

CEREMONIAL ITEMS

CERTIFICATES OF APPRECIATION - 1998 SHOWCASE OF CITY PROGRAMS

Mayor Peak noted that the Showcase of City Programs visited six local malls this year, and he identified each, then introduced Mr. Antonio Bosmans, Director of Community Relations.

Mr. Bosmans spoke to the details of the year's presentations of the Showcase of City Programs and the six malls involved, and discussed the positive nature of the events.

Mayor Peak read Certificates of Appreciation for South Park Mall, Windsor Park Mall, McCreless Mall, Rolling Oaks Mall, Ingram Park Mall, and Central Park Mall, congratulating each as their representatives came forward to receive the Certificates.

City Council members congratulated the malls for their public spirit of cooperation.

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CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, reviewed each item on the Consent Agenda and spoke to its highlights, citing his personal observations on several. He expressed his concern that the names of board appointees were not being read aloud.

Mr. Jack Finger, P.O. Box 12048, asked Council members who had received political contributions of \$100 or more from individuals listed in certain Consent Agenda items to abstain from voting on that particular item, noting especially Agenda Items 17, 18, and 24.

Mr. Michael Idrogo, 317 Rosewood, spoke in opposition to any Consent Agenda item involving additional funds for firms.

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98-29 At the request of Mayor Peak, Agenda Item 18 was brought up for individual consideration at this time, from the Consent Agenda.

The Clerk read the following Ordinance:

AN ORDINANCE 88240

SELECTING LAKE/FLATO ARCHITECTS, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE HISTORIC CIVIC CENTER RIVER LINK PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING NEGOTIATION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$79,530.00; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$14,500.00 TO SAN ANTONIO RIVER AUTHORITY (SARA); APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, explained the Historic Civic Center Project and the citizen committee recommendations thereto. He addressed architectural plans for the design of a new river connection involving a City-owned parking lot adjacent to the San Antonio River, immediately east of Main Plaza and San Fernando Cathedral.

Father David Garcia, representing San Fernando Cathedral, provided a background explanation of the project.

Former Mayor Nelson Wolff, representing the Greater San Antonio Chamber of Commerce, formally thanked Father Virgil Elizondo for conceiving the idea for this project.

Ms. Paula Piper, San Antonio Conservation Society, read a statement in support for the project.

Mr. Michael Ingraham, representing the Downtown Residents Association, spoke to his group's hopes for certain amenities in this project.

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Mayor Peak and other Council members spoke to the purposes of this new river connection and linkage.

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

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98-29 CONSENT AGENDA

Mr. Salas made a motion to approve Agenda Items 8 through 33e, constituting the Consent Agenda, with item 30 having earlier been removed by the City Manager. Mr. Bannwolf 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, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 88241

ACCEPTING THE LOW BID OF CULLIGAN WATER CONDITIONING COMPANY TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION FACILITIES DEPARTMENT WITH A REPLACEMENT WATER SOFTENER SYSTEM FOR THE CONVENTION CENTER FOR A TOTAL OF \$19,231.25.

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AN ORDINANCE 88242

ACCEPTING THE LOW QUALIFIED BID OF RANCH BUTANE, INC. TO PROVIDE THE CITY OF SAN ANTONIO PURCHASING & GENERAL SERVICES DEPARTMENT'S AUTOMOTIVE OPERATIONS DIVISION WITH THE REPLACEMENT OF A PROPANE DISPENSER TO BE INSTALLED AT THE NORTHWEST SERVICE CENTER LOCATED ON CULEBRA STREET, FOR A TOTAL OF \$44,595.00 (MBE).

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AN ORDINANCE 88243

ACCEPTING THE LOW BID OF MCM ENGINEERING, INC. TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A REPLACEMENT 312 KVA MOTOR GENERATOR, WHICH PROVIDES HIGH FREQUENCY, LOW VOLTAGE CURRENT TO AIRCRAFT FOR OPERATION OF ON-BOARD DATA EQUIPMENT, LIGHTING AND COMMUNICATION EQUIPMENT WHILE PARKED AT THE GATE AREAS, FOR A TOTAL OF \$120,775.00.

