

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, DECEMBER
7, 1995.

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95-50 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, MARBUT, PEAK, WEBSTER, THORNTON.

A. Boards and Commissions Work Session - (1) Urban Renewal Agency, (2) Noise Abatement Advisory Committee, (3) AIDS/HIV Commission, (4) Metropolitan Transit Authority. City Council concurred to have all the nominees placed on the "A" Session agenda next week for formal consideration.

B. Convention Center Expansion Update - Design Update; Design Refinements and project schedule update. City Council gave staff direction to proceed.

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95-50 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, MARBUT, PEAK, WEBSTER, THORNTON. Absent: ROSS.

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95-50 Invocation - Father Enda McKenna, St. Leo's Catholic Church.

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95-50 Pledge of Allegiance to the flag of the United States.

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95-50 Minutes of the October 12, 1995 Regular City Council Meeting were approved.

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Mr. Peak spoke to the recent surgery undergone by Councilman Bob Ross, and stated that he would be circulating a special gift for

Council members to autograph.

95-50

DISTINGUISHED CITIZEN: MS. LINDA PACE

Mayor Thornton recognized a citizen of San Antonio who has dedicated her efforts to the promotion of the arts in San Antonio. He stated that Texas Monthly has recognized her for a \$10 million endowment made to the Pace Roberts Foundation for Contemporary Art, which she founded. He further stated that the Foundation operates a residency and exhibition program for the benefit of San Antonio artists, and brings artists of national and international distinction to our City. He noted that the program is doing wonders in contributing to the professional development of local artists, and in calling international attention to San Antonio as an important art center. He then introduced Ms. Pace, and asked her to come forward to be officially recognized for her dedication to her hometown and to the arts.

Mayor Thornton then read the formal award and presented it to Ms. Pace, congratulating her.

Ms. Pace thanked the Mayor and City Council for this award, and spoke briefly to the Foundation and its work.

95-50

ALCALDE PRESENTATION: MR. SHAWN SWEENEY

Mayor Thornton stated that Mr. Shawn Sweeney is the Texas Location Manager for the motion picture "Lolita", which will film in San Antonio later this month. He noted that Mr. Sweeney has worked on motion pictures such as To Wong Foo, Malcolm X, Jungle Fever, The Juror and The Money Train. He also noted that Mr. Sweeney, in his spare time, produces his own motion pictures, having just completed his first independent film entitled Brothers, which has received a Silver Award from the Charleston World Fest.

Mayor Thornton then presented Mr. Sweeney with an Honorary Alcalde Certificate.

Mr. Sweeney spoke to the background of the filming of "Lolita" in San Antonio over a four-week span, addressing plans for the use of a portion of downtown Houston Street as a key scene.

Mayor Thornton then stated that the City Council today has under consideration a proposed Ordinance closing certain streets for the making of the motion picture.

City Clerk Norma S. Rodriguez then read the following Ordinance:

AN ORDINANCE 83,236

AUTHORIZING THE TEMPORARY CLOSURE AND INTERMITTENT TRAFFIC CONTROL OF CERTAIN STREETS FROM 6:00 A.M. UNTIL 6:00 P.M., WEDNESDAY, DECEMBER 20, 1995 IN CONNECTION WITH THE FILMING OF A MOTION PICTURE BY LOLITA PRODUCTIONS.

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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, Avila, Solis, Herrera, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Ross.

95-50 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 7 through 26e, constituting the Consent Agenda, with the exception of Agenda Item 24, just enacted by City Council. Ms. Billa Burke 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, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: Ross.

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AN ORDINANCE 83,237

ACCEPTING THE LOW, QUALIFIED BID OF KENNEDY ASSOCIATES TO FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH PORTABLE TRUNKING RADIOS FOR A TOTAL \$5,480.32.

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AN ORDINANCE 83,238

ACCEPTING THE BID OF LAERDAL MEDICAL CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AUTOMATIC EXTERNAL DEFIBRILLATORS FOR A TOTAL OF \$62,250.00.

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AN ORDINANCE 83,239

ACCEPTING THE LOW BID OF ACCUTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH PARKING CONTROL HARDWARE FOR A TOTAL OF \$98,175.00. (MBE)

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AN ORDINANCE 83,240

ACCEPTING A PROPOSAL FROM AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN AN AMOUNT NOT TO EXCEED \$19,130.00, WITH AGRA EARTH & ENVIRONMENTAL SITE ASSESSMENT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$1,930.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,241

ACCEPTING THE LOW, QUALIFIED BID OF S.A. WINCO, INC. IN THE AMOUNT OF \$109,950.95 IN CONNECTION WITH THE W. FRENCH-NAVIDAD TO MARTINEZ CREEK COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$7,033.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,242

