

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, OCTOBER 28, 1999

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99-43 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following items(s):

99-43 **Presentation of the Medina River Park Property Acquisition and Development Project** - presented by Mr. Malcolm Matthews, Director of the Parks & Recreation Department; Dr. Alston V. Thomas, Texas A&M University; and Dr. Dale Whittaker, Texas A&M University. City Council concurred with staff recommendation that staff proceed with the project as outlined and bring forth ordinances to City Council for specific implementation authority as project proceeds, to include: agreements with other agencies and institutions, authority to submit grand funding requests, and acquisition of property.

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

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

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99-43 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Prado, Vásquez, Menéndez, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: Guerrero.

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99-43 Invocation - Rev. William Huhes, St. John's United Methodist Church.

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99-43 Pledge of Allegiance to the flag of the United States.

HOME SAFETY DAY

Mayor Peak stated that the City of San Antonio has partnered with the Metro San Antonio Safe Kids Coalition to hold a "Home Safety Day" event on October 30, 1999. He then introduced Ms. Frances A. Gonzalez, Director of the Neighborhood Action Department, and Ms. Susan Douglas, Chairperson of the San Antonio Safe Kids coalition, to further explain the plans.

He then read a formal proclamation designating "Home Safety Day" in San Antonio, and presented it to the members of the delegation.

Ms. Gonzalez explained the event plans, and amplified upon the planned use of the City Year Response Team to participate in visits to homes in the Prospect Hill area of District 5.

Ms. Douglas noted that the Ronald McDonald House is donating some \$17 million, nationwide, to fund this campaign, and spoke to the special tee-shirts given to each member of City Council today, to advertise the event.

City Year Response Team members then introduced themselves and took an oath to perform certain services in connection with the campaign.

Mayor Peak and other members of City Council congratulated all involved and wished them well in this kids-safety campaign.

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99-43 At the request of Councilman Perez, it was the concensus of City Council members present to at this time consider Agenda Item 26.

The Clerk read the following Ordinance:

AN ORDINANCE 90735

AUTHORIZING THE STREET NAME CHANGE OF ROMANA STREET WEST TO BUFFALO RUN.

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

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

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99-43 **CONSENT AGENDA - CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, stated his opposition to rumored plans to move the San Antonio Spurs to New Orleans, and spoke in favor of a new community arena and necessary infrastructure work in the area.

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Mayor Peak stated that he is not surprised that New Orleans would covet the Spurs franchise for that city, and noted that he had been in contact with representatives of the New Orleans Saints to see if that National Football League franchise might like to consider moving to San Antonio.

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Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the Book of Ezekiel and spoke to a parallel of its teachings to the story of the proposed community arena in San Antonio.

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Mr. Jack Finger, P.O. Box 12048, spoke in opposition to the proposed lease of an Alamodome suite by the San Antonio Convention and Visitors Bureau, as outlined in Agenda Item 17, and complained that there was no Ethics Disclosure Forms attached to Agenda Items 18 and 20.

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99-43 **CONSENT AGENDA**

Mr. Carpenter made a motion to approve Agenda Items 6 through 25m, constituting the Consent Agenda, with Item 25k having earlier been removed from consideration by the City Manager, and Agenda Items 13 and 16 being pulled for individual consideration. Mr. Bannwolf seconded the motion.

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

AN ORDINANCE 90736

ACCEPTING THE LOW BID SUBMITTED BY MAYFIELD PAPER COMPANY TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH TRASH RECEPTACLES FOR A TOTAL OF \$21,462.00.

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AN ORDINANCE 90737

DISENCUMBERING \$13,083.39 FOR CONSTRUCTION CONTINGENCIES, PREVIOUSLY ENCUMBERED BY ORDINANCE NO. 89618, PASSED AND APPROVED ON APRIL 22, 1999, FOR THE COMANCHE LOOKOUT 1994 PARK GENERAL OBLIGATION BOND ISSUE PROJECT; AMENDING THE PROJECTS BUDGET; AUTHORIZING \$10,933.39 IN ADDITIONAL PROJECT PROFESSIONAL SERVICES CONTINGENCY FEES; AND AUTHORIZING AN ADDITIONAL \$2,150.00 FOR STORM WATER MANAGEMENT FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 90738

AUTHORIZING PAYMENT OF \$29,324.54 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR METROPOLITAN PLANNING ORGANIZATION (MPO) STP-MM PROJECT ON PECAN FROM SOLEDAD TO BROADWAY LOCATED IN COUNCIL DISTRICT 1.

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AN ORDINANCE 90739

RATIFYING SERVICES AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$37,495.24 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR CHANGE ORDERS IN CONNECTION WITH BABCOCK ROAD AT MERTON MINTOR, LOUIS PASTEUR AND CALLAGHAN INTERSECTIONS IMPROVEMENTS PROJECT; ESTABLISHING A CONSTRUCTION

CONTINGENCY IN THE AMOUNT OF \$1,000.00, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 90740

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH IXC COMMUNICATIONS, INC. IN THE AMOUNT OF \$8,935.00 IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF A DRAINAGE FACILITY IN THE RAILROAD COMPANY'S RIGHT-OF-WAY IN THE ESCALON DRAINAGE #1008 PROJECT LOCATED IN COUNCIL DISTRICT 3.

