

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, AUGUST
24, 1995.

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95-37 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, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, PEAK, THORNTON. Absent: MARBUT, WEBSTER.

Quarterly Presentation on Convention Center Expansion-Related Issues - Presentation of the proposed schematic design elevations and models of the expanded Henry B. Gonzalez Convention Center and the redesigned International Center. Council concurred on the general design direction for both the Convention Center and the International Center.

Adjourned 11:40 A.M.

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95-37 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, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, PEAK, THORNTON; Absent: MARBUT, WEBSTER.

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95-37 Invocation - Chaplain George Schwanenberg, San Antonio Police and FBI.

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95-37 Pledge of Allegiance to the flag of the United States.

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95-37 Minutes of the July 13, 1994 Regular City Council Meeting were approved.

Mayor Thornton noted that Our Lady of the Lake University this year is celebrating its 100th year of service, and stated that the City Council today has invited Sister Elizabeth Anne Sueltenfuss, President of Our Lady of the Lake University, to be present to accept a proclamation from the City commemorating this important milestone in the university's history.

Sister Sueltenfuss thanked the Mayor and City Council for the proclamation, and spoke to the school's 100 years of service to education.

Mr. Solis noted that OLLU is one of the treasures of the city's west side, and he spoke to the contributions of both the school and its alumni.

Mayor Thornton stated that Ms. Julia Castellano-Hoyt, Assistant to the Mayor, is a graduate of the university, and Ms. Norma S. Rodriguez, City Clerk, is a graduate of Our Lady of the Lake High School.

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On a Point of Personal Privilege, Ms. McClendon read and presented a special citation to Ms. Tracye Pryor, Administrative Aide to District 2, and stated that Ms. Pryor is leaving this post for a fulltime position in Austin. She wished her well in her new position.

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Mr. Avila made a motion to approve Agenda items 9 through 32, constituting the Consent Agenda. Mr. Herrera seconded the motion.

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

AN ORDINANCE 82,652

ACCEPTING THE LOW BID OF SIGNAL SALES CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC SIGNAL CABLE FOR A TOTAL OF \$37,772.00.

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AN ORDINANCE 82,653

ACCEPTING THE LOW, QUALIFIED BID OF CONTROL SCREENING SCANTECH SECURITY FEDERAL LABS TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURT WITH A SECURITY SCREENING SYSTEM FOR A TOTAL OF \$30,552.60.

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AN ORDINANCE 82,654

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR TOTAL OF APPROXIMATELY \$1,507,000.00. (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT, MBE/WBE).

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AN ORDINANCE 82,655

AUTHORIZING A CERTIFICATE OF OBLIGATION FUNDED PAYMENT TO THE SAN ANTONIO HOUSING AUTHORITY (SAHA) IN AN AMOUNT NOT TO EXCEED \$36,000.00 FOR THE CITY'S PARTICIPATION IN DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE SAHA FUNDED COMPREHENSIVE MODERNIZATION AT THE RIVERSIDE APARTMENTS PROJECT.

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AN ORDINANCE 82,656

AUTHORIZING AN INCREASE IN THE SCOPE OF SERVICES AND APPROVING ADDITIONAL TESTING FEES, IN THE AMOUNT OF \$24,500.00, PAYABLE TO DRASH-FOCHT CONSULTING ENGINEERS, INC., IN CONNECTION WITH THE GENERAL AVIATION APRON AND TAXIWAY RECONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET FOR SAID PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,657

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$25,534.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TWO TEMPORARY EASEMENTS AND TITLE TO TWO PARCELS IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE WURZBACH PARKWAY P.A.S.S PROJECT; AND ACCEPTING THE DEDICATION OF A PERMANENT EASEMENT IN

CONNECTION WITH THE INGRAM FESTIVAL UNIT 2
SUBDIVISION DRAINAGE PROJECT.

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AN ORDINANCE 82,658 .

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE
AMOUNT NOT TO EXCEED \$4,000.00 WITH S.R. DOOLEY &
ASSOCIATES FOR PREPARATION OF CERTAIN PROFESSIONAL
REAL ESTATE APPRAISALS RELATED TO THE STATE LOOP
1604 PROJECT - F.M. 471 TO F.M. 1957, PART II.

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AN ORDINANCE 82,659 .

AUTHORIZING A 25 YEAR LICENSE AGREEMENT FROM THE
CITY OF SAN ANTONIO TO MALONEY DEVELOPMENT
PARTNERSHIP, LTD. TO USE PUBLIC RIGHT-OF-WAY (AIR
RIGHTS) WITHIN CROCKETT AND NAVARRO STREETS IN
CONNECTION WITH THE PRESIDIO PLAZA PROJECT.

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AN ORDINANCE 82,660 .

DESIGNATING ECKMANN, GRILL RUNYAN & WATERS, INC. TO
PROVIDE REAL ESTATE APPRAISAL SERVICES IN
CONNECTION WITH THE ACQUISITION OF TITLE FOR THE
CITY WIDE ADA MODIFICATION COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) PROJECT; AUTHORIZING NEGOTIATION
OF A CONTRACT AND APPROPRIATING AN AMOUNT NOT EXCEED
\$4,000.00 FOR SUCH PURPOSES.

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AN ORDINANCE 82,661 .

AMENDING ORDINANCE NO. 80653, PASSED AND APPROVED
ON AUGUST 25, 1994, TO AMEND THE BUDGET AND TO
ACCEPT AN ADDITIONAL AMOUNT OF \$4,477.00 FOR A TOTAL
OF \$179,967.00 FROM THE TEXAS STATE LIBRARY
INTERLIBRARY LOAN SERVICES - FEDERAL GRANT FY
1994/95; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE
DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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AN ORDINANCE 82,662 .