ACCEPTING THE LOW, QUALIFIED BID AND AWARDING A FACILITIES IMPROVEMENT AND MAINTENANCE PROGRAM (FIMP) FUNDED CONSTRUCTION CONTRACT TO 1904 CORPORATION, INC. IN THE AMOUNT OF \$187,600.00 IN CONNECTION WITH THE FRANK D. WING MUNICIPAL COURTS BUILDING ROOF RECOVER PROJECT; AUTHORIZING \$17,986.00 FOR MISCELLANEOUS CONSTRUCTION EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,243

ACCEPTING THE LOW, QUALIFIED BID AND AWARDING A 1994 GENERAL OBLIGATION STREET BONDS FUNDED CONSTRUCTION CONTRACT TO S. A WINCO, INC. IN AN AMOUNT OF \$708,384.57 IN CONNECTION WITH THE MARCUM - ARVIL TO ELMER PROJECT; AUTHORIZING \$43,251.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,244

SELECTING BARRON ENGINEERING, INC. TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE DESIGN OF AN APPROVED PETROLEUM PRODUCT REMOVAL SYSTEM AT THE FIRE DEPARTMENT AUTOMOTIVE SHOPS BUILDING; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$8,500.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,245

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$5,540.00 TO PURCHASE A PARCEL OF REAL PROPERTY KNOWN AS LOT B, NEW CITY BLOCK 2978, BEXAR COUNTY, TEXAS, TO BE USED FOR THE EXPANSION OF FIRE STATION NO. 13.

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AN ORDINANCE 83,246

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$3,000.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO THREE PARCELS IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63.

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AN ORDINANCE 83,247

AUTHORIZING A 25-YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO PATRIOT COMMERCE INVESTORS, L.P., FOR THE PURPOSE OF INSTALLING FOUR (4) NEW FLAGPOLES, ALONG WITH AND ADJACENT TO SIX (6) EXISTING PLANTERS ALREADY IN PLACE WITHIN THE PUBLIC RIGHT-OF-WAY LOCATED ALONG 111 SOLEDAD STREET.

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AN ORDINANCE 83,248

AUTHORIZING THE EXECUTION OF A CONTRACT WITH KEEP SAN ANTONIO BEAUTIFUL, INC. (KSAB) IN THE AMOUNT OF \$20,000.00 TO PROVIDE ASSISTANCE TO THE CITY OF SAN ANTONIO IN CONDUCTING NEIGHBORHOOD CLEAN-UP PROGRAMS; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT FROM THE SOLID WASTE OPERATING BUDGET.

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AN ORDINANCE 83,249

RATIFYING ACTIONS TAKEN BY STAFF AND APPROPRIATING FUNDS IN THE AMOUNT OF \$4,200.00 TO DUGGER, CANADAY, GRAFE & WOELFEL FOR SERVICES PERFORMED ON THE MARKET VALUE APPRAISAL OF THE FORMER MAIN LIBRARY AT 203 SOUTH ST. MARY'S STREET.

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AN ORDINANCE 83,250

AMENDING ORDINANCE NO. 81873 PASSED MARCH 16, 1995, TO ALLOW THE DEPARTMENT OF COMMUNITY INITIATIVES ELDERLY AND DISABLED SERVICES DIVISION TO CONTRACT WITH PROFESSIONAL NURSING SERVICES TO FULFILL THE CONDITIONS OF THE GRANT RECEIVED FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; APPROVING A REVISED BUDGET FOR FY 95/96; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND EXECUTE A CONTRACT WITH PROFESSIONAL NURSING SERVICES.

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AN ORDINANCE 83,251

AMENDING ORDINANCE NO. 82951, PASSED ON OCTOBER 5, 1995 AND RATIFYING STAFF'S ACTIONS IN EXECUTING A SUBCONTRACT WITH RICHARD HARRIS, PH.D. AND JUANITA M. FIRESTONE, PH.D. IN THE AMOUNT OF \$9,793.00 FOR A NEEDS ASSESSMENT OF AREA AIDS/HIV PATIENTS IN ACCORDANCE WITH THE AIDS RESOURCES GRANT PROJECT MANAGEMENT AGREEMENT; APPROVING PAYMENT TO SAID SUBCONTRACTORS AND AMENDING THE PROJECT BUDGET TO REFLECT THIS EXPENDITURE.

