

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, APRIL 20,
1995.

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95-17 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, ROSS, PEAK, WOLFF. Absent: AYALA, THORNTON, WOLFF.

Mayor Pro Tem Solis presided in the temporary absence of Mayor Wolff.

Prior to the beginning of the regularly-scheduled items, Mr. Ross asked for concurrence and moved that an Executive Session on VIA appointments be held during the regularly-scheduled meeting, and that Mr. Jesse Bielefeld be given an opportunity to address the Council during the Regular "A" Session meeting. Ms. Billa Burke seconded the motion. On voice vote, the motion to hold an Executive Session on VIA Appointments and give Mr. Ross a Point of Personal Privilege to recognize Mr. Jesse Bielefeld for the opportunity to address the Council at its regular "A" Session meeting carried by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Peak. NAYS: None. ABSENT: Ayala, Thornton, Larson, Wolff.

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Mr. Avila also moved that an ordinance be placed on today's regular agenda as an emergency item to approve an allocation of an additional \$1,003 for the Harlandale Cultural Arts Exhibit which will take place this weekend. Mr. Perez seconded the motion. On voice vote, the motion prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ross, Peak. NAYS: None. ABSENT: Ayala, Thornton, Larson, Wolff.

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A) Presentation and Discussion on Downtown Projects and Downtown Strategic Planning Process - Council approved the staff recommendation as follows:

1. Proceed with the Downtown Strategic Plan Process.
2. Identify funds in the FY 1995-96 budget process.

3. Seek financial contributions from organizations interested in participating in the planning process.

Mr. Peak asked that this action be moved expeditiously.

B) Discussion regarding the creation of a Community Development Corporation - This item was pulled.

"B" Session adjourned at 11:25 P.M.

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95-17 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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95-17 Invocation - Reverend Robert L. Jemerson, Second Baptist Church.

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95-17 Pledge of Allegiance to the flag of the United States.
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95-17 EL REY FEO

Mayor Wolff introduced El Rey Feo (The Ugly King), Mr. Carlos Montemayor, and welcomed El Rey Feo and members of his Court to the City Council Chambers today.

Mr. Montemayor spoke to his Fiesta Week visits and details of El Rey Feo's educational efforts, including the awarding of more than \$1 million in scholarships. He then thanked the Mayor and City Council for their support.

Members of the Court then presented the Mayor and City Council members with El Rey Feo medals.

Members of City Council congratulated El Rey Feo and the entire program for its contributions to the community.

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95-17 NIGHT IN OLD SAN ANTONIO

Mayor Wolff introduced Ms. Marianna Jones, President of the San Antonio Conservation Society, and Ms. Mickey Hillsman, Chairman of "Night In Old San Antonio", as well as other NIOSA officers present.

Ms. Jones and Ms. Hillsman then spoke to details of this year's "Night In Old San Antonio" event at La Villita.

Members of the group then presented the Mayor and City Council members with NIOSA medals and poster prints of NIOSA.

Members of the City Council congratulated all concerned and spoke to the many traditions of Fiesta such as NIOSA.

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95-17

DELEGATION FROM MEXICO

Mayor Wolff noted that a delegation of some 12 Congressmen and Representatives from Queretaro, Mexico, head by Lic. Miguel Calzada Mercado, State Representative, is visiting San Antonio to leave about riverfront development, tourism and Hispanic political views in the United States. He then welcomed the group to the Council meeting.

Lic. Calzada Mercado thanked the City for its hospitality, and addressed the reasons for the visit.

Members of the delegation distributed gifts from the State of Queretaro, as Lic. Calzada Mercado introduced the individual members, which he noted included members of all political parties represented in the state legislature.

Mayor Wolff and City Council members welcomed the delegation and spoke to the close relationship between San Antonio and Mexico.

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95-17 CITATION: GREAT NORTHWEST COMMUNITY IMPROVEMENT ASSOCIATION

Mayor Wolff stated that The Great Northwest Community Improvement Association recently was notified of an award that the group is schedule to receive May 6, 1995 in Scottsdale, Arizona. He further stated that the Council has invited Mr. Brian Erickson, Community Manager, and other representatives of the association to City Council meeting today to receive the City's formal recognition of their latest accomplishment.

Mayor Wolff then read the Citation and presented it to representatives of the group present, addressing the group's history.

Representatives of the association and its board of directors were introduced, and thanked the Mayor and City Council for the citation, speaking to the good relationship that has developed between the association and the City of San Antonio.