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AN ORDINANCE 90741

RATIFYING PREVIOUSLY PERFORMED ENGINEERING SERVICES IN THE AMOUNT OF \$2,511.21 BY HDR SIMPSON IN CONNECTION WITH A STRUCTURAL INVESTIGATION AT THE LILA COCKRELL THEATRE AND AUTHORIZING STAFF TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS.

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AN ORDINANCE 90742

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH STAR COMPANIES FOR THEIR CONTINUED OPERATION OF A POPCORN WAGON IN HEMISFAIR PARK FOR AN ANNUAL CONSIDERATION OF \$3,434.04 YEARS ONE AND TWO, \$3,619.70 IN YEAR THREE, \$3,805.32 IN YEAR FOUR, AND \$3,990.95 IN YEAR FIVE.

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AN ORDINANCE 90743

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,588.09 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE BASSE ROAD AT SAN PEDRO INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,053.70), THE BABCOCK ROAD INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT

(\$212.83), THE MISSION TRAILS PARKWAY, PACKAGE II METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,992.05) AND THE BABCOCK ROAD - DE ZAVALA ROAD TO HAUSMAN ROAD PROJECT (\$6,329.51); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 90744

AUTHORIZING PAYMENT OF THE AMOUNT OF \$273,550.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR DORA ELIA MEDELLIN, A FEME SOLE, FOR FEE SIMPLE TITLE TO ONE PARCEL (\$48,100.00); JESSE ESQUIVEL AND WIFE, YOLANDA ESQUIVEL FOR FEE SIMPLE TITLE TO ONE PARCEL (\$77,000.00); HECTOR PERALES AND WIFE, MARIA M. FLORES PERALES FOR FEE SIMPLE TITLE TO ONE PARCEL (\$50,600.00); MARGARET A. LINN F/K/A MARGARET A. CERVANTES AND HUSBAND ROBERT F. K. LINN, MANUEL CARLOS CERVANTES AND ANN-MARGARET CERVANTES LONGORIA F/K/A ANN-MARGARET CERVANTES FOR FEE SIMPLE TITLE TO ONE PARCEL (\$47,250.00); AND DANIEL MACIEL AND WIFE, RUBY A. MACIEL AND EULALIA MACIEL, A SINGLE WOMAN, FOR FEE SIMPLE TITLE TO ONE PARCEL (\$50,600.00); ALL IN CONNECTION WITH THE MARTINEZ CREEK FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 90745

AUTHORIZING THE CONVENTION & VISITORS BUREAU TO ENTER INTO A THREE (3) YEAR LEASE AGREEMENT FOR THE USE OF AN EXECUTIVE SUITE AT THE ALAMODOME FOR ACTIVITIES RELATIVE TO THE MARKETING OF SAN ANTONIO TO CONVENTION AND CORPORATE MEETING PLANNERS, TRAVEL AGENTS, MOTION PICTURE EXECUTIVES AND ELECTRONIC/PRINT JOURNALISTS; AND AUTHORIZING \$93,000.00 FOR THE 1999-2000 LEASE RATE FOR THE EXECUTIVE SUITE.

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AN ORDINANCE 90746

AUTHORIZING THE ACCEPTANCE OF A CASH AWARD FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) IN THE AMOUNT OF \$116,172.00 TO FUND THE ONGOING FEDERAL REFUGEE HEALTH SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 1999 THROUGH SEPTEMBER 30, 2000; AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 10 WITH TDH; ADOPTING A PROJECT BUDGET; APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF SUBCONTRACTS FOR SERVICES TO SUPPORT GRANT ACTIVITIES; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 90747

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY INITIATIVES TO REVIEW MONTHLY REQUESTS FOR FY 1999-2000 SENIOR SERVICE ALLOCATION FUNDS AND TO APPROVE EXPENDITURES FROM SUCH FUNDS TOTALING \$200,000.00 TO ALL SENIOR CITIZENS AGENCIES WHOSE REQUESTS MEET THE STANDARDS APPROVED IN THIS ORDINANCE; ESTABLISHING STANDARDS FOR SUCH EXPENDITURES; AUTHORIZING THE EXECUTION OF AGREEMENTS TO PERFORM SUCH TRANSACTIONS; AND ESTABLISHING ACCOUNT FUNDS.

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AN ORDINANCE 90748

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A CONTRACT AMENDMENT WITH SOUTH TEXAS SAFETY COUNCIL (ORDINANCE NO. 90531), TO PROVIDE DRIVING SAFETY TRAINING SERVICES TO CITY EMPLOYEES WHO POSSESS A COMMERCIAL DRIVER'S LICENSE FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$2,860.00 FOR THE PERIOD THROUGH SEPTEMBER 30, 2000; AMENDING THE TOTAL AMOUNT OF THE CONTRACT NOT TO EXCEED \$14,860.00; AND REPEALING ORDINANCE NO. 90532, PASSED AND APPROVED SEPTEMBER 23, 1999.

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AN ORDINANCE 90749

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO STREET FROM ALAMO PLAZA TO TRAVIS STREET, TRAVIS STREET FROM ALAMO STREET TO JEFFERSON STREET, AND JEFFERSON STREET FROM TRAVIS STREET TO MUNICIPAL AUDITORIUM ON FRIDAY, DECEMBER 31, 1999 FROM 11:00 A.M. UNTIL 12:00 NOON, IN ORDER FOR THE SAN ANTONIO PARKS FOUNDATION TO HOLD ITS "CELEBRATE OUR FAITH PROCESSION/PARADE."

