

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, NOVEMBER
22, 1994.

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94-55 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, MC-CLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

1. Presentation of proposed On-Premise Sign Ordinance - City Council concurred to move the recommendations of the Committee to the December 8, 1994 Council agenda for consideration of the ordinance, together with a Public Hearing, at 4:00 P.M.

2. Briefing on NAFTA Highway initiatives and NACTA (North American Competitive Trade Agreement) opportunities for San Antonio.

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94-55 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

94-55 Invocation - Pastor Wayne Crooks, My Father's House Church.

94-55 Pledge of Allegiance to the flag of the United States.

94-55 Minutes of the October 6, 1994 Regular City Council Meeting were approved.

SOUTHWEST AIRLINES - "HOME FOR THE HOLIDAYS"

Mayor Wolff noted that, each year at this time, Southwest Airlines provides 25 senior citizens from San Antonio and the surrounding area with an opportunity to travel to anywhere Southwest Airlines flies, in order to visit with loved ones. He stated that some 20 of the senior are here with us today to accept their tickets. He then introduced Ms. Christine Ortega of Southwest Airlines.

Ms. Ortega then introduced Mr. Eugene Fries of Alamo Area Council of Governments, which helps to select the 25 winners each year. She then introduced each of the ticket recipients, who came forward to accept them from the Mayor and to speak to their flight destinations and who they will be visiting for the holidays.

Mayor Wolff and City Council members congratulated each winner and thanked Southwest Airlines for providing the free flights for area senior citizens.

Mayor Wolff then read the proclamation for "Home For The Holidays" and presented it to Ms. Ortega.

BOARD AND COMMISSION MEMBERS' SWEARING-IN

Mayor Wolff stated that some 83 new appointees or re-appointees to 28 of the City's various boards and commissions are on hand today in the audience, and will be officially sworn in by City Clerk Norma S. Rodriguez.

City Clerk Rodriguez administered enmasse the Oath of Office to the assembled group and congratulated them.

Mayor Wolff and City Council members then presented the official Certificates of Service to each board or commission member present, and congratulated them.

Mayor Wolff spoke to the import given by City Council to the functions of each City board and commission, and thanked each member present today for their committment.

CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 9 through 30b, constituting the Consent Agenda, with Item 17 having earlier been removed from consideration by the City Manager. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES:

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

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AN ORDINANCE 81,208

ACCEPTING THE PROPOSAL OF FEDERAL COMPUTER SERVICES CORPORATION TO RENEW ITS CONTRACT TO PROVIDE MATERIALS AND LABOR FOR THE MAINTENANCE OF MAINFRAME COMPUTER DISK DRIVES AND TAPE DRIVE UNITS FOR THE INFORMATION SERVICES DEPARTMENT FOR A TOTAL AMOUNT OF \$82,548.00.

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AN ORDINANCE 81,209

ACCEPTING THE BID OF RECORD SYSTEMS, INC. TO PROVIDE MUNICIPAL COURTS WITH ADDITIONAL FILING UNITS FOR A TOTAL OF \$34,950.00.

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AN ORDINANCE 81,210

ACCEPTING THE LOW BID OF MJ INDUSTRIES DIVISION BME ENGINEERING, INC. TO PROVIDE STEEL BOOKSTACKS AND END PANELS AT THE NEW SAN ANTONIO CENTRAL LIBRARY FOR A TOTAL OF \$322,906.00.

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AN ORDINANCE 81,211

ACCEPTING THE BID OF PRECO MACHINERY SALES, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH PARTS AND SERVICES FOR MAINTAINING BADGER EXCAVATING EQUIPMENT FOR AN APPROXIMATE TOTAL OF \$40,000.00 ANNUALLY.

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AN ORDINANCE 81,212

ACCEPTING A PROPOSAL FROM ATEC ASSOCIATES, INC. TO PROVIDE ENVIRONMENTAL SERVICES IN CONNECTION WITH THE HANGER 10 RENOVATION PROJECT AT STINSON MUNICIPAL AIRPORT, FOR AN ESTIMATED FEE NOT TO EXCEED \$3,500.00; AUTHORIZING AN ADDITIONAL \$500.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,213

DESIGNATING CHESNEY-MORALES & ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE GROUND SUPPORT EQUIPMENT MAINTENANCE FACILITY AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$34,875.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,214

APPROVING FIELD ALTERATION NO. 12 IN THE AMOUNT OF \$135,400.00 WITH GUIDO BROTHERS CONSTRUCTION COMPANY IN CONNECTION WITH THE INSTALLATION OF A STORM DRAINAGE SYSTEM FOR THE CITY HALL RESKTORATION PROJECT.

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AN ORDINANCE 81,215

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AN ORDINANCE 81,216

ACCEPTING FEE SIMPLE TITLE FROM MARION W. CAIN TO THAT CERTAIN PROPERTY AT 640-642 FUNSTON PLACE, SAN ANTONIO, TEXAS, ALSO KNOWN AS LOT 25, NEW CITY BLOCK 7186, HILLTOP TERRACES, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1625, PAGE 163, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND ACCEPTING THE CONDITIONS FOR THE USE OF SAID PROPERTY.

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AN ORDINANCE 81,217

ACCEPTING FEE SIMPLE TITLE FROM SILVERIO CUELLAR AND BEATRICE CUELLAR TO THAT CERTAIN PROPERTY AT 616-618 FUNSTON PLACE, SAN ANTONIO, TEXAS, ALSO KNOWN AS LOT 19, NEW CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1625, PAGE 163, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND ACCEPTING THE CONDITIONS FOR THE USE OF SAID PROPERTY.

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AN ORDINANCE 81,218

DESIGNATING JOE L. SCATES TO PROVIDE CERTAIN REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH THE MARCUM-ARVIL TO ELMER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$500.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,219

DESIGNATING JOE L. SCATES. TO PROVIDE CERTAIN REAL ESTATE APPRAISAL SERVICES IN CONNECTION WITH THE COLONIA SANTA CRUZ STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, PHASE II; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$700.00 FOR SUCH PURPOSE.