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY,
ENTITLES LIBRARY SYSTEM SERVICES - FEDERAL GRANT FY

1995/96; BUDGETED AT \$434,786.00 AND ISSUED AS CONTRACT NO. 546.10; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 82,663

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY, ENTITLED LIBRARY SYSTEM SERVICES - STATE GRANT FY 1995/96; BUDGETED AT \$313,936.00 AND ISSUED AS CONTRACT NO. 545.10; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 82,664

ACCEPTING A GRANT FROM THE TEXAS STATE LIBRARY, ENTITLED INTERLIBRARY LOAN SERVICES - FEDERAL GRANT FY 1995/96; BUDGETED AT \$170,798.00; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 82,665

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE TEXAS DEPARTMENT OF HEALTH TO CONTINUE MEDICAL TRANSPORTATION SERVICES THROUGH THE SUPPORTIVE SERVICES FOR TH ELDERLY PROJECT FOR THE PERIOD SEPTEMBER 1, 1995 TO AUGUST 31, 1996 TO PERSONS ELIGIBLE UNDER THE STATE'S MEDICAID PROGRAM AT A COST OF \$169,994.00; ESTABLISHING A FUND AND APPROVING A BUDGET AND PERSONNEL POSITION; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACT.

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AN ORDINANCE 82,666

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE AMOUNT OF \$50,000.00, TO THE COMPREHENSIVE NUTRITION PROJECT OPERATED BY THE ELDERLY AND DISABLED SERVICES DIVISION OF THE DEPARTMENT OF COMMUNITY INITIATIVES TO PROVIDE DIABETIC SCREENINGS, OTHER HEALTH SCREENINGS AND NUTRITIONAL INFORMATION TO SENIOR CITIZENS FROM AUGUST 1, 1995 THROUGH JULY 31, 1996; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FY 95/96; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,667

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE TEXAS REHABILITATION COMMISSION IN THE AMOUNT OF \$400,000 ALONG WITH \$24,000 IN CLIENT FEES TO CONTINUE OPERATION OF THE PERSONAL ATTENDANT SERVICES PROGRAM IN THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION FROM SEPTEMBER 1, 1995 TO AUGUST 31, 1996; APPROVING A BUDGET AND PERSONNEL SCHEDULE; AND AUTHORIZING THE TRANSFER OF UNEXPENDED 94/95 FUNDS.

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AN ORDINANCE 82,668

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$231,445.00 FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO PROVIDE FUNDING FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM TASK FORCES IN THE AREA.

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AN ORDINANCE 82,669

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$348,444.00 FROM THE TEXAS CRIMINAL JUSTICE DIVISION TO PROVIDE FUNDING FOR THE COLLOCATION OF VARIOUS HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM TASK FORCES IN THE AREA.

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AN ORDINANCE 82,670

AUTHORIZING THE TEMPORARY CLOSURE OF SOUTH SAN AUGUSTINE STREET BETWEEN COMMERCE AND BUENA VISTA FROM 9:00, SATURDAY OCTOBER 21, 1995 UNTIL 12:00 MIDNIGHT, SUNDAY, OCTOBER 22, 1995 IN CONNECTION WITH THE ST. JUDE ANNUAL FALL FESTIVAL.

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AN ORDINANCE 82,671

AUTHORIZING THE TEMPORARY CLOSURE OF THE NORTH SIDE OF NUEVA STREET BETWEEN ALAMO AND SOUTH PRESA FROM NOON, FRIDAY SEPTEMBER 15, 1995 UNTIL 1:00 A.M., SUNDAY, SEPTEMBER 17, 1995 IN CONNECTION WITH THE

21ST ANNUAL LA FERIA DEL RIO.

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AN ORDINANCE 82,672

AUTHORIZING THE TEMPORARY CLOSURE OF CAMINO SANTA MARIA STREET BETWEEN WESTMINISTER AND CULEBRA FROM 6:00 A.M. UNTIL MIDNIGHT ON SUNDAY, OCTOBER 8, 1995 IN CONNECTION WITH THE 1995 HOLY ROSARY ANNUAL CAMINO SANTA MARIA STREET FESTIVAL.

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AN ORDINANCE 82,673

AUTHORIZING THE TEMPORARY CLOSURE OF ANITA STREET BETWEEN VILLAREAL AND VANDERBELT FROM 10:00 A.M. UNTIL 9:30 P.M. ON SATURDAY, SEPTEMBER 9, 1995 IN CONNECTION WITH THE TEMPLE "EL HOREB" ANNUAL CHURCH FESTIVAL.

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AN ORDINANCE 82,674

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 8:00 A.M. UNTIL 10:00 A.M. ON SATURDAY, OCTOBER 7, 1995 IN CONNECTION WITH THE UTSA FUN RUN.

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AN ORDINANCE 82,675

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 6:30 P.M. UNTIL 9:30 P.M. ON FRIDAY, SEPTEMBER 15, IN CONNECTION WITH THE SAN ANTONIO ZOO BUILDING FUND BENEFIT RUN.

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95-37

BEXAR APPRAISAL DISTRICT DISCUSSION

Mayor Thornton and Mr. Peak briefly reviewed the City Council's actions relative to a possible new headquarters site for the Bexar Appraisal District and the Mayor's written request to the City's representative, Mr. Tommy Adkisson, to support the proposed site at 401 North Frio Street.

