems in this watershed area and the results of the extensive study, in detail. He stated that City staff recommends 'Scenario A', at a projected cost of some \$16.9 million. He noted that \$8.1 million now is available, and spotlighted the major advantages of constructing the Vulcan Quarry detention project, part of the recommendation. He then spoke to other potential sources of funding for the project.

Mayor Thornton spoke to the multiple assets of the plan.

The following citizen appeared to speak:

Ms. Carole Ogden, 10319 Mary Knoll, spoke to flooding problems, and asked the Council to consider fairness in its settlement with the homeowners in the area.

Mr. Sidney Ogden, 10319 Mary Knoll, spoke to the irreplaceable losses from flooding, and asked the Council for help in concluding this issue.

Mr. Virgil Braden, 10310 Burr Oak, spoke to his understanding of the necessity for selling his home to the City, and asked for fairness in the settlement. He also asked for a timetable for vacating

his home, and spoke to the need for compassion.

Mr. Robert Fisher, 10410 Auldine, spoke to the value of his home and his fear it will cost double that, to relocate. He stated that he cannot replace his present house at its appraised value.

Mr. Joe Carroll, 10419 Burr Oak, noted that although he is not losing his home, he, nevertheless, needs to be involved in decisions relative to demolition plans for area homes. He spoke in support of a return of the area to its natural look, and spoke to the need for safety and security assistance from the City, including limiting access to the area. He also spoke against creating a public park in the area.

Mr. Jerry Janecka, 10407 Auldine, spoke to the trauma from flooding of his home, and asked the City Council to give an adequate price for the homes being purchased.

Ms. Jane Scates, 10415 Auldine, stated that it would require one and one-half times the fair market value to replace her home.

Ms. Joyce White, a resident of Dreamland Oaks, commended City staff for its drainage plan, stating that she wants to retain a good neighborhood with a greenbelt, not a public park.

Mr. Les Mendelsohn, attorney, 300 Convent, #2600, stated that he represents some 21 homeowners in the area, and stated that he is grateful for the staff plan for alleviating the flooding in the neighborhood. He stated his belief that those moving out of their homes will have additional expenses, above market value of their homes. He thanked the Council for considering paying of 'relocation fees', and spoke to his hopes for a settlement of litigation. He also asked for a 'grandfathering' of taxes on new home purchases by those involved, at the tax level of the old homes being sold to the City. He thanked Mr. Marbut for his concern for the homeowners involved.

Mayor Thornton noted that this is a major project that impacts much of the city including the downtown area, and spoke to the highlights of the project. He acknowledged that City staff has heard the concerns expressed by the citizens today.

Mr. Marbut spoke to the magnitude of the flooding involved, and stated that safety is the primary concern. He then addressed specifics of the project, and spoke to the need to be sensitive to those persons being displaced. He spoke to the need for an 'open space' concept in the neighborhood.

Mr. Peak noted that the Drainage Regulation Review Committee now is working on new regulations for City Council consideration within a year, and spoke to the need to keep this type of flooding from happening again.

Mr. Ross noted that the new regulations will keep this from happening again, and he addressed the need for new regulations to handle

watershed problems in the future.

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

96-07 It was the concensus of City Council members present to temporarily bypass consideration of Agenda Item 32 at this time.

96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,605

ACCEPTING FROM DAVID HAM, OF DAVID HAM AND ASSOCIATES, ELEVEN TOSHIBA SATELLITE PRO LAPTOP COMPUTERS AND ACCOMPANYING SOFTWARE FOR THE POLICE DEPARTMENT'S YOUTH CRIME SERVICES UNIT.

\* \* \* \*

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

Deputy Police Chief Albert Ortiz explained the donation of 11 Toshiba Satellite Pro Laptop computers and accompanying software and their planned usage with youth efforts of the department, noting that the computers have a market value of some \$52,000.

Mr. David Ham, of David Ham and Associates, donor of the computers, spoke to the reasons for the donation to benefit the Police Department in order to aid officers on the street in preventing child crime such as abductions.

The Mayor and City Council members spoke individually in appreciation to Mr. Ham for his contribution, and his concern for the City.

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

96-07 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE REPROGRAMMING CDBG FUNDS.

Mayor Thornton declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Housing & Community Development, explained the proposed reprogramming of Community Development Block Grant (CDBG) funds, and spoke to specific reprogramming actions.

(At this point, Mayor Thornton was obliged to leave the meeting. Mayor Pro Tem Peak presided.)

Mr. Cameron then spoke to specifics of the planned reprogramming of Home Investment Partnerships Act (HOME) funds, to be covered in the next proposed Ordinance.

Mr. Tim Hathaway, representing the Housing Trust, spoke to two separate HOME reprogramming requests.

In response to a question by Mr. Solis, Mr. Cameron explained how necessary reprogramming funds are derived, such as through savings from projects.

