

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, MAY 30,
1996.

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96-22 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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96-22 Invocation - Chaplain George Schwanenberg, San Antonio Police Department and FBI.

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96-22 Pledge of Allegiance to the flag of the United States.

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96-22 Minutes of the May 2, 1996 Regular City Council meeting were approved.

96-22 MERIT AWARD FOR OUTSTANDING ARCHITECTURAL DESIGN-COUNCIL CHAMBERS

Mayor Thornton stated that the new City Council Chambers recently received a Merit Award for Outstanding Architectural Design from the San Antonio Chapter of the American Institute of Architects. He noted that Mr. Michael Beaty of Beaty Saunders Architects is present in Council Chambers today to present the award to the City.

Ms. Rebecca Waldman, Assistant to the City Manager, thanked City staff members and architects involved for their efforts in creating the new City Council Chambers.

Mr. Beaty then presented the award to the City.

Mayor Thornton spoke to details of the development of the new Council Chambers and its usage over the past year, lauding the functional and architectural design involved. He then recognized former Mayor Nelson Wolff for his leadership role in developing the new City Council facility.

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96-22 "PURA VIDA PASEO DE ESTRELLAS (WALK OF STARS) DAY"

Mayor Thornton noted that Market Square is beginning a new tradition with creation of a "Walk of Stars", and stated that noted Tejano music stars Lydia Mendoza and Little Joe Hernandez are being recognized with the first 'stars' to be placed on the walk in Market Square. He further noted that the new stars will be unveiled on June 3, 1996.

Ms. Maria Rosales, representing Mi Tierra Restaurant, addressed details of the idea for a "Walk of Stars" at Market Square.

Mr. Waldo Cedillo, Chairman of the Pura Vida Awards Committee, elaborated on the event's development and its planned June 3, 1996 celebration.

Mr. Flores then read the formal Proclamation designating "Pura Vida Paseo de Estrellas Day" in San Antonio, and presented it to representatives of the sponsoring group. He also stated that this should be an annual event.

Mayor Thornton spoke to his hopes for full development of Market Square as a venue for musical talent in San Antonio.

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96-22 SOUTH SAN WEST CAMPUS "OUTWARD BOUND" GROUP

Mr. Avila recognized the presence in the audience today of a group of students from South San West Campus High School, part of an "Outward Bound" group, and welcomed them to City Hall.

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96-22 CONSENT AGENDA

Mr. Flores made a motion to approve Agenda items 7 through 23, constituting the Consent Agenda, with Agenda Item 18 having earlier been removed from consideration by the City Manager, and Agenda Items 11, 13 and 16 having been pulled for individual consideration. Mr. Webster seconded the motion.

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

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AN ORDINANCE 84,167

ACCEPTING THE LOW BID OF SOUTHERN STATES FIRE APPARATUS MANUFACTURING, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH OFF-ROAD FIRE FIGHTING EQUIPMENT FOR A TOTAL OF \$52,340.00.

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AN ORDINANCE 84,168

ACCEPTING THE PROPOSAL OF THE CARL CORPORATION FOR THE RENEWAL OF A LIBRARY DATABASE LICENSE AGREEMENT FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF APPROXIMATELY \$79,500.00 ANNUALLY.

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AN ORDINANCE 84,169

ACCEPTING THE LOW BID OF INTERNATIONAL LIBRARY FURNITURE TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY SHELVING FOR A TOTAL OF \$111,291.50 AND APPROPRIATING FUNDS.

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AN ORDINANCE 84,170

CANCELING THE CONTRACT OF ACME UNIFORM RENTAL FOR DUST CONTROL SERVICES AND AWARDED A NEW CONTRACT TO MISSION UNIFORM & LINEN FOR A TOTAL OF \$6,500.00 ANNUALLY. (WBE) (AMENDS ORDINANCE NO. 80269 DATED JUNE 9, 1994)

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AN ORDINANCE 84,171

ACCEPTING THE LOW QUALIFIED BID AND ADDITIVE ALTERNATE 1 OF ROBERTS CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$449,859.00 FOR CONSTRUCTION OF AN EXPANSION TO THE SONNY MELENDREZ COMMUNITY CENTER AT MONTERREY PARK; AUTHORIZING A CONSTRUCTION CONTRACT FUNDED FROM 1994 PARKS GENERAL OBLIGATION BOND FUNDS; AUTHORIZING THE TRANSFER OF FUNDS AND AMENDMENT OF THE PROJECT BUDGET; AUTHORIZING \$22,493.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, AND BID ADVERTISING; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,172