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AN ORDINANCE 83,252

AUTHORIZING THE ACCEPTANCE OF A BID FROM GARBAGE GOBLER, A DIVISION OF WASTE MANAGEMENT OF TEXAS, INC., TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FOR THE HERITAGE NORTHWEST AREA OF THE CITY AT A COST OF \$7.94 PER HOUSEHOLD PER MONTH FOR THE PERIOD FROM JANUARY 1, 1996 THROUGH DECEMBER 31, 1996; AUTHORIZING THREE ONE-YEAR OPTIONS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,253

AUTHORIZING THE ACCEPTANCE OF A BID FROM ALAMO WASTE INC. TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FOR THE LONGS CREEK AREA OF THE CITY AT A COST OF \$7.89 PER HOUSEHOLD PER MONTH FOR THE PERIOD FROM JANUARY 1, 1996 THROUGH DECEMBER 31, 1996; AUTHORIZING THREE ONE-YEAR OPTIONS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,254

AUTHORIZING A STREET CLOSURE AND WAIVER OF FEES FOR THE USE OF 3,963 SQUARE FEET OF RIGHT-OF-WAY FOR A PERIOD BEGINNING DECEMBER 16, 1995 AND ENDING APRIL 30, 1996, EXCLUDING SPECIAL EVENTS, IN ORDER TO FACILITATE THE RENOVATION OF THE CALCASIEU APARTMENTS LOCATED AT 212 BROADWAY.

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AN ORDINANCE 83,255

REAPPOINTING LEO PERRON, JR. (DISTRICT 8) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 1997.

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AN ORDINANCE 83,256

REAPPOINTING TANJA WADE (DISTRICT 8) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 1997.

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AN ORDINANCE 83,257

REAPPOINTING PAUL M. SMITH (MAYOR) TO THE KEEP SAN ANTONIO/BEXAR COUNTY BEAUTIFUL COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 1997.

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AN ORDINANCE 83,258

REAPPOINTING DEBORAH STEELE (DISTRICT 8) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1997.

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AN ORDINANCE 83,259

APPOINTING CORY THOMAS CLAIBORNE (DISTRICT 8) AS DIRECTOR OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE MAY 9, 1997.

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95-50 The Clerk read the following Ordinance:

AN ORDINANCE 83,260

AMENDING SECTION 25-6(e) OF THE CITY CODE TO INCREASE TRAFFIC ACCIDENT REPORT FEES FROM \$3.00 TO \$4.00 AND TO CREATE AN ACCIDENT REPORT CERTIFICATE FEE OF \$2.00.

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

Deputy Police Chief Jerry Pittman explained the new and increased fees for police accident reports.

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, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Ross.

95-50 The Clerk read the following Ordinance:

AN ORDINANCE 83,261

ACCEPTING THE LOW, QUALIFIED BID AND AWARDING A 1994 GENERAL IMPROVEMENTS BOND FUNDED CONSTRUCTION CONTRACT TO M.J. BOYLE GENERAL CONTRACTOR, INC. IN THE AMOUNT OF \$5,217,843.00 IN CONNECTION WITH THE RENOVATION OF THE CITY-OWNED PUBLIC SAFETY TECHNOLOGY CENTER; AUTHORIZING EXECUTION OF A CONTRACT; AUTHORIZING \$518,100.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$800.00 FOR ADVERTISING EXPENSES; AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING \$84,500.00 PAYABLE TO HESSON, ANDREWS AND SOTOMAYOR ARCHITECTS FOR CONSTRUCTION ADMINISTRATION SERVICES; APPROVING REIMBURSEMENT OF \$5,500.00 TO HESSON ANDREWS AND SOTOMAYOR ARCHITECTS FOR PRINTING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, explained the project to renovate the new Public Safety Technology Center and to also move the Information Services Department into that facility. He then spoke to the closeness of the bids received, and narrated a brief video presentation of the project.

In response to a question by Mr. Solis, Mr. German spoke to traffic planning on that portion of South Frio Street, considering this project and the upcoming construction of the University of Texas at San Antonio downtown campus nearby.

In response to a question by Mr. Webster, Police Chief Al Philippus discussed the backup police communication system.

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

95-50 The Clerk read the following Ordinance:

AN ORDINANCE 83,262

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT REVENUE BONDS NOT TO EXCEED \$3,945,000.00 TO PROVIDE FINANCING FOR LOW AND MODERATE INCOME HOUSING; AND DECLARING AN

EMERGENCY.

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

Ms. Frances Gonzalez, Special Projects Manager, explained the acquisition and rehabilitation of the apartment project.

Mr. Ted Cornwell, Executive Director, San Antonio Housing Trust, addressed the proposed work and its financing.

Mr. Solis, Chairman of the Council Housing Task Force, addressed the significance of affordable apartment housing and future plans for similar additional projects, asking for Council support for this proposed ordinance.

Ms. Billa Burke spoke in support for this project in her Council district.

In response to a question by Mr. Avila, Mr. Cornwell spoke to project costs indicating some \$117,000 for rehabilitation costs and \$3.4 million to acquire the property. He noted that no City general fund monies were involved.