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AN ORDINANCE 88244

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1998-99 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,240,300.00 (MBE/WBE) (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE)

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AN ORDINANCE 88245

SELECTING ALDERSON & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE HARLANDALE PARK & COMMUNITY CENTER 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$17,215.00 FOR THE ENGINEERING SERVICES; SELECTING LAFFOON ASSOCIATES TO PROVIDE LANDSCAPE ARCHITECTURAL SERVICES IN CONNECTION WITH THIS PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$18,975.00 FOR THESE LANDSCAPE ARCHITECTURAL SERVICES; TRANSFERRING FUNDS AND ESTABLISHING THE PROJECT'S BUDGET; ESTABLISHING A \$4,300.00 ENGINEERING CONTINGENCY; ESTABLISHING A \$4,743.00 LANDSCAPE ARCHITECT SERVICES CONTINGENCY; PROVIDING \$2,400.00 FOR PROJECT RELATED BID ADVERTISING SERVICES; AUTHORIZING \$3,000.00 FOR PROJECT RELATED BINDING AND PRINTING SERVICES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88246

SELECTING PLACE COLLABORATIVE, INC. TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE JOHN JAMES PARK IMPROVEMENTS 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$34,100.00 FOR THE PROFESSIONAL SERVICES; TRANSFERRING FUNDS AND ESTABLISHING THE PROJECT'S BUDGET; ESTABLISHING A \$8,525.00 ARCHITECT CONTINGENCY; PROVIDING \$1,200.00 FOR PROJECT RELATED BID ADVERTISING EXPENSES; PROVIDING \$1,500.00 FOR BINDING AND PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88247

SELECTING PETER B. OLFERS & ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE PICKWELL PARK IMPROVEMENTS 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$17,325.00 FOR THE PROFESSIONAL SERVICES; TRANSFERRING FUNDS AND ESTABLISHING THE PROJECT'S BUDGET; AUTHORIZING \$4,331.00 PROFESSIONAL CONTINGENCY EXPENSES; AUTHORIZING \$1,200.00 FOR PROJECT RELATED BID ADVERTISING EXPENSES; AUTHORIZING \$1,500.00 FOR BINDING AND PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88248

SELECTING MORRIS E. DUDLEY, LANDSCAPE ARCHITECT TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE NORMOYLE PARK & COMMUNITY CENTER 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$23,100.00 FOR THESE PROFESSIONAL SERVICES; TRANSFERRING FUNDS AND AMENDING THE PROJECT'S BUDGET; AUTHORIZING \$5,775.00 LANDSCAPE ARCHITECT CONTINGENCY EXPENSES; AUTHORIZING \$2,700.00 FOR

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PROJECT RELATED BID ADVERTISING AND PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88249

ACCEPTING THE PROPOSAL OF THE DOVER ELEVATOR COMPANY FOR \$18,965 IN UPGRADES AND IMPROVEMENTS FOR THE CITY'S ELEVATOR IN MARKET SQUARE; ACCEPTING THE BID OF MONTGOMERY KONE FOR \$3,986.00 IN NECESSARY WORK TO BRING THE MARKET SQUARE ELEVATOR IN COMPLIANCE WITH TEXAS LICENSING AND REGULATION REQUIREMENTS; APPROPRIATING FUNDS FROM THE BALANCE OF THE PUBLIC WORKS PARKING FUND FROM FUNDS COLLECTED FROM THE CITY'S MARKET SQUARE PARKING LOT; ESTABLISHING A PROJECT BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 88250

ACCEPTING THE LOW, QUALIFIED RESPONSIBLE BID OF R. L. JONES CO., INC. IN THE AMOUNT OF \$792,435.25 IN CONNECTION WITH THE KEITHA AREA STREETS PHASE 2 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$52,213.22 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$8,200.00 PAYABLE TO CIVIL ENGINEERING CONSULTANTS, FOR ADDITIONAL ENGINEERING EXPENSES; AUTHORIZING \$21,929.56 FOR PROJECT OVERSIGHT EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88251

APPROVING FIELD ALTERNATION NO. 3-FINAL IN THE DECREASED AMOUNT OF \$48,280.19 TO THE CONSTRUCTION CONTRACT WITH KGME, INC. IN CONNECTION WITH ESSEX STREET: HACKBERRY STREET - PIEDMONT AVENUE PROJECT LOCATED IN COUNCIL DISTRICT 2; RATIFYING SERVICES AND AUTHORIZING AN ADDITIONAL \$4,207.78 PAYABLE TO GARCIA ENGINEERS FOR ENGINEERING SERVICES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81797 DATED MARCH 9, 1995.)