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$34,184.00 PAYABLE TO ROSSON BUILDERS, INC. IN CONNECTION WITH THE COLLINS GARDEN BRANCH LIBRARY RENOVATION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AMENDING THE CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$12,000.00; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 82534 DATED JULY 27, 1995)

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AN ORDINANCE 84,173

AUTHORIZING AN ADDITIONAL \$2,000.00 PAYABLE TO REYNA AND ASSOCIATES ARCHITECTS, INC. AND AMENDING THE PROJECT BUDGET IN CONNECTION WITH THE WESTFALL BRANCH LIBRARY ADDITION AND RENOVATION PROJECT. (AMENDS ORDINANCE NO. 78234 DATED JULY 1, 1993)

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AN ORDINANCE 84,174

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE CONTRACT FOR AN AMOUNT NOT TO EXCEED \$3,000.00 WITH HARVEY S. TAMON, MAI, FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE EVERS ROAD PROJECT - GLEN RIDGE TO DAUGHTRY DRIVE (METROPOLITAN PLANNING ORGANIZATION PROJECT); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,175

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$105,700.00 OUT OF 1994 GENERAL OBLIGATION DRAINAGE BONDS (SOLD IN 1996) TO PURCHASE FEE SIMPLE TITLE TO A HOUSE AND LOT AT 10611 MARY KNOLL (LOT 30, BLOCK 1, NEW CITY BLOCK 13214, BEXAR COUNTY, TEXAS) IN CONNECTION WITH THE DREAMLAND AREA PROPERTY ACQUISITION PROJECT.

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AN ORDINANCE 84,176

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$90,500.00 OUT OF 1994 GENERAL OBLIGATION DRAINAGE BONDS (SOLD IN 1996) TO PURCHASE FEE SIMPLE TITLE TO A HOUSE AND LOT AT 10406 AULDINE (LOT 3, BLOCK 10, NEW CITY

BLOCK 13223, BEXAR COUNTY, TEXAS) IN CONNECTION WITH
THE DREAMLAND AREA PROPERTY ACQUISITION PROJECT.

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AN ORDINANCE 84,177

AUTHORIZING PAYMENT TO DUGGER, CANADAY, GRAFE &
WOELFEL FOR APPRAISAL SERVICES IN THE AMOUNT OF
\$2,200.00 AND AUTHORIZING PAYMENT TO DAVIDSON &
TROILO FOR LEGAL SERVICES IN THE AMOUNT OF \$5,348.02
IN CONNECTION WITH THE CHERRY STREET DRAINAGE
PROJECT #15B, PHASE II; APPROPRIATING FUNDS; AND
PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,178

AUTHORIZING PAYMENT TO STEWART TITLE COMPANY FOR
TITLE SERVICES IN THE AMOUNT OF \$1,116.00 AND
AUTHORIZING PAYMENT TO CASAGRANDE APPRAISALS FOR
APPRAISAL SERVICES IN THE AMOUNT OF \$200.00 IN
CONNECTION WITH THE DREAMLAND OAKS AREA PROPERTY
ACQUISITION PROJECT; APPROPRIATING FUNDS; AND
PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,179

AUTHORIZING PAYMENT TO A & E REPROGRAPHICS SUPPLIES,
INC. FOR ENGINEERING SERVICES IN THE AMOUNT OF
\$450.00 IN CONNECTION WITH THE COMMERCE STREET
PROJECT - BOWIE TO RAILROAD TRACKS; APPROPRIATING
FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,180

AUTHORIZING PAYMENT TO STEWART TITLE COMPANY FOR
TITLE SERVICES IN THE AMOUNT OF \$439.00 IN
CONNECTION WITH THE M.H. ZARZAMORA PROJECT -
CULEBRA ROAD TO WEST COMMERCE STREET, A METROPOLITAN
PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS;
AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,181

AMENDING ARTICLE III (HELIPORTS, HELISTOPS) OF CHAPTER 3 (AIRPORTS) OF THE CITY CODE SO AS TO DELETE CERTAIN PRESENT PROVISIONS THEREIN AND TO ADOPT CERTAIN NEW AND ADDITIONAL PROVISIONS REGARDING HELIPORTS AND HELISTOPS AND PROVIDING A PENALTY NOT EXCEEDING \$200.00 FOR VIOLATION THEREOF (AMENDS CHAPTER 3 OF CITY CODE AND ORDINANCE NO. 63553 DATED AUG. 28, 1986)

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AN ORDINANCE 84,182

APPROVING A FIREWORKS DISPLAY TO BE HELD AT ALAMO STADIUM ON SATURDAY, JUNE 15, 1996, AT APPROXIMATELY 9:00 P.M. IN CONJUNCTION WITH THE CLOSING CEREMONIES OF THE INNER-CITY GAMES OF SAN ANTONIO.