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AN ORDINANCE 90750

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN DOWNTOWN STREETS NEAR THE HEMISFAIR PARK AREA IN CONNECTION WITH THE CITY'S NEW YEAR'S EVE CELEBRATION TO BE HELD IN HEMISFAIR PARK ON DECEMBER 31, 1999.

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AN ORDINANCE 90751

AUTHORIZING THE TEMPORARY STREET CLOSURES OF ELMENDORF STREET FROM CULEBRA ROAD TO WAVERLY AVENUE, KENTUCKY AVENUE FROM ZARZAMORA STREET TO ALAZAN CREEK, WAVERLY AVENUE FROM ZARZAMORA STREET TO ELMENDORF STREET AND A LANE CLOSURE OF THE SOUTHBOUND CURB LANE ON ZARZAMORA STREET ON FRIDAY, DECEMBER 3, 1999 FROM 8:00 A.M. UNTIL 12:00 MIDNIGHT; SATURDAY, DECEMBER 4, 1999 FROM 5:00 A.M. UNTIL 12:00 MIDNIGHT AND SUNDAY, DECEMBER 5, 1999 FROM 5:00 A.M. UNTIL 12:00 MIDNIGHT, IN ORDER FOR THE BASILICA OF THE NATIONAL SHRINE OF THE LITTLE FLOWER TO HOLD ITS "SPIRITUAL PRESENTATION OF ST. THERESA'S RELICS."

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AN ORDINANCE 90752

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS ON SATURDAY, NOVEMBER 27, 1999 FROM 7:00 A.M. UNTIL 10:00 A.M. IN ORDER FOR THE HABITAT FOR HUMANITY TO HOLD ITS "FUND RAISER FOR HOUSING PROGRAM."

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AN ORDINANCE 90753

AUTHORIZING THE TEMPORARY CLOSURE OF E. HOUSTON STREET BETWEEN N. ALAMO STREET AND AVENUE E AND THE SOUTH MOST LANE OF E. HOUSTON STREET BETWEEN BONHAM STREET AND ALAMO PLAZA, ON SATURDAY, NOVEMBER 20, 1999 FROM 9:00 A.M. UNTIL 11:30 A.M. IN ORDER FOR THE ALAMO AREA COUNCIL OF GOVERNMENTS AND THE UNITED STATES POSTAL SERVICE TO HOLD ITS ANNUAL "11TH ANNUAL CHRISTMAS ALONG THE CORRIDOR AND PONY EXPRESS SWEARING IN CEREMONY."

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AN ORDINANCE 90754

APPOINTING PASTOR BILLY LEFFLER (DISTRICT 5) AND REAPPOINTING DAVID W. MARSHALL (MAYOR) AND RICHARD KELLY (DISTRICT 8) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2001.

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AN ORDINANCE 90755

RE-APPOINTING MARK JOHNSON (DISTRICT 8) AND APPOINTING ISAAC GREEN HODGES (DISTRICT 2) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON OCTOBER 25, 2001 AND OCTOBER 25, 2000, RESPECTIVELY.

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AN ORDINANCE 90756

APPOINTING GINA HARDBERGER (DISTRICT 3) TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2001.

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AN ORDINANCE 90757

RE-APPOINTING MARGARET JEAN ROBINSON (DISTRICT 2) AND HELEN JOSHUA (MAYOR) TO THE HIGHER EDUCATION AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 15, 2001.

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AN ORDINANCE 90758

RE-APPOINTING DR. AVELARDO VALDEZ (DISTRICT 3) AND MILTON BABBITT (MAYOR) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON OCTOBER 31, 2001.

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AN ORDINANCE 90759

APPOINTING STEVEN C. BENKE (DISTRICT 10) TO THE KEEP SAN ANTONIO BEAUTIFUL, INC. FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 2000.

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AN ORDINANCE 90760

RE-APPOINTING DR. JUAN ARMENDARIZ (DISTRICT 9) AND TERRY HOBSON (MAYOR) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR TERMS OF OFFICE TO EXPIRE ON SEPTEMBER 15, 2001; AND APPOINTING ROBERTO ZARATE (DISTRICT 6) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 15, 2000.

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AN ORDINANCE 90761

APPOINTING DONNA CAREY WILLIAMSON (DISTRICT 10) TO THE SAN ANTONIO - BEXAR COUNTY CENSUS 2000 COMPLETE COUNT, FOR A TERM OF OFFICE TO LAST FOR THE DURATION OF THE CENSUS PROJECT.

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AN ORDINANCE 90762

APPOINTING ALEXANDRA CAREY WILLIAMSON (DISTRICT 10) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2001.

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AN ORDINANCE 90763

RE-APPOINTING VIVIAN SPURLOCK (MAYOR) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2001.

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AN ORDINANCE 90764

APPOINTING RAY BARAY (DISTRICT 7) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2001.

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AN ORDINANCE 90765

APPOINTING BUDDY CALK (DISTRICT 8) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2001.

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90766

AUTHORIZING PAYMENT OF THE AMOUNT OF \$1,939.35 TO STRASBURGER AND PRICE, L.L.P., FOR LEGAL FEES IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Prado seconded the motion.