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AN ORDINANCE 88252

APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$51,253.70 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE MISSION TRAILS PACKAGE I PROJECT; ESTABLISHING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$250,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88253

ACCEPTING THE LOW, QUALIFIED RESPONSIBLE BID OF PAR CONSTRUCTION, INC. IN THE AMOUNT OF \$441,480.00 IN CONNECTION WITH THE FIRE STATION NO. 10 IMPROVEMENTS PROJECT, LOCATED AT 1107 CULEBRA IN COUNCIL DISTRICT 7; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$100,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,440.00 PAYABLE TO W3 ARCHITECTS FOR ADDITIONAL ENGINEERING AND DESIGN SERVICES; AUTHORIZING \$5,545.00 FOR MISCELLANEOUS ARCHITECTURAL AND ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (WBE) (AMENDS ORDINANCE NO. 86376 DATED AUG. 7, 1997.)

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AN ORDINANCE 88254

SELECTING ROY J. AKIONA, P.E., CONSULTING ENGINEER, TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH ENGINEERING AND PROJECT MANAGEMENT SERVICES RELATED TO THE REGIONAL DETENTION PONDS AND OTHER DRAINAGE ENGINEERING PROJECTS; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$54,000.00; AUTHORIZING \$5,400.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 88255

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$115,000.00 PAYABLE TO STEWART TITLE COMPANY AS ESCROW AGENT AND AUTHORIZING THE ACQUISITION OF ONE (1) PERMANENT EASEMENT AND ONE (1) TEMPORARY EASEMENT AND AUTHORIZING THE EXPENDITURE OF \$4,972.00 PAYABLE TO DAVID SCHARFF FAMILY LIMITED PARTNERSHIP FOR SUCH ACQUISITIONS IN CONNECTION WITH THE CLAREMONT/ELEANOR/NATALE-NEW BRAUNFELS TO BROADWAY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR A TOTAL SUM OF \$119,972.00; APPROPRIATING FUND; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88256

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$145.20 PAYABLE TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES AND THE SUM OF \$502.58 TO STEWART TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE JOE BLANKS STREET DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; FOR A TOTAL SUM OF \$647.78; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88257

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,531.54 TO CLIFF'S FENCE COMPANY FOR THE RELOCATION OF A WOOD AND ROCK FENCE BEHIND 7602 WOODHAVEN IN THE NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88258

AUTHORIZING PAYMENT IN THE AMOUNT OF \$900.00 TO GENERAL NEON SIGN CO. FOR RELOCATING A SIGN AT 317 N. ZARZAMORA STREET IN THE M. H. ZARZAMORA PROJECT - CULEBRA ROAD TO W. COMMERCE STREET, A METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 88259

AUTHORIZING A PURCHASE CONTRACT WITH RICH LAND HOLDING CORPORATION FOR THE ACQUISITION OF APPROXIMATELY 30.415 ACRES OF LAND LOCATED ON U.S. HIGHWAY 87 AND LAKEFRONT DRIVE IN NEW CITY BLOCK 18239 FOR \$35,800.00; ESTABLISHING A 1994 PARKS GENERAL OBLIGATIONS BOND PROJECT BUDGET AND TRANSFERRING FUNDS; AUTHORIZING \$700.00 FOR TITLE FEES AND CLOSING COSTS PAYABLE TO STEWART TITLE CO. AND AUTHORIZING \$3,500.00 FOR ENVIRONMENTAL ASSESSMENTS - PHASES I AND II PREPARED BY CHEMRON INCORPORATED; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88260

AUTHORIZING THE EXECUTION OF A LEASE FOR A TERM ENDING ON AUGUST 31, 2000 WITH EMERY WORLDWIDE AIRLINES, INC. ("EMERY") FOR 28,950 SQUARE FEET OF RAMP SPACE AT THE AIR CARGO FACILITY WEST, LOCATED AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL MONTHLY RENTAL OF \$1,794.90.