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,183

ACCEPTING THE LOW QUALIFIED BID OF SHERRY RICHARDSON RESOURCES, INC. IN THE TOTAL AMOUNT OF \$273,000.00 FOR CONSTRUCTION OF AN EXPANSION TO THE RAMIREZ COMMUNITY CENTER IN ARNOLD PARK; AUTHORIZING A CONSTRUCTION CONTRACT FUNDED FROM 1994 PARKS GENERAL OBLIGATION BOND FUNDS; AUTHORIZING THE TRANSFER OF FUNDS AND REVISION OF THE PROJECT BUDGET; AUTHORIZING \$27,300.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; ENCUMBERING FUNDS FOR THE CONSTRUCTION CONTRACT, CONSTRUCTION CONTINGENCY EXPENSES, BID ADVERTISING, AND PARK MATERIALS; AND PROVIDING FOR PAYMENT.

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

Mr. Avila spoke to the importance of this project to the community and to Communities Organized For Public Service (COPS).

Mr. Ron Darner, Director of Parks & Recreation, provided details of the construction, which he estimated would be completed within five to six weeks.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,184

ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES COMPANY, INC. IN THE AMOUNT OF \$824,230.55 IN CONNECTION WITH THE FORTUNA - PARKSIDE TO ACME, PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$39,427.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$16,000.00 PAYABLE TO BAIN MEDINA BAIN, INC. FOR PROFESSIONAL SERVICES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 80610 DATED AUGUST 11, 1994)

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

In response to a question by Mr. Herrera, Mr. Clarence Daugherty, Assistant Director of Public Works, spoke to details of the project and its completion timetable of some eight months.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,185

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$19,863.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING FEE SIMPLE TITLE TO FOUR PARCELS IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C AND ACQUIRING FEE SIMPLE TITLE TO THREE PARCELS IN CONNECTION WITH THE CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD.

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

In response to a question by Mr. Herrera, Mr. Clarence Daughterty, Assistant Director of Public Works, spoke to details of the projects involved and their timeframe for completion, estimating that time to be about one month.

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

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96-22

SWEARING-IN FOR NEW MAYOR PROTEM

Mayor Thornton spoke of the change-over in the terms of the Mayor Pro Tem from Mr. Ross to Ms. McClendon, and thanked Mr. Ross for his months of service in this position.

City Clerk Norma S. Rodriguez then administered the Oath of Office to incoming Mayor Pro Tem Ms. McClendon, and congratulated her.

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SUMMER RECREATION SITES

96-22 Mr. Ron Darner, Director of Parks & Recreation, explained the Summer Recreation Program, to be held at some 23 sites this year.

In response to a question by Mr. Avila, Mr. Darner explained the distribution of Summer Recreation program sites around the city.

In response to a question by Mr. Solis, Mr. Darner noted that the total number of sites represents a 25 per cent decrease from the previous year. He noted that no federal funds are involved, and that funding from the City's general fund is less this year.

Mr. Solis addressed his concern with the decrease, when 'youth issues' are the Council's top priority this year, and when summer time is a critical time for youth.

Mr. Rolando Bono, Assistant City Manager, spoke to the need to explore the issue further, to see if the difference can possibly be made up. He noted that staff is cognizant of the Council's priorities.

Mr. Darner spoke to program's funding over the past four years and the loss of United Way funding as well as federal funding, leading to the use of City general fund dollars for this purpose.

Mr. Solis spoke to his desire to have more funding for the Summer Recreation Program next year, if 'youth issues' remain the

Council's top priority item.

Mr. Webster thanked Mr. Darner for the site distribution around the city.

A representative of the Parks & Recreation Department's youth programs then spoke to details of the various events planned for the Summer Recreation program.

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

In response to a question by Mr. Herrera, Mr. Darner addressed details of the Night Owl Program and its estimated attendance, then spoke to details of security planned at the various sites by the various school districts involved. He then spoke to details of the general fund expenditures.