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, Marbut, Peak, Thornton; NAYS: None; ABSENT: Ross, Webster.

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95-50 TRAVEL AUTHORIZATION - Granted:

Councilman Roger Flores to travel to Phoenix, Arizona from November 29, 1995 to December 3, 1995 to attend the National League of Cities Conference in Phoenix, Arizona.

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Councilman Robert Marbut to travel to Phoenix, Arizona from November 29, 1995 to December 2, 1995, to attend the National League of Cities Conference in Phoenix, Arizona.

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95-50 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to New York City, New York from December 09, 1995 to December 13, 1995 to attend a rating agency presentation.

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Councilman Robert A. Herrera, to travel to New York City, New York from December 09, 1995 to December 12, 1995, to attend the Bond Rating Meeting.

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Councilman Juan F. Solis, III, to travel to New York City, New York from December 09, 1995 to December 12, 1995, to attend the Bond Rating Meeting.

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Mr. John Shull, 1115 Old Lake Road, asked for trip costs and an explanation of why three persons are going on this trip.

Mr. Alexander E. Briseno, City Manager, explained the criticality of bond ratings to the City of San Antonio, and spoke to why each of the three persons going on this bond-rating trip were needed because of their particular expertise in projects to be funded by these bonds.

In response to a question by Mayor Thornton, Mr. Shull stated that he does not live inside the City of San Antonio, yet, but will be annexed into the City January 1, 1996 as part of the Heritage Northwest annexation package. He then spoke to why he is interested in this cost, speaking to his concern with economic expenditures.

Nora Chavez, Director of Finance, spoke to the importance of having a good bond rating, currently Double A for the City of San Antonio, and addressed planned visits to various bond rating agencies.

After consideration, the above travel authorization were granted.

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95-50 Agenda Item 32, being a proposed ordinance conveying Padre Park from the City to Bexar County within a sixty (60) day period and re-programming Community Development Block Grant (CDBG) funds totalling \$37,000.00 from the District 3 sidewalk fund to the extension of water and sewer lines for the community center to be constructed on Padre Park, as requested by Councilwoman Lynda Billa Burke, was earlier removed from consideration by the City Manager.
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95-50 The Clerk read the following Ordinance:

AN ORDINANCE 83,263

AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CITY OF SAN ANTONIO COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996, IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$9,520,000.00; AND DECLARING AN EMERGENCY.

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

Ms. Nora Chavez, Director of Finance, explained the use of the bond funds.

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

95-50

REPORT ON COUNCILMAN ROSS

Mayor Thornton stated that he had just spoken with Councilman Ross, who is recuperating following surgery, and reported that he is doing well.

95-50 The Clerk read the following Ordinance:

AN ORDINANCE 83,264

AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CITY OF SAN ANTONIO TAXABLE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996, IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$6,160,000.00; AND DECLARING AN EMERGENCY.

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

Ms. Nora Chavez, Director of Finance, explained the use of the bond funds.

After consideration, the motion, carrying with it the passage

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

95-50 Agenda Item 35 is a proposed ordinance approving the form, content and distribution of the offering documents, including Official Notices of Sale, Official Bid Forms, Issue Price Certificates, and Preliminary Official Statements pertaining to the issuance and sale of approximately \$35,330,000.00 "City of San Antonio, Texas General Improvement Bonds, Series 1996", approximately \$9,520,000.00 "City of San Antonio, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1996", and approximately \$6,160,000.00 "City of San Antonio, Texas, Taxable Combination Tax and Revenue Certificates of Obligation, Series 1996", (collectively, called the "Obligations"); authorizing the Director of Finance and the City's Co-Financial Advisors to open and evaluate all bids as set forth in the offering documents, and to prepare a recommendation based on said bids for final approval by the City Council.

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

Ms. Nora Chavez, Director of Finance, explained the need for this proposed ordinance to comply with legal requirements.

The following person appeared to speak:

Mr. Kenneth D. Wolf, 7701 Wurzbach Rd., spoke in support for the proposed ordinance.

In response to Mr. Solis' question of whether or not the current injunction issued concerning the Brady Building would affect this matter, Ms. Rebecca Waldman, Assistant to the City Manager spoke to the use of these funds to renovate the Majestic and Empire Theaters, and stated that she would look into Mr. Solis' question.

A brief discussion ensued concerning the possible impact of the injunction in question.

After discussion, it was the concensus of City Council members present to temporarily postpone further consideration of this matter until later in this meeting.

(See Page 15.)