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AN ORDINANCE 88261

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL CASH AWARD OF \$4,627.00 FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION TO AUGMENT THE INTERLIBRARY LOAN SERVICES FEDERAL GRANT 1997-98; REVISING THE BUDGET ORIGINALLY APPROVED IN ORDINANCE NO. 86765 PASSED AND APPROVED ON OCTOBER 9, 1997; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

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AN ORDINANCE 88262

AMENDING THE SAN ANTONIO DEFENSE ECONOMIC READJUSTMENT ZONE ORDINANCE APPROVED BY THE CITY COUNCIL IN OCTOBER 1997; PROVIDING CLARIFICATION CONCERNING THE TYPE OF UNIQUE BUSINESS INCENTIVES AVAILABLE IN THE SAN ANTONIO DEFENSE ECONOMIC READJUSTMENT ZONE. (AMENDS ORDINANCE NO. 86787 DATED OCTOBER 9, 1998.)

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AN ORDINANCE 88263

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO PAY COURT ORDERED ATTORNEYS FEES IN CAUSE 97-CI-05550, STYLED GINA MARIE MONTEMAYOR VS. CITY OF SAN ANTONIO FIRE DEPARTMENT, IN THE AMOUNT OF \$67,000.00.

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AN ORDINANCE 88264

APPOINTING RICARDO R. REYNA (DISTRICT 5) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 1999.

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AN ORDINANCE 88265

APPOINTING VIOLA DE LA VEGA (DISTRICT 4) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 2000.

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AN ORDINANCE 88266

APPOINTING CARMEN SANCHEZ (DISTRICT 4) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 2000.

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AN ORDINANCE 88267

APPOINTING TONY MARTINEZ (DISTRICT 4) TO SERVE AS DIRECTOR TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2000.

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AN ORDINANCE 88268

APPOINTING VICTOR RESENDEZ (DISTRICT 4) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2000.

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INDIVIDUAL ITEMS - CITIZEN COMMENTS

Mr. Michael Idrogo, 317 Rosewood, spoke against any proposed rezoning involving the Sunset Depot that would lead to that facility being converted to a 'saloon'.

Mr. Jack Finger, P.O. Box 12048, addressed Items 37 and 38, field alterations on the Parking Structure at International Airport, being construction by Bartlett Cocke Company. He spoke to the firm's part in the BIH matter involving the Convention Center Expansion Project. He spoke to his concern with giving this firm any additional City work. He also spoke to the proposed amendments to the Tax-Increment Financing ordinance.

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The Clerk read the following Ordinance:

AN ORDINANCE 88269

APPOINTING KEITH HARWARD TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2000.

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Mr. Bannwolf 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, Vásquez, Menendez, Garza, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Marbut, Webster.

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The Clerk read the following Ordinance:

AN ORDINANCE 88270

AUTHORIZING A TEN (10) YEAR CONTRACT WITH THE FIESTA SAN ANTONIO COMMISSION, INC. FOR THEIR USE OF PUBLIC STREETS AND PUBLIC PROPERTY, AND THEIR PLANNING AND COORDINATION OF OFFICIAL FIESTA EVENTS FOR 1999 THROUGH 2008 FOR A PERCENT OF REVENUE RECEIVED EACH YEAR FROM THE COMMISSIONS CARNIVAL AND PARADE SITE CONCESSIONS; LIMITING THE DISTRIBUTION OF BEVERAGES

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TO PLASTIC OR PAPER CONTAINERS AT FIESTA EVENTS; SETTING TIME LIMITS ON THE SELLING OF ALCOHOLIC BEVERAGES AT FIESTA EVENTS; AND PROVIDING PENALTIES FOR VIOLATION OF CERTAIN PROVISIONS HEREOF.

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

Mr. Frank Stromboe, Executive Director of Administrative Services, narrated a video presentation of the proposed Fiesta San Antonio Commission contract for official Fiesta week events for 1999 through 2008, a copy of which is made a part of the papers of this meeting. He spoke to the strengthened requirements on the carnival and the parade concessions portions of the contract.