Mr. Flores spoke to his desire to see more monies placed into this program, but recognized that the City is doing the best it can with the funds involved. He asked Mr. Bono to look into the funding matter.

In response to a question by Mr. Ross, Mr. Darner noted that most of the funding is to pay for personnel at the various sites.

Mr. Ross asked that City staff be directed to find the additional \$25,000 to make up the difference between funding for last year and this year.

Mr. Solis asked that the Ordinance as presented be enacted today, and that staff return in one week on the matter of additional funding.

Mr. Bono stated that the goal will be to match last year's funding amount.

The Clerk then read the following Ordinance:

AN ORDINANCE 84,186

AUTHORIZING STANDARD CITY OPERATING AGENCY CONTRACTS WITH TWELVE (12) COMMUNITY BASED ORGANIZATIONS TO OPERATE TWENTY-THREE (23) SUMMER RECREATION SITES IN CONNECTION WITH THE DEPARTMENT OF PARKS AND RECREATION'S 1996 SUMMER RECREATION PROGRAM FOR A TOTAL OF \$75,000.00; AND AUTHORIZING PAYMENT TO THE ORGANIZATIONS FOR SERVICES PROVIDED UNDER SAID CONTRACTS.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,187

AUTHORIZING THE CITY MANAGER TO FILE AN EXPANSION APPLICATION WITH THE U.S. DEPARTMENT OF COMMERCE FOREIGN TRADE ZONES BOARD (USDOC-FTZB); AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION AND TO NEGOTIATE "GRANTEE/PROPERTY OWNER AND/OR OPERATOR AGREEMENTS" AND ANY OTHER AGREEMENTS ASSOCIATED THEREWITH.

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

Mr. Clint Bolden, Director of Economic Development, narrated a video presentation of the proposed Expansion Application with the U.S. Department of Commerce Foreign Trade Zones Board, a copy of which is made a part of the papers of this meeting. He briefly outlined the City's Foreign Trade Zone program and proposed approval action by City Council today.

Mr. Solis spoke in concurrence with the requests and spoke to the need for the Foreign Trade Zone designation for Kelly Air Force Base and the former van de Walle properties nearby.

In response to a question by Mr. Ross, Mr. Bolden and Ms. Madeline Hamel, Economic Development Manager, compared Foreign Trade Zones in San Antonio, Houston and Dallas, noting that addition of Kelly Air Force Base as a Foreign Trade Zone would make San Antonio the largest FTZ area in the nation.

Mr. Ross stated that the FTZ is a necessary economic tool for San Antonio.

In response to a question by Ms. McClendon, Mr. Bolden spoke to the current status of MSAS Cargo Inc in the Coliseum Center, stating that the firm will have up to 250 employees by the end of this year.

Ms. McClendon noted that more manufacturing is coming to the city's east side, and expressed her satisfaction with the growth of MSAS Cargo.

In response to a question by Mr. Herrera, Mr. Bolden addressed the Van de Walle properties near Kelly Air Force Base, noting that the City now owns the land, but no firm plans have been developed for eventual development of that property at this time.

In response to a question by Mr. Herrera, Ms. Carol Tucker, Property Management and Business Development Manager, Department of Aviation, spoke to a comparison between the lengths of the main runways at International Airport and Kelly Air Force Base.

Mr. Herrera noted that the Kelly Air Force Base runway can handle larger aircraft and bigger loads, and spoke to the importance of having access to that runway as quickly as possible.

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

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,188

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO ASSIST O.W. HOLMES HIGH SCHOOL GRADUATES WITH PROJECT GRADUATION '96 TO PURCHASE PRIZES AND A PARTY LOCATION FOR THEIR SCHOOL FUNCTION, AS REQUESTED BY COUNCILMAN BOB ROSS.

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

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,189

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO ASSIST THOMAS JEFFERSON HIGH SCHOOL GRADUATES WITH PROJECT GRADUATION '96 TO PURCHASE PRIZES AND A PARTY

LOCATION FOR THEIR SCHOOL FUNCTION, AS REQUESTED BY COUNCILMAN BOB ROSS.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,190

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND TO COUNCILMAN ROGER FLORES, II, IN THE AMOUNT OF \$8,000.00 FOR A FULL-TIME ADMINISTRATIVE SERVICES CONTRACT WITH EVA ESQUIVEL FROM JUNE 1 - SEPTEMBER 30, 1996, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,191

AUTHORIZING THE EXPENDITURE OF \$1,760.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND PAYABLE TO PATROL OFFICERS ALBERT DELGADO AND JOHN ESQUIVEL FOR REIMBURSEMENT OF TRAVEL EXPENSES INCURRED WHILE ATTENDING THE MEMORIAL CEREMONY IN WASHINGTON, D.C. THAT NAMED FALLEN POLICE OFFICER FABIAN D. DOMINGUEZ TO THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL.