Mayor Wolff and City Council members congratulated the association on the occasion of the major award, and spoke to its hard work in the community.

April 20, 1995

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95-17

CHAMBER OF COMMERCE WEEK

Mayor Wolff read a Proclamation designating "Chamber of Commerce Week" in San Antonio, and introduced Mr. Tullos Wells, Chairman of the Board of the Greater San Antonio Chamber of Commerce.

Mr. Wells accepted the Proclamation and thanked the Mayor and City Council for the recognition. He then introduced others in his delegation, including representatives of other Chambers of Commerce, and spoke to the valued contributions of all such chambers to the community. He especially singled out their unity and close working relationships in the matter of the Base Realignment & Closure Commission hearings, bond issues, etc. over the years, all of which benefits the total community.

Other Chambers of Commerce representatives spoke briefly to their working relationships for the community.

Mayor Wolff and City Council members congratulated all for their community contributions.

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95-17

BEAUTIFY SAN ANTONIO ASSOCIATION WEEK

Mayor Wolff noted that the Beautify San Antonio Association for many years has led or participated in many beautification and cleanup efforts in San Antonio. He stated that, each year, the group honors its founder, the late "O.P." Schnabel, who initiated many worthwhile efforts to make our city healthier, safer and more beautiful.

Mayor Wolff then read a Proclamation designating "Beautify San Antonio Association Week", and presented it to representatives of the association.

Members of the group then presented a decorated trash-can and special individual gifts to City Council members, to mark the occasion.

Mayor Wolff and Council members congratulated the association for its work in the community.

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95-17

CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 5 through 18c, constituting the Consent Agenda, with Item 11 removed from consideration by the City Manager and Item 9 pulled for individual consideration. Mr. Solis seconded the motion.

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

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AN ORDINANCE 82,074 .

ACCEPTING THE LOW QUALIFIED BID OF COMMERCIAL BAT CONTROL IN THE AMOUNT OF \$24,250.00 TO FURNISH THE CITY OF SAN ANTONIO WITH BAT EXCLUSION SERVICE AT THE RIVERBEND PARKING GARAGE.

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AN ORDINANCE 82,075 .

AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$45,000.00 PAYABLE TO JOHN C. KNIGHT, CONSULTING ENGINEER; AUTHORIZING \$4,500.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES IN CONNECTION WITH PROJECT MANAGEMENT SERVICES RELATED TO THE LEON, SALADO AND UPPER OLMOS CREEK WATERSHEDS STUDIES.

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AN ORDINANCE 82,076 .

AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$27,047.00 PAYABLE TO OVERLAND PARTNERS INCORPORATED FOR DESIGN SERVICES RELATED TO THE MCCRELESS BRANCH LIBRARY LOCATED IN COUNCIL DISTRICT 3.

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AN ORDINANCE 82,077 .

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$79,187.00 TO GUARANTEE PLUMBING AND AIR CONDITIONING, INC AND AUTHORIZING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$7,918.00 FOR CONSTRUCTION SERVICES RELATED TO THE CITY HALL ANNEX-EQUIPMENT REPLACEMENT.

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AN ORDINANCE 82,078 .

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF 4,169 SQUARE FEET IN SUITE 307 IN

THE AVANTE PLAZA BUILDING LOCATED AT 401 WEST COMMERCE; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAID LEASE AGREEMENT IN CONNECTION WITH THE EARLY AND PERIODIC SCREENING, DIAGNOSIS, AND TREATMENT (EPSDT) PROJECT; AND AUTHORIZING AND APPROVING FUNDS IN CONNECTION THEREWITH.

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AN ORDINANCE 82,079

SELECTING S.R. DOOLEY & ASSOCIATES TO PROVIDE APPRAISALS FOR THIRTEEN PARCELS FOR WHICH FEE SIMPLE TITLE AND/OR EASEMENTS WILL BE ACQUIRED ON THE CALLAGHAN ROAD PROJECT-OLD U.S HIGHWAY 90 TO INGRAM ROAD, AUTHORIZING THE NEGOTIATION OF A CONTRACT IN THE AMOUNT NOT TO EXCEED \$9,000.00, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,080

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,203.25 FOR TITLE SERVICES ON CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD; THE RITTIMAN ROAD RECONSTRUCTION PROJECT - THORNWOOD TO GIBBS-SPRAWL ROAD; AND THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE II; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,081

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH NAKO SHIRANE TO REPRESENT THE CITY OF SAN ANTONIO IN JAPAN FOR THE PERIOD JANUARY 1, 1995 TO DECEMBER 31, 1996; AND PROVIDING FOR PAYMENT IN THE AMOUNT OF \$15,000.00 FOR THE CURRENT FISCAL YEAR.