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

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90767

AMENDING ORDINANCE NO. 83794, PASSED AND APPROVED ON MARCH 21, 1996, AND AUTHORIZING PAYMENT OF THE AMOUNT OF \$8,657.00 TO STEWART TITLE COMPANY AS ESCROW AGENT FOR ROBERT A. THEIS AND WIFE, SANDRA SUE THEIS, FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE STATE LOOP 1604 PROJECT - S.H. 16 TO F. M. 471, PART II; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

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

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90768

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$12,000,000 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1999"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX;

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APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AND AN OFFICIAL STATEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

Mr. Octavio Pena, Director of Finance, spoke to the recent bond ratings trip to New York and the resulting improvements in the City's bond ratings. He then briefly explained the bids received on these bonds earlier today and the effective interest rates obtained.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated that City staff did a good job on the bond sale, and spoke to the use of the bond funds, noting that the City has a new and better bond rating.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, congratulated the City on the bond sale, and spoke in its support.

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Mayor Peak congratulated the City Manager and City staff on an excellent bond rating, and singled out Mr. Menéndez for his work on the recent bond rating trip to New York..

Mr. Alexander E. Briseño, City Manager, explained what each bond house looks for during such visits, in helping to establish its own particular bond rating for the City of San Antonio on these bonds. He noted that Fitch's improved the City's bond rating and spoke to the reasons for that improvement.

Mayor Peak and other members of City Council thanked City staff and its financial representatives, and spoke to looking forward to even better bond ratings in the future.

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

99-43

The Clerk read the following Ordinance:

AN ORDINANCE 90769

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$4,230,000 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1999"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX AND FURTHER SECURING THE OBLIGATIONS BY A LIMITED LIEN ON AND PLEDGE OF CERTAIN SURPLUS REVENUES OF THE CITY'S MUNICIPALLY-OWNED PARKS; APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AND AN OFFICIAL STATEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

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

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99-43

The Clerk read the following Ordinance:

AN ORDINANCE 90770

AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE OF COMMERCIAL PAPER NOTES IN AN AGGREGATE PRINCIPAL AMOUNT AT ANY ONE TIME OUTSTANDING NOT TO EXCEED \$50,000,000 TO PROVIDE INTERIM FINANCING TO PAY PROJECT COSTS FOR ELIGIBLE PROJECTS AND TO REFUND OBLIGATIONS ISSUED IN CONNECTION WITH AN ELIGIBLE PROJECT; AUTHORIZING SUCH SHORT TERM OBLIGATIONS TO BE ISSUED, SOLD AND DELIVERED IN VARIOUS FORMS, INCLUDING COMMERCIAL PAPER NOTES AND A BANK NOTE, AND PRESCRIBING THE TERMS,

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FEATURES AND CHARACTERISTICS OF SUCH INSTRUMENTS; APPROVING AND AUTHORIZING CERTAIN AUTHORIZED OFFICERS AND EMPLOYEES TO ACT ON BEHALF OF THE CITY IN THE SELLING AND DELIVERY OF SUCH SHORT TERM OBLIGATIONS, WITHIN THE LIMITATIONS AND PROCEDURES SPECIFIED HEREIN; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR THE LEVY, ASSESSMENT AND COLLECTION OF A TAX SUFFICIENT TO PAY THE INTEREST ON COMMERCIAL PAPER NOTES AND A BANK NOTE AND TO CREATE A SINKING FUND FOR THE REDEMPTION OF A BANK NOTE; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, SECURITY AND DELIVERY OF COMMERCIAL PAPER NOTES, INCLUDING THE APPROVAL OF AN ISSUING AND PAYING AGENT AGREEMENT, A CREDIT AGREEMENT AND A DEALER AGREEMENT; APPROVING THE USE OF AN OFFERING MEMORANDUM IN CONNECTION WITH THE SALE FROM TIME TO TIME OF SUCH SHORT TERM OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

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99-43 ZONING HEARINGS - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each rezoning case and made comments on several.

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99-43 ZONING HEARINGS

4A.) CASE NO. #Z99217 - The request of Gabriel Lemus (owner), for a change in zoning from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business

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District on Lot 20 and the west 12.5 feet of Lot 19, Block 174, NCB 9083, 2506 West Avenue. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

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

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

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

AN ORDINANCE 90771

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 20 AND THE WEST 12.5 FEET OF LOT 19, BLOCK 174, NCB 9083, 2506 WEST AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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4B.) CASE NO. #Z99153: The request of Samuel & Maria Lopez (owner), for a change in zoning from "B" Residence District to "R-4" Manufactured Home Residence District on Lot 29, Block 18, NCB 10900, 325 Esma Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 3).

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

Mr. Menéndez asked that this rezoning case be continued to the City Council meeting of November 23, 1999. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case, prevailed by the following vote: **AYES:** Salas, Prado, Menéndez, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Vásquez, Garza.

Zoning Case Z99153 was continued to the Council meeting of November 23, 1999.

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4C.) CASE NO. #Z99205 - The request of A. John Yoggerst (owner: Earl E. Roberts Sr.), for a change in zoning from "B" Residence District to "R-4" Manufactured Home Residence District on P-1, NCB 10880, 3700 Block of Goliad Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial (Council District 3).

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

Mr. A. John Yoggerst, the applicant, asked that this rezoning case be continued to the City Council meeting of January 13, 2000.

After consideration, Mr. Menéndez made a motion to continue this rezoning case to the City Council meeting of January 13, 2000. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case, prevailed by the following vote: **AYES:** Salas, Prado, Menéndez, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Guerrero, Vásquez.

Zoning Case Z99205 was continued to the Council meeting of January 13, 2000.