The following citizen(s) appeared to speak:

Ms. Paula Piper, President, San Antonio Conservation Society, spoke to 'Night In Old San Antonio' and decisions to curtail the sale of alcoholic beverages at that event, to help eliminate drinking by under-age youths.

Roy McClanahan, 112 E. Pecan, speaking on behalf of Murphy Brothers, carnival concessionaires, asked that bids be made on the carnival concessionaire contract to the City Clerk, with approval coming from the City Council and its elected officials. He spoke against allowing the Fiesta San Antonio Commission to award the carnival contracts. A copy of his "proposed amendments to Fiesta Ordinance" is made a part of the papers of this meeting.

Mr. Faris Hodge, Jr., 140 Dora, spoke against the proposed contract with the Fiesta San Antonio Commission, and in favor of a bid process for the carnival. He also spoke to his concerns for the crowded conditions at NIOSA each year, which he feels disenfranchises the physically-impaired from attending. He also spoke in favor of the City Council making the decision on a carnival concessionaire.

Ms. Rosa Rosales, representing the League of United Latin-American Citizens (LULAC), thanked the City Council for its desire to include Hispanic women on the executive board

of the Fiesta San Antonio Commission, and spoke in support for a new carnival contract, and in favor of the City Council making the decision on the carnival concessionaire.

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Mayor Peak thanked Mr. Stromboe for his key part in the negotiations on this proposed contract and for certain changes desired by the City Council.

Mr. Flores also thanked City staff for its efforts in this proposed new contract and its chances, especially one seeking more diversity on the Fiesta Commission's executive board. He then read that board's resolution on its commitment to more diversity, and asked to be kept informed of the progress in that area. He then spoke to Mr. McClanahan's proposed amendments and spoke to the plans to have them considered by the Council's Fiesta Committee.

Mr. Flores then offered an amendment that the Request For Proposal go out with one bid proposal on both the carnival contract and the concessions vendor contract, with a price schedule included. Mr. Garza seconded the motion.

Mr. Vásquez spoke in support for a City Council review of the carnival contract.

In response to a question by Mr. Vásquez, Mr. Charles Wascom, Executive Director, Fiesta San Antonio Commission, discussed the commission's budget, including income and expenditures, including the fact that some 49 per cent of the commission's income comes from the carnival contract.

Mr. Vásquez addressed his concern with letting the carnival contract and its price schedule be approved without City Council consideration, and spoke to the impact of carnival prices on the public.

Mr. Vásquez then offered a second amendment to the main motion on the table, that the City Council be the body to pass on the carnival price schedule request on the Request For Proposal, with a six-month review process. Mr. Salas seconded the amended motion.

During the following discussion, Mr. Garza expressed a desire to have included in Mr. Vásquez' amendment certain language in the Request For Proposal that the City's current goals for small, minority, and women-owned business goals be included. The recommendation was then accepted as a 'friendly amendment' to the motion by Mr. Vásquez.

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Mr. Prado spoke in support of the City Council having the approval authority on the Request for Proposal, with the City staff involved in the process.

In response to a question by Mr. Salas, Mr. Stromboe stated his belief that food booths would be a part of the new contract.

Mr. Salas spoke to the need to be fair to small businesses.

A discussion ensued concerning the impact of the proposed amendments on the table, versus the previous method of handling the Fiesta carnival contract.

In response to a question by Mr. Flores, Mr. Wascom stated that he knows of no one who wants the contract only for concession sales during the Fiesta parades.

Council then discussed the ramifications of having two separate contracts for concessions and the carnival operations, and the lack of a 'track record' on whether or not this method would work.

After consideration, Mr. Flores, with the concurrence of his seconder, Mr. Garza, agreed to withdraw his amendment from consideration.

Mr. Prado then offered an amended motion that the City Council will have the authority to approve or reject the Requests For Proposal, and that City staff will be involved in the RFP process in an 'over-seer' capacity. Mr. Salas seconded the motion.

Following discussion, Mr. Prado's amendment prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

The amendment by Mr. Vásquez then prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

The main motion, as amended, carrying with it the passage of the ordinance, then prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

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ZONING HEARINGS- CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, addressed the substance of each zoning case, and expressed his approval or disapproval.