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AN ORDINANCE 82,082

AWARDING A PROFESSIONAL SERVICES CONTRACT TO BECKY BROOKS GRIMM TO PROVIDE DEPARTMENTAL TRAINING AND FACILITATION SERVICES TO ASSIST IN THE DEVELOPMENT OF ENHANCED PERFORMANCE MEASURES FOR CITY PROGRAMS; AUTHORIZING THE EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$5,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,083

ACCEPTING AN ADDITIONAL AWARD OF \$169,154.00 IN CASH AND \$1,172,184.00 IN IN-KIND VACCINE FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1995 CHILDHOOD IMMUNIZATION PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AMENDING THE PROJECT BUDGET TO REFLECT THESE ADDITIONAL FUNDS; AND AUTHORIZING TWO ADDITIONAL PERSONNEL POSITIONS FUNDED BY THIS AWARD.

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AN ORDINANCE 82,084

AUTHORIZING THE SUBMISSION OF THE ANNUAL PROPOSAL TO THE DEPARTMENT OF DEFENSE (DOD) TO PARTICIPATE IN THE COMPETITIVE SOLICITATION FOR COOPERATIVE AGREEMENT PROPOSALS (SCAP); AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IF AWARDED BY THE DOD; AND AUTHORIZING A BUDGET AND A PERSONNEL COMPLEMENT FOR THE PROGRAM.

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AN ORDINANCE 82,085

REAPPOINTING BRUCE BURRIS TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE JANUARY 31, 1997.

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AN ORDINANCE 82,086

APPOINTING PATRICIA PLIEGO STOUT TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1995.

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AN ORDINANCE 82,087

REAPPOINTING FLORENCE ALCOSER TO THE CLEAN-UP CITY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE FEBRUARY 24, 1997.

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95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,088

APPROPRIATING \$6,000.00 TO PURCHASE A PORTION OF LOT 7, NCB 8371 (354 BABCOCK RD.) BEXAR COUNTY, TEXAS WHICH IS REQUIRED FOR CONSTRUCTION OF THE BABCOCK RD. - FREDERICKSBURG RD. TO ST. CLOUD PROJECT AND AUTHORIZING PAYMENT.

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

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

95-17 It was the concensus of City Council members present to undertake consideration of Agenda Item 32 at this time.

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,089

APPROVING A GROUND LEASE AGREEMENT WITH ST. MARY'S UNIVERSITY FOR THE CONSTRUCTION AND OPERATION OF A LEARNING AND LEADERSHIP DEVELOPMENT CENTER FOR DISTRICT 7 TO BE LOCATED ON THE UNIVERSITY CAMPUS.

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

Mr. Kevin Moriarty, Director of Community Initiatives, and a representative of St. Mary's University jointly explained the learning and leadership development facility to be located on the school campus, and spoke to its many advantages.

Mayor Wolff and City Council members addressed the importance of this facility and the educational history of the school.

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

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95-17 It was the concensus of City Council members present to undertake consideration of Agenda Item 28 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 95-17-29

IN SUPPORT OF THE GEORGE GERVIN YOUTH CENTER AND ITS HISTORY OF INVOLVEMENT IN PROVIDING SERVICES TO AT-RISK YOUTH AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

Mr. Avila addressed the importance of the George Gervin Youth Center to the young people of San Antonio.

Ms. Barbara Hankins, the center's Executive Director, spoke to the Center's program and grants of assistance.

Mayor Wolff and City Council members congratulated the facility and its leadership, lauding its mission to the community.

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

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95-17

VIA METROPOLITAN TRANSIT

On a Point of Personal Privilege, Mayor Wolff recognized Mr. T.J. Connally, noting that he has been elected Temporary Chairman of the VIA Board of Directors at that group's most recent meeting.

Mr. Connally spoke to certain board actions being taken to restore public confidence in VIA, including the suspension of all board travel until further notice. He spoke of an independent investigation by an attorney into any alleged law violations that might have been committed by either VIA board members or staff, and noted that a report on this matter is soon due. He discussed an internal audit having been completed into expense and/or travel expense reimbursements, and stated that the board intends to seek restitution of any expenses wrongfully paid, as well as removal of any current board member who has committed such an act.