August 24, 1995
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Mr. Adkisson spoke to the recent loss of the Bexar Appraisal District board president by way of resignation, and stated that he voted on the matter of the 401 North Frio Street site as he felt necessary, noting that the vote came just hours after his appointment to the board. He then addressed his reasons for casting his vote on the matter, stating that he was not aware that the board had been asked by City Council to hold off on this particular vote until the City representative had been seated.

Mr. Adkisson spoke to the tumult that resulted when it became public knowledge that the Bexar Appraisal District wanted to move its headquarters perhaps out of the downtown area, and addressed the strained relationship he has with the district's Chief Appraiser as a result of a series of recent actions, including a meeting held by the Chief Appraiser with members of City Council relative to the situation. He then spoke to his reasons for feeling that more study needs to be done before any action results concerning the possible site move.

Mayor Thornton read excerpts from his letter to Mr. Adkisson on the matter of the site vote, and spoke to his concerns for that vote.

In response to a question by Mayor Thornton, Mr. Adkisson spoke to reports that he had previously lobbied the San Antonio Independent School District board on the matter of keeping the Bexar Appraisal District headquarters in the downtown area. Mr. Adkisson stated that he has concerns with some of the numbers relative to the Frio Street site.

Ms. Billa Burke addressed her concern for having Mr. Adkisson called before City Council on this matter today, and stated her belief that he did not have sufficient information on this matter. She spoke in support for his appointment to the appraisal district board of directors, and spoke to her concerns for possible miscommunication in this matter.

Discussion ensued concerning the information Mr. Adkisson might, or might not, have had about the site question, and the responsibilities involved in making that information known to him.

Mr. Peak stated that Mr. Stoneham had briefed several City Council members on the two sites under consideration last week, before Mr. Adkisson's appointment to the board, and stated his belief that the vote taken by the appraisal district's board on Monday was only to begin the negotiations on the site, and not a vote on completion of any sale. He stated his belief that Mr. Adkisson's task was to move the North Frio Street site forward as the new permanent location of the Bexar Appraisal District headquarters.

Ms. McClendon spoke in support for Mr. Adkisson's decision, but stated her hope that he will carry out the will of the City Council in the future.

After discussion, Ms. McClendon made a motion to instruct Mr.

Adkisson to return to the City Council in four weeks relative to his recommendation/decision on the North Frio Street site. Mr. Avila seconded the motion.

Mr. Walter Stoneham, Chief Appraiser, Bexar Appraisal District, spoke to the sequence of events that would have taken place, had Monday's vote of his board of directors been favorable toward the Frio Street site. He stated that that action would have begun the action toward purchase of the site, not actually have finalized that purchase.

Mr. Solis stated his belief that the City Council gives direction to its board appointees, but in the end, those appointees have the burden of decision on their own shoulders. He stated that there remains plenty of time to review the details and the numbers involved in the proposed purchase. He stated his belief that the Frio Street site is the best for the district and will be supported by the numbers.

Mr. Stoneham noted that the availability offer on the Frio Street site is good only until September 5, as of this time, and stated that he is supplying Council members with packets of information on this matter. He stated that he has no problem with a 30-day delay in the vote of his board of directors on a new site, and addressed his meetings with Mr. Adkisson concerning his appointment to the board.

Mr. Avila stated his opinion that Mr. Adkisson has a good record of service, and he spoke in his support.

Mr. Peak discussed a timetable for possible procurement of a new headquarter site for the appraisal district, and spoke to his desire to place the Frio Street site into official consideration by the board. He noted that a contract needs to be signed as soon as possible, to allow pre-purchase actions to get underway.

Mr. Adkisson spoke to the need to pursue a process that allows a close look at the structural aspects of the building, and so on.

Mr. Stoneham stated that the proposed contract in question would put the property under district control and allow a structural assessment of the building.

Mr. Ross discussed the need for a 'due diligence' contract on the Frio Street building, to give everyone sufficient information on which to base a final decision on purchase. He questioned the need for a 30-day delay in this process, and urged Mr. Adkisson to either proceed according to the Council's wishes in this matter, or meet with the City Council to discuss it.

Ms. McClendon stated her belief that Mr. Adkisson needs time to make his decision and come back to Council about it.

Mayor Thornton spoke to the need for the district's board of directors to look at the information on this site and make an analysis

of the building.

In response to a question by Mayor Thornton, Mr. Stoneham stated that the district would need 30-60 days to arrive at a final purchase contract; however, an earlier agreement needs to be signed to allow full investigation of the site and begin negotiations for purchase.

Discussion then took place concerning the need to proceed rapidly on this matter.

After consideration, both the maker and seconder of the pending motion agreed to withdraw that motion.

Mr. Peak asked Mr. Adkisson to keep the City Council informed on all aspects of this matter.

Mr. Adkisson spoke to plans for future coordination with the City Council, and stated that he would be willing to resign if the Council feels he is not doing a proper job.

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95-37 At the request of Mayor Thornton, the City Council agreed to undertake consideration of Agenda Item 51 at this time.

The City Clerk read the following Resolution:

A RESOLUTION NO: 95-37-46

OFFICIALLY EXPRESSING THE CITY COUNCIL'S SUPPORT OF CHILE'S INCLUSION IN THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)

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

Mr. Solis then read the entire text of the proposed Resolution officially expressing the City Council's support of Chile's inclusion in the North American Free Trade Agreement (NAFTA).

The Hon. John Biehl del Rio, Chilean Ambassador to the United States, spoke to the close ties between Chile and the United States, and his country's desire to become a part of NAFTA.

Mr. Solis then introduced The Hon. Luis Winters, Chilean Consul General based in Houston.