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

Mr. Jody Sherrill, 8503 Knights Knoll, spoke to his organization's support or disapproval of four zoning cases on today's agenda, noting disapproval on Item 4F.

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ZONING HEARINGS

4A. CASE #Z98139: The request of Centex Real Estate Corp. (owner: Catholic Archdiocese of San Antonio), to rezone and reclassify 9.995 acres out of NCB 15831, located east of Stahl Road from Temporary "R-1" Single Family Residence District to "P-1(R5)" Planned Unit Development Single Family Residence District. Staff's recommendation is for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88271

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 9.995 ACRES OUT OF NCB 15831, LOCATED EAST OF STAHL ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1(R5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT.

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4B. CASE #Z98160: The request of Allen Hoxie (owner), to rezone and reclassify Lot B, Block 1, NCB 13801, 5103 Randolph Blvd, from "B-2" Business District to B-3" Business District. The property is located 82 feet northeast of the intersection of N.E. Loop 410 Expressway with Sherri Ann Drive and Randolph Boulevard, having 82 feet on Sherri Ann Drive and Randolph Boulevard and 220 feet between these two streets. Staff's recommendation is for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

In response to a question by Mr. Webster, Mr. Allen Hoxie, the proponent, discussed the lack of need for deed restrictions on the property, since the requested zoning prohibits sexually-oriented businesses there.

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

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

AN ORDINANCE 88272

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 B, BLOCK 1, NCB 13801, 5103 RANDOLPH BLVD., FROM "B-2" BUSINESS DISTRICT TO B-3" BUSINESS DISTRICT.

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4C. CASE #Z98114: The request of The Cigar Club (owner: LTV Partners), to rezone and reclassify 0.058 acres out of NCB 16332, 18720 Stone Oak Parkway from "B-2" ERZD Business Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District. The property is located is located northeast of the intersection of Stoneoak Parkway and Loop 410, having a width of 32.50 feet and length of 78.00 feet. Staff's recommendation is for approval.

The Zoning Commission has recommended approval.

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Mr. Bannwolf asked that the record of this zoning case reflect that the proponent has agreed that, should the lease expire on this usage, the zoning would revert to B-2.

Mr. Ray Lozano, Land Development Services, noted that this mention may become part of the minutes for the record of this zoning case consideration before City Council.

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

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

AN ORDINANCE 88273

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 0.058 ACRES OUT OF NCB 16332, 18720 STONE OAK PARKWAY FROM "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT.

* * * *

4D. CASE # Z98104: The request of Andrew G. Guerrero (owner: The Arden Group Inc.) to rezone and reclassify 32.76 acres out of NCB'S 17600, 18217 and 18218 and "B-3" ERZD Business Edwards Recharge Zone District on 114.6 acres out of NCB'S 17600, 18217 and 18218, U.S. 281 North from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Staff's recommendation is for approval.

The Zoning Commission has recommended approval

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88274

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 32.76 ACRES OUT OF NCB'S 17600, 18217 AND 18218 AND "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT ON 114.6 ACRES OUT OF NCB'S 17600, 18217 AND 18218, U.S. 281 NORTH FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT.

* * * *

4E. CASE #Z98125: The request of Ken's Texaco, Inc. (owner: Kenneth M. Smith), to rezone and reclassify Lots 15 and 16, Block 1, NCB 6227, 4302 Broadway from "G" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District. The properties are located northeast of the intersection of Broadway Avenue and Hildebrand Avenue, having 140 feet on Broadway Avenue and 100 feet on Hildebrand Avenue. Staff's recommendation is for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88275

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 LOTS 15 AND 16, BLOCK 1, NCB 6227, 4302 BROADWAY FROM "G" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

4F. CASE #Z98088: The request of West Star Development, Ltd. (owner), to rezone and reclassify 0.704 acre out of NCB 18338, I.H. 10 West from Temporary "R-1" (UC-1) Single Family Residence Urban Corridor District to "B-3" (UC-1) Business Urban Corridor District. The property is located on the southwest side of IH 10 West, 124.90 feet northwest of intersection of IH 10 West and Steeple Park, having 330.09 feet on IH 10 West and a depth of 85.33 feet. Staff's recommendation is for denial from Temporary "R-1" (UC-1) Single Family Residence Urban Corridor District to "B-3" (UC-1) Business Urban Corridor District.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Marbut spoke to the negotiations as to certain deed restrictions on this property so that the neighbors know what is locating near them and their properties. He then submitted for the record a set of deed restrictions agreed to on the subject property, a copy of which is made a part of the papers of this meeting.