He stated that the VIA board will be seeking a new chairman,

and noted that his election as temporary chairman will be effective for only 60 days. He stated that the new board chairman should be free of any impediments, and stated that he would not be a candidate for any VIA board office. He stated his expectation that the new VIA board chairman will be aboard by June 6, 1995, and stated his belief that the current board is cleaning up any problem areas. He spoke to the close working relationship with all area governments by VIA, and stated that the new board will seek a balanced budget with no depletion of the Reserve Fund. He stressed that the VIA General Manager will run daily functions and operations, without board interference, and spoke to VIA's good professional staff.

Mayor Wolff thanked Mr. Connally for his statements and addressed past problems of the VIA board, asking the community to give the new board a chance.

Mr. Thornton agreed with the Mayor that no second blue ribbon committee needs to be appointed, and spoke to his hopes for a VIA board turnaround.

In response to a question by Mr. Thornton, Mr. Connolly discussed VIA's travel and reimbursement policies.

In response to a question by Mr. Thornton, City Clerk Norma S. Rodriguez stated that Travel Authorizations are needed for City Council travel, regardless of who pays for it.

Mr. Thornton addressed his concern for the accountability in this area by the VIA board, and the need to make the results public.

Mr. Peak thanked Mr. Connolly for the report, and expressed his belief that VIA needs to regain the public trust.

Ms. McClendon also thanked Mr. Connolly for the report, and expressed her belief that a complete audit is needed on any VIA board travel or reimbursement.

Mr. Connolly addressed allowable VIA board actions to remove any board member who abuses the regulations.

Mr. Ross stated his belief that VIA needs to concentrate on transportation, and warned that a 'balanced budget' for VIA will mean some tough decisions on possible rate hikes or tax increases.

Mayor Wolff reiterated that the City Council will not be appointing a blue ribbon committee to look into VIA board actions, and he addressed the need to get VIA back into the transportation business. He addressed the Bielefeld issue, and spoke to plans to have Mr. Bielefeld speak to the City Council later today on the issue.

95-17

ALTERNATE WATER SOURCE

Mayor Wolff stated that City Council needs to enact a Resolution next week to support San Antonio Water System on securing a new alternate water source.

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95-17 City Council recessed its regular meeting at 2:44 P.M. in order to convene in Executive Session for a review of legal ramifications of certain VIA Board of Trustee appointments, reconvening in regular session at 3:08 P.M., at which time Mayor Wolff announced that City Council had met on the topic above and had taken no official action.

95-17

ALTERNATE WATER SOURCE (CONTINUED)

Mr. Avila made a motion to place on next week's City Council agenda a Resolution of Support for San Antonio Water System to jointly develop a plan for alternate water sources for Bexar County and other regional water providers. Mr. Peak seconded the motion.

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

95-17

MR. JESSE BIELEFELD

Mayor Wolff noted that the City Council cannot at this time remove Mr. Bielefeld from the VIA Board of Trustees; only that board can do so.

Mr. Jesse Bielefeld spoke to specifics of a legal case pending against him since 1992, and expressed his belief that pending lawsuits were just that, and further stated that that was the reason he did not speak to this matter during City Council interviews for VIA board appointments. He stated that his attorney feels it is all right to speak to City Council about these issues. He then addressed terms of a settlement of the lawsuit with Ms. Faircloth in the amount of \$16,000 plus court costs. He stated that his salary is \$45,000 per year, and he spoke to the settlement reached in December 1992, and agreement reached with Ms. Faircloth in January 1993. He noted that the newspaper made reference to an April 3, 1995 check to Ms. Faircloth for \$16,000, and noted that this was done before the VIA board interviews.

Mr. Bielefeld stated his belief that he has given the City good board/commission service over the years, and noted that it was

cheaper to settle the case for \$16,000 than to do through with the lawsuit. He spoke to specifics of the incident that brought about the lawsuit, and spoke to his perception that there needs to be union representation on the VIA board.

Mayor Wolff stated that it is up to Mr. Bielefeld whether he continues to serve or steps aside.

A discussion then took place concerning the legal status and standing of charges made against Mr. Bielefeld, beginning with a complaint filed with the Equal Employment Opportunity Commission and moving to assault charges.

Mr. Bielefeld recognized the presence in the audience of a group of persons present as character references for him.