Mayor Wolff welcomed both men to San Antonio, and spoke of his desire that all consuls based in Houston visit San Antonio to become acquainted with the city.

Consul General Winters addressed the close ties between the City of San Antonio and the nations of South America as their 'port of entry' to the United States.

Mayor Thornton addressed the advantages of being the official 'port of entry', and he spoke to Chile's growth as a South American success story in economic development.

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

Mr. Solis then presented the formal Resolution to the Chilean delegation.

95-37 It was the concensus of City Council members present to undertake consideration of Agenda item 35 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 82,676

AUTHORIZING THE CITY OF SAN ANTONIO TO APPROVE THE ESTABLISHMENT OF A RURAL SERVICE DELIVERY AND WORKFORCE DEVELOPMENT AREA SEPARATE FROM THE PRESENT ALAMO SERVICE DELIVERY AND WORKFORCE DEVELOPMENT AREA.

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

Mr. Octavio Pena, Director of Internal Review, briefly explained the need for establishment of a new 'service delivery area' for the rural areas around San Antonio, separate and apart from San Antonio and Bexar County.

In response to a question by Mr. Ross, County Commissioner Tony Shearer stated that this new 'service delivery area' would not absolve the current participants in the Alamo Workforce Development Council area of any of the liabilities that might attend such an organization, if needed.

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

ZONING HEARINGS

4A. CASE #Z95092 - to rezone and reclassify lot 38, Block 4, NCB 18890 and Lot 49, Block 16, NCB 18890, Bulverde Road and Green Spring Drive, from Temporary "R-1" Single Family Residence District to "B-2" Business District. Properties are located northwest and southwest of the intersections of Bulverde Road and Green Spring Drive, having 933.02 feet on Green Spring Drive and 829.08 feet on Bulverde Road.

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

Mr. Allan Polunsky, representing the proponent, presented a set of restrictive covenants agreed to by all parties concerned in this requested rezoning action, a copy of which is made a part of the papers of this meeting.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission, to grant the rezoning except for deletion of proposed non-access easements along both sides of Green Spring Drive. Mr. Ross seconded the motion.

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

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

AN ORDINANCE 82,677

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 38, BLOCK 4, NCB 18890 AND LOT 49, BLOCK 16, NCB 18890, BULVERDE ROAD AND GREEN SPRING DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE #Z95149 - to rezone and reclassify lot 41, save and except the southeast 25 feet, Block 7, NCB 17363, from Temporary "R-1" Single Family Residence District to "B-1" Business District and Southeast 25 feet of Lot 41, Block 7, NCB 17363, 15118 Jones Maltsberger Road, from

Temporary "R-1" Single Family Residence District to "0-1" Office District.

Mr. Andy Guerrero, Land Development Services, stated that this proposed rezoning case was continued until September 28, 1995.

4C. CASE #Z95086 - to rezone and reclassify lots 19 and 20, Block 117, NCB 8813, 1902 West Avenue, from "B"-3R" Restrictive Business District to "B-3" Business District. Property is located northeast of the intersection of West Avenue and Hermosa Street, having 120 feet on West Avenue and 100 feet on Hermosa Street.

In response to a question by City Council, Mr. Juan Willars, the proponent, stated that he needed the rezoning in order to expand and to renovate the building concerned.

Mr. Flores made a motion to deny the proposed rezoning. Mr. Herrera seconded the motion.

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

Zoning Case Z95086 was denied.

4D. CASE #Z95178 (CC) - to rezone and reclassify 9.029 acres out of NCB 18282, from Temp. "R-1" Single Family Residence District to "R-1" CC for a golf driving range; 3.316 acres out of NCB 18282, from "R-3" Multiple Family Residence District to "R-3" CC Multiple Family Residence District for a golf driving range and 4.522 acres out of NCB 18282, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Properties are located northeast of the intersection of Micron Drive and Potranco Road, the "B-3" zoning having 435.93 feet on Potranco Road, the "B-3" zoning having 435.93 feet on Potranco Road and 293.97 feet on Micron Drive and a depth of 694.36 feet; the "R-3" CC zoning being 494.92 feet northwest of the intersection of Potranco Road and Micron Drive, having 788.68 feet on Potranco Road and a depth of 270.60 feet.

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

Mr. Phil Garay, 215 West Travis Street, representing the proponent, explained the requested rezoning for a golf driving range and allied facilities, and he spoke to the zoning history on the property concerned.

Mr. Herrera spoke to the need for such a facility in this area.

Mr. Herrera made a motion to disapprove the recommendation of the Zoning Commission, and to grant the requested rezoning as presented by the applicant. Mr. Avila seconded the motion.

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

AN ORDINANCE 82,678

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 9.029 ACRES OUT OF NCB 18282, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC FOR A GOLF DRIVING RANGE; 3.316 ACRES OUT OF NCB 18282, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-3" CC MULTIPLE FAMILY RESIDENCE DISTRICT FOR A GOLF DRIVING RANGE AND 4.522 ACRES OUT OF NCB 18282, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE #Z95160 - to rezone and reclassify 18.289 acres out of NCB 18080, from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District. Property is located 163.57 feet southwest of Culebra Road, between Timber View Drive and Reed Road, having 331.11 feet on Timber View Drive, 676.83 feet on Reed Road and 1,200 feet between these two streets; to rezone and reclassify 2.341 acres out of NCB 18080, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Property is located on the southwest side of Culebra Road, 135 feet southeast of the intersection of Timber View Drive and Culebra Road, having 512.84 feet on Culebra Road and a depth of 254.28 feet; to rezone and reclassify 0.6522 acres out of NCB 18080, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District. Property is located on the southwest side of Culebra Road, 135 feet southeast of the intersection of Timber View Drive and Culebra Road, being to the rear of the proposed "B-3" with a depth of 50' feet.