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

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

AN ORDINANCE 88276

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 0.704 ACRE OUT OF NCB 18338, I.H. 10 WEST, FROM TEMPORARY "R-1" UC-1 SINGLE FAMILY RESIDENCE URBAN CORRIDOR DISTRICT TO "B-3" UC-1 BUSINESS URBAN CORRIDOR DISTRICT.

* * * *

4G. CASE #Z98129: The request of Harold Galm (owners: Ronald F. Lammert, Betty & Dalton Evans & James & Jo Anne Harden), to rezone and reclassify P-4B, P-4C, and P-4D, NCB 16051, Leslie Road from "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District on P-4, NCB 16051 and "B-3NA" SUP Non-Alcoholic Sales Business District with Special Use Permit for a wholesale plant nursery with outside storage. The properties are located northwest side of Leslie Road, 1,067.4 feet northeast of the intersection of Leslie Road and Shaenfield Road, having 575.2 feet on Leslie Road and a depth of 852.48 feet. Staff's recommendation is for approval.

The Zoning Commission has recommended approval.

Mr. Marbut made a motion to overturn the recommendation of the Zoning Commission, and to grant B-2NA zoning on P-4, NCB 16051, and B-3NA SUP on P-4B, P-4C, and P-4D, NCB 16051. Mr. Salas seconded the motion.

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

AN ORDINANCE 88277

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 P-4, NCB 16051, LESLIE ROAD, FROM "R-1 SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" (SUP) NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A PRINT SHOP, AND P-4B, P-4C AND P-4D, NCB 16051, FROM "R-1" TO "B-3NA" SUP NON-ALCOHOLIC SALES BUSINESS

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DISTRICT WITH SPECIAL USE PERMIT FOR A WHOLESALE PLANT NURSERY WITH OUTSIDE STORAGE.

* * * *

4H. CASE #Z98152: The request of James Carter, (owner: Raul & Socorro Gutierrez), to rezone and reclassify from "O-1" Office District, "B-2" Business District and "R-3" Multiple Family Residence District to "B-3NA" CC Non-Alcoholic Sales Business District with special City Council approval for a mini-warehouse facility on 1.463 acre, 7.682 acre and 4.277 acre out of NCB 14281, 8940 Wurzbach Road. Staff's recommendation was for denial as requested and approval of "B-3NA" on all except the 4.277 acres, which is recommended for "O-1".

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Marbut made a motion to continue this rezoning case to the City Council meeting of September 10, 1998. Mr. Salas seconded the motion.

Zoning Case Z98152 was continued to the Council meeting of September 10, 1998.

* * * *

4I. CASE #Z98158: The request of Pivotal Realty (owner: Brett Baillio), to rezone and reclassify 6.332 acres out of NCB 16028, Grand Bend from "R-1" Single Family Residence District and "R-3" Multiple Family Residence District to "R-7" Small Lot Home District. Property is located northeast of the intersection of Grand Bend and April Bend, having 50 feet on Grand Bend and a length of 944.27 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88278

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 6.332 ACRES OUT OF NCB 16028, GRAND BEND, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT.

* * * *

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

4J. CASE #Z98159: The request of Pivotal Realty (owner), to rezone and reclassify 4.304 acre out of NCB 16022, Bowens Crossing from Temporary "R-1" Single Family Residence District to "R-5" Single Family Residence District. The property is located on the northeast side of Bowens Crossing, 92.67 feet northwest of the intersection of Bowens Crossing and Laurel Bend, having 391.30 feet on Bowens Crossing and a depth of 551.73. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88279

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 4.304 ACRE OUT OF NCB 16022, BOWENS CROSSING

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FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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4K. CASE NO. Z98109: The request of Brett Baillio (owner), to rezone and reclassify "B-3" Business District to "B-2" Business District on 14.11 acre out of NCB 17640, Rogers Road and Dugas Road. The property is located between Rogers Road and Dugas Road, just west of the intersection of these two roads. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88280

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 "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT ON 14.11 ACRE OUT OF NCB 17640, ROGERS ROAD AND DUGAS ROAD.