The Clerk read the following Ordinance:

AN ORDINANCE 83,265

APPROVING A FINANCING UNDERWRITERS SYNDICATE WHICH SHALL INCLUDE SMITH BARNEY, SENIOR MANAGER; MASTERTSON MORELAND SAUER WHISMAN, INC. CO-SENIOR MANAGER; AIBC INVESTMENT SERVICES CORPORATION, ARTEMIS CAPITAL GROUP, CO-MANAGERS; A.G. EDWARDS & SONS INC., HOWARD GARY & COMPANY, RAUSCHER PIERCE REFSNES, INC., CO-MANAGERS; BEAR STEARNS, GOLDMAN SACHS, GRIGSBY BRANDFORD & CO. INC., SOUTHWESTERN CAPITAL MARKETS, INC., CO-MANAGERS;; APEX SECURITIES, INC., J.M. WILLIAMS, INC., M.R. BEAL & CO. INC., CO-MANAGERS AND SELLING GROUP; ALEX BROWN & SONS, INC., BANK AMERICA, CHEMICAL SECURITIES INC. HARVESTONS SECURITIES, INC., J.P. MORGAN SECURITIES INC., LEHMAN BROTHERS M.E. ALLISON & CO., INC., MERRILL LYNCH, MORGAN STANLEY & CO., INC., PRUDENTIAL SECURITIES, AND SOUTHWEST SECURITIES, INC. SELLING GROUP TO ASSIST THE CITY'S FINANCING TEAM IN CONNECTION WITH A DEBT FINANCING TEAM IN CONNECTION WITH A DEBT FINANCING OF THE CITY'S CONVENTION CENTER EXPANSION PROJECT.

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

Ms. Nora Chavez, Director of Finance, detailed the selection process and criteria used to rate prospective members of the Financing Underwriters Syndicate, and spoke to how it would function on behalf of the City. She then addressed the advantages of having such a syndicate.

Mayor Thornton thanked City staff for being attentive to the City Council's concerns.

Mr. Solis addressed the breakout of the syndicate firms and their importance, noting that this is a good opportunity for small, minority and women-owned business enterprises in the banking industry, noting that the City is not losing anything in quality by this selection.

Ms. McClendon spoke in support for Mr. Solis' remarks, and thanked the City Manager for his leadership in this area.

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, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Ross.

95-50 City Council recessed its regular session at 2:12 P.M. in order to convene in Executive Session for:

A. Update on Alamodome and Convention Center lease terms with the National Basketball Association (NBA) for presentation of the 1996 All-Star Game on February 7-12, 1996.

B. Briefing on procedures for conducting an appeal to the City Council from the denial of a request for a type "A" Nonconforming Use Rights for a sexually oriented business and the legal implications involved.

C. Staff briefing on the legal implications of a CPS Agreement for A Fiber Optic Network.

95-50 City Council adjourned the Executive Session and reconvened in the regular session at 4:30 P.M., at which time Mayor Thornton announced that the City Council had given City staff direction on the items discussed, but had taken no official action.

AGENDA ITEM 35 (CONTINUED)

It was the concensus of City Council members present to again undertake consideration of previously-postponed Agenda Item 35 at this time.

Mayor Thornton stated that the Council's previous questions concerning this matter have now been answered.

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

AN ORDINANCE 83,266

APPROVING THE FORM, CONTENT AND DISTRIBUTION OF THE OFFERING DOCUMENTS, INCLUDING THE OFFICIAL NOTICES OF SALE, OFFICIAL BID FORMS, ISSUE PRICE CERTIFICATES, AND PRELIMINARY OFFICIAL STATEMENTS PERTAINING TO THE ISSUANCE AND SALE OF APPROXIMATELY \$35,330,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1996" APPROXIMATELY \$9,520,000.00 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996", AND APPROXIMATELY \$6,160,000.00 "CITY OF SAN ANTONIO, TEXAS TAXABLE COMBINATION TAX AND

REVENUE CERTIFICATES OF OBLIGATION, SERIES 1996",
(COLLECTIVELY, CALLED THE "OBLIGATIONS");
AUTHORIZING THE DIRECTOR OF FINANCE AND THE CITY'S
CO-FINANCIAL ADVISORS TO OPEN AND EVALUATE ALL BIDS
AS SET FORTH IN THE OFFERING DOCUMENTS, AND TO
PREPARE A RECOMMENDATION BASED ON SAID BIDS FOR
FINAL APPROVAL BY THE CITY COUNCIL.

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95-50

ANNEXATION ACTIONS

The City Clerk read the Second and Final Reading of the following Ordinance:

AN ORDINANCE 83,132

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 2,770 ACRES OF LAND KNOWN AS THE LONGS CREEK AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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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, Webster, Thornton; NAYS: None; ABSENT: Ross, Marbut.