Mayor Wolff thanked Mr. Bielefeld for his presentation.

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95-17

BEXAR APPRAISAL DISTRICT POSSIBLE MOVE

Mr. Peak stated that Bexar Appraisal District reportedly is looking toward relocating its offices outside of the downtown area.

Mr. Peak made a motion to instruct City staff to place a proposed Resolution on next week's City Council agenda, asking the Bexar Appraisal District to keep their facility in the downtown area, and further urging the City's representative on the BAD board of directors to vote against relocating the facility outside of the Central Business District. Mr. Solis seconded the motion.

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

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95-17

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Wolff declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 82,090

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN UNIMPROVED 13-FOOT WIDE ALLEY WITHIN THE BOUNDARIES OF BEACON HILL ELEMENTARY SCHOOL.

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

Mr. Adam Serrata, Asset Management Department, briefly explained the proposed closing and quitclaiming of an unimproved 13-foot - wide alley within the boundaries of Beacon Hill Elementary School, noting that City staff recommends approval.

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

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95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,091

AUTHORIZING THE CITY MANAGER TO EXECUTE STANDARD OPERATING AGENCY CONTRACTS WITH THIRTEEN (13) COMMUNITY BASED ORGANIZATIONS TO OPERATE TWENTY-THREE (23) SUMMER RECREATION SITES IN CONNECTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 1995 SUMMER RECREATION PROGRAM FOR A TOTAL OF \$100,000.00; AND AUTHORIZING THE TRANSFER OF FUNDS.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the 1995 Summer Recreation Program.

Mr. Solis spoke in support of this program for the city's youth, helping to keep them off the streets.

Mr. Peak spoke to the sites involved.

Ms. Ayala discussed the need for good coverage of the city with this program.

Mr. Darner noted that some 95,000 San Antonio youths are involved in the Summer Recreation Program.

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

Billa Burke, Thornton, Larson.

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,092

AUTHORIZING THE TRANSFER OF \$151,634.00 IN CARRYOVER FUNDS FROM THE 1994 SUMMER NUTRITION PROJECT AND \$250,000.00 FROM THE CITY GENERAL FUND NON-DEPARTMENTAL ALLOCATION INTO THE DEPARTMENT OF PARKS AND RECREATION, RECREATION ACTIVITY TO FUND SIXTY-ONE (61) SITES FOR THE 1995 SUMMER RECREATION PROGRAM; AUTHORIZING BUDGET REVISIONS IN SAID ACTIVITY; AND AUTHORIZING THE THREE MONTH LEASE OF SPACE FOR THIS PROGRAM.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the funding for the 61 Summer Recreation program sites.

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

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,093

AUTHORIZING THE SUBMISSION OF A \$686,340.00 GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE 1995 SUMMER NUTRITION PROGRAM OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION; AUTHORIZING THE ACCEPTANCE OF THIS GRANT IF AWARDED; APPROPRIATING FUNDS; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE PAYMENT OF DUMPSTER FEES IN CONNECTION WITH THIS PROJECT.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the grant for the Summer Nutrition Program.

In response to a question by Mr. Solis, Mr. Darner stated that he does not expect federal budget cuts to impact this program.

Mr. Peak requested information as to the distribution involved.

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

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95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,094 .

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SELECTING PKF CONSULTING OF HOUSTON TO PROVIDE ADVISORY SERVICES ON MATTERS RELATED TO THE DEVELOPMENT OF A CONVENTION HEADQUARTERS HOTEL; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$27,500.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Clint Bolden, Director of Economic Development, explained the recommendation of the consultant for development of a full-service convention headquarters hotel, such as the Marriott RiverCenter. He then addressed the job of the consultant in this matter, and noted that PKF Consulting was the unanimous recommendation of the selection committee.

Mr. Perez spoke in support of the Ordinance.

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

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95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,095 .

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AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT NOT TO EXCEED \$130,000.00 WITH GROVES CHENEY GUERRA TO ASSIST IN IMPLEMENTATION OF

THE AVIATION TARGET INDUSTRY STUDY.

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

Mr. Clint Bolden, Director of Economic Development, explained the two-step process involved in the Aviation Target Industry Study, noting that the first part already has been done. He spoke to the recommended hiring of a local advertising agency to perform the next phase of the study, and addressed details, including the experience of the agency involved.

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

Mr. Thornton noted that he would abstain from participation in this matter.

Mr. Peak spoke in support for the plan to maximize the potential of attracting aviation target industries to San Antonio.