* * * *

4L. CASE #Z98140: The request of Andrew C. Guerrero (owner: Lackland Plaza, Inc.), to rezone and reclassify the south 200 feet of P-44B, Block 44, NCB 15481, 1800 Block of S. W. Loop 410 Expressway from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. The property is located on the east side of S. W. Loop 410 Expressway and Expressway and Westshire Drive, having 200 feet on S. W. Loop 410 expressway and a depth of 500 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

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Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Menendez made a motion to approve the proposed Zoning Ordinance. Mr. Prado seconded the motion.

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

AN ORDINANCE 88281

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 SOUTH 200 FEET OF P-44B, BLOCK 44, NCB 15481, 1800 BLOCK OF S. W. LOOP 410 EXPRESSWAY FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

4M. CASE #Z98126: The request of James Barrow (owner: Property Company of America), to rezone and request on Lot 1, Block 1, NCB 18080, 3200 Timber View Drive from "R-1" Single Family Residence District to "R-3" Multiple Family Residence District. The property is located southeast of the intersection of Timber view Drive and Creekline Drive, having 557 feet on Timber View Drive and a depth of 600 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

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AN ORDINANCE 88282

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 1, NCB 18080, 3200 TIMBER VIEW DRIVE FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

* * * *

4N. CASE # Z98112: The request of Rita Ann Dominguez (owner: David and Ana Marie Gutierrez), to rezone and reclassify the east 55 feet of the west 165 feet of Lot 4, Block 1, NCB 7785, 173 Division from "R-1" Single Family Residence to "B-3" Business District. The property is located on the north side of Division Avenue, 220 feet east of the intersection of Pleasanton Road and Division Avenue and a depth of 121.7 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Emil Moncivais, Director of Planning, stated City staff's concerns for this proposed commercial intrusion into a residential area.

The following citizen(s) appeared to speak:

Ms. Rita Ann Dominguez, owner of the plumbing business located on this property, and speaking for her mother, the property owner, noted that her mother is the owner of the property, and Mr. Vásquez was consulted concerning this rezoning proposal. She spoke to her understanding for the concerns of the neighbors, but noted that this property is surrounded by B-2 zonings, and her business serves primarily the surrounding homes in the neighborhood.

* * * *

In response to a question by Mr. Vásquez, Mr. Moncivais noted that this once was a home-business, but a rezoning is needed to allow for a change in its usage.

Mr. Vásquez made a motion to overturn the recommendation of the Zoning Commission, and to grant an O-1 Office zoning classification on this property with a Special Use Permit for 24 months. Mr. Prado seconded the motion.

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Mr. Vásquez noted that at the end of 24 months, it was his intention to rezone this property back to R-1.

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

AN ORDINANCE 88283

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 EAST 55 FEET OF THE WEST 165 FEET OF LOT 4, BLOCK 1, NCB 7785, 173 DIVISION FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" SUP OFFICE DISTRICT WITH A TIME LIMITATION OF 24 MONTHS FOR A PLUMBING CONTRACOTORS.

* * * *

4-O. CASE #Z98137: The request of B.S.S. Pasadena, Ltd. (owner: Bown M. Moursund, Barrett H. Moursund & Marriou Long), to rezone and reclassify P-1 (4.274 acres) out of NCB 11067, Poteet-Jourdanton Highway from "B" Residence District to "B-3" CC Business District with City Council approval for a mini-warehouse facility. The property is located on the east side of Poteet-Jourdanton Highway, 86.64 feet south of the intersection of Poteet-Jourdanton Highway and Tortuga, having 447.38 feet on Poteet-Jourdanton Highway and a depth of 416.11 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval (Council District 4).

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Prado made a motion to approve the proposed Zoning Ordinance. Mr. Vásquez seconded the motion.

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

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AN ORDINANCE 88284

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 P-1 (4.274 ACRES) OUT OF NCB