The City Clerk read the Second and Final Reading of the following Ordinance:

AN ORDINANCE 83,133

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 7 ACRES OF LAND KNOWN AS THE FLYING "J" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

The City Clerk read the proposed Second and Final Reading of an ordinance providing for the extension of the San Antonio City Limits by the annexation of approximately 800 acres of land known as the Foster Ridge/Lancer Area Property and approving a service plan for such area.

Ms. McClendon, Chairwoman of the Council's Annexation Committee, made a motion to remove this proposed ordinance from the annexation plan for 1995. Mr. Peak seconded the motion.

Mr. David Pasley, Director of Planning, explained the proposed action, stating that it was because of certain economic concerns of the Department of Economic Development has with possible conflicts between the Enterprise Zones involved, both City and County.

After consideration, the motion to remove this proposed ordinance from the annexation plan for 1995 prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Peak, Webster, Thornton; NAYS: None; Billa Burke, Ross, Marbut.

The City Clerk read the Second and Final Reading of the following Ordinance:

AN ORDINANCE 83,135

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,307 ACRES OF LAND KNOWN AS THE SW 410 AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

The City Clerk read the Second and Final Reading of the following Ordinance:

AN ORDINANCE 83,136

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,310 ACRES OF LAND KNOWN AS THE HERITAGE NW AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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

The City Clerk read the Second and Final Reading of the following Ordinance:

AN ORDINANCE 83,137

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 33.28 ACRES OF LAND KNOWN AS THE SEVEN POINTS NORTH PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

95-50 The Clerk read the following Resolution:

A RESOLUTION NO: 95-50-62

ADOPTING THE INITIAL BASE ADJUSTMENT STRATEGY COMMITTEE'S STRATEGIC PLAN FOR THE REDEVELOPMENT OF KELLY AIR FORCE BASE.

* * * *

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

Mr. Paul Roberson, Director, Office of Defense Transition, noted that the Strategic Plan was presented to City Council in its entirety during a previous "B" Session, and he recommended its approval, with the called-for Local Redevelopment Authority (LRA) to execute the Strategic Plan.

Mr. Solis spoke to the culmination of the detailed plan for the redevelopment of Kelly Air Force Base following the decision of the Base Realignment & Closure Commission decision to close the base. He thanked all concerned for this concensus plan for the community, noting that the overall plan is for San Antonio no longer to rely on the military as its number-one employer and industry.

The following individuals then appeared to speak:

Ms. Yolanda A. Johnson, 3859 Bay Street, representing the Commission For Environmental Justice Action, reminded Council that her group has environmental concerns for fuels contamination of Kelly AFB property which is to be turned over to the City of San Antonio by the federal government.

Mr. Solis noted that the City will not accept any contaminated areas from the federal government, and stated his willingness to work with this group on its concerns.

Ms. Virginia Castillo, 3824 Bay Street, stated that she has been ill because of the contamination from a dump near Kelly's fuels area, and spoke to the need to rid this area of its fuel tanks.

Mr. Chavel Lopez, representing the Southwest Workers Union, stated that his group is not in agreement with the 30-year cleanup plan for Kelly's contaminated areas, and stated that a health survey of the nearby residential area revealed many illnesses among its residents. He stated that flumes of fuel have appeared beneath some nearby homes, and stated his belief that it was a mistake to place fuel storage tanks near residential areas. He expressed fear that the Air Force will not move the tanks in question, and that no cleanup will take place in off-base areas. He staged his opinion that the cleanup plan is not adequate.

Ms. Maria Dominguez spoke to her concern with privatization of Kelly Air Force Base, if only cheap labor is involved.

Mr. Bob Sanchez, representing the South San Antonio Chamber of Commerce, thanked the City Council for his opportunity to serve on the IBASC Committee, and spoke to the future of the Kelly area.

Mr. Duane Wilson, representing the North San Antonio Chamber of Commerce, thanked the Council and staff for the work of the IBASC Committee, and spoke in support for the proposed Resolution.

* * * *

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

95-50 The Clerk read the following Resolution:

A RESOLUTION NO: 95-50-63

ADOPTING AN INDEPENDENT, NOT FOR PROFIT STRUCTURE AS THE LOCAL REDEVELOPMENT AUTHORITY, TO BE KNOWN AS "THE GREATER KELLY DEVELOPMENT CORPORATION." WHICH SHALL BE CHARGED WITH THE DUTY OF OVERSEEING THE REDEVELOPMENT OF KELLY AIR FORCE BASE.

* * * *

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

Mr. Paul Roberson, Director, Office of Defense Transition, narrated a brief video presentation concerning the proposed seven-member Local Redevelopment Authority (LRA). A copy of his presentation is made a part of the papers of this meeting.