Ms. McClendon also stated that she would abstain from this vote.

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

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,096

SETTING THE TIME, PLACE, AND DATE FOR TWO REQUIRED PUBLIC HEARINGS ON THE ANNEXATION OF THE AREA KNOWN AS THE STATE FELONY JAIL FACILITY SITE LOCATED ON APPROXIMATELY 71.72 ACRES OF LAND ADJACENT TO CAGNON ROAD, SOUTH OF THE INTERSECTION OF CAGNON ROAD, SOUTH OF THE INTERSECTION OF CAGNON ROAD AND U.S. HIGHWAY 90 WEST, BEXAR COUNTY, PLUS A 1,000 FOOT WIDE STRIP CONNECTING THE STATE FELONY JAIL FACILITY AND THE CURRENT CITY LIMITS NEAR THE INTERSECTION OF CAGNON ROAD AND U.S. HIGHWAY 90 WEST AND DIRECTING THE PLANNING DEPARTMENT STAFF TO PREPARE A SERVICE PLAN FOR SUCH AREA, ALL IN ACCORDANCE WITH CHAPTER 43 OF THE LOCAL GOVERNMENT CODE.

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

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

Mr. David Pasley, Director of Planning, outlined the site for the State Felony Jail Facility and its proposed annexation, as well as a 1,000-foot-wide strip along Cagnon Road to connect this site to the nearest City Limits line. He then spoke to the scheduled Public Hearings and timetable to annexation implementation.

Mayor Wolff also detailed the proposed timetable to annexation.

The following persons appeared to speak:

Mr. Allan Polunsky, Chairman, State Board of Corrections, spoke to details of the annexation request from the State Department of Criminal Justice, to provide fire protection for the new facility and other public safety reasons, including police response to any disturbance. He noted that the San Antonio Police Department would not be the 'first responder' in case of a disturbance.

In response to a question by Mr. Peak, Mr. Pasley addressed the fire response time from fire stations located six and one-half miles and eight miles, respectively, from this site. He noted that a new fire station location will be planned nearer to this facility in the Fire Department Master Plan.

Mr. Peak spoke to his concern with having a large number of San Antonio police responding to a disturbance at this location, and stated that he wants to see the Service Plan for this.

A discussion then took place concerning benefits to be derived from annexing this facility.

In response to a question by Mr. Ross, Mr. Polunsky discussed Emergency Medical Services response to the facility.

Mr. Ross stated his belief that this area already is understaffed in relation to fire protection and EMS services, and annexation, in his opinion, will only further adversely affect this matter. He then spoke to his concern with adverse response-times.

Mr. Rolando Bono, Assistant City Manager, noted that the City cannot meet the current standard for coverage, and further noted that the state wants 'backup coverage' only.

Mr. Robert Ojeda, Fire Chief, discussed fire and EMS coverage planned for this area, and addressed the movement of fire companies between fire stations, if fire response is needed at the jail facility.

Mr. Polunsky noted that personnel at the jail facility will be

trained in firefighting duties, and again reiterated that the San Antonio Police Department would not be the 'first responder' to any disturbance call. He further noted that the state would be contracting with Bexar County for fire coverage, and that San Antonio Fire Department would be a 'third responder' in fire situations.

Discussion ensued concerning Fire Department Master Plan development leading to location of a new fire station in this area, eventually.

Ms. Ayala stated that she is glad to see that San Antonio will not be the 'first responder'.

Mr. Polunsky stated that he would have the Department of Criminal Justice put this into writing, that San Antonio will not be the 'first responder' in such situations.

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

95-17 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

Mayor Wolff declared the Public Hearing to be open.

The City Clerk then read a proposed ordinance reducing the impact fees for sewer service to the Texas Department of Criminal Justice Prison Facility located on Cagnon Road, Bexar County, Texas, and adopting provisions for payment of the amount and interest as applicable, as requested by Mayor Nelson Wolff.

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

Mr. Ralph Huber, Senior Vice President, San Antonio Water System, explained the SAWS Resolution enacted yesterday by the SAWS board, agreeing to waive 50 per cent of the sanitary sewer impact fees for the Jail Facility on Cagnon Road. He spoke to the board's concern with the precedent that would be set by such a waiver, noting that the state does not waive the fees paid by SAWS and the City of San Antonio each year, which amount to some \$1 million. He then explained the rationale for the 50 per cent fee waiver recommendation, giving the state 84 months to pay out the balance.