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4D.) CASE NO. #Z99208 - The request of Sea Island Restaurants (owner: Harlandale Housing Corp.), for a change in zoning from "J" Commercial District and "B" Residence District to "B-2" Business District on Lots 5, 6, 7, 8, 9 and 12, NCB 9725, 2119 S. W. Military Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

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

Mr. Prado welcomed the Sea Island Restaurant chain to the city's south side.

A representative of the firm then spoke to the schedule of construction on the new south side facility.

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Mr. Prado made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

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

AN ORDINANCE 90772

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 5, 6, 6, 8, 9 AND 12, NCB 9725, 2119 S. W. MILITARY DRIVE, FROM "J" COMMERCIAL DISTRICT AND "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4E.) CASE NO. #Z99227 CC - The request of Roland B. Salazar (owner), for a change in zoning from "B-2" Business District to "B-2" CC Business District with City Council approval for a self-service car wash on the south 122.80 feet of the west 223.25 feet of Lot 21, Block 16, NCB 12669, 530 Ute Street. Staff's recommendation was for approval.

Zoning commission has recommended approval (Council District 4).

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

Mr. Prado made a motion to continue this rezoning case to the City Council meeting of November 23, 1999. Mr. Perez seconded the motion.

After consideration, the motion to continue this case, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Menéndez, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Vásquez.

Zoning Case Z99227CC was continued to the Council meeting of November 23, 1999.

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4F.) CASE NO. #Z99218 - The request of Harry Tetens (owner: Alma Kappelman), for a change in zoning from Temporary "R-1" Single Family Residence

District to "B-3NA" Non-Alcoholic Sales Business District on P-50, Block 4, NCB 18284, 7744 Culebra Road. Staff recommendation was for approval.
Zoning Commission has recommended approval (Council District 6).

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

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

AN ORDINANCE 90773

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-50, BLOCK 4, NCB 18284, 7744 CULEBRA ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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4G.) CASE NO. #Z99193 - The request of Frank B. Burney (owner: Del Mar Investment Group & Laredo Warehouse, Ltd.), for a change in zoning from "B-2" Business District and "B-3" Business District to "P-1 (R-7)" Planned Unit Development Small Lot Residence District on 53.822 acres out of NCB 18820, Culebra Road/Westover Hill Blvd. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 6).

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

Mr. Frank Burney, attorney representing the applicant, stated that his client had changed the rezoning request to "P-1(R-5)" after conferring with neighbors.

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

The following citizen(s) appeared to speak:

Mr. Jody Sherill, 8503 Knights Knoll, spoke in support for the requested change.

Mr. Edgar Zepeda, President, Great Northwest Neighborhood Association, also spoke in support for the proposed change and the agreed-upon deed restrictions, which he explained during a short recitation of the history of this rezoning request.

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

AN ORDINANCE 90774

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 53.822 ACRES OUT OF NCB 18820, CULEBRA ROAD/WESTOVER HILL BLVD., FROM "B-2" BUSINESS DISTRICT AND "B-3" BUSINESS DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT.

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4H.) CASE NO. #Z99188 - The request of John T. Saunders (owner: Dorris S. Finesilver), for a change in zoning from "A" Single Family Residence District to "O-1" Office District on P-103A, NCB 11601, 100 Block of East Crestline Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to continue this rezoning request until the City Council meeting of November 23, 1999. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case, prevailed by the following vote: **AYES:** Perez, Salas, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Vásquez, Menéndez.

Zoning Case Z99188 was continued to the Council meeting of November 23, 1999.

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4I.) CASE NO. #Z99226 - The request of Andrew Guerrero (owner: Foundation Properties Joint Venture), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District on 17.154 acres out of NCB 15329, Military Drive West and S. W. Loop 410. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 6).

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

Mr. Menéndez made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

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

AN ORDINANCE 90775

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 17.154 ACRES OUT OF NCB 15329, MILITARY DRIVE WEST AND S. W. LOOP 410, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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4J.) CASE NO. #Z99053 - The request of Glen Westrom (owner: Reitmeyer Invest., Ltd.), for a change in zoning from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District on 18.63 acres out of NCB 16334 and "B-2" ERZD Business Edwards Recharge Zone District on 2.08 acres out of NCB 16334, Blanco Road and Huebner Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to continue the rezoning case to the City Council meeting of December 9, 1999. Mr. Carpenter seconded the motion.

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

Zoning Case Z99053 was continued to the Council meeting of December 9, 1999.

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4K.) CASE NO. #Z99216 - The request of Gordon V. Hartman (owner: Stratus Properties Operating Company), for a change in zoning from "R-3" Multiple Family Residence District to "P-1(R-1)" Planned Unit Development Single Family Residence District on 10.4 and 22.1 acres out of NCB 16325, at Vista Valet Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

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

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

AN ORDINANCE 90776

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 10.4 AND 22.1 ACRES OUT OF NCB 16325, VISTA VALET DRIVE, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT DISTRICT SINGLE FAMILY RESIDENCE DISTRICT.

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4L.) CASE NO. Z99158: The request of Chris D. Rullo (owner), for a change in zoning from "R-5" Single Family Residence District to "I-1" Light Industry District on

Lots 100 and 101, Block 4, NCB 18890, 15279 Bulverde Road. Staff's recommendation was for denial.

Zoning Commission has recommended denial (Council District 10).

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

Mr. Carpenter made a motion to grant I-1 on the property, save and except for a 10-foot buffer to remain R-5 along the north, west, and south property lines, and subject to certain restrictive covenants agreed to by all parties concerned. Mr. Bannwolf seconded the motion.