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

96-22 TRAVEL AUTHORIZATION - Granted:

Councilwoman Ruth Jones McClendon to travel to Montgomery, Alabama from June 2, 1996 to June 7, 1996, to attend the 43rd Annual National Security Forum at the Air War College located at Maxwell Air Force Base.

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,192

AUTHORIZING THE EXECUTION OF CONTRACTS WITH THE FIRMS OF CHRISTOPHER S. SHIELDS, P.C. AND LLOYD, GOSSELINK, FOWLER, BLEVINS & MATHEWS, P.C. FOR CONSULTANT SERVICES FOR THE CITY'S STATE INITIATIVES PROGRAM DURING THE 75TH STATE LEGISLATIVE SESSION FOR A TOTAL AMOUNT OF \$140,000.00, AND FURTHER AUTHORIZING THE APPROPRIATION OF ADDITIONAL FUNDS IN THE APPROXIMATE AMOUNT OF \$30,000 TO THE FIRM OF DENTON, MCKAMIE & NAVARRO FOR TECHNICAL LEGISLATIVE SERVICES.

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

Ms. Myra Leo, Director of Intergovernmental Relations, explained the proposed six-month contracts for legislative consultant service to the City of San Antonio, and narrated a brief video presentation on the events of the past eight months, including the legislative timetable for the upcoming 75th State Legislative Session in Austin.

Mr. Solis spoke to his hopes for a new era of cooperation between the City and the Bexar County legislative delegation, and spoke in support for the proposed ordinance.

In response to a question by Mr. Herrera, Ms. Leo noted that the proposed contracts with the legislative consultants would begin June 1, 1996.

Ms. Billa Burke urged support for this legislative team supporting the City, and the need for a close working relationship with our legislators on important water issues.

Ms. McClendon stated that she is comfortable with the consultant team recommended by the Council's Legislative Committee. She stated her belief that the City must establish its goals and priorities in Austin, and lauded team members and lobbyists for the City.

Mr. Flores spoke in support for the team.

Mr. Ross noted that this legislative team will be carrying out the Council's agenda, and spoke to major issues including water and need to develop the City's stance on each important issue. He spoke to the meetings to be held with members of the Bexar County legislative delegation and the impact of the November elections on delegation makeup. Finally, he spoke to the need for good communication-lines on legislative matters.

Mr. Rolando Bono, Assistant City Manager, spoke to plans for improved communications.

Mr. Peak stated his opinion that the timing issue is important, and spoke to the need for flexibility in acting in the legislative process.

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

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96-22 The City Clerk read a proposed ordinance authorizing the City Manager and the City Attorney to compromise and settle Cause No. 94-CI-07819 styled Certified Properties, Inc. vs. City of San Antonio, in the 45th Judicial District Court of Bexar County, Texas, in the amount of \$80,000.00.

Mr. Lloyd Garza, City Attorney, spoke to details of the City's contract with Certified properties, Inc. to handle and dispose of Alamodome soils meeting specific contamination levels. He noted that the trial on the firm's lawsuit against the City has been re-set for July, and addressed settlement details.

Mr. Avila spoke to his concern that the firm was being paid for work never performed, and stated his belief that the City should not do any further business with this firm.

Mr. Peak stated that he cannot support the ordinance, as presented.

A discussion then ensued concerning the possibility of holding an Executive Session prior to consideration of this matter.

Mr. Peak made a motion to postpone this matter for one week, until after the Council has held an Executive Session on the matter. Mr. Avila seconded the motion.

Mr. Garza stated that he would return with this issue to City Council next week, following an Executive Session.

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

96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,193

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO APPROVE AND EXECUTE A TOLLING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND HELEN E. POLLOCK, OWNER OF A PARCEL OF REAL PROPERTY LOCATED AT 4312 ROLAND AVENUE, FOR THE PURPOSE OF SUSPENDING THE RUNNING OF ANY LIMITATIONS PERIOD WITH RESPECT TO ANY POTENTIAL CLAIMS ARISING OUT OF ALAMODOME SOIL ALLEGEDLY DEPOSITED ON THE PROPERTY.