The following persons appeared to speak:

Mr. Allan Polunsky, Chairman, Board of Corrections, spoke to the state's response to citizen demands for more prison space to be constructed, and stated that this new facility will house inmates from San Antonio and Bexar County primarily, with an annual payroll of some

\$3 million. He asked the City Council for relief from the sewer service impact fees.

Mr. Ken Gindy, developer, spoke to the overall plan for this facility, its inmates, and its economic benefits, noting that the inmates will raise vegetables to be donated to the Food Bank.

Mr. Polunsky stated his willingness to commit that the inmates will be utilized for outside work for both city and county on their roads, and for cemetery cleaning purposes.

Mr. J.B. Cole, Chief of Engineering, Department of Corrections, stated that there was no mention of sewer impact fees early in the negotiations to locate the jail facility here.

Mayor Wolff discussed the pros and cons of the argument for fee waiver, and stated his belief that Bexar County also will be asking for the same break on their facility in this area.

Mr. Huber explained the impact fees and their rationale, noting that the SAWS board has been reluctant even to grant a 50 per cent fee waiver in this matter.

Mayor Wolff declared the Public Hearing to be closed.

Mr. Peak stated that he is sympathetic to the state's request, but noted that the state never gives a fee waiver to the City or SAWS in similar areas.

A discussion then took place concerning whether or not an Intergovernmental Agreement should be employed in this case, in lieu of annexing the facility, as proposed by Ms. Ayala.

Mr. Polunsky stated his belief that this idea should be examined.

Ms. Ayala spoke to the need to look at this matter, noting that it would lessen the impact upon City services.

Mr. Ross spoke in support for the 50 per cent fee waiver.

Mr. Ross made an amendment to reduce the impact fees for sewer service to the Texas Department of Criminal Justice Prison Facility located on Cagnon Road to 50 per cent of the normal fees. Ms. Ayala seconded the motion.

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

The main motion, as amended, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Peak, Wolff; NAYS:

None; ABSENT: Thornton, Larson.

AN ORDINANCE 82,097

REDUCING THE IMPACT FEES FOR SEWER SERVICE TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE PRISON FACILITY LOCATED ON CAGNON ROAD, BEXAR COUNTY, TEXAS AND ADOPTING PROVISIONS FOR PAYMENT OF THE AMOUNT AND INTEREST AS APPLICABLE, AS REQUESTED BY MAYOR NELSON WOLFF.

* * * *

Mayor Wolff asked City staff and SAWS staff to review the possibility of utilizing an Intergovernmental Agreement for this matter.

95-17 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Dallas, Texas from April 18, 1995 to April 19, 1995, to attend defense base closure commission regional hearings on Texas Base Closures.

* * * *

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,098

AUTHORIZING THE TRANSFER OF \$1,400.00 FROM THE DISTRICT 8 DISCRETIONARY FUNDS ACCOUNT TO THE MAYOR/COUNCIL BUDGET 01-01-01 TRAVEL LINE FOR TRAVEL EXPENSES TO THE NATIONAL LEAGUE OF CITIES FAIR COMMITTEE MEETING, AS REQUITED BY COUNCILMAN WILLIAM E. THORNTON.

* * * *

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

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

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,099

OFFICIALLY NAMING THE PARCEL OF OPEN SPACE LOCATED ON THE CORNER OF PALO DURO AND RIO SECO STREETS, WHICH IS WEST OF BLOSSOM PARK, IN HONOR OF OLIN THOMPSON, A LONG-TIME COMMUNITY LEADER AND PROPERLY IDENTIFYING SAID AREA AS THE "OLIN THOMPSON OPEN SPACE".

* * * *

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

Mr. Peak explained the request to name the 'open space' at the intersection of Palo Duro and Rio Seco Streets for area neighborhood activist Olin Thompson, and spoke to the urgency of the matter. He further stated that the neighborhood association has agreed to help keep this open space area clean.

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

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,100

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUIT, IN CONJUNCTION WITH THE BEXAR COUNTY CRIMINAL DISTRICT ATTORNEY, AGAINST ELIZABETH KOCIAN D/B/A BROADWAY VIDEO X CHANGE TO ENJOIN AND ABATE A PUBLIC NUISANCE LOCATED AT 2122 BROADWAY, SAN ANTONIO, BEXAR COUNTY TEXAS.