A copy of the restrictive covenants 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:** Perez, Salas, Prado, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Vásquez, Menéndez, Garza.

AN ORDINANCE 90777

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 100, SAVE AND EXCEPT THE NORTH 10 FEET, BLOCK 4, NCB 18890, LOT 101, SAVE AND EXCEPT THE NORTH AND WEST 10 FEET PLUS THE SOUTH 10 FEET ABUTTING LOT 82, BLOCK 4, NCB 18890, 15279 BULVERDE ROAD, FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

4M.) CASE NO. #Z99206 CC - The request of Capco Steel (owner: Permanent School Fund), for a change in zoning from "P-1(B-3)" ERZD Planned Unit Development Business Edwards Recharge Zone District to "P-1(B-3NA)" ERZD (CC) Planned Unit Development Non-Alcoholic Sales Business Edwards Recharge Zone District with City Council approval for a mini-warehouse facility on a site with over two and one-half acres on a 3.00 acres out of NCB 15675, at Loop 1604 and Redland Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 10).

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

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke in support of the request, but questioned the Zoning Commission recommendation.

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

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

AN ORDINANCE 90778

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 3.00 ACRE OUT OF NCB 15675, LOOP 1604 AND REDLAND ROAD, FROM "P-1(B-3)" ERZD PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT TO "P-1(B-3NA)" ERZD (CC) PLANNED UNIT DEVELOPMENT NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR A MINI-WAREHOUSE FACILITY ON OVER TWO AND ONE-HALF ACRES.

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4N.) CASE NO. #Z99207 - The request of Arlie Francis (owner: Raymond Krueger), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-2NA" Non-Alcoholic Sales Business District on P-3, NCB 15679, 13571 Wetmore Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 10).

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

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

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

AN ORDINANCE 90779

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-3, NCB 15679, 13571 WETMORE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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4-O.) CASE NO. #Z99224 - The request of Andrew Guerrero (owner: NAC Venture), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District on P-3, save and except the southwest 100 feet, NCB 16583, and from Temporary "R-1" Single Family Residence District to "B-2NA" Non-Alcoholic Sales Business District on the Southwest 100 feet of P-3, NCB 16583, 6601 Stahl Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 10).

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

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

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

AN ORDINANCE 90780

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS P-3, SAVE AND EXCEPT THE SOUTHWEST 100 FEET, NCB 16583, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT

TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; THE SOUTHWEST 100 FEET OF P-3, NCB 16583, 6601 STAHL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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99-43 The City Clerk read a proposed ordinance authorizing the street name change of Rice Road to R.A. Callies, Sr. from Brooksdale on the west to Semlinger Road on the east, in honor of Reverend Callies' lifelong commitment and dedication to community service, as requested by Councilman Mario Salas, upon passage by eight (8) affirmative votes.

Mr. Gene Camargo, Director of Building Inspections Department, explained the request and spoke to both the support and opposition generated by that request at a public hearing on the matter. He noted that the normal mail-out to affected property owners revealed that six replied in favor and 49 against the proposal. He noted that a two-thirds vote of City Council would be required to approve the requested street name change. He also spoke to having received a petition in opposition to the request, and bearing some 264 signatures. He stated that City staff also is in opposition to the request, based upon the amount of opposition.

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99-43 At this time, it was noted that citizens signed to speak to Items for Individual Consideration had not yet been afforded an opportunity to speak, and Mayor Peak asked that they be given that opportunity at this time.

— — —
99-43 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Jack Finger, P.O. Box 12048, spoke to the opposition of some Rice Road property owners to a proposed street name change to R.A. Callies Sr.; in opposition to constructing a new running track at Highlands High School, since the school district is not contributing anything to the project, asking for a delay in this matter; and also asked for a delay in considering Agenda Items 35 and 36 because of alleged lack of equity in the funding of the project by all concerned parties.

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Mr. Faris Hodge, Jr., 140 Dora, spoke to the need to observe the will of the people in matters such as the proposed street name change in honor of Reverend Callies, but spoke in recognition of Reverend Callies' community service over the years.

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Mr. Danny Martinez, 933 Rice Road, spoke against the proposed street name change, and suggested instead that the street on which Reverend Callies lives might have its name changed in his honor. He asked the Council to deny the request, citing the many inconveniences and problems that property owners will encounter in having to change the name of their residential street on many documents and actions.

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Mr. Salas noted that petitions bearing some 273 signatures in favor of the street name change had been received at the public hearing on this matter.

In response to a question by Mr. Salas, Mr. Camargo estimated that there were approximately 78 pieces of property along Rice Road, between Semlinger and W.W. White Road.

Mr. Salas addressed the need to honor Reverend Callies for his years of work for the community, noting that some property owners support changing the name of Rice Road from Brooksdale to W.W. White Road in honor of Reverend Callies.

Mr. Salas made a motion to approve the proposed ordinance, which died for lack of a second.

Mr. Salas then made a motion to continue this matter to the City Council meeting of November 23, 1999. Mr. Bannwolf seconded the motion.

After discussion, the motion to continue this case, prevailed by the following vote: AYES: Salas, Prado, Garza, Conner, Bannwolf, Peak. NAYS: None. ABSENT: Perez, Guerrero, Vásquez, Menéndez, Carpenter.