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

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

motion.

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

AN ORDINANCE 82,679

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 18.289 ACRES OUT OF NCB 18080, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; 2.341 ACRES OUT OF NCB 18080, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; 0.6522 ACRES OUT OF NCB 18080, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE #Z950180 - to rezone and reclassify lot 21, Block 16, NCB 16526, 2342 Pinn Road, from "B-3R" Restrictive Business District to "B-3R" SUP Restrictive Business District with special use permit for a candy manufacturing. Property is located northeast of the intersection of Pinn Road and Westfield Drive, having 50 feet of Pinn Road and 150 feet on Westfield Drive.

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

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

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

AN ORDINANCE 82,680

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS LOT 21, BLOCK 16, NCB 16526, 2342 PINN ROAD, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3R" SUP RESTRICTIVE BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A CANDY MANUFACTURING. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4G. CASE #Z95167 (CC) - to rezone and reclassify A 0.083 acre tract of land out of NCB 10600, 5398 Dietrich Road, from "I-1" Light Industry District to "I-1" CC Light Industry District with special City Council approval for a communication transmission tower. Property is located 1070.07 feet east of the intersection of Cornerway Boulevard and Dietrich Road, being 340 feet south of Dietrich Road, having a width of 60 feet and depth of 60 feet.

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

Ms. McClendon made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Solis seconded the motion.

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

AN ORDINANCE 82,681

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.083 ACRE TRACT OF LAND OUT OF NCB 10600, 5398 DIETRICH ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4H. CASE #Z95174 - to rezone and reclassify lot 18, NCB 3667, 319 N.W. 24th Street, from "D" Apartment District to "B-2NA" Non-Alcoholic Sales Business District. Property is located southwest of the intersection of West Salinas and N.W. 24th Street, having 85 feet on West Salinas and 142.62 feet of N.W. 24th Street.

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

Mr. Ross made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 82,682

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, NCB 3667, 319 N.W. 24TH STREET, FROM "D" APARTMENT DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE #Z95034 (CC) - to rezone and reclassify temporary "R-1" Single Family Residence District to "R-A" Residence-Agriculture District, "R-4" Manufactured Home Residence District, "B-3" Business District, "B-3R" CC for Utility Infrastructure Business District, "B-3R" CC for a communication transmission tower, "B-3R" Restrictive Business and "I-2" CC Heavy Industry District for a salvage yard. Target area is generally located between Quintana Road, IH 35 South Expressway and on Loop 410 Expressway.

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

In response to a question by Mr. Avila, Mr. Andy Guerrero, land development Services, briefly explained the non-conforming rights of the existing salvage yards in question.

Mr. Avila made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Solis seconded the motion.

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

AN ORDINANCE 82,683

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE-AGRICULTURE DISTRICT, "R-4" MANUFACTURED HOME RESIDENCE DISTRICT, "B-3" BUSINESS DISTRICT, "B-3R" CC FOR UTILITY INFRASTRUCTURE BUSINESS DISTRICT, "B-3R" CC FOR A COMMUNICATION TRANSMISSION TOWER, "B-3R" RESTRICTIVE BUSINESS AND "I-2" CC HEAVY INDUSTRY DISTRICT FOR A SALVAGE YARD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,684

SETTING A PROPOSED TAX RATE FOR THE FISCAL YEAR 1995-96 (TAX YEAR 1995)

* * * *

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

Ms. Nora Chavez, Director of Finance, explained the setting of the proposed new tax rate for FY 1995-96, noting that it is a decrease from the previous year's tax rate.

Mr. Alexander E. Briseno, City Manager, addressed the extra step being taken in the process of setting the new tax rate.

Mr. Ross noted that the certified tax rolls of the City are in excess of \$26 billion.

Mr. Briseno explained that the City traditionally collects about 96 per cent of outstanding taxes.

Ms. Chavez then outlined the procedure for processing paid delinquent taxes, when collected.

A discussion ensued concerning how these delinquent tax collections are classified, when received.

Mr. Ross stated his opinion that the setting of this proposed new tax rate may have to be delayed until the budget work session on

this matter is held, first. He spoke to his desire to have collected delinquent taxes classified as 'real estate taxes' when received.

Mr. Briseno explained the tax collection process and expressed his confidence in the proposed figures, noting that this is a professional calculation and is conservative.

Ms. Chavez then discussed conservatism in the City's revenue estimates.

Mr. Ross made a motion to set the proposed tax rate not to exceed three per cent of the amount collected from real estate taxes last year.

Mr. Briseno stated that he does not recommend the action, as outlined by Mr. Ross in his motion. He stated his belief that it is contrary to state law provisions followed by the City.

Mr. Ross's motion died for lack of a second.

Mr. Briseno noted that revenues are not growing as fast as tax roll valuations.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Solis, Herrera, Peak, Thornton; NAYS: Ross; Flores, Marbut, Webster.

- - -
95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,685

SETTING THE TIME, DATE, AND PLACE AT WHICH THE CITY COUNCIL WILL ADOPT THE NEW TAX RATE.

* * * *

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

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

95-37 At the request of Mr. Avila, it was the concensus of City Council members present to undertake consideration of Agenda Item 44 at this time.