In response to a question by Mr. Peak, Mr. Roberson spoke to the appointment process and time-line involved, noting that the process must follow that dictated by the City's Ethics Ordinance. A copy of his memorandum on this matter is made a part of the papers of this meeting.

Mr. Webster highlighted the plan for the LRA and its apolitical nature.

Mr. Solis noted that the LRA members will answer to the requirements of the City's Ethics Ordinance.

Ms. McClendon noted that this will be one of the city's most important boards, and she spoke to her concept of the king of person she would like to see appointed to that board.

Mayor Thornton spoke in support for the comments made, relative to this issue, and stated that nominations for this board must be made this coming week, with applications and resumes being turned in to City Council members, in order to have a vote on the LRA membership at the December 21, 1995 City Council meeting.

After consideration, the motion, carrying with it the passage

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

95-50

CITY MANAGER'S REPORT

PROPERTY TAXES IN SAN ANTONIO

Mr. Alexander E. Briseno, City Manager, narrated a brief video presentation concerning the City's property taxes, speaking to a recent newspaper report that stated that San Antonio has the highest property taxes in the state. He distributed copies of this report for City Council consideration, stating that the report is misleading. He then spoke to details involved, in support of his contention. He addressed San Antonio's senior citizen property tax exemptions, noting that, in reality, San Antonio has the second-lowest property tax level in the state. He noted that "in conclusion, although the total property tax burden may be higher than other major Texas cities, the City of San Antonio has made every effort to keep the tax rate low as evidenced by the fact that only 21% of the total Bexar County tax burden is assessed by the City. In addition, any new revenue from improvements over the past five years has been dedicated to Public Safety which is the highest priority of the City Council."

Mr. Peak stated his opinion that the newspaper article in question, which ran last Sunday, was, at best, incomplete. He noted that the City of San Antonio's share of the overall tax bill is very small, in comparison to other portions of that bill.

95-50

STAFF REORGANIZATION

Mr. Alexander E. Briseno, City Manager, distributed copies of his staff memorandum of certain changes he has made recently, readjusting certain responsibilities and making other changes. A copy of those changes is made a part of the papers of this meeting.

95-50

NEW HUMAN RESOURCES DIRECTOR

Mr. Alexander E. Briseno, City Manager, announced the selection of the City's new Human Resources Director, Ms. Mary Jo McCabe, currently the Personnel Director for the County of Bexar.

Mr. Solis announced the procedures to be followed for nomination of potential members to the Local Redevelopment Authority (LRA), including the fact that all applications are due not later than 4:30 P.M. on Wednesday, December 13, 1995.

CITY PUBLIC SERVICE FIBER OPTIC NETWORK CONTRACT

Mr. Royce Caldwell, 3 Haverhill Way, President, Southwestern Bell operations for a five-state area, spoke to City Public Service's planned fiber optic network and contract with a Canadian firm for use of certain portions of that fiber optic network. He spoke to his concern that the City will be in business competition with private business in this matter, and he spoke to certain requirements imposed by the most recent state legislative session, including certain limitations. He stated his belief that the legislation in question provides that cities cannot directly or indirectly compete with telephone companies, and he spoke to the CPS network plans. He stated his opinion that this contract is illegal and violates state law and its intent. He noted his belief that major policy matters are involved here, and asked that the project halt until the matter is explored, legally. He asked the City Council place an item on its agenda for next week's meeting to explore this, and expressed his opinion that CPS is not separate from the City. He then spoke to a letter from Mr. Tom Frost, Frost National Bank, and read it verbatim. A copy of the letter is made a part of the papers of this meeting.

Ms. Gloria Parra, representing the Communication Workers of America local union, emphasized the need to keep Southwestern Bell's good jobs in San Antonio. She asked that this issue be resolved and its legality determined, and she spoke to Southwestern Bell's record of community work.

Ms. Teresa Cantu, also representing the CWA local union, spoke to Southwestern Bell's commitment to quality, and spoke to her belief that the City is legally liable if the planned CPS contract is found to be illegal. She stated her opinion that litigation in this matter would simply waste money.

State Representative Robert Puente, District 19, asked the City Council to explore, study and debate this issue, and he spoke to the need to ask the State Attorney General for an opinion in this matter, citing House Bill 3128. He expressed his view that municipalities should not get involved in competition with private companies, and stated his opinion that the City Council should allow time to explore the matter of CPS getting into the telecommunications business.

Mr. Jim Calloway, Vice President/General Manager, Southwestern Bell, spoke to his community work, stating his belief that the last thing that San Antonio needs is a controversy, while he is recruiting new businesses for the City as chairman of the Economic Development Foundation. He spoke against bringing the City into competition with private business, and asked that a public hearing be held on this issue, stating his belief that the public needs to hear all sides.

Mayor Thornton asked that Mr. Calloway join him and the CPS Board Chairman in meeting with the editorial board of the Express-News. He spoke to CPS' degree of autonomy, in relation to the City Council, and spoke to their relationship. He then spoke to CPS' dialogue with telecommunications providers, including Southwestern Bell, concerning this fiber optic network, and read from a December 7, 1994 letter from CPS to Southwestern Bell, asking SWB's interest in this planned network. He then read from other documents provided by CPS, citing talks held with SWB representatives on this matter. He stated that in October, 1995, a group of firms reached agreement, and a public hearing was set, at which some 18 individuals and organizations testified. He noted that Southwestern Bell was not at the CPS meeting or at the public hearing. He further noted that, later, City of San Antonio officials looked at the proposed agreement and made certain changes; then, the CPS board voted unanimously on the matter and the contract was signed. He stated his belief that the Attorney General will not rule on this issue, now that the contract has been signed, and questioned what options are available to the City Council. He emphasized the process has been underway for a year, and stated his belief that it is unfair to say that no public hearing was held on this matter.

Mr. Caldwell spoke to the differences between what CPS had originally planned and what came about in this matter, noting that Southwestern Bell wrote a letter to the CPS board and explained why SWB could not participate in the public hearing. He expressed his belief that it is unfair to tell Southwestern Bell employees that its top management did not participate.

Mayor Thornton asked that Southwestern Bell be supplied with the documents provided him by CPS.

Ms. McClendon spoke to an Executive Session held on this topic several weeks ago, and spoke to her desire that CPS go out to bid on this contract, noting that she now finds that the contract has been signed. She noted that it will take six signatures of City Council members on a memorandum to place another public hearing on this matter on the agenda, and questioned what can be done, now that the contract has been signed.

Ms. Billa Burke spoke to her desire for CPS to make processes such as this more open to the public, and hopes for better dialogue and public participation on this issue.

Marbut stated that he is uncertain what can be done, since the contract has been signed.

Mr. Lloyd Garza, City Attorney, stated his opinion that it would possibly be a breach of contract to change it now.

Mr. Calloway then read from a contract term that he stated he feels leaves an 'out' in this matter.

A discussion then ensued concerning the City's belief that a franchise is not needed in this case, and how the matter of a 'franchise' will be determined.

In response to a question by Mr. Marbut, Mr. Garza spoke to how a franchise can be declared, and the possible effect that action would have on this contract.

- - -
MR. KARL WURZ

Mr. Wurz, 820 Florida, spoke to the topic "Beware Leon Creek Water Supply Corporation's Trojan Horse Greek Gift", and spoke to the impact of the growth of development over the Edwards Aquifer recharge zone. A copy of his statement is made a part of the papers of this meeting.

- - -
MR. RAYMOND HERNANDEZ

Mr. Hernandez, representing AITSCM, spoke to the Council about their concern with reopening of Alamo Plaza East for special interest groups, noting that his organization is concerned that this will lead to a full reopening of the street in front of the Alamo for use by parades. He also stated his belief that the burial grounds beneath the street should be identified and venerated, and asked that the burial grounds be included in the existing ordinance.

- - -
MR. DON WILKINS CASTILLO

Mr. Castillo spoke to the Council about his concern with the proposed privatization of the County Jail, and asked the Mayor and Council to write letters to Bexar County Commissioners Court on this matter. He then spoke to the need for stiff prison terms for youths committing felonies.

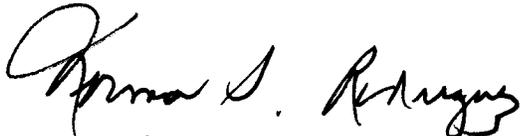
95-50 There being no further business to come before the Council, the meeting was adjourned at 6:19 P.M.

A P P R O V E D



M A Y O R

Attest:



city clerk



December 07, 1995

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

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

November 2, 1995 Petition submitted by Ms. Lois M. Cinello, 351 Jennings Avenue, San Antonio, Texas 78225, on behalf of concerned neighbors, requesting that the City of San Antonio investigate and enforce zoning at 355 Jennings Avenue.

November 15, 1995 Petition submitted by Rudolfo G. and Gloria Martinez, 6059 Glade Valley, San Antonio, Texas 78242, requesting that the City of San Antonio re-route the Via Bus Route and repair their street.

November 20, 1995 Petition submitted by Mr. Charlie Bobbish, High Country Homeowners Association, 5614 Misty Glen, San Antonio, Texas 78247, on behalf of concerned neighbors, requesting that the City of San Antonio install either "No Parking" or "30 Minute Parking Only" signs on both sides of Lost Creek Street from Judson Road to Cypress Park Street.

**/s/ Norma S. Rodriguez
City Clerk**