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

Mr. Lloyd Garza, City Attorney, narrated a brief video presentation, a copy of which is made a part of the papers of this meeting, explaining the proposed tolling agreement relative to Alamodome soils matters.

Mr. Gabriel Perez, Public Works Department, spoke to details of the case involving an anonymous telephone call placed to the Texas Natural Resources Conservation Commission, alleging that contaminated Alamodome soils were deposited at 4312 Roland Avenue. He then spoke to the Pollock firm's involvement in removing Alamodome soils from the building site, and stated that there is no information to indicate that any Alamodome soils were taken to the Roland Avenue site.

Discussion ensued concerning whether or not Alamodome soils were taken to this site.

Mr. Avila noted that the allegation is based upon an anonymous telephone call to TNRCC.

Mr. Garza noted that the statute of limitations relative to the filing of a claim in this matter expires tomorrow, and explained that the alternative to this 'tolling agreement' is to have the attorneys for the Pollock firm file a lawsuit. He noted that the tolling agreement is merely a 'time out' in the statute of limitations.

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

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,194

AUTHORIZING THE EXPENDITURE OF \$90.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND TO PAY THE STREET CLOSURE FEE FOR THE ST. BONAVENTURE CHURCH ANNUAL FESTIVAL TO BE HELD ON JUNE 1ST THROUGH 2ND, 1996, AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

Mr. Avila noted that the Police Department needs to be notified of Council's actions today, inasmuch as the event is this coming weekend.

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

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96-22 City Council recessed its regular meeting at 2:55 P.M., Mayor Pro Tem Ross presiding, then reconvened at 3:00 P.M. with Mayor Thornton presiding.

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96-22 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON REPROGRAMMING CDBG FUNDS - (MARBACH MANOR APTS.)

Mayor Thornton declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Housing & Community Development, provided a brief history and details of the planned renovations to the Marbach Manor Apartments project, noting that the owner's equity in this project is only \$100,000, while the City of San Antonio's investment is two and a half times that amount. He then spoke to details of a letter from the District 6 City Council member, outlining the proposed use of certain borrowed Community Development Block Grant funds from another District 6 project. He then spoke to several staff concerns with this matter, and noted that the Housing and Neighborhood Action Team (HNAT) did not recommend this project, and that eight affirmative votes of City Council would be required for approval of the project in question. He then spoke to details of the proposed financing arrangements for the Marbach Manor Apartments project.

The following persons appeared to speak:

Mr. Thomas Rockingmore, representing Metro Alliance, spoke to the concerns of Communities Organized for Public Service (COPS) and Metro Alliance for the integrity of the CDBG process, should this use of CDBG funds pledged to another project be approved. He noted that it represents a departure from the normal CDBG process, and urged the Council to delay action on this matter until the citizens have had more time to study them. He expressed his belief that the Marbach Manor Apartments project should stand on its own merits as part of the CDBG process, and asked a series of questions, requesting a delay in approval for this project until those questions are answered.

Mr. Joe Solis, representing COPS, stated his belief that this proposed action would set a dangerous precedent, noting that City Council is accountable for the CDBG process, including any reprogramming of funds. He stated his belief that he could support a reprogramming action if the project can compete for funds allocated to District 6. He voiced his concern for the effect this action might have on the prevailing CDBG process.

Ms. Maria Dominguez congratulated COPS and Metro Alliance for their stances on this issue.

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

City Clerk Norma S. Rodriguez then read the caption of the Ordinance:

AN ORDINANCE 84,195

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$254,000.00 FOR THE REHABILITATION OF THE MARBACH MANOR APARTMENTS PROJECT; REVISING THE APPROPRIATE CDBG BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING

FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8)
AFFIRMATIVE VOTES.

* * * *

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

Mr. Herrera stated his belief that this project is needed for Section 8 affordable housing in this area, and he explained the plan to 'borrow' certain funding set aside for an Our Lady of Good Counsel CDBG project until July. He stated that he is committed to restoring the 'borrowed' funding in the next round of CDBG funding in July. He then addressed the advantages of the project to residents of the apartments, and asked Council for its support in this needed effort.

Mr. Solis, Chairman of the Council Housing Task Force, spoke to the successes of the CDBG process in San Antonio, and the need to reprogram funds to complete certain projects, from time to time.