Mr. Malcolm Matthews, Director of Parks & Recreation, narrated a video presentation on the proposal for food and beverage concessions at the City's municipal golf courses, a copy of which presentation 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:** Perez, Salas, Prado, Menéndez, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Vásquez.

— — —
99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90783

AUTHORIZING THE TEMPORARY CLOSURE OF TWO NORTHBOUND LANES OF ALAMO PLAZA, BETWEEN HOUSTON STREET AND BLUM STREET ON THURSDAY, NOVEMBER 4, 1999 FROM 11:00 A.M. UNTIL 12:00 NOON, IN ORDER FOR THE CREATIVE CIVILIZATION ADVERTISING AGENCY TO HOLD ITS PRESS CONFERENCE AND PRESENTATION OF THE "GOLD OF THE NOMADS" ART EXHIBIT FOR THE SAN ANTONIO MUSEUM OF ART; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

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

— — —
99-43 The City Clerk read the following Ordinance:

AN ORDINANCE 90784

AUTHORIZING AN EXPENDITURE UP TO \$2,650.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNTS TO HABITAT FOR HUMANITY OF SAN ANTONIO, INC. FOR THEIR 6TH ANNUAL 5K RUN/WALK TO HELP DEFRAY EXPENSES ASSOCIATED WITH THE RUN; AS REQUESTED BY MAYOR HOWARD W. PEAK.

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City Clerk Norma S. Rodriguez explained the request for Council funds to assist Habitat For Humanity of San Antonio, Inc. with expenses related to their 6th Annual 5K Run/Walk.

During the discussion, the following pledges of funds were made by Council members: Mayor \$250.00; and \$100.00 contributions from Council Districts 1, 2, 4, 6, 7, 8, and 10.

Mr. Bannwolf stated that his wife serves on the Board of Directors of Habitat For Humanity of San Antonio, Inc., and asked the City Attorney if he should abstain from this vote, to which Mr. Frank Garza, City Attorney, recommended that Mr. Bannwolf indeed abstain from the vote.

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Menéndez seconded the motion.

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

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90785

AUTHORIZING THE EXPENDITURE OF \$350.00 FROM THE DISTRICT 8 CONTINGENCY ACCOUNT TO ASSIST THE TEXAS MILITARY INSTITUTE'S BOOSTER CLUB WITH THE COST OF THE HOMECOMING BONFIRE, WHICH WILL BE HELD ON NOVEMBER 5, 1999; AS REQUESTED BY COUNCILWOMAN BONNIE CONNER.

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

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

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90786

AUTHORIZING THE TRANSFER OF \$2,106.00 FROM THE DISTRICT 8 CONTINGENCY ACCOUNT TO THE DISTRICT 8 CONSTITUENT OFFICE COMPUTER LINE ITEM ACCOUNT FOR THE PURCHASE AND INSTALLATION OF ONE COMPUTER AND MONITOR; AS REQUESTED BY COUNCILWOMAN BONNIE CONNER.

* * * *

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

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

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99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90787

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ALAMO CONCRETE PRODUCTS, LTD., BARRETT CONSTRUCTION COMPANY, H. B. ZACHRY COMPANY AND SOPARK LIMITED PARTNERSHIP TO PROVIDE FOR A MUTUALLY BENEFICIAL IMPROVEMENT OF THE DRAINAGE PATTERN OF THE UPPER SIX MILE CREEK AREA IN EXCHANGE FOR CASH CONTRIBUTION AND PROPERTY CONVEYANCES BY THE AFOREMENTIONED PARTIES; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Gabriel Perez, Capital Projects Administration, Department of Public Works, narrated a video presentation on the drainage improvements to Upper Six Mile Creek Area, a copy of which presentation is made a part of the papers of this meeting. He explained the proposed agreement with the four entities involved.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the question of contamination in certain south side areas of the city, and addressed his concern for the health of workers on this project.

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Mayor Peak spoke to the lengthy planning process on this project, and thanked all involved.

Mr. Prado formally recognized the parties to the proposed agreement and described the work to be performed, acknowledging the continued economic development of this area of the city. He thanked the Mayor for his support for this project.

A representative of South Park Mall addressed new development of his facility, as a result of this drainage project.

Mr. Bannwolf lauded the public/private partnership of the project, and Mr. Garza spoke to the need for more such partnerships.

Mr. Menéndez congratulated Mr. Prado for his work in holding this agreement together.

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

— — —
99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90788

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BASE BID AND AWARDING A 1994 G. O. DRAINAGE BOND FUNDED CONSTRUCTION CONTRACT IN THE AMOUNT OF \$4,108,360.70 AND \$350,722.35 FROM SAN ANTONIO WATER SYSTEMS FOR RELOCATION/REPLACEMENT AT SAN ANTONIO WATER SYSTEM FACILITIES TO DAYCO CONSTRUCTION COMPANY IN CONNECTION WITH THE UPPER SIX MILE CREEK, #83F PROJECT LOCATED IN COUNCIL DISTRICT 4, AUTHORIZING \$287,585.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Gabriel Perez, Capital Projects Administration, Department of Public Works, narrated a video presentation on the Upper Six Mile Creek #83F Project, a copy of which presentation 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:** Perez, Salas, Prado, Menéndez, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Vásquez, Carpenter.

— — —
99-43 The Clerk read the following Ordinance:

AN ORDINANCE 90789

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY IN AN AMOUNT NOT TO EXCEED \$788,676.00, IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF A NEW BRIDGE AT TWO SEPARATE LOCATIONS, ALONG UNION PACIFIC'S RIGHT-OF-WAY IN CONNECTION WITH THE UPPER SIX MILE PROJECT IN COUNCIL DISTRICT 4.