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AN ORDINANCE 81,220

AUTHORIZING THE CITY MANAGER TO EXECUTE A FOUR (4) YEAR LEASE AGREEMENT WITH TENERIA CUAUHTEMOC, S.A. DE C.V. REPRESENTED BY ING. ANTONIO ENRIQUEZ FOR APPROXIMATELY 775 SQUARE FEET OF OFFICE SPACE IN CINTEREX IN MONTERREY, NUEVO LEON, MEXICO FOR CASA SAN ANTONIO EN MONTERREY IN THE AMOUNT OF \$750.00 PER MONTH PLUS FINISH OUT IN AN AMOUNT NOT TO EXCEED \$30,000.00.

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AN ORDINANCE 81,221

ACCEPTING THE PROPOSAL OF THE CLOTHES HANGER, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE APPAREL CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$75,000.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 81,222

ACCEPTING THE PROPOSAL OF MIDWEST INTERNATIONAL, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE T.V. CHAIR CONCESSION AT

THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$3,000.00 OR THIRTY-FIVE PERCENT OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 81,223

ACCEPTING THE PROPOSAL OF AIRPORT EXCHANGE, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE CURRENCY EXCHANGE CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF \$20,000.00 IN CONSIDERATION OF ITS CURRENCY EXCHANGE ACTIVITIES AND TWENTY PERCENT OF GROSS RECEIPTS GENERATED FROM THE PROVISION OF OTHER APPROVED BUSINESS SERVICES.

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AN ORDINANCE 81,224

ACCEPTING AN ADDITIONAL AWARD OF \$79,701.00 IN CASH AND \$1,198,824.00 IN VACCINE FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1994 CHILD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND AMENDING THE PROJECT BUDGET AND PERSONNEL COMPLEMENT TO INCORPORATE THESE ADDITIONAL FUNDS.

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AN ORDINANCE 81,225

AUTHORIZING NORA CHAVEZ, FINANCE DIRECTOR, OCTAVIO PENA, ASSISTANT FINANE DIRECTOR, AND FRED RAMOS, CITY CONTROLLER, TO PROVIDE APPROVAL OF WITHDRAWALS OF COLLATERAL FROM FROST BANK COLLATERAL ACCOUNTS AT THE FEDERAL RESERVE BANK OF DALLAS.

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AN ORDINANCE 81,226

ACCEPTING THE PROPOSAL OF SOUTHWESTERN BELL TELEPHONE COMPANY (SWBT) FOR AN AMOUNT NOT TO EXCEED \$50,000.00 FOR CONSULTING, DESIGN, AN INSTALLATION OF A METROPOLITAN AREA NETWORK FOR THE CITY OF SAN ANTONIO; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 81,227

ACCEPTING THE PROPOSAL OF THE OPEN SYSTEMS GROUP, INC. (OSG) FOR AN AMOUNT NOT TO EXCEED \$52,500.00 TO CONTINUE CONTRACT PROGRAMMING ON THE NETWORK COMMUNICATIONS SOFTWARE FOR THE CITY OF SAN ANTONIO FOR AN ADDITIONAL 700 HOURS, WITH AN OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL 700 HOURS.

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AN ORDINANCE 81,228

AMENDING ORDINANCE NO. 81096, DATED NOVEMBER 8, 1994; AUTHORIZING THE TEMPORARY CLOSURE OF N. ALAMO BETWEEN THIRD ST. AND FOURTH ST. FROM 8:00 A.M. ON SATURDAY, DECEMBER 3, 1994 UNTIL 5:00 A.M., MONDAY, DECEMBER 5, 1994 FOR THE DISMANTLING OF THE EXPRESS NEWS TOWER CRANE.

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AN ORDINANCE 81,229

AUTHORIZING THE TEMPORARY CLOSURE OF MISSION STREET BETWEEN EAGLELAND AND BARGE FROM NOON TO 3:00 P.M., SATURDAY, DECEMBER 10, 1994, FOR THE LA CASA DE MARIA Y MARTA BLOCK PARTY.

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94-55 NOTE: Agenda item 16, being an ordinance accepting the low bid of Argosy Floor Covering, Inc. in the amount of \$317,390.21 in connection with the installation of carpeting for the new Central Library; authorizing \$31,739.02 for construction contingency expenses and \$1,000.00 for advertising expenses; appropriating funds; and providing for payment, originally was enacted as part of the Consent Agenda, but, at the later request of Councilman Solis, was later taken up in reconsideration by the City Council and subsequently enacted as written. The original Ordinance Number given to the ordinance (81215) when it was enacted as part of the Consent Agenda therefore is void and not used.

At the request of Ms. Billa Burke, Agenda Item 38 was brought up for consideration at this time by unanimous consent of City Council members present.

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94-55 The Clerk read a proposed ordinance authorizing the expenditure of monies from various district discretionary accounts to defray the costs incurred by representatives of keep San Antonio Beautiful in traveling to Houston for the national keep American Beautiful competition; appropriating funds; and providing for payment.

Following discussion of the fact that Keep San Antonio Beautiful needs some \$1,500.00 to fund the costs for a trip to Houston on December 9, 1994 to attend the awards ceremony for the National Keep America Beautiful competition, the following City Council members contributed various amounts from their individual Discretionary Accounts to this cause: Mr. Perez, \$100.00; Ms. McClendon, \$100.00; Ms. Billa Burke, \$300.00; Mr. Avila, \$375.00; Ms. Ayala, \$100.00; Mr. Ross, \$100.00; Mr. Thornton, \$100.00; Mr. Peak, \$100.00; Mr. Larson, \$25.00; and Mayor Wolff, \$200.00.

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

AN ORDINANCE 81,230

AUTHORIZING THE EXPENDITURE OF \$1,500.00 FROM VARIOUS DISTRICT DISCRETIONARY ACCOUNTS TO DEFRAY THE COSTS INCURRED BY REPRESENTATIVES OF KEEP SAN ANTONIO BEAUTIFUL IN TRAVELING TO HOUSTON FOR THE NATIONAL KEEP AMERICA BEAUTIFUL COMPETITION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,231

ACCEPTING THE PROPOSAL OF ACKERLEY AIRPORT ADVERTISING, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE ADVERTISING CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF A MINIMUM ANNUAL GUARANTEE OF \$185,000.00 OR FIFTY PERCENT OF GROSS RECEIPTS GENERATED THEREUNDER.

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Ms. Billa Burke made a motion to approve the proposed

Ordinance. Ms. Ayala seconded the motion.

Mr. Mike Kutchins, Director of Aviation, spoke to the firm's widespread involvement at airports throughout the United States and Mexico, and also spoke to its local minority involvement.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,232

AUTHORIZING THE EXECUTION OF A NURSING SERVICES AGREEMENT WITH AASAP, INC., TO PROVIDE NURSING SERVICES INVOLVING THE SCREENING AND OBSERVATION OF DETAINEES IN THE CITY DETENTION CENTER FACILITY FOR A TWO YEAR PERIOD AT AN ANNUAL COST NOT TO EXCEED \$401,856.00 FOR EACH OF THE TWO YEARS; AND AUTHORIZING THE PAYMENT OF UPTO \$5,000.00 TO PHYSICANS WHO PROVIDE ON-CALL MEDICAL SERVICES FOR SAID FACILITY.

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

Dr. Fernando Guerra, Director of the Metropolitan Health District, addressed details of the firm's history since 1988 in providing this service to the City's detention facility. He also spoke to the work to be performed, citing a series of statistical charts.

The following persons appeared to speak:

Ms. Blanca Neaves, owner of the River City Medical Services, questioned the methods of measurement used in comparing the two competing firms involved by the selection committee. She spoke to the alleged lack of experience by AASAP, Inc. nurses scheduled to be employed at the City's detention facility under this contract, and alleged tax problems of the recommended firm, which she alleged to be causing employees to be on half-salary since November.

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

Ms. Neaves then spoke to an alleged example of questionable treatment of one person arrested and taken to the detention facility.

Mr. Richard Garay, also speaking for River City Medical Services, questioned the scoring criteria used in the comparison of the two competing firms, and stated that substantiating data was not provided to his firm. He questioned the fairness of City staff, and asked that the process be extended.

In response to a question by Mr. Larson, Dr. Guerra spoke in response to some of the allegations made, including the incident cited by Ms. Neaves.

Mr. Larson then spoke in support for the City staff recommendation.

In response to a question by Mr. Avila, a representative of AASAP, Inc. spoke to the firm's name-change and budgeting details.

Mr. Thornton addressed the longtime struggle to establish this program.

Mr. Solis stated his belief that evaluation questions seem to lean in favor of the present contractor, and also stated that he looks forward to a possible change of contractors next time, as he favors periodic rollover of contractors. He then spoke in support of the City staff recommendation.

Dr. Paul Pendergraff, representing the Metropolitan Health District, briefly explained the evaluation procedures used.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton, Larson; NAYS: Avila; ABSENT: Peak, Wolff.

94-55

ZONING HEARINGS

CASE #Z94219 - to rezone and reclassify 3.287 acres out of NCB 18362. Blanco Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the northwest side of Blanco Road, approximately 500 feet southwest of the intersection of Brookstone and Blanco Road, having 482.84 feet on Blanco Road and a depth of 265 feet.

Mr. Andy Guerrero, Land Development Services, stated that the proponent in this rezoning case wishes to have the case continued until December 8, 1994 in order to allow sufficient time for him to work with the neighborhood in seeking an agreement.

Mr. Peak made a motion to continue this rezoning case to December 8, 1994. Mr. Larson seconded the motion.

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

Zoning Case Z94219 was continued until December 8, 1994.

CASE #Z94204 (CC) - to rezone and reclassify 1.540 acres out of NCB 15678, Southwest of Thousand Oaks, from Temp. "R-1" Single Family Residence District to "R-3" Multiple Family Residence District. Property is located 1,283.73 feet northwest of the intersection of Wetmore Road and Thousand Oaks Drive, being 222.95 feet southwest of Thousand Oaks Drive, having a width of 100.47 feet and length 671.12 feet; 1.705 acres out of 15678, 3660 Thousand Oaks Drive, from Temp. "R-1" Single Family Residence District to "B-3" Business District. Property is located on the southwest side of Thousand Oaks Drive, 708.53 feet northwest of the intersection of Thousand Oaks Drive and Wetmore Road, having 674.20 Thousand Oaks Drive and a depth of 222.95 feet; 15.881 acres out of NCB 15678, 13001 Wetmore Road, from Temp. "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located on the northwest side of Wetmore Road, 528.89 feet southwest of the intersection of Thousand Oaks Drive and Wetmore Road, having 259.19 feet on Wetmore Road and a depth of 1115.84 feet; 0.100 acres tract out of NCB 15678 13001 Wetmore Road, from Temp. "R-1" Single Family Residence District to "I-1" CC Light Industry District with special City Council approval for a communication transmission tower. Property is located on the northwest side of Wetmore Road, 785.08 feet southwest of the intersection of Thousand Oaks Drive and Wetmore Road and a depth of 60.25 feet.

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

In response to a question by Mr. Peak, Mr. Harry Jewett, representing the proponent, spoke to the industrial nature of the property in question and the need for a "B-3" buffer along Thousand Oaks in order to allow continued retail usage of the property.

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

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

AN ORDINANCE 81,233

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

DESCRIBED HEREIN AS 1.540 ACRES OUT OF NCB 15678, SOUTHWEST OF THOUSAND OAKS, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; 1.705 ACRES OUT OF 15678, 3660 THOUSAND OAKS DRIVE, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. 15.881 ACRES OUT OF NCB 15678, 13001 WETMORE ROAD, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; 0.100 ACRES TRACT OUT OF NCB 15678 13001 WETMORE ROAD, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z94066 (CC) PP - to rezone and reclassify A 0.069 acre tract out of Lot 12, NCB 10945, 1815 Goliad Road, from "JJ" Commercial District to "B-3" CC Business District with City Council approval for a communication transmission tower. Property is located off the southwest side of Goliad Road, 200 feet southeast of the intersection of Hot Wells Boulevard and Goliad Road, being 149.48 feet west of Goliad Road, having a width of 58.0 feet and depth of 60.23 feet.

Mr. Andy Guerrero, Land Development Services, stated that nine affirmative votes of Council members would be required to approve the requested rezoning, inasmuch as the opposition to this case constitutes more than 20 per cent of the properties within 200 feet of the subject property.

Mr. Harry Jewett, representing the proponent, addressed details of the rezoning request for location of a communications transmission tower.

Mr. Ronald Pawelek, 5438 Green Grove, co-owner of the property, spoke in favor of the rezoning, stating that he has received petition signatures from some 542 persons in favor of the request. He spoke to a recent City Council "B" Session report that stated that such towers pose no health hazard to the community.

Ms. Yvonne Davis, 3859 Manchester, stated her belief that this type of service is needed in the area.

Speaking in opposition:

Ms. Linda O'Rear, 1038 Hot Wells, owner of A-1 Rental Equipment, stated her opposition to the tower for safety and health reasons, stating her belief that the tower could fall into her nearby petroleum storage tanks. She also expressed concern with possible

health problems to her employees who work outside, and spoke to several news articles, questioning the possible health hazard of radio transmission signals.

Mr. Scott O'Rear, also representing A-1 Rental Equipment, spoke in opposition to the tower.

In rebuttal, Mr. Jewett refuted both objections to the tower on the property.

In response to a question by Ms. Billa Burke, Mr. Joe Ramos, 7330 San Pedro Avenue, representing Southwestern Bell, spoke to the standards for tower construction.

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

Ms. Billa Burke spoke in support for the requested rezoning, and spoke to recent health studies involving radio transmission signals.

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

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

AN ORDINANCE 81,234

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.069 ACRES OUT OF LOT 12, NCB 10945, 1815 GOLIAD ROAD, FROM "JJ" COMMERCIAL DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #294253 - to rezone and reclassify Lot 3, Block 1, NCB 14876, Farinon Drive, from "I-1" Light Industry District to "P-1(I-1)" Planned Unit Development Light Industry District. Property is located on the northwest side of Farinon Drive, northwest of the intersection of Fairnon Drive and Epsilon, having 879.60 feet on Fairnon Drive and a depth of 655.41 feet.

Mr. Thornton made a motion to approve the recommendation of

the Zoning Commission. Mr. Peak seconded the motion.

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

AN ORDINANCE 81,235

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, BLOCK 1, NCB 14876. FARINON DRIVE, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "P-1(I-1)" PLANNED UNIT DEVELOPMENT LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #294254 - to rezone and reclassify The northwest 50' feet of Lot 4, Block 8, NCB 18098, from Temp. "R-1" Single Family Residence District to "B-3R" Restrictive Business District and Lot 4, save and except the northwest 50', Block 8, NCB 18098, 5120 Wurzbach Road from Temp "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located on the southeast side of Wurzbach Road, 300 southwest of the intersection of Seville Drive and Wurzbach Road, having 100 feet on Wurzbach Road and a depth of 317.05 feet.

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

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

AN ORDINANCE 81,236

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHWEST 50' FEET OF LOT 4, BLOCK 8, NCB 18098, FROM TEMP. "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND LOT 4, SAVE AND EXCEPT THE NORTHWEST 50', BLOCK 8, NCB 18098, 5120 WURZBACH ROAD FROM TEMP "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION

IS A FINE NOT TO EXCEED \$1,000.00."

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CASE #Z94102 (CC) - to rezone and reclassify Lot 11, Block 1, NCB 8881, 2410 Culebra Road, from "F" Local Retail District to "B-3" CC Business District with City Council approval for a communication transmission tower. Property is located on the southside Culebra Road, 100 feet west of the intersection of N.W. 27th Street and Culebra Road, having 50 feet on Culebra Road and a depth of 126.15 feet.

Mr. Andy Guerrero, Land Development Services, noted that nine affirmative votes of City Council will be required to approve the requested rezoning, inasmuch as opposition from propertyowners within 200 feet of the subject property represents more than 20 per cent of the total properties within that area.

In response to a question by Mr. Ross, Mr. Joe Ramos, 7330 San Pedro, representing Southwestern Bell, spoke to the matter of security for the proposed communications transmission tower.

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

AN ORDINANCE 81,237

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 11, BLOCK 1, NCB 8881, 2410 CULEBRA ROAD, FROM "F" LOCAL RETAIL BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A COMMUNICATION TRANSMISSION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94107 (CC) - to rezone and reclassify A 0.0964 acre tract of land out of NCB 14525 Goldfield Drive from "I-1" Light Industry District to "I-1" CC Light Industry District with City Council approval for a communication tower. Property is located 234.41 feet north of Goldfield Drive, 686.60 east of the intersection of Industry Park Drive

and Goldfield Drive, having 60.0 feet in width and depth of 70.0 feet.

Ms. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

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

AN ORDINANCE 81,238

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.0964 ACRE TRACT OF LAND OUT OF NCB 14525 GOLDFIELD DRIVE FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1" CC LIGHT INDUSTRY DISTRICT WITH CITY COUNCIL APPROVAL FOR A COMMUNICATION TOWER. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94131 - to rezone and reclassify Lot 71A, NCB 15837, 4100 Stahl Road, from "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District. Property is located on the southeast side of Stahl Road, 541 feet southwest of the intersection of Bell Drive and Stahl Road, having 140.67 feet on Stahl Road and a depth of 576.55 feet.

Mr. Ed Kersey, the property owner, addressed neighbors' objections to the rezoning request for a landscape nursery on the property, noting that other commercial uses exist nearby.

Mr. Larson stated that he cannot support having a business located next to residences.

Mr. John Bell, 13822 Brays Forest, representing Northern Hills Homeowners Association, spoke in opposition to the rezoning request, and spoke to problems with the proposed use of the property for a landscape nursery. He then submitted a letter from Anderson Homes, opposing the planned change, a copy of which is made a part of the papers of this meeting.

Ms. Bobbie Behlau, President, Northern Hills Homeowners Association, stated her belief that the planned uses for the property would be detrimental to the neighborhood.

Mr. Jim Stacks, 14107 Fairway Glen, stated that he lives

nearby, and opposes the rezoning request.

Mr. Rene Garza, 14111 Fairway Glen, also spoke in opposition, voicing his concerns with the use of pesticides and herbicides on the property.

Mr. Anthony Pepitone, 13503 Fairway Crest, spoke in opposition to commercial land uses next to a residential area, and stated that the property already is being used for illegal commercial operations.

Several other area property owners spoke in opposition to the requested rezoning, having arrived at the Council meeting too late to sign up to speak.

In rebuttal, Mr. Kersey addressed his clean-up of the subject property.

Mr. Larson spoke to the need to be consistent with zoning in these areas.

Mr. Larson made a motion to deny the proposed Ordinance. Ms. Billa Burke seconded the motion.

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

Zoning Case Z94131 was denied.

Mr. Larson spoke of his concern with continuing illegal operations of a wood-chipper on the subject property.

CASE #Z94257 - to rezone and reclassify 16.603 acres out of NCB 13732, Thousand Oaks Drive, from "O-1" Office District to "P-1(R-1)" Planned Unit Development Single Family Residence District. Property is located on the southwest side of Thousand Oaks Drive, 1,755 feet southeast of the intersection of Jones Maltsberger Road and Thousand Oaks Drive, having 577.90 feet on Thousand Oaks Drive and a depth of 1,253.30 feet.

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

AN ORDINANCE 81,239

AMENDING CHAPTER 35 OF THE CITY CODE THAT

CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 16.603 ACRES OUT OF NCB 13732, THOUSAND OAKS DRIVE, FROM "0-1" OFFICE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94118 - to rezone and reclassify 0.8295 acre tract of land out of NCB 1861, Howard Street, from Historic "B" Residence District to Historic "B-1" Business District. Property is located on the east side of Howard Street, 177.35 feet south of the intersection of W. Craig Place and Howard Street, having 7.0 feet on Howard Street and a depth of 298.65 feet.

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

AN ORDINANCE 81,240

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.8295 ACRE TRACT OF LAND OUT OF NCB 1861. HOWARD STREET, FROM HISTORIC "B" RESIDENCE DISTRICT TO HISTORIC "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

CASE #Z94256 - to rezone and reclassify Lot 1, Block 34, NCB 7817 and Lots 34 and 35, Block 11, NCB 7693, 6013 South Flores and 101 White Avenue, from "J" Commercial District to "B-1" Business District. Lot 1 is located northwest of the intersection of W. Avenue and S. Flores, having 70.9 feet on W. White Avenue and 150.7 feet on S. Flores; Lots 34 and 35 are located northeast of the intersection of E. White Avenue and S. Flores, having 55 feet on E. White Avenue and 211.5 feet on S. Flores.

Ms. Paula Williamson, attorney, 12042 Blanco Rd., Suite 25, appearing for the proponent, stated that the property owner, Ms. Alma Doehne, opposes any rezoning of that property, and wants to seek a resolution of this issue. She then spoke to the many uses for the subject property, over the years.

Mr. Avila spoke to his concerns with the rapid proliferation of thrift shops in District 4, and spoke to other alleged problems with the uses of this property, on occasion. He spoke in support of the rezoning recommendation to a B-1 zoning classification.

Mr. Andy Guerrero, Land Development Services, noted that the Zoning Commission had recommended a B-1 SUP for a Special Use Permit for operation of a thrift shop for a five-year period on this property. He spoke in favor of the recommendation, as outlined in the Minutes of the Zoning Commission consideration of this case.

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

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

AN ORDINANCE 81,241

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 34, NCB 7817 AND LOTS 34 AND 35, BLOCK 11, NCB 7693, 6013 SOUTH FLORES AND 101 WHITE AVENUE, FROM "J" COMMERCIAL DISTRICT TO "B-1" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-55 CASE #Z94255 - to rezone and reclassify Lot 25, Block 52, NCB 15561. 7200 Marbach Road, from "B-2" Business District to "B-3NA" Non Alcoholic Sales District. Property is located on the south side of Marbach Road, 110 feet east of the intersection of Marbach Road and Rawhide Drive, having 100 feet on Marbach Road and a depth of 175.

Ms. Ayala made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton,

Peak, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 81,242

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 25, BLOCK 52, NCB 15561. 7200 MARBACH ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

94-55 At this point, Mr. Solis made a motion to reconsider Agenda Item 16, being a proposed ordinance accepting the low bid of argosy floor covering, inc. in the amount of \$317,390.21 in connection with the installation of carpeting for the new central library; authorizing \$31,739.02 for construction contingency expenses and \$1,000.00 for advertising expenses; appropriating funds; and providing for payment. Mr. Avila seconded the motion.

The motion to reconsider Agenda Item 16 was approved by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: None.

After discussion, Mr. Solis made a motion to approve the Ordinance. Mr. Avila seconded the motion.

The following persons appeared to speak:

Mr. Joe Irby, representing the Minority Business Development Center, University of Texas at San Antonio, spoke in favor of the bid submitted by Mr. Robert Hernandez, owner of Robert's Carpet Consultants.

Mr. Robert Hernandez, owner of the firm above, stated that he had operated his firm for 28 years, and spoke to a history of this particular bid item for carpeting for the new Central Library. He asked that City Council postpone action on this item to revisit the bids received.

Mr. John German, Director of Public Works, addressed the recommended bid and spoke to the re-bid of this matter when two of the bidders were disqualified. He noted that Robert's was the highest bid, on the re-bid of the matter.

Mr. Milton Babbitt, architect/project manager on the new Central Library project, addressed the sequence of events leading up to

the original bid and the re-bid, and spoke to the ultimate recommendation for award of the bid.

A discussion ensued concerning the bid-events involved and the determination of non-responsiveness of certain bids received.

Discussion also took place concerning 'custom carpeting' versus 'off-the-shelf carpeting'.

Mr. Ross spoke to the extraordinary aspects of this bid, and the remainder of work on the new Central Library. He then spoke in support for the recommended bid.

In response to a question by Mr. Peak, Mr. Lloyd Garza, City Attorney, addressed the legal remedies available in this matter, and stated his belief that the City exercised its legal right in rejecting all the original bids.

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

AN ORDINANCE 81,243

ACCEPTING THE LOW BID OF ARGOSY FLOOR COVERING, INC. IN THE AMOUNT OF \$317,390.21 IN CONNECTION WITH THE INSTALLATION OF CARPETING FOR THE NEW CENTRAL LIBRARY; AUTHORIZING \$31,739.02 FOR CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

94-55 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON AQUIFER MORATORIUM APPEAL.

Mayor Wolff declared the Public Hearing to be open.

Mr. Lloyd Garza, City Attorney, stated his opinion that the owner of the property in question has proved up one of the allowed exceptions cited in the ordinance establishing the four-month moratorium over the Edwards Aquifer recharge zone, and he recommended approval of the appeal.

Ms. Barbara Renda, 2314 Estate Gate Drive, explained the request to be allowed to proceed with construction of the home involved on some five acres of land over the recharge zone.

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

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

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

The City Clerk read the following Ordinance:

AN ORDINANCE 81,244

WAIVING THE PROVISIONS OF THE AQUIFER RECHARGE ZONE MORATORIUM ORDINANCE TO ALLOW THE REPLATTING OF LOTS 12 & 13, COUNTY BLOCK 4865, AS REQUESTED BY SALVADOR AND GLORIA ROJAS AND DANIEL AND BARBARA RENDA.

* * * *

94-55 PUBLIC HEARING - PROPOSED FIREFIGHTERS CONTRACT

Mayor Wolff declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

Mr. George K. Noe, Director of Management Services, provided copies of his presentation to City Council members. A copy of that presentation is made a part of the papers of this meeting. Mr. Noe then highlighted the major factors in the proposed new contract with The International Association of Firefighters Local 624. and addressed the purpose of the Public Hearing being held today.

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

In response to a question by Mr. Thornton, Mr. Noe spoke to the joint resolution of the long-range unfunded liability issue of health care, during the negotiations.

Discussion then took place concerning specific proposed contract provisions.

In response to a question by Mr. Solis, Mr. Morris Munoz, union negotiator, spoke to the proficiency testing of firefighters.

Mr. Ross noted that approval for the Fire Department's five-year Master Plan comes next.

Individual Council members then congratulated both sides of the negotiations for the proposed settlement and new contract.

Ms. McClendon asked that the news media publicize details of the new contract.

Mr. Alex Briseno, City Manager, noted that the Fire Department Master Plan will be before City Council in a "B" Session presentation in the next few weeks.

Mr. Larson noted that the City needs to keep its non-uniformed employees in mind when negotiating contracts with the uniformed services.

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,245

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE SAN ANTONIO CHILDREN'S MUSEUM, PURSUANT TO ORDINANCE NO. 79225, PASSED AND APPROVED ON NOVEMBER 23, 1993, TO ALLOCATE \$100,000.00 FROM FY 1993-94 HOTEL/MOTEL OCCUPANCY TAX FUNDS IN SUPPORT OF THE MUSEUM; AND AUTHORIZING THE ALLOCATION OF \$100,000.00 FROM FY 1995-95 HOTEL/MOTEL OCCUPANCY TAX FUNDS.

* * * *

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

Mr. Eduardo Diaz, Director of Arts & Cultural Affairs, explained the negotiation of a proposed contract with the San Antonio Childrens' Museum, noting that its construction is scheduled to start in January 1995, with completion set for July.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,246

AMENDING THE CITY LEASE AGREEMENT WITH THE GERMAN HERITAGE PARK, INC. FOR DEVELOPMENT OF A GERMAN HERITAGE PARK IN HEMISFAIR PARK TO EXTEND THE

DEADLINES FOR FIRST STAGE DEVELOPMENT COMPLETION BY
SIX (6) MONTHS.

* * * *

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

The following citizen appeared to speak:

Mr. Mickey Schott, President, German Heritage Park, asked for a six-month extension of lease provisions for the Park area in HemisFair Park, and spoke to the work done thus far in planning and financial commitments for its development.

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

94-55 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE SONY MICRO. REINVESTMENT ZONE.

Mayor Pro Tem Perez declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Pro Tem Perez declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 81,247

DESIGNATING THE SONY MICROELECTRONICS REINVESTMENT ZONE, LEGALLY DESCRIBED AS 50.001 ACRES OF LAND BEING LOT 1, BLOCK 3, NCB 18233, NORTHWEST CROSSROADS UNIT 3, LOCATED AT 8611 MILITARY DRIVE WEST, IN THE CITY OF SAN ANTONIO, AS DESCRIBED BY PLAT RECORDED IN VOLUME 9100, PAGES 233-234 OF THE DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS, PURSUANT TO THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

* * * *

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

Mr. Clint Bolden, Director of Economic Development, explained the request for tax phase-in for Sony Microelectronics, which he stated would create expansion of their current plant and an additional 100 jobs in the workforce there. He then spoke to Sony's \$19 million new

investment in expansion here.

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

Ms. Ayala spoke in support for the plant expansion and creation of new jobs.

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

94-55 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE SONY MICRO. TAX PHASE-IN.

Mayor Wolff declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 81,248

APPROVING A TAX PHASE-IN AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH SONY MICROELECTRONICS, AN UNINCORPORATED DIVISION SONY ELECTRONICS, INC., A DELAWARE CORPORATION, TO EXEMPT FROM AD VALOREM TAXATION SPECIFIED REAL AND PERSONAL PROPERTY IMPROVEMENTS LEGALLY DESCRIBED AS 50.001 ACRES OF LAND BEING LOT 1, BLOCK 3, NCB 18233, NORTHWEST CROSSROADS UNIT 3 (8611 MILITARY DRIVE WEST), IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, MORE SPECIFICALLY DESCRIBED IN ATTACHMENT A, ATTACHED HERETO, PURSUANT TO THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

* * * *

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

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

Mayor Wolff introduced Mayor Marco Antonio Contreras Santoscoy of Guanajuato, Mexico, present in the audience today.

Mr. Jose Botello and Mr. Leon Hernandez, representing League of United Latin American Citizens Council #2 (LULAC), both spoke to the exhibit "Feria del Sol" in the city of Guanajuato, Mexico.

Mayor Contreras thanked the Mayor and City Council for the recognition.

94-55 The Clerk read a proposed ordinance authorizing the expenditure of \$1,000.00 from the district 2 discretionary funds account and \$200.00 from Mayor Wolff's discretionary funds account to augment the cost of uniforms for the southeast apaches' ace river City sports program, as requested by Councilwoman Ruth Jones McClendon and Mayor Nelson Wolff.

Ms. McClendon spoke to the need for pledges from City Council members' Discretionary Accounts to help the Southeast Apaches' Ace River City Sports Program pay for uniforms and equipment.

In addition to \$1,000.00 pledged from the District 2 account and \$200.00 from the Mayor's account, other pledges made included: \$100.00 from District 1; \$100.00 from District 3; \$100.00 from District 4; \$100.00 from District 8; and \$25.00 from District 10.

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

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

The Clerk then read the following Ordinance:

AN ORDINANCE 81,249

AUTHORIZING THE EXPENDITURE OF \$1,625.00 FROM VARIOUS DISCRETIONARY FUNDS ACCOUNTS TO AUGMENT THE COST OF UNIFORMS FOR THE SOUTHEAST APACHES' ACE RIVER CITY SPORTS PROGRAM, AS REQUESTED BY COUNCILWOMAN RUTH JONES MCCLENDON AND MAYOR NELSON WOLFF.

* * * *

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,250

AUTHORIZING THE EXPENDITURE OF \$600.00 FROM THE DISTRICT 3 DISCRETIONARY FUNDS ACCOUNT AS A CONTRIBUTION TO THE SAN JOSE MISSION NUTRITION CENTER TO AUGMENT THE OPERATIONAL COSTS FOR THE DAILY MAINTENANCE AND PROVISION OF SERVICES FOR THE ELDERLY WHO ATTEND THE CENTER, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE.

* * * *

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

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,251

AUTHORIZING THE EXPENDITURE OF \$1,500.00 FROM DISTRICT 3 DISCRETIONARY FUND ACCOUNT AS A CONTRIBUTION TO THE CITY DANCE COMPANY OF SAN ANTONIO TO AUGMENT THE OPERATIONAL COST FOR THREE PERFORMANCES OF "LAS PASTORELA" AT THE SAN JOSE MISSION, FREE TO THE GENERAL PUBLIC, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE.

* * * *

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

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,252

AUTHORIZING THE EXPENDITURE OF \$903.60 FROM DISTRICT

4 DISCRETIONARY FUNDS ACCOUNT TO PAY FOR TRANSPORTATION OF THE GANG ALTERNATIVE PROGRAM (GAP) MEMBERS TO VARIOUS COMMUNITY PROJECT JOB SITES, AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

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

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,253

AUTHORIZING THE EXPENDITURE OF \$2,400.00 FROM THE DISTRICT 4 DISCRETIONARY ACCOUNT TO PROVIDE PAYMENT FOR A PHASE I ENVIRONMENTAL STUDY OF 5.3 ACRES AT NCB 15315 - LOT 2 AND NCB 15316 - LOT 2, AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

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

Mr. Avila spoke to the need for an environmental study for a possible new park area.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,254

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE HOUSTON ASTROS BASEBALL CLUB FOR TWO EXHIBITION BASEBALL GAMES TO BE PLAYED IN THE SAN ANTONIO MUNICIPAL STADIUM ON APRIL 1ST AND 2ND, 1995; ESTABLISHING AN ACTIVITY IN THE CITY GENERAL FUND; APPROPRIATING \$280,000.00 IN REVENUE; ADOPTING A BUDGET; AND AUTHORIZING A \$260,000.00

PAYMENT TO THE HOUSTON ASTROS FOR THIS SERIES OF GAMES.

* * * *

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

Mr. Ron Darner, Director of Parks & Recreation, explained the culmination of negotiations leading up to agreement to hold two Houston Astros major league baseball games in San Antonio's Municipal Baseball Stadium next spring.

Mayor Wolff noted that this culminates two years of negotiations, and will represent the first major league baseball games played in San Antonio since 1975. He predicted that both games will be sellouts.

Ms. Ayala thanked the Mayor and others for creating the new baseball stadium in which to play these major league games in San Antonio.

Mayor Wolff spoke to the need to move ahead with plans to increase the seating in the stadium and add additional parking space.

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

- - -
94-55 Agenda item 42, being a proposed ordinance authorizing the execution of a professional services contract in an amount not to exceed \$1,000,000.00 with KGME, Inc. in connection with engineering services and other professional services related to the South Texas Regional Environmental Enterprise Zone (STREEZ), was temporarily bypassed at the request of the City Attorney, so that an Executive Session might be held prior to its formal consideration by the City Council.

- - -
94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,255

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 94-CI-06929 STYLED IRMA MANCILLAS ET AL. V. CITY OF SAN ANTONIO ET AL. IN THE TOTAL AMOUNT OF \$510,000 AND COURT COSTS.

* * * *

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

Mr. Steven Arronge, Assistant City Attorney, explained the settlement of litigation over a Bandera Road automobile accident between a police vehicle and a civilian vehicle which resulted in three deaths.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,256

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 93-CI-13960 STYLED JOSE PADILLA V. KENNETH WAYNE WAGONER AND CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$65,000.00 AND COURT COSTS.

* * * *

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

Mr. Don King, Assistant City Attorney, explained the proposed settlement.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,257

SELECTING ALAMO ARCHITECTS, INC. TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE DESIGN FOR THE RENOVATION OF THE CITY-OWNED PUBLIC SAFETY TECHNOLOGY CENTER LOCATED AT 515 S. FRIO STREET TO ACCOMMODATE THE RELOCATION OF THE INFORMATION SERVICES DEPARTMENT; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT NO TO EXCEED \$227,500.00; AUTHORIZING \$30,000.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES AND \$600.00 FOR ADVERTISING EXPENSES;

APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. John German, Director of Public Works, addressed plans for the new facility to house the Information Services Department.

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

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,258

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A TEN (10) MONTH CONTRACT WITH BEXAR COUNTY TO PROVIDE LIBRARY SERVICES TO CITIZENS OF UNINCORPORATED BEXAR COUNTY AND CITIZENS OF INCORPORATED CITIES OUTSIDE OF SAN ANTONIO RESIDING WITHIN BEXAR COUNTY AT A MONTHLY RATE OF 16.5% FOR THE INITIAL TWO MONTHS AND A MONTHLY RATE NOT TO EXCEED 19.5% OR FALL BELOW 13.5% OF AN APPROVED ADJUSTED OPERATING BUDGET FOR THE REMAINING EIGHT MONTHS OF THE CONTRACT.

* * * *

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

Ms. Frances Gonzalez, Organizational Review, spoke to details of the proposed 10-month contract for library services to citizens living in unincorporated Bexar County and in cities outside the City of San Antonio.

Ms. Ayala spoke in support of the proposed contract worked out after months of negotiations, noting that additional contracts for services to Bexar County are still being negotiated.

In response to a question by Mr. Peak, Ms. Ayala and Ms. Gonzalez spoke to details of the proposed contract and to payments to be made to the City.

A discussion then took place concerning the system devised to calculate usage of the City's library system by these Bexar County residents and residents of other incorporated cities within the county.

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

94-55 TRAVEL AUTHORIZATION - Granted:

Councilwoman Lynda Billa Burke to travel to Kumamoto, Japan from November 29, 1994 to December 2, 1994, to attend the Cabin Inauguration.

* * * *

94-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,259

AUTHORIZING THE TRANSFER OF \$2,500.00 FROM DISTRICT 3 DISCRETIONARY ACCOUNT TO THE MAYOR/COUNCIL BUDGET TRAVEL ACCOUNT TO AUGMENT TRAVEL EXPENSES OF COUNCILWOMAN LYNDA BILLA BURKE TO KUMAMOTO, JAPAN, FOR THE CABIN INAUGURATION, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

* * * *

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

CITIZENS TO BE HEARD

There were no citizens to speak in the audience at this time.

94-55 City Clerk Norma S. Rodriguez read the caption of a proposed in an amount not to exceed \$1,000,000.00 with KGME, Inc. in connection with engineering services and other professional services related to the South Texas Regional Environmental Enterprise Zone (STREEZ).

Mr. Lloyd Garza, City Attorney, asked that the City Council be briefed in Executive Session on this matter, since questions have been brought up concerning it.

94-55 City Council then recessed its regular meeting at 5:33 P.M. in order to convene in Executive Session to consider:

1. Agenda Item 42. (As stated above)
2. Settlement of case styled Barbara Shawn vs. City of San Antonio, No. 93-CI-16176.
3. Settlement of case styled Scott Moss, et al vs City of San Antonio, et al, Cause No. 93-CI-12597, 225th Judicial District Court, Bexar County, Texas.
4. Status report on the San Antonio Police Contract negotiation.
5. Report on negotiations for grant contractual agreement regarding Texas Department on Aging Program Funds.

94-55 City Council adjourned its Executive Session and reconvened in regular meeting at 6:39 P.M., at which time Mayor Wolff announced that the City Council had been briefed on the above matters, had given direction to City staff, but had taken any official action.

94-55 City Council at this time resumed consideration of Agenda Item 42.

Ms. Billa Burke made a motion to postpone consideration of this matter. Mr. Larson seconded the motion.

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

Agenda Item 42 was postponed.

94-55 There being no further business to come before the Council, the meeting was adjourned at 6:40 P.M.

A P P R O V E D

Nelson W. Wolff
M A Y O R

Attest:

Norma S. Rodriguez
C I T Y C L E R K

November 22, 1994
bg

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November 22, 1994

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

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

November 3, 1994

Petition submitted by Mr. Horace Gonzales, et al, 3721 South Presa, San Antonio, Texas, 78210, requesting that the Public Works Department of the City of San Antonio submit to the Metropolitan Planning Organization (MPO) a proposal and itemized cost analysis of Transportation Improvement Projects (TIP) FY 1996-98, as outlined in letter.

/s/ Norma S. Rodriguez
City Clerk