In response to a question by Mr. Solis, Mr. Cameron discussed the Public Notice procedures relating to this proposed project.

Mr. Solis spoke to City staff's comments relative to the lack of official policy and evaluation criteria.

In response to a question by Mr. Solis, Ms. Frances Gonzalez, Special Projects Officer, discussed San Antonio Housing Authority projects coming before City Council.

In response to a question by Mr. Solis, Mr. Melvin Brazil, representing SAHA, spoke to the Public Notice given of SAHA board consideration for this proposed action, and the board's support for it.

Mr. Solis stated his belief that SAHA has not yet used the CDBG funding set aside for the Our Lady of Good Counsel project, and expressed his belief that the agency has not moved on this matter rapidly enough. He then discussed the public/private partnerships for affordable housing in San Antonio, and the need to move on this proposed project for the Marbach Manor Apartments, and at the same time press SAHA to move more rapidly on the Our Lady of Good Counsel project.

In response to a question by Mr. Ross, Mr. Cameron discussed the matter of collateralization of this proposed project.

In response to a question by Mr. Ross, Mr. David Starr, Starr & Associates, Project Coordinators, stated that other collateralization by the developer was not discussed.

Mr. Ross made an amendment that approval of such reprogramming is specifically conditioned, however, upon additional security being obtained by the borrower in connection with this project, such security being first approved as to content and form by City staff. Mr. Peak

seconded the amendment.

In response to a question by Mr. Peak, Mr. Cameron discussed funding participation by involved parties to this project, and spoke to the effects of a delay in approval, which he stated would be, effectively, to kill the project, since May 31, 1996 is the deadline for action. He then addressed City staff's concerns with the financial structuring and ratios of investment involved.

Ms. McClendon spoke in support for the proposed ordinance, stating her belief that the project is needed to provide more affordable housing.

Ms. McClendon then made a second amendment to transfer \$25,000 in contingency funds allocated to District 2, to be applied to the San Juan Gardens Community Center project in District 5. Mr. Flores seconded the motion.

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

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

Mr. Ross noted that his amendment provides a requirement for ultimate approval of the proposed ordinance.

Mr. Starr stated that additional collateralization by the developer can be done. He noted that three principals are involved in this project, and he stated his belief that the requirement for additional collateralization can be done.

Mr. Solis then made an amendment to take \$90,000 from the District 5 contingency funds, and apply it to the Westside Business Venture, in order to re-pay funds earlier borrowed from that project. Ms. McClendon seconded the motion.

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

Mayor Thornton thanked COPS and Metro Alliance for expressing their concerns about this matter, and stated his belief that the process has been open. He further stated his belief that the next CDBG funding allocation will consider the expressed need relative to the Our Lady of Good Counsel project, and he spoke in support for that project. He noted that it will provide the west side with two major projects, including this one being approved today.

Mr. Herrera stated his belief that the Marbach Manor Apartments project is a good one for affordable housing.

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

Mr. Joe Solis, representing COPS, stated his belief that this matter was done three weeks ago, before his organization heard about it.

In response to a question by Mr. Solis, Mr. Brazil stated that San Antonio Housing Authority would do its utmost to approve this project.

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96-22 The Clerk read the following Ordinance:

AN ORDINANCE 84,196

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,550,000.00 TO PROVIDE FINANCING FOR THE ACQUISITION AND REHABILITATION OF THE MARBACH MANOR APARTMENTS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

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96-22 PREP PROGRAM TRANSPORTATION

At the request of Councilman Ross, Dr. Manuel Berriozabal, University of Texas at San Antonio, Director of the San Antonio PREP program, spoke to the need for affordable public transportation to low-income participants in the 1996 San Antonio PREP program. A copy of his remarks is made a part of the papers of this meeting. He asked City Council to achieve an arrangement with VIA Metropolitan Transit to be worked out so that he might be able to pick up the necessary bus-passes tomorrow for the PREP participants that need them.

Mayor Thornton spoke to the presence in the delegation of Mr. Sam Riklin, noting that Mr. Riklin has been responsible for some \$700,000 in scholarships for UTSA students attending the downtown facilities.

Mr. Riklin spoke to the \$2.6 million in scholarships raised, thus far, in all, and spoke in support for the PREP request for some \$21,000 to pay for bus-passes for low-income participants in the 1996 San Antonio PREP program this year.

Mr. Marbut lauded Mr. Riklin's work, and spoke to his concern with VIA's stance concerning the transportation issue in question.