DISCUSSION OF STREETCORNER COLLECTION OF DONATIONS

Mr. Lloyd Garza, City Attorney, spoke to details of the request by the San Antonio Professional Firefighters Association to collect donations on street corners for the "Fill The Boot" Campaign on behalf of the Muscular Dystrophy Association. He then spoke to a brief history of the solicitations regulations of the City, including the 1990 ordinance prohibiting such solicitation as requested. He noted that Texas has a new state law which forbids such solicitations without prior approval by the city concerned.

Mr. Garza spoke to his concern for 'selective enforcement' problems if such a request were granted in this case, making it difficult to prosecute for such solicitations not approved. he recommended that the requested waiver of City regulations on this matter not be allowed, and he addressed reasons for that recommendation.

Mr. Avila stated that no firefighter or police officer ever was injured while collecting donations on street corners, and spoke in favor of having the organization put up a sufficient bond to indemnify the City of San Antonio against any liability therewith.

Mr. Solis suggested that a 'middle-ground' might exist, and proposed a strong bond be required, along with approval on a case-by-case basis.

Mr. Peak spoke to his concern for the precedent that would be set if such a waiver were granted, but stated his willingness to discuss the bonding idea and other safeguards.

Mr. Alexander E. Briseno, City Manager, stated his opinion that to grant this request would require the City Council to repeal the old ordinance and develop a new one with certain standards that could be met by most organizations.

A discussion then took place concerning the possibility of developing safeguards for public safety in such matters.

Ms. McClendon spoke in favor of having a committee look into the proposed criteria.

Mr. Flores spoke in favor of amending the ordinance to allow firefighters to do this, and spoke in support for the inclusion of certain criteria for such approval.

Mr. Garza addressed the litigation history on solicitation in San Antonio, and stated that a 'middle-ground' proposal has not been litigated. He noted that all groups have to be protected, and spoke to the two separate and distinct model laws involved: solicitations

totally restricted, or completely open.

Mr. Avila made a motion to direct City staff to place onto the Council agenda next week an ordinance granting the requested exemption, subject to certain criteria. Ms. McClendon seconded the motion.

Ms. McClendon stated her belief that a committee could come up with recommended criterial by August 31.

Mayor Thornton named a committee of Ms. McClendon, Mr. Solis, Mr. Avila and Mr. Herrera to look into the matter.

In response to Mayor Thornton's question, Police Chief Al Philippus recommended that the City's ordinance be left intact.

Mayor Thornton noted that the City Attorney and the Chief of Police both recommended against granting the waiver.

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

- - -
95-37 City Council recessed its regular meeting at 3:52 P.M. in order to convene a meeting of the City of San Antonio Industrial Development Authority board of directors, followed by a special meeting of the City of San Antonio Health Facilities Development Corporation board of directors.

After which the City Council reconvened in regular session at 3:58 P.M.

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95-37 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

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 82,686

NOMINATING AN AREA AS AN ENTERPRISE ZONE PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303); PROVIDING TAX INCENTIVES; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATING AND DESIGNATION OF THE AREAS DESCRIBED HEREIN AS

ENTERPRISE ZONES AND REINVESTMENT ZONES (TEXAS TAX CODE, CHAPTER 312); DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE ACT ONCE DESIGNATED BY THE TEXAS DEPARTMENT OF COMMERCE (TDOC); AND AUTHORIZING THE SUBMISSION OF APPLICANTS AND FEES TO TDOC.

* * * *

Ms. Claudia Mora, Economic Development Manager, Department of Economic Development, explained details of the three proposed enterprise/reinvestment zones.

Mr. Solis asked that the name of the proposed Westside Enterprise Zone" be renamed the "West-Southwestside Enterprise Zone", and spoke in support of the proposal.

Ms. McClendon spoke in support of economic development activity on the city's east side.

Mayor Thornton stated his hopes that the three zones will create more jobs for San Antonio, and urged City staff to seek them aggressively. He then spoke to plans for a major products distribution center at Kelly Air Force Base.

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

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,687

AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE OF SHORT TERM OBLIGATIONS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$100,000,00. TO PROVIDE INTERIM FINANCING TO PAY PROJECT COSTS FOR ELIGIBLE PROJECTS FOR THE CITY'S WATER SYSTEM; AUTHORIZING SUCH SHORT TERM OBLIGATION TO BE ISSUED, SOLD AND DELIVERED IN VARIOUS FORMS, INCLUDING COMMERCIAL PAPER NOTES, FIXED RATE NOTES, VARIABLE RATE NOTES AND A REVOLVING NOTE AND PRESCRIBING THE TERMS, FEATURES AND CHARACTERISTICS OF SUCH INSTRUMENTS; APPROVING AND AUTHORIZING CERTAIN AUTHORIZED OFFICERS AND EMPLOYEES TO ACT ON BEHALF OF THE CITY AND THE BOARD IN THE SELLING AND DELIVERY OF SUCH SHORT TERM OBLIGATIONS, WITHIN THE LIMITATIONS AND PROCEDURES SPECIFIED HERIN; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE

SECURITY AND DELIVERY OF SUCH SHORT TERM OBLIGATIONS, INCLUDING THE APPROVAL OF AN AMENDED AND RESTATED ISSUING AND PAYING AGENT AGREEMENT, AN AMENDED AND RESTATED REVOLVING CREDIT AGREEMENT AND AN AMENDED AND RESTATED DEALER AGREEMENT; APPROVING THE USE OF AN OFFERING MEMORANDUM IN CONNECTION WITH SAID SALE; REPEALING ORDINANCE NUMBER 75787; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

* * * *

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

Mr. Ralph Huber, Vice-President for Finance, San Antonio Water System, summarized the proposed ordinance to allow an increase in SAWS' short-term borrowing from its present \$50 million limit to a new limit of \$100 million. He then contrasted short-term and long-term debt, and spoke to the need to finance SAWS construction needs without seeking a rate increase, noting that rating firms support this proposal.