Mr. Solis noted that the projects to be funded by reprogrammed funds all have shortfalls.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 83,606

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$1,802,260.45 AVAILABLE FROM THE CITY-WIDE PROGRAM CONTINGENCY/INCOME ACCOUNT TO ADDRESS EXISTING PROJECT SHORTFALLS AND PROJECTS; AUTHORIZING A SCOPE OF WORK MODIFICATION TO THE COLISEUM OAKS PROJECT; AUTHORIZING MODIFICATION OF THE SUB-GRANTEE FOR THE ST. JOSEPH'S ELDERLY MULTI-FAMILY HOUSING PROJECT; REVISING THE APPROPRIATE CDBG BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

\* \* \* \*

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

Mr. Solis made an amendment to direct City staff to place onto next week's Council agenda the reprogramming of some \$49,000 for the renovation of the Riviera Apartment Project located at 2011 Dollarhide in District 3, the funds to be taken from the Citywide Rental Rehabilitation Project; further directing City staff to come back in

two weeks with a recommendation for funding a shortfall in the renovation of the Centro del Barrio building, Clinica Amistad, and a \$3,000 shortfall in the Kings Court sidewalks for the elderly project. Ms. McClendon seconded the amended motion.

Ms. McClendon spoke in support for the Riviera Apartments project.

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

Mr. Webster spoke of his concern that CDBG monies now are available for some projects, while at the same time a District 10 project remains unfunded. He addressed his concern he was not notified that additional funds were available.

Mr. Solis stated that the Housing Task Force would consider the District 10 project.

Mr. Cameron spoke to the pre-existing nature of all but two of these projects for reprogramming.

Mr. Peak asked City staff to alert City Council members when reprogrammed funds are available.

Mr. Peak then made an amendment to subtract \$100,000 from the District 1 City Wide Rental Rehabilitation and transfer those funds to the District 9 City Wide Rental Rehabilitation. Mr. Flores seconded the motion.

After consideration, the second amendment, made by Mr. Peak, prevailed by the following vote: AYES: Flores, McClendon, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Billa Burke, Avila.

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

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

- - -  
96-07 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE REPROGRAMMING HOME FUNDS

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Thornton declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 83,607

AUTHORIZING THE REPROGRAMMING OF HOME INVESTMENT PARTNERSHIPS ACT (HOME) FUNDS IN THE AMOUNT OF \$425,000.00 TO SUPPORT THE CITY-WIDE HOMEOWNERS INCENTIVE PROGRAM IN THE AMOUNT OF \$185,000.00 AND THE LOMA PARK APARTMENTS CONSTRUCTION PROJECT IN THE AMOUNT OF \$240,000.00; REVISING THE APPROPRIATE BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

\* \* \* \*

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

96-07

UTSA DOWNTOWN CAMPUS DEVELOPMENT STATUS REPORT

Dr. Samuel Kirkpatrick, President, University of Texas at San Antonio, narrated a video status report, a copy of which is made a part of the papers of this meeting. He also spoke to a Comprehensive Planning Guide, a copy of which also is made a part of the papers of this meeting. He addressed specifics of plans for the downtown campus development and the timeline for that development.

Mr. Solis thanked the Bexar County legislative delegation for insuring the funding for the downtown UTSA campus, which he felt would be the last four-year university to be located in San Antonio. He spoke to certain amenities provided to the project by the City of San Antonio, including underground utilities. He then thanked Mr. Humberto Saldana, architect of the downtown campus project.

Mr. Saldana then spoke to the concept for the campus design.

Mr. Solis addressed the future legislative needs for the downtown UTSA campus project.

Mayor Thornton requested that UTSA look to the possible usage of the nearby Alameda theater as perhaps a 'convocation center' for the downtown campus, and spoke to the City/UTSA partnerships of the future.

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Discussion then took place concerning the need for parking and further development of the downtown campus.

96-07 The Clerk read the following Resolution:

A RESOLUTION NO: 96-07-06

ADOPTING CERTAIN CHANGES TO THE CITY'S ARTS FUNDING PROCESS FOR FISCAL YEAR 1996-97 THAT STREAMLINE THE FUNDING PROCESS, IMPROVE PERFORMANCE MEASURES FOR CONTRACTED AGENCIES, PERMIT AN EXPANDED ROLE FOR THE CULTURAL ARTS BOARD IN CULTURAL DEVELOPMENT INITIATIVES.

\* \* \* \*

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

Mr. Eduardo Diaz, Director of Arts & Cultural Affairs, addressed the background for proposed changes to the City's arts funding process.

Mr. Marbut spoke to the changes being made in the process for the sake of accountability, and expressed his belief that those changes do not go far enough in maintaining the spirit of the use of hotel/motel tax funds to promote tourism.

Mr. Solis spoke to certain 'cross-overs' from the General Fund and Hotel/Motel tax funds in funding many projects in San Antonio, noting that many 'tourism-related' costs are funded out of the General Fund, such as protection in the downtown area for tourists.

In response to a question by Mr. Ross, Mr. Lloyd Garza, City Attorney, spoke to the status of an Attorney General's legal opinion requested on this matter. He noted that there is precedent, via a previous Attorney General's legal opinion, for doing what the City currently is doing in relation to Hotel/Motel tax fund usage in the arts funding process, but noted that the new requested legal opinion could change the funding process.