Mr. Ross stated that it is impossible for the City Council to take any action in this regard, but could send VIA a message to confer on this issue.

Mr. Solis made a motion to ask Councilmembers Ross and Marbut to meet with VIA representatives to express the City Council's views relative to the provision of free transportation to PREP program participants going to and from the UTSA campus. Mr. Webster seconded the motion.

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

Mr. Peak noted that VIA maintains that it is legally prohibited from giving 'free passes', but has appointed a committee to look at this one problem. He noted that some \$12,500 has been raised thus far from contributions to meet this current need, and he expressed his hope that the remainder of the required \$20,000 will be forthcoming. He spoke to his willingness to contribute from his Contingency Account Fund.

Ms. McClendon asked the private sector to contribute to this need, and spoke to her concern with bringing items before Council for discussion by proper procedure.

Mr. Ross stated that there is a time element involved in this matter, and expressed his willingness to contribute perhaps \$1,000 from his Contingency Account Fund.

Discussion ensued concerning the possible inclusion of some of the participants in the City's COalition program, who use bus passes.

Mayor Thornton asked the Council to use one of several acceptable ways to get such things on the agenda, in the future.

96-22

CITIZENS TO BE HEARD

MR. LENNY GAINES

Mr. Lenny Gaines, People Active in Community Effort (PACE), spoke to the Council on behalf of several neighborhood area associations

regarding the impending move of the new City Fire Service truck at Station #36 on Ray Ellison Drive to Station #91 on Dover Ridge in the Northwest area of the city. He was advised that the City Fire Service truck was temporally assigned to Fire Station #36 by Fire Chief Bobby Ojeda. They are concerned about the manner and process which was followed in this particular case, and they are requesting that Chief Bobby Ojeda make a presentation to their neighborhood association before a final determination as to the permanent location of this Fire Service truck.

In response to Councilman Avila's questions and comments, Fire Chief Bobby Ojeda spoke to the reasons for his decision to temporarily locate the Fire Service truck at Station #36. They are currently evaluating the location of truck Companies and no final decision has been made. He also spoke to the type of Fire trucks to be sent to Station #36 if a decision is made to relocate the Fire Service truck. He also stated that he would be willing to attend any meeting as called by the Neighborhood Association.

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MRS. MARIA DOMINGUEZ

Mrs. Dominguez spoke to the Council about their decision to support subsidized housing and stated that subsidizing salaries would be more beneficial than subsidized housing. She also took exception to tourists paying less for bus rides than residents.

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REV. R. A. CALLIES, SR.

Rev. R. A. Callies Sr. 123 Brush Street, spoke to the Council about their concern that there is still no signage at the Joe L. Webb bridge. They are requesting a sign over the Durango Street bridge similar to the sign over the Freedom Bridge at the Martin Luther King Jr. Park. (A copy of his statement is on file with the papers of the meeting.)

Mayor Thornton stated that the Councilwoman McClendon will be briefed by Travis Bishop, Assistant to the City Manager, on this issue.

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MR. KARL WURZ

Mr. Karl Wurz read a prepared statement to the City Council, a copy of which is on file with the papers of this meeting entitled, "It's Water Trivia Time / Items; Water Management Plan, Rotenone Poison, State Standardization legislation GPCPD; Wildrice/San Marcos.

MR. CHARLIE BOBBISH

Mr. Bobbish thanked members of the City Staff, namely, Martin Rodriguez and John German for the work as City employees.

He than stated that he had previously asked the City Council to explain Ordinance #83390.

In response to Councilmember Webster, Frank Garza, First Asst. City Attorney interpreted the meaning and purpose of this Ordinance.

Mr. Bobbish stated that the Police Department personnel are making their own interpretation of this Ordinance which differs from the one being interpreted by the City Attorney's office. He stated that the Ordinance is too complicated for interpretation by ordinary citizens.

Mr. Webster stated that he has received a written communication from the City Attorney and he will be sharing it with Mr. Bobbish. Mr. Webster asked that all three departments-Code Compliance, Police, and City Attorney have the same interpretation of the Ordinance.

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MR. BENJAMIN PEREZ

Mr. Perez presented a technical bulletin to the Council on the environment aspects of Coroplast (a copy of which is on file with the papers of this meeting.)

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96-22 There being no further business to come before the Council, the meeting was adjourned at 5:07 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

May 30, 1996
bgg