The following citizens spoke:

Mr. Tom Culbertson, Regional Clean Air & Water, stated his concern that this would be loading more debt upon our children, and providing SAWS with a 'blank check'. He stated his belief that SAWS would not be accountable to the public for this debt, and expressed his belief that it would be arbitrary and capricious. He addressed certain other concerns with the expenditure of public funds and water problems in this area.

Mr. Bob Comeaux spoke to a series of questions with SAWS and his concerns with its responses, and spoke to the question of how these additional funds would be spent.

Mr. Jack Finger, P. O. Box 12048, spoke to alleged doubling of allowable project costs, and questioned the use of a 'revolving credit agreement' and other financing measures. He then discussed what happens in case of default.

* * * *

Mr. Ross addressed the uses for the requested additional funding by SAWS, and noted that short-term money rates are less than those for long-term debt. He then spoke to other advantages of the program, saving taxpayers' money. He also noted that the construction projects already are on the books.

Mayor Thornton spoke of the proposal as a wise use of public money.

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

95-37 It was the concensus of City Council members present to undertake consideration of Agenda Item 41 at this time.

LIVING WATERS CATFISH OPERATION

Mayor Thornton noted that the Living Waters Catfish operation uses one-third of the water used by the entire City of San Antonio, and identified its General Partner as a real estate developer from New Jersey.

Mr. Russell Johnson, attorney/general counsel, San Antonio Water System, provided a history of the Living Waters catfish operation, a copy of which history is made a part of the papers of this meeting. He summarized the ownership and operations of the catfish farm; permitting a litigation matters; and addressed a series of options available to the City in the matter, recommending that the City Council enact a Resolution to authorize any administrative or litigation proceedings to protect the city's water supply.

Mayor Thornton spoke to the need to fight this operation, and he reiterated the need for legislation as well as litigation in order to regulate such water usage.

Mr. Johnson stated his opinion that Mr. Lou Blumberg, new Jersey real estate developer and principal source of funding for the catfish farm, has a speculative interest in the operation, specifically making money from its sale.

Mr. Peak noted that an Edwards Aquifer management plan needs to be in place to regulate the uses of water such as this, and he spoke in support for reducing the catfish farm's value and putting it out of business.

Mr. Peak made a motion to instruct City staff to place onto next week's City Council agenda a Resolution authorizing the City Attorney and the General Counsel for the San Antonio Water system, upon the direction of the SAWS board of trustees, to initiate, intervene in or otherwise participate in litigation and/or administrative proceedings to protect the City of San Antonio and the SAWS interest in preserving the citizens' rights to waters of the Edwards Aquifer. Mr. Solis seconded the motion.

Mr. Ross noted that it may be cheaper to negotiate for the purchase of the water well serving the catfish farm, taking a look at this while at the same time doing what SAWS recommends. He spoke in support for the motion.

Mayor Thornton noted that there is no guarantee that the owners of the catfish farm won't simply sell out, then dig another huge well nearby.

Mr. Joe Aceves, President and Chief Executive Officer, SAWS, equated this suggestion with that of buying a criminal's guns, when many more are always available.

Mr. Solis stated his belief that the intent of this entire matter is to hold San Antonio hostage, and he spoke to the need to bring this matter to the light of day.

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

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95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,688

AMENDING ORDINANCE NO. 82458 PASSED JULY 06, 1995 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES; REDUCING THE GRANT FROM \$1,500,000.00 TO \$1,304,925.00 FOR CONTINUATION OF THE CLIENT MANAGED PROGRAM; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR THE REDUCED PROGRAM; AUTHORIZING THE TRANSFER OF REMAINING FUNDS; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND EXECUTE AN AMENDED CONTRACT.

* * * *

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

Mr. Kevin Moriarty, Director of Community Initiatives, explained the effects of grant reductions such as this at the federal level, and spoke to the impact of the cuts.

In response to a question by Mr. Solis, Mr. Moriarty noted that cuts to local community services are expected to be about \$15 million by June of 1996, and he spoke to how those cuts will be handled.

Mr. Solis noted that citizens need to realize that these grant cuts are coming.

Mr. Moriarty stated that cuts of 15-30 per cent in all grants areas will be fact by next June, and he spoke to their impact upon San Antonio, noting that they will affect some 15-20,000 citizens.

August 24, 1995

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Mayor Thornton spoke in support for balancing the federal budget, but not by denying people help that they must have, to live.

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

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,689

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS) WHICH WILL PROVIDE FOR THE CERTIFICATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$871,768.00 TO BE USED AS MATCHING FUNDS FOR THE EXPANSION OF CHILD CARE SERVICES.

* * * *

Mr. Kevin Moriarty, Director of Community Initiatives, discussed innovative ways to stretch federal grant funds for child care services.

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

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

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,690

AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL AMENDMENT WITH THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS) TO EXTEND ADMINISTRATION OF THE CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM FOR THE PERIOD SEPTEMBER 1, 1995 THROUGH AUGUST 31, 1996 WHICH WILL PROVIDE PROJECTED FUNDING LEVELS OF \$22,346,572.00; AMENDING ORDINANCE NO. 80640, PASSED AND APPROVED ON AUGUST 18, 1994 TO APPROVE A CCMS BUDGET AND PERSONNEL COMPLEMENT FOR FY96; AND AUTHORIZING A TEMPORARY LOAN FROM THE GENERAL FUND PENDING RECEIPT OF GRANT FUNDS.