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

Mr. Steve Arronge, Assistant City Attorney, explained what the proposed ordinance will cause in bringing an alleged public nuisance lawsuit against an adult video store. He spoke to criminal activity in the immediate area, in contrast to the surrounding areas, and asked for City Council approval of the proposed ordinance. He further noted that the Police Department estimates that it has expended some \$22,000 in manpower costs, making criminal activity calls to this immediate area.

The following person appeared to speak:

Ms. Theresa Weaver, Citizens Against Pornography, spoke in support for the proposed ordinance requirements for such facilities, and noted this facility's failure to comply with those regulations.

* * * *

Ms. McClendon urged City Council support for the proposed ordinance, and spoke to criminal activity in the immediate area.

Mr. Solis spoke of this as landmark legislation to address the problems in neighborhoods.

In response to a question by Mayor Wolff, City Attorney Lloyd Garza noted that City Council will consider an ordinance on sexually-oriented businesses at next week's Council meeting.

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

95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,101

AUTHORIZING THE FILING OF A SUIT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES AGAINST MR. FRANK MASSEY AND ALAMO AUTO AUCTION, INC., FOR VIOLATIONS OF VARIOUS CITY CODE PROVISIONS IN CONNECTION WITH THE STORAGE, AUCTION, AND SALE OF VEHICLES AT 2719 FREDERICKSBURG ROAD.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the similarity between this case and the previous case just concluded, and spoke to the specifics of alleged violations and fines levied. He asked for Council support in enacting the proposed Ordinance, noting that the property owner has not filed for any zoning change.

The following persons appeared to speak:

Ms. Nevelyn Rice, 915 Shearer, spoke to the adverse impact of the auto business here, on the adjacent residential areas.

Mr. Roberto Hinkson, President, Monticello Park Neighborhood Association, spoke in support for the proposed ordinance.

Mr. Ross addressed the history of complaints against this property's current usage and its B-2 zoning history. He spoke to various alleged nuisances involved, noting that the firm is using residential property for business uses.

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

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95-17 City Clerk Norma S. Rodriguez briefly explained the need to appoint a Signature Verification Committee for the May 6, 1995 election.

The Clerk read the following Ordinance:

AN ORDINANCE 82,102

APPOINTING A SIGNATURE VERIFICATION COMMITTEE FOR THE REGULAR AND JOINT ELECTION TO BE HELD ON SATURDAY, MAY 6, 1995, AND DECLARING AN EMERGENCY.

* * * *

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

- - -
95-17 The Clerk read the following Ordinance:

AN ORDINANCE 82,103

AMENDING ORDINANCE NO. 81823, DATED MARCH 9, 1995, WHICH PROVIDED CITY SUPPORT TO A HARLANDALE CULTURAL ARTS EXHIBIT TO PROVIDE AN ADDITIONAL \$1,003.00 FROM THE MAYOR'S DISCRETIONARY ACCOUNT; AND DECLARING AN EMERGENCY.

Mr. Avila 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: Perez,

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

95-17

CITIZENS TO BE HEARD

MR. BILL LANE

Mr. Bill Lane, President of the Bexar County Wrecker Association and owner of Bill's Wrecker Services, spoke to the Council regarding a new law which became effective on January 1, which deregulated the wrecker industry. Nevertheless, city offices are still interfering with their businesses and he asked that the City be apprised and be made aware of this new law.

MS. PATSY CHEYNEY

Ms. Patsy Cheyney, spoke to the Council on the reasons which caused her to become a volunteer with the San Antonio Alliance for the Mentally Ill.

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio, spoke to the Council noting his exception to the San Antonio Express/News not including his photograph in their recently published Voter's Guide.

95-17 City Council recessed its regular meeting at 5:40 P.M. in order to convene in Executive Session.

Reconvene at 5:42 P.M. by Mayor Wolff at which time he announced that the City Council would convene in Executive Session for the purpose of receiving a briefing on the following:

1. Report and discussion of current status of Van de Walle Farms, et al vs. City of San Antonio;
2. Report and discussion of legal and environmental issues involved in the Hi-Lions Drainage Project;

3. Review of the legal limits in discussin the proposed sexually oriented business ordinance.

City Council adjourned the Executive Session and reconvened the regular meeting at 6:35 P.M., at which time Mayor Wolff announced that City Council had considered the above-listed items during Executive Session and had given City staff direction, but had taken no official action.

95-17 There being no further business to come before the Council, the meeting was adjourned at 6:36 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