Mr. Alexander E. Briseno, City Manager, noted that cities and their visitor industries are a partnership, and he spoke to specifics within San Antonio alone. He noted that today's proposed Resolution is a start, and stated that a future "B" Session is needed to address the use of Hotel/Motel tax funds.

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

ABSENT: McClendon, Billa Burke, Avila.

96-07

SEVENTH ANNUAL SENIOR OLYMPICS

Ms. Norma S. Rodriguez, City Clerk, stated that no commitment of individual Council district Contingency Funds have yet been made for this purpose.

The following commitments then were made: Mr. Peak (District 9): \$250; Mr. Ross (District 7): \$500; and Mr. Herrera (District 6): \$200, for a total commitment of \$950.

The Clerk then read the following Ordinance:

AN ORDINANCE 83,608

AUTHORIZING THE EXPENDITURE OF MONIES FOR VARIOUS DISTRICT CONTINGENCY ACCOUNT FUNDS TO HELP DEFRAY THE COST OF THE 7TH ANNUAL SAN ANTONIO SENIOR OLYMPICS BEING HELD FROM MARCH 16, 1996 THROUGH MARCH 23, 1996, SPONSORED BY THE JEWISH COMMUNITY CENTER, AS REQUESTED BY COUNCILMAN HOWARD W. PEAK.

\* \* \* \*

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

96-07 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Boston, New York City & Chicago from March 3, 1996 to March 6, 1996, to make a presentation to Institution Buyers for Convention Center Expansion financing.

\* \* \* \*

96-07 The Clerk read the following Ordinance:

AN ORDINANCE 83,609

AUTHORIZING THE TEMPORARY CLOSURE OF THE SIDEWALKS ADJACENT TO HOUSTON STREET FROM PRESA TO LOSOYA,

COLLEGE STREET FROM PRESA TO LOSOYA, AND PRESA STREET FROM COLLEGE TO HOUSTON FOR 270 DAYS BEGINNING ON FEBRUARY 16, 1996 IN CONNECTION WITH THE RENOVATION PROJECT OF THE MAVERICK APARTMENTS LOCATED AT 606 NORTH PRESA; AUTHORIZING A WAIVER OF A TOTAL OF \$29,403.00 FOR SIDEWALK RENTAL FEES; AND DECLARING AN EMERGENCY, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

\* \* \* \*

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

Mr. Andrew Cameron, Director of Housing & Community Development, explained the proposed closure of sidewalks for the renovation of the Maverick Apartments at 606 North Presa Street, noting that it already is funded with some \$800,000 in low-interest housing loans.

Mr. Alexander E. Briseno, City Manager, stated that this proposed action is consistent with what the City has done in the past for such projects as expansion of the Express-News building and renovation of the Exchange Building.

Mr. Flores noted that this will save money, in the long run, and that only sidewalks are being temporarily closed.

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

96-07

CITIZENS TO BE HEARD

MR. LAWRENCE S. DONOHO

Mr. Lawrence S. Donoho, 12446 Starcrest, spoke to the Council expressing his concern regarding the possible move of the San Antonio Spurs from the City of San Antonio. He suggested that both the Spurs organization and City Management discuss this issue at an open forum so that the negotiations can be public to the community. He favors a new Arena for the Spurs, and thinks other do, too.

Mayor Thornton stated that negotiations are still continuing but this issue should not be "debated" in the media as has been the case in the past when issues are brought forward through the media.

In response to Mayor Thornton, City Manager Briseno spoke to continued negotiation and exploration of options with the Spur organization.

Mr. Ross also spoke to the commitment of the City to work with the Spurs organization.

ELEANOR YANEZ

Eleanor Yanez, 12131 Robert Glenn, stated that she lives in the Atoscosa area and didn't know if she lives in the City or not. She still doesn't have water provided by the City Water System. She also asked if Councilman Avila was going to participate in the parade to be sponsored by KTFM. Her request will be forwarded to Mr. Avila.

In response to her question, Councilman Herrera stated that Edgewood High School is not going to be closed, rather converted for another use.

DON WILKINS CASTILLO

Don Wilkins Castillo, 910 N. Frio, spoke to the Council about his concern with the activities occurring at 667 W. Theo Avenue. He feels that there is illegal activity taking place at that location.

96-07 City Council recessed its regular meeting at 5:43 P.M. in order to convene in Executive Session for a Staff Briefing and update on Alamodome Environmental Litigation. Council adjourned the Executive Session and reconvened the regular session at 6:55 P.M., at which time Mayor Thornton stated that Council had been briefed on the above topic, had given staff direction, but had taken no official action.

96-07 There being no further business to come before the Council, the meeting was adjourned at 6:56 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

96-07      PETITIONS

February 15, 1996

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

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

February 15, 1996

Petition submitted by Mr. Graham Martin, 311 3rd Street, Suite 200, San Antonio, TX 78205, on permission requesting to relocate the main pedestrian gate to the sidewalk along Main Avenue and also permission to add new awnings to the Main Avenue elevation of the existing building.

/s/ Norma S. Rodriguez  
City Clerk

February 15, 1996  
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