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Mr. Prado made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

Mr. Gabriel Perez, Capital Projects Administration, Department of Public Works, narrated a video presentation on the agreement with Union Pacific Railroad, a copy of which presentation 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:** Perez, Salas, Menéndez, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Vásquez, Carpenter.

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99-43 **CITY MANAGER'S REPORT**

ALAMODOME/SPURS MARKETING AGREEMENT

Mr. Alexander E. Briseño, City Manager, addressed a background history of discussions with Bexar County representatives relative to the impact of construction of a new community arena at the Coliseum, and the effects of such a facility upon the Alamodome.

Mr. Mike Abington, Director of the Alamodome, narrated a video presentation on the proposed marketing agreement, a copy of which presentation is made a part of the papers of this meeting. He noted that the proposed agreement should be ready for presentation to the City Council for possible action as early as January 2000.

Mayor Peak noted that many good ideas came from discussions on this matter.

Mr. Perez addressed the benefits to the City from the proposed marketing agreement, and thanked all involved.

Mr. Garza noted that Alamodome revenues were a key issue during the recent bond rating trip to New York City.

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**ALAMODOME/NEW COMMUNITY ARENA INFRASTRUCTURE
IMPROVEMENTS**

Mr. Tom Wendorf, Assistant Director of Public Works, narrated a video presentation on the proposed improvements, a copy of which presentation is made a part of the papers of

this meeting. He spoke to the planned infrastructure improvements and who would be responsible for financing each.

Mr. Salas stated that he is pleased that all involved are working together on this important matter.

Mr. Perez spoke to this as a chance to do the necessary work well.

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HEALTH PROFILE 98 REPORT-METROPOLITAN HEALTH DISTRICT

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, narrated a video presentation on the Health Profile 98 Report, a copy of which presentation is made a part of the papers of this meeting. In summary, he noted that most health indicators were positive during 1998, with decreases in instances of health problems concerned. He compared the figures to those of the previous year, and addressed his concept of the challenges that remain.

In response to a question by Mayor Peak, Dr. Guerra spoke to the strategies in place to address the problem areas.

Mr. Prado spoke to the need to address the 'hot spots' in problem areas, and spoke in reference to reports of a contamination plume spreading into south side areas near Kelly Air Force Base.

Dr. Guerra stated that the district continues to monitor this problem, and addressed continued testing of groundwater in the area, noting that only one water well thus far has shown contamination of its water supply.

In response to a question by Ms. Conner, Dr. Guerra addressed behavioral risk factor surveillance and the lack of medical insurance rates in Bexar County.

Mr. Menéndez addressed the need to control stray animals.

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COMBINED CHARITABLE CAMPAIGN/CITY HEALTH FAIR

Ms. Terry Brechtel, Director of Budget & Employee Services, outlined the sequence of events that will take place Saturday at the Combined Charitable Campaign and City Health Fair for City of San Antonio Employees and their families at the Alamodome.

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99-43 City Council recessed its regular session at 4:50 P.M. in order to convene in Executive Session for the purpose of:

A) Attorney/Client consultation on status report regarding San Antonio Hispanic Police Officers Organization, Inc. et al. Vs. City of San Antonio, et al., Cause No. SA-94-CA-242.

B) Attorney/Client consultation regarding the status of Police Collective Bargaining Negotiations.

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99-43 City Council adjourned the Executive Session and reconvened the regular session at 5:45 P.M., Mayor Pro Tem Prado presiding, who stated that Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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99-43 **CITIZENS TO BE HEARD**

FARIS HODGE, JR.

Mr. Farris Hodge, Jr., 140 Dora, spoke to the City Council about his concerns with Councilman Prado nominating himself for the Greater Kelly Development Corporation; commended the San Antonio Police Department for their enforcement of the curfew Ordinance; spoke in favor of a ten percent pay raise for police officers; spoke against renaming any more streets including the latest proposal to rename Rice Road in honor of Reverend R. A. Callies; spoke of his concern with the Mayor of New Orleans making overtures to lure the San Antonio Spurs to their new Arena and urged citizens to vote for the new proposed arena here in San Antonio.

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NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the City Council about several issues including his concern over the observation of December 25 as Christ's birthday instead of the date of October 1.

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RACHEL CYWINSKI

Ms. Rachel Cywinski, P.O. Box 90010, spoke to the City Council about her concerns with the Project 2000 Trees and the decision not to deliver the trees for replanting along bus stops but rather at one central location in each respective District. She expressed her concern with this recent decision creating a logistical nightmare.

Councilmembers Carpenter and Prado stated that they are aware of this situation and asked that this issue be reviewed by City Staff.

Chris Brady, Assistant to the City Manager, stated that the city staff will follow up with this issue and get back with Ms. Cywinski about her concerns.

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JULIE OLDHAM

Ms. Julie Iris Oldham, P.O. Box 40263, spoke of her concerns with the City Council's recent actions on zoning and code compliance issues. She also spoke about the Arena election not being a legal issue; and spoke about the Code Compliance department harassing citizens.

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DON WILKINS CASTILLO

Don Wilkins Castillo spoke to the City Council about an alleged 1983 Police conspiracy.

99-43 There being no further business to come before the City Council, the meeting was adjourned at 6:10 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk