

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, SEPTEMBER 3, 1998.

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98-32 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following items(s):

Budget Work Session for the following departments:

- A.) Alamodome**
- B.) Convention Facilities**
- C.) Convention and Visitors Bureau**

The Council members present were: Salas, Prado, Menendez, Garza, Marbut, Webster and Peak. **ABSENT:** Flores, Guerrero, Vásquez, Bannwolf.

The "B" Session adjourned at 11:15 A.M.

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98-32 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Flores, Salas, Guerrero, Prado, Menendez, Garza, Marbut, Bannwolf, Webster and Peak. **ABSENT:** Vásquez.

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98-32 Invocation by Reverend Del Brown, Oxford Methodist Church.

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98-32 Pledge of Allegiance to the flag of the United States.

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98-32 Minutes of the Regular City Council Meeting for July 23, 1998 were approved.

CEREMONIAL ITEMS

RECOGNIZED SCHOOLS

Mayor Peak read a citation given to various schools who have met the criteria set out by the Texas Education Agency for designation as an EXEMPLARY school during the 1998-99 rating period. (A copy of the list is on file with the papers of this meeting)

Representatives from each of the schools were congratulated at this time by the Mayor and Council.

Councilman Prado thanked the Mayor for making this presentation and spoke to the achievements of many of the schools in his Council district who have met the criteria with the help of administration and staff.

Various members of the Council spoke to the accomplishments of all of the schools and congratulated the 'recognized' schools.

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DIEZ Y SEIS de SEPTIEMBRE CELEBRATION

Mayor Peak read a proclamation in recognition of Diez y Seis de Septiembre and the events being held to celebrate the Mexican holiday.

Mr. Roberto Ramirez and other members of the committee spoke to the events being held in recognition of Diez y Seis.

Mayor Peak spoke to the significance of the holiday.

Various Council members thanked the City staff who helped coordinate the events and spoke to the significance of this very important holiday and its observance here in the City of San Antonio.

98-32 Councilman Flores requested that Items 30 and 31 be brought forward for consideration at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 88369

AUTHORIZING THE TEMPORARY CLOSURE OF GUADALUPE STREET BETWEEN SOUTH BRAZOS AND SAN JACINTO STREETS FROM 8:00 A.M., SATURDAY, SEPTEMBER 12, 1998 THROUGH 6:00 A.M., SUNDAY, SEPTEMBER 13, 1998 FOR THE ANNUAL DIEZ Y SEIS FESTIVAL, AS REQUESTED BY THE AVENIDA GUADALUPE ASSOCIATION (AGA); THIS CLOSURE IS LOCATED IN CITY COUNCIL DISTRICTS 1 AND 5; AND PROVIDING FOR AN IMMEDIATE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez.

98-32 The Clerk read the following Ordinance:

AN ORDINANCE 88370

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM 9:00 A.M. UNTIL 3:30 P.M., SATURDAY, SEPTEMBER 12, 1998 FOR THE DIEZ Y SEIS DE SEPTIEMBRE PARADE, AS REQUESTED BY THE AVENIDA GUADALUPE ASSOCIATION (AGA); THIS CLOSURE IS LOCATED IN CITY COUNCIL DISTRICTS 1 AND 5; AND PROVIDING FOR AN IMMEDIATE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez.

98-32 At this point, City Manager Briseño, read a letter of resignation from Mr. Clinton Bolden, Director of Economic Development. (A copy of his letter is on file with the papers of this meeting.) He then asked Mr. Bolden to come forward to be recognized by the City Council.

Mr. Bolden then came forward and spoke of his departure back to his hometown of Oakland, California because of family reasons. He also thanked everyone in the City organization and his esteem regard for all.

Mr. Mario Hernandez, Executive Director of the Economic Development Foundation, spoke to the important role Mr. Bolden played within the City and to his many accomplishments during his tenure with the Economic Development Department.

Various Councilmembers spoke to their regrets on seeing Mr. Bolden leave the city and also offered him their congratulations.

98-32 Councilman Bannwolf requested that Items 36 be brought forward for consideration at this time.

The Clerk read the following Resolution:

A RESOLUTION
NO. 98-32-28

EXPRESSING CITY COUNCIL'S SUPPORT OF THE NORTH EAST INDEPENDENT SCHOOL DISTRICT'S (NEISD) PROPOSED \$366.4 MILLION BOND ELECTION THAT WILL PAY FOR PROJECTS IDENTIFIED BY THE CITIZENS' COMMITTEE; AS REQUESTED BY COUNCILMAN TIM BANNWOLF OF COUNCIL DISTRICT 9.

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Mr. Bannwolf made a motion to approve the proposed Resolution Mr. Webster seconded the motion.

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Mr. Bannwolf spoke to the Resolution, the achievements of the N.E.I.S.D. and encouraged the public to vote.

Mr. Prado thanked Mr. Bannwolf for bringing this measure to the Council and spoke to the improvements made to each district by this and other bond elections.

Mr. Salas spoke to the importance of bond issues to certain areas of his district.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, SAT 78212, spoke in opposition to the bond issues on the ballot.

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After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Salas, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Guerrero, Vásquez, Menéndez.

98-32 CONSENT AGENDA

Ms. Guerrero made a motion to approve Agenda Items 7 through 29h, constituting the Consent Agenda. Mr. Salas seconded the motion.

After consideration, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Menéndez, Garza, Marbut, Webster, Peak. **NAYS:** None; **ABSENT:** Prado, Vásquez, Bannwolf.

AN ORDINANCE 88371

ACCEPTING THE LOW BID BY CLEANOLOGY SERVICES AND SUPPLY, TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH RESTORATION OF PRECAST MASONRY AND VERTICAL CONCRETE SURFACES FOR A TOTAL OF \$42,075.00. (MBE)

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AN ORDINANCE 88372

ACCEPTING THE LOW BID OF OMNI ELEVATOR COMPANY TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION FACILITIES DEPARTMENT WITH LABOR, MATERIALS, AND EQUIPMENT TO UPGRADE THREE (3) ELEVATORS, FOR A TOTAL OF \$46,500.00.

AN ORDINANCE 88373

ACCEPTING THE LOW BID BY MAHONE ROOFING & SHEET METAL CO., INC. TO PROVIDE THE COMMUNITY INITIATIVES DEPARTMENT WITH ROOF REPLACEMENT AT THE CLAUDE BLACK COMMUNITY CENTER FOR A TOTAL OF \$18,705.00.

AN ORDINANCE 88374

ACCEPTING THE LOW QUALIFIED BID BY RIVERA'S CONTRACTING TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH PAINTING OF THE MID-CITY PARKING GARAGE FOR A TOTAL OF \$52,000.00. (MBE)

AN ORDINANCE 88375

ACCEPTING THE LOW BID BY 1904 CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH LABOR, MATERIAL AND EQUIPMENT FOR ROOF REPLACEMENT AT THE MUNICIPAL PLAZA BUILDING ANNEX FOR A TOTAL OF \$73,499.90 AND APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

AN ORDINANCE 88376

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH BEATY SAUNDERS ARCHITECTS, INC. (WBE) AUTHORIZED BY ORDINANCE NO. 87715, PASSED AND APPROVED ON APRIL 23, 1998, TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE PHASE II AMERICAN WITH DISABILITIES ACT (ADA) IMPROVEMENTS TO THE CITY'S RIVER WALK TO INCLUDE AN ADDITIONAL AREA; REVISING THE PROJECT'S BUDGET AND TRANSFERRING CAPITAL IMPROVEMENTS RESERVE FUNDS - 1998 FIMP PROGRAM INTO THE BUDGET; AUTHORIZING \$2,100.00 ARCHITECT CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$19,600.00 FOR ARCHITECTURAL SERVICES; PROVIDING \$2,700.00 FOR BID ADVERTISING AND PRINTING COSTS FOR THE PROJECT; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 88377

SELECTING INDEPENDENT DESIGN (MBE) TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE JOE WARD COMMUNITY CENTER IMPROVEMENTS 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT UP TO \$19,587.00 FOR THESE ARCHITECTURAL SERVICES; DISENCUMBERING \$16,087.00 PREVIOUSLY ENCUMBERED BY ORDINANCE NO. 86271, PASSED AND APPROVED ON JULY 24, 1997, FOR ARCHITECTURAL SERVICES; TRANSFERRING FUNDS AND REVISING THE PROJECT'S BUDGET; PROVIDING \$1,330.00 FOR PROJECT RELATED BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 88378

ACCEPTING THE LOW BID OF INNOVATIVE BUILDERS CORPORATION IN THE AMOUNT OF \$575,058.00 FOR A CONSTRUCTION CONTRACT IN CONNECTION WITH THE FOREST HILLS BRANCH LIBRARY ADDITION AND RENOVATION PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING \$57,505.80 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88379

SELECTING CHESNEY, MORALES & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE MUNICIPAL AUDITORIUM ROOF INVESTIGATION - PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$37,000.00; AUTHORIZING \$6,000.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$3,000.00 FOR MISCELLANEOUS EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88380

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN "AGREEMENT FOR THE CITY TO ASSUME OPERATION AND MAINTENANCE OF EXISTING TRAFFIC SIGNALS" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT); AUTHORIZING THE CITY OF SAN ANTONIO TO BE RESPONSIBLE FOR ALL EXPENSES INCURRED FOR FURNISHING POWER TO, AND MAINTAINING AND OPERATING THE HIGHWAY TRAFFIC SIGNAL LOCATED AT IH 410 WESTBOUND FRONTAGE ROAD AT SPUR 537 (SAN PEDRO AVENUE) IN COUNCIL DISTRICT 9.

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AN ORDINANCE 88381

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF E-Z BEL CONSTRUCTION CO., INC., IN THE AMOUNT OF \$96,999.20 IN CONNECTION WITH THE ANSLEY PLACE SUBDIVISION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6; REVISING THE PROJECT BUDGET; AUTHORIZING \$6,853.27 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,878.38 FOR PROJECT OVERSIGHT EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 88382

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,891.94 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA TO W. COMMERCE (\$241.11); SCIENCE PARK DRAINAGE PROJECT #58 H, I & J (\$3,565.17); THE BABCOCK ROAD AT HILLCREST PROJECT (\$2,999.52); THE BLANCO ROAD AT JACKSON-KELLER PROJECT (\$268.40); THE BASSE ROAD AT SAN PEDRO PROJECT (\$30.00); THE WEST AVENUE INTERSECTIONS PROJECT (\$62.20); THE BABCOCK ROAD INTERSECTIONS PROJECT (\$599.65); THE NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS PROJECT (\$2,095.89); AND THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE TO U.S. 90 WEST (\$30.00); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 88383

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$59,168.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR DAVID Z. PEREZ AND WIFE, KIMBERLY J. PEREZ FOR FEE SIMPLE TITLE TO ONE PARCEL (\$22,155.00) AND ONE TEMPORARY EASEMENT (\$1,960.00) AND AS ESCROW AGENT FOR JEAN C. TUCKER FOR FEE SIMPLE TITLE TO ONE PARCEL (\$35,053.00) IN CONNECTION WITH THE BABCOCK ROAD - DE ZAVALA TO HAUSMAN PROJECT; AND THE SUM OF \$1,027.00 PAYABLE TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR MATTHEW JOHN SCHMID FOR FEE SIMPLE TITLE TO ONE PARCEL IN

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CONNECTION WITH THE HILDEBRAND AVENUE - I. H. 10 TO BREEDEN PROJECT; FOR THE TOTAL SUM OF \$60,195.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88384

APPROVING THE EXECUTION OF A LEASE AGREEMENT WITH HOTCHKISS MANAGEMENT COMPANY, D/B/A BIG APPLE BAGEL FOR THE USE OF APPROXIMATELY 2,000 SQUARE FEET OF RETAIL SPACE AT THE INTERNATIONAL CENTER, LOCATED AT 203 S. ST. MARY'S STREET, FOR A FIVE YEAR TERM COMMENCING UPON COMPLETION OF ITS IMPROVEMENTS, ANTICIPATED TO BE IN DECEMBER, 1998, AND ENDING FIVE YEARS THEREAFTER, WITH TWO (2) FIVE YEAR RENEWAL OPTIONS, SUBJECT TO CITY COUNCIL APPROVAL, AT AN AVERAGE RENTAL OF \$14.45 PER SQUARE FOOT PER YEAR FOR A TOTAL RENTAL PAYMENT FOR THE INITIAL TERM OF \$144,500.00, PLUS COMMON AREA MAINTENANCE (CAM) PAYMENTS OF APPROXIMATELY \$18,700.00, FOR A TOTAL OF APPROXIMATELY \$163,200.00.

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AN ORDINANCE 88385

AUTHORIZING THE EXECUTION OF AMENDMENTS TO CONTRACTS WITH RYAN WHITE TITLE II HIV/AIDS SERVICE PROVIDERS; AUTHORIZING PAYMENTS TO SUBCONTRACTORS; AMENDING THE BUDGETS OF THE RYAN WHITE TITLE II AND RYAN WHITE DENTAL CLINIC PROJECTS OF THE SAN ANTONIO METROPOLITAN DISTRICT; AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES; AND AUTHORIZING THREE (3) ADDITIONAL PERSONNEL POSITIONS.

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AN ORDINANCE 88386

AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SAISD) FOR THE SAISD AFTER SCHOOL CHALLENGE AND NIGHT OWL SPORTS PROGRAMS; ESTABLISHING A FUND AND ADOPTING A \$675,000.00 BUDGET.

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AN ORDINANCE 88387

AUTHORIZING THE AVIATION DEPARTMENT TO RENEW A CONTRACT FOR THE DISTRIBUTION OF THE SAN ANTONIO INTERNATIONAL AIRPORT FLIGHT GUIDE BY INSERTING IT IN FOUR SEPARATE ISSUES OF THE SAN ANTONIO BUSINESS JOURNAL WITHIN THE NEXT YEAR FOR A TOTAL COST OF \$6,000.00.

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AN ORDINANCE 88388

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS FROM SEPTEMBER 17, 1998 THROUGH SEPTEMBER 21, 1998 IN CONNECTION WITH THE 1998 JAZZ 'SALIVE FESTIVAL IN TRAVIS PARK AS REQUESTED BY THE SAN ANTONIO PARKS FOUNDATION.

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AN ORDINANCE 88389

APPOINTING ANDREW SMITH (DISTRICT 9) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2000.

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AN ORDINANCE 88390

REAPPOINTING OTIS PARCHMAN (MAYOR) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1999.

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AN ORDINANCE 88391

REAPPOINTING JERRY SMITH, JR. (MAYOR) TO THE BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2000.

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AN ORDINANCE 88392

APPOINTING ELIO H. RIVERA (DISTRICT 4) TO THE CLEAN-UP CITY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 1999.

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AN ORDINANCE 88393

APPOINTING WILLIAM A. SAHM (DISTRICT 2) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2000.

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AN ORDINANCE 88394

REAPPOINTING LINDA IVY (DISTRICT 3) FOR THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2000.

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AN ORDINANCE 88395

APPOINTING AARON ESTRADA (DISTRICT 8) AND ANGELA TORRES (DISTRICT 8) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERMS OF OFFICE TO EXPIRE ON JUNE 1, 1999 AND JUNE 1, 2000, RESPECTIVELY.

AN ORDINANCE 88396

APPOINTING REV. NATHANIEL TAYLOR (DISTRICT 2) TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2000.

98-32 At this time, Councilman Marbut requested that Item 26 be considered.

The Clerk read the following Ordinance:

AN ORDINANCE 88397

AUTHORIZING THE AVIATION DEPARTMENT TO RENEW CONTRACTS FOR THE PLACEMENT OF SAN ANTONIO INTERNATIONAL AIRPORT INFORMATION AND DIAGRAMS IN LOCAL AND SURROUNDING COMMUNITY TELEPHONE DIRECTORIES PUBLISHED BY SOUTHWESTERN BELL TELEPHONE COMPANY, GTE, SPRINT, CONSOLIDATED COMMUNICATIONS DIRECTORS AND OTHERS AS NEEDED AND TO PAY AN AMOUNT NOT TO EXCEED \$38,000.00 FOR PLACEMENT OF THESE ADVERTISEMENTS.

Mr. Marbut made a motion to approve the proposed Ordinance. Mr. Salas seconded the motion.

Mr. Marbut spoke regarding phone availability at the airport.

Mr. Efren T. Gonzalez, Director of Aviation, explained the reasons for the shortage of phones in the airport.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf.

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APPEAL OF : THE PALACE MEN'S CLUB.

Mayor Peak opened the Public Hearing.

Mr. Gene Camargo, Director of Building Inspections, explained the details of the appeal and the location of the property in question. (A copy of the memo to which he referred is made part of the papers of this meeting.)

The following citizen(s) appeared to speak:

Mr. Charles Von Schmidt, Managing Director for the Palace Men's Club, spoke to the need to treat each sexually oriented business equitably. He then made a presentation outlining the history of his case and offered comparisons to other like businesses. He also requested that the item be sent back to the board for further review.

Ms. Carrol Chittenden, Village North Neighborhood Association, spoke on behalf of the majority of her association who are in opposition to voting in favor of the appeal. Ms. Chittenden then referred to a letter distributed by the business to all of the neighboring residents.(A copy of the letter is on file with the papers of this meeting.) She then clarified the reasons for her association's opposition to this appeal.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the outlying parts of the City as the "red light" district. He then spoke to the many sexually oriented businesses located near SAC.

(At this point Mayor Peak was obliged to leave the Council meeting.)

Mr. Jack Finger, P.O. Box 12048, spoke in opposition to the appeal and also expressed his opinion of why the business manager is pressing this issue.

(At this time the Mayor returned to the meeting to preside.)

At this time, the appellant was given the opportunity for rebuttal:

Mr. Von Schmidt reiterated his earlier comments on why his case should be referred back to the Non-conforming Board for review. He then further described in detail the wall that

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the club wishes to construct around the premises. Mr. Von Schmidt also offered crime statistics regarding the crime rate in other nearby business establishments.

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In response to a question from Councilman Webster, a neighborhood representative presented examples of complaints made by residents and discussed the crime rate ratio in the area.

Mr. Steve Arronge, City Attorney, explained the amortization process and spoke to the twenty-two year requirement. He clarified that there has not yet been a determination made about the amortization.

Mr. Webster expressed his personal views about the statistics quoted in the letter prepared by the men's club and characterized the tone of the letter as "insulting."

The Clerk read the following Resolution:

A RESOLUTION
NO. 98-32-29

CONSIDERATION OF A RESOLUTION DECIDING AN APPEAL OF THE NONCONFORMING USE DETERMINATION BOARD DENYING THE REQUEST OF MR. CHARLES VON SCHMIDT, FOR TYPE "A" NONCONFORMING USE RIGHTS FOR THE PALACE MEN'S CLUB, LOCATED AT 2482 N.E. LOOP 410, A SEXUALLY ORIENTED BUSINESS, PURSUANT TO ORDINANCE NO., 82135, PASSED AND APPROVED ON APRIL 27, 1995, AS AMENDED BY ORDINANCE NO. 87443, PASSED AND APPROVED ON FEBRUARY 26, 1998.

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Mr. Webster made a motion to deny the motion to grant Type A Nonconforming Use Rights to the appellant. Mr. Salas seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Salas, Prado, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Guerrero, Vásquez.

98-32 On a point of personal privilege, Mr. Webster requested that Item 37 be considered at this time.

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The Clerk read the following Ordinance:

AN ORDINANCE 88398

AUTHORIZING CITY STAFF TO CONDUCT A COMPREHENSIVE STUDY REGARDING THE POTENTIAL DEVELOPMENT OF A NEW ARENA, INCLUDING AN ANALYSIS OF POTENTIAL IMPACTS TO THE ALAMODOME, FINANCING OPTIONS, INCLUDING TAX INCREMENT FINANCING, POTENTIAL SITE LOCATIONS, AND OTHER RELATED ISSUES; THIS STUDY DOES NOT OBLIGATE THE CITY TO PROCEED WITH THE DEVELOPMENT OF A NEW ARENA.

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Mr. Webster made a motion to approve the proposed Ordinance. Mr. Bannwolf seconded the motion.

Ms. Melissa Vossmer, Assistant City Manager, made the presentation regarding the relationship between the Spurs and the Alamodome. (A copy of this presentation is made part of the papers of this meeting.)

Mr. Frank Garza, City Attorney, continued with the presentation by outlining the TIF implementation timetable. (A copy of this presentation is made part of the papers of this meeting.)

Mr. Octavio Peña, Director of Finance, continued the presentation by discussing the analytical studies.

Ms. Vossmer closed the presentation by presenting a brief overview of the items discussed. Ms. Vossmer suggested that two Public Hearings be held.

It was also suggested that the Spurs organization pay the \$100,000 plus necessary for the study.

The following citizen(s) appeared to speak:

Mr. Walter Jones, 958 F. Street, spoke in support of the Longhorn Arena project.

Mr. Faris Hodge, Jr., 140 Dora, spoke to uses of the area in question. He expressed his opinion that the new arena should not be located in the downtown area because of increased traffic flow.

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Mr. Donze Lopez, representing the Greater Chamber of Commerce, spoke in favor of the proposed Ordinance.

Mr. Leo Gomez, Spurs V.P. of Public Affairs, spoke in favor of the Ordinance. Mr. Gomez also stated that the team is committed to San Antonio and their investors. (A copy of his statements are made part of the papers of this meeting.)

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Mayor Peak spoke to the benefits of the study and to need of having the entire process being an open and public one. He then encouraged Council to vote in favor of the proposed Ordinance and clarified that the Spurs will indeed assist with the funding of the project.

Mr. Webster spoke to his role of representing the District 10 area where the proposed site is located and reiterated Mayor Peak's comments. He clarified that the Council wants to make an intelligent decision based on information and not on emotion. He explained that this must be a business decision.

(At this time, Mayor Peak was obligated to leave the meeting. Mayor Pro Tem Flores presided.)

Mr. Webster continued by expressing his wish to keep all documentation open for the public's review, either at the public libraries or in the City Clerk's office.

In response to a question from Mr. Bannwolf, Ms. Vossmer explained that the timeframes will vary, but are currently on a 'fast track' approach with analysis and reports on the preliminary plan to be due out in early December.

Mr. Bannwolf requested that all reports be out by December 1st.

In response to a question from Mr. Garza, Ms. Vossmer stated that a list of prospective contractors will be ready by next week. She also stated that that other financing options would be explored.

Mr. Garza stated that the process will allow much public participation.

Discussion then ensued concerning the need for two public hearings and whether or not they are required by law.

(At this time, Mayor Peak returned to the meeting to preside.)

Mr. Flores then spoke in favor of maintaining a public process in this matter by having biweekly updates and offer public forums for citizen commentary.

Mayor Peak concurred with Mr. Flores' comments.

In response to a question from Mr. Salas, Ms. Vossmer stated that other possible locations will be considered, including the Freeman Coliseum.

Mr. Salas spoke to TIF boundary lines and whether the quarry is a feasible location. He also suggested a study be done to see whether the property could be extended into his own district to create better economic advantages for his citizenry.

Ms. Guerrero spoke to the need to have a venue of this size to be not only for a Spurs arena, but for other events. She also suggested that the study include a traffic study and an element that would review the benefits an arena this size will have on the City.

In response to a question from Ms. Guerrero, Mayor Peak stated that the Spurs committed to being responsible for the 150 thousand dollar cost of the study.

Mr. Menendez thanked Mr. Webster for initiating this cautious approach on this matter and reiterated his concurrence with fellow councilmembers comments.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSTAIN:** Marbut; **ABSENT:** Vásquez.

98-32 PUBLIC HEARING: PROPOSED TAX RATE FOR TAX YEAR
JANUARY 1, 1999 THROUGH DECEMBER 31, 1999.

Mayor Peak opened the Public Hearing.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the information presented for the Public Hearing and other concerns relating to property taxes and property value.

Ms. Ida Kenny, Executive Director of Texas Senior Citizens Association, spoke to senior benefits served by the City. She cited VIA as a good example of benefits offered to senior citizens. She referred to an article written in *The Voice* newspaper concerning the sunseting of the Texas Senior Citizens Association and addressed her discontent with the recommendations made by the Sunset Committee. (A copy of the article is made part of the papers of this meeting.)

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In response to Ms. Kenny's comments, Mayor Peak stated that her suggestions would be referred to the appropriate department for action. He then spoke to the City's waiving of property taxes for its elderly residents.

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Mr. Nazarite R. F. Perez, 627 Hearne, spoke to property taxes and the merging of the County and City.

Mr. Jack M. Finger, P.O. Box 12048, SAT 78212, spoke to lowering the tax rate instead of maintaining the same rate.

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

98-32 The Clerk read the following Ordinance:

AN ORDINANCE 88399

AUTHORIZING THE TEMPORARY CLOSURE OF ST. MARY'S STREET BETWEEN MARKET AND VILLITA STREETS FROM 5:00 P.M. UNTIL 12:00 MIDNIGHT, THURSDAY, SEPTEMBER 10, 1998 FOR THE "GRAND OPENING" OF THE INTERNATIONAL CENTER, AS REQUESTED BY THE CONVENTION CENTER EXPANSION OFFICE, CITY OF SAN ANTONIO FOR THE INTERNATIONAL CENTER; THIS CLOSURE IS LOCATED IN COUNCIL DISTRICT 1, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf, Webster.

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98-32 The Clerk read the following Ordinance:

AN ORDINANCE 88400

APPROVING SELECTION OF BENDER WELLS CLARK DESIGN TO PROVIDE A PEARSALL ROAD LANDFILL REDEVELOPMENT AND BUDGET PLAN; AND CONSTRUCTION ADMINISTRATION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT WITH BENDER WELLS CLARK DESIGN FOR THESE SERVICES; AND APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$100,000.00; AND PROVIDING FOR PAYMENT.

* * * *

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

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Mr. Dan Cardenas, Assistant Director of Public Works, gave a presentation outlining the various phases of the Pearsall Landfill Redevelopment and Improvement Plan. (A copy of his presentation is on file with the papers of this meeting.)

Mayor Peak spoke in support of the project.

Mr. Prado spoke to the area to be redeveloped and to the firms involved in the project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf, Webster.

98-32 The Clerk read the following Ordinance:

AN ORDINANCE 88401

AMENDING CHAPTER 2 OF THE CITY CODE BY ENACTING ARTICLE V, SECTION 2-215 THROUGH 2-225 REGARDING THE NAMING AND RENAMING OF CITY STREETS AND FACILITIES; ESTABLISHING DEFINITIONS; ESTABLISHING A POLICY AND PROCEDURE FOR THE SELECTION AND CHOICE OF A NAME FOR ALL NEW STREETS AND FACILITIES; ESTABLISHING A POLICY AND PROCEDURE FOR THE SELECTION AND CHOICE OF NAME FOR ANY STREET OR FACILITY TO BE RENAMED; ALLOWING FOR COMMUNITY INPUT; AND ESTABLISHING A HISTORICAL RECORD FOR THE CHOICE OF SUCH NAMES.

* * * *

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

Mr. Frank Garza, City Attorney, made a presentation outlining the proposed amendment to the City Code with regard to the procedure to be followed in renaming city facilities and streets. (A copy of his presentation is made part of the papers of this meeting.)

Mayor Peak spoke in favor of the formal process recommended.

Mr. Salas thanked Mr. Garza and his staff for their hard work in creating a necessary process which should clear up any confusion the community may have regarding facility name changes.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf, Webster.

— — —
98-32 The Clerk read the following Ordinance:

AN ORDINANCE 88402

APPROVING THE SELECTION OF DEPENDABLE HEALTH SERVICE, INC. FOR A PROFESSIONAL NURSING SERVICES AGREEMENT TO PROVIDE MEDICAL SCREENING AGREEMENT AND OBSERVATION OF DETAINEES AT THE MUNICIPAL DETENTION CENTER FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999 WITH TWO SUBSEQUENT ONE-YEAR RENEWAL OPTIONS; AUTHORIZING THE EXECUTION OF SAID AGREEMENT; AUTHORIZING PAYMENTS TO THE CONTRACTOR IN AN AMOUNT NOT TO EXCEED \$393,796.00; AND AUTHORIZING PAYMENT TO PRIVATE PHYSICIANS UP TO \$25,000.00 FOR MEDICAL ON-CALL SERVICES FOR THIS FACILITY.

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

Mr. Frank Blalock, Assistant Director of Health, gave a presentation outlining the details of the proposed Ordinance.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Marbut, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf, Webster.

A RESOLUTION
NO. 98-32-30

AUTHORIZING THE 2007 SPORTS FIESTA SAN ANTONIO BID COMMITTEE, A TEXAS NON-PROFIT CORPORATION (THE "BID COMMITTEE") TO PURSUE THE CITY OF SAN ANTONIO'S BID TO HOST THE 2007 PAN AMERICAN GAMES PURSUANT TO THE BID COMMITTEE AGREEMENT; AUTHORIZING A LETTER FROM THE MAYOR; AND PROVIDING THAT NOTHING IN THIS RESOLUTION SHALL BE DEEMED TO DESIGNATE THE BID COMMITTEE AS AN AGENT OF THE CITY OR CONSTITUTE THE APPROPRIATION OF FUNDS.

* * * *

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

Mr. Steve Moore, Director Convention and Visitors Bureau, gave a presentation outlining the details of the resolution. He stated that the resolution doesn't obligate the City to any financial contract at this time. (A copy of his report is made part of the official papers of this meeting.)

Mayor Peak spoke in support of the proposed Resolution and to the impending future of this project and the problems with council term limits. He also offered his thanks to members of staff who have worked on these projects and to the ongoing work that will be necessary in the coming years.

Mr. Moore thanked the Sports Foundation for their help in the project.

Several Councilmembers offered their support of the Resolution and thanked Mr. Moore and the Sports Foundation for their work in attracting major sporting events to the City.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut, Webster.

98-32 At this time the Mayor was obliged to leave the meeting. Mayor Pro Tem Flores presided in the Mayor's temporary absence.

98-32 **TRAVEL AUTHORIZATION:**

For Councilmembers Debra Guerrero of District 3, Jose Menendez of District 6, Robert Marbut of District 8, and Tim Bannwolf of District 9 to travel to Washington, D.C. from Saturday, September 12, 1998 through Tuesday, September 16, 1998 for the Military Affairs SA-to-DC Trip (Strengthening Relationships for the next Millennium).

Mr. Salas made a motion to approve the Travel Authorization . Mr. Garza seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menéndez, Garza, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Vásquez, Marbut, Webster.

98-32 **CITY MANAGER'S REPORT: CODE COMPLIANCE AWARENESS WEEK.**

Ms. Liz García, Assistant Director of Code Compliance spoke to the events taking place during the Code Compliance Awareness Week. (A copy of the presentation is made part of the papers of this meeting.) T-shirts and various flyers were handed out to each Councilmembers.

(At this time Mayor Peak returned to the meeting to preside.)

Ms. Garcia then recognized members of the Code Compliance staff.

Mayor Peak spoke to the clean up activities the Code Compliance department recently organized for the Woodlawn Lake area.

Mr. Garza spoke in appreciation of the Code Compliance department for their efforts in making clean up activities, like the one at Woodlawn Lake, a city-wide project.

Mr. Menendez and Mr. Bannwolf both congratulated the department on the program and spoke to the interactive element of the Code Compliance Department with the community.

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Mr. Salas thanked the department for their work in organizing lot clean ups in District 2. He suggested expanding the department by adding more positions.

Mayor Peak spoke to the informative work sessions that the department provides and noted that they have been well received.

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CITIZENS TO BE HEARD
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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, thanked the City Council for their actions at this meeting relative to the proposed Arena Study, although he prefers another location besides the downtown area which he feels is too congested with traffic. He urged that more parking be provided at the Wolff Stadium. He then spoke on several issues, including his request to have read into the record all petitions listed on the City Council agenda; concerned about streets being repaired which are not needed; the nightclubs around the San Antonio College area; in favor of outsourcing the EMS function of the Fire Department; feels that the Catfish farm which uses as much water as the City of San Antonio should have a right to do so; and spoke of concerns with graffiti all over the City of San Antonio.

* * * *

SAN ANTONIO SYMPHONY

A group of interested citizens appeared to speak to the City Council relative to their respective concerns with lack of funding for the San Antonio Symphony, and the need to preserve and augment this funding. They spoke to the presence of the Symphony as being an essential positive characteristic to the community and to its quality of life.

The following individuals appeared to speak:

Dr. Joe Stuessy, Director of the UTSA Symphony

At this point, Mrs. Janet Ahmad was asked to make her presentation.

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MRS. JANET AHMAD

Mrs. Janet Ahmad, 18 Silver Horn, appeared to speak to the City Council about the situation she has encountered with a builder and violations of the City Code. She spoke to the suits which resulted because of this action and the attorneys' fees she has had to incur.

Mayor Peak asked Mrs. Ahmad to speak to Mr. Gene Camargo, Director of Building Inspections, who was present in the audience, to discuss this issue.

* * * *

Later in the meeting others appearing to speak on behalf of the San Antonio Symphony were as follows:

Brendon Townsend, Music Director for the Youth Orchestra of San Antonio
Linda Richter, presented a written statement, a copy of which is on file with the papers of this meeting.

Dr. Sandra Mayo, speaking for Dr. Charles Taylor, St. Philip's College;
Dr. Stewart Wilber, 325 Cleveland Court

* * * *

At this point in the meeting, Mayor Peak spoke to the past funding provided to the San Antonio Symphony and what is being proposed for this next fiscal year by the City of San Antonio. In addition, he spoke to the "free" dates at the Majestic which are also provided to the Symphony by the City of San Antonio.

Other speakers continued to speak as follows:

Danielle Kjar, Youth Orchestra of San Antonio;
Erin Schoffel; Youth Orchestra of San Antonio;
George Bledsoe, 30 Courtside Circle;
Natalie Kjar, Musician with the Youth Orchestra of San Antonio;
Terri Kjar, Musician with the Youth Orchestra of San Antonio;
Dr. Eugene Dowdy, UTSA faculty member;
Rachel Kjar, Student;
Bill White, 2929 Summit Circle;

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NAZIRITE RUBEN FLORES PEREZ

Mr. Nazirite R.F. Perez, 627 Hearne Avenue, made references to minutes of the City Council of July 23, 1998, approved at today's meeting and reiterated statements he had made at that particular meeting.

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MS. RENE NEIRA

Mr. Rene Neira, Southside Alliance, spoke to the City Council about the proposed Spurs Arena study and their interest in locating such an arena in the south side of San Antonio. The property in question is owned by the Harlandale Independent School District and is over 100 acres. He stated that this would be a major economic generator for the south side of San Antonio and urged the City Council to consider this at the appropriate time.

Councilwoman Guerrero stated that earlier she had spoken to this area as an area to be considered when the issue on the proposed arena study had taken place.

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MR. JACK M. FINGER

Mr. Jack M. Finger, P.O. Box 12048, spoke to the City Council about his concerns and exceptions to being told that any handout material would have to be reviewed by City staff before he can distribute it to the City Council.

Mayor Peak explained the circumstances of this action and spoke of his displeasure of the materials displayed last week at the City Council meeting by Mr. Finger.

Mr. Finger stated that those materials had been part of materials distributed by the Jumpstart Theatre and the Guadalupe Cultural Center, and he had been trying to make a point.

* * * *

The following speakers appeared to speak on behalf of the San Antonio Symphony:

Mr. Danny Leffel, 4319 Medical Drive;
Sheila Swartzon, 23634 Up Mountain Road;

Dr. Stewart Wilber, 325 Cleveland Court, reiterated his previous statements.

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98-32 At 6:31 P.M. the council recessed for dinner and reconvened at 7:00 P.M. for a Budget Discussion.

BUDGET WORK SESSION HELD ON THE FOLLOWING DEPARTMENTS:

1. Arts and Cultural
2. Metropolitan Health District
3. Library

Copies of all presentations are on file with the papers of this meeting.

98-32 There being no further business to come before the Council, the meeting was adjourned at 9:10 P.M.

A P P R O V E D

HOWARD W. PEAK
M A Y O R

Attest:

NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

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lmr