* * * *

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

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

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,691

RATIFYING THE EXECUTION OF A CONTRACT AMENDMENT ACCEPTING THE AMOUNT OF \$166,158.00 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS) TO PURCHASE NEW AUTOMATION EQUIPMENT FOR THE CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM; ACCEPTING ADDITIONAL FUNDS IN THE AMOUNT OF \$1,485,181.00 FROM TDHS FOR THE DELIVERY OF CHILD CARE SERVICES; AND AMENDING THE CCMS BUDGET ORIGINALLY PASSED AND APPROVED IN ORDINANCE NO. 80640, PASSED AND APPROVED AUGUST 18, 1994.

* * * *

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

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

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,692

ESTABLISHING A CITY/COUNTY GOVERNMENT COMMISSION, SETTING OUT ITS SCOPE OF WORK, AND PROVIDING FOR THE APPOINTMENT OF MEMBERS.

* * * *

Mr. Peak spoke to a three-pronged effort to make government work better together, and addressed the recent "B" Session briefing on this matter. He then spoke to certain proposed changes in the makeup of

the commission from that briefed to City Council earlier, and outlined the new proposed makeup, including five additional specific representatives from five different County functions. He asked for City Council support for the proposal, including the changed commission makeup, and asked the Council members for names of prospective members for their district appointments.

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

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

- - -
95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,693

AN ORDINANCE APPOINTING MEMBERS TO THE EASTSIDE SAN ANTONIO COORDINATING COUNCIL, AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON.

* * * *

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

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

- - -
95-37 TRAVEL AUTHORIZATION - Granted:

Councilman Robert A. Herrera to travel to Dallas, Texas from October 25, 1995 to October 28, 1995, to attend a meeting of the Texas Municipal League Annual Conference.

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95-37 TRAVEL AUTHORIZATION - Granted:

Councilman Robert A. Herrera to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995, to attend 72nd annual Congress of Cities and Exposition.

* * * *

95-37 TRAVEL AUTHORIZATION - Granted:

Councilman Robert Marbut to travel to Tyndall A.F.B. in Panama City in Florida. August 24, 1995 to August 25, 1995, to attend Kelly AFB Civic Leader Tour.

* * * *

95-37 The Clerk read the following Ordinance:

AN ORDINANCE 82,694

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXERCISE THE OPTION PROVIDED IN ORDINANCE NO. 79885, PASSED MARCH 24, 1994 TO EXTEND AND AMEND THE CONTRACT WITH FROST NATIONAL BANK OF SAN ANTONIO, TEXAS, TO PROVIDE FINANCIAL AND INVESTMENT SERVICES.

* * * *

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

Ms. Nora Chavez, Director of Finance, explained the need for the six-month extension of the City's contract with Frost National Bank for financial and investment services.

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

95-37

CITIZENS TO BE HEARD

MS. PATSY CHEYNEY

Ms. Patsy Cheyney, volunteer with the San Antonio Alliance for the Mentally Ill, spoke to the City Council regarding the cut backs in Medicaid benefits and how this will affect San Antonio citizens. She also spoke to other future funding cuts.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, read a prepared statement titled, "Unschooling in Fisheries Biology Weren't Biologists of 1950's Amateur Practitioners?" (a copy of Mr. Wurz' statement is on file with the papers of this meeting.)

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, spoke to the Council regarding the need to continue Crime Prevention meetings throughout the City.

MS. BETTY JEFFERY

Ms. Betty Jeffery, 7114 Hagy Circle, spoke to the Council as a member of the Responsible Pet Owners Alliance. She spoke to the necessity of a volunteer spay/neuter program; and while they are in favor of the recommendation of an Animal Cruelty Investigator position, they are opposed to this person being "armed".

95-37 City Council recessed its regular meeting for dinner at 6:12 P.M., reconvening at 6:50 P.M.

City Council then recessed its regular meeting at 6:51 P.M. in order to convene in Executive Session for:

(1) Briefing on contract negotiations with Bexar County for the provision of health services to the residents of unincorporated Bexar County.

(2) Briefing on issues related to the removal of the landfill located at the Alamodome, and related litigation.

(3) Briefing on legal implications of legislation allowing removal of VIA board appointments.

(4) Briefing on litigation styled Medina County Underground Water Conservation District v. Phil Barshop, et al, challenging the validity of H.B. 3189.

(5) Status report on Helen Dutmer v. City of San Antonio, SA 95-CA-0764.

(6) Briefing on litigation styled Tina S. Younts vs. City of San Antonio and Alfonso Cavalier, Cause No. 94-CI-12501, in the 225th Judicial District Court.

(7) Briefing on litigation styled Billie Jo Campbell v. Ernest San Miguel and City of San Antonio, Cause No. 94-CI-17348.

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95-37 City Council adjourned the Executive Session and convened in regular session at 8:24 P.M., at which time Mayor Thornton announced that City Council had been briefed by staff on the above topics and had taken no official action, only giving staff direction.

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95-37 City Council then recessed from regular City Council meeting at 8:25 P.M.

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95-37 City Council then convened at 8:26 P.M. in a Budget Work Session (FY 95-96 Proposed Budget) in the Municipal Plaza Building, Council Chambers to receive presentations on the following issues/departments:

- REVENUES
- MUNICIPAL COURTS
- CODE COMPLIANCE
- BUILDING INSPECTIONS
- PLANNING



95-37 There being no further business to come before the Council, the meeting was adjourned at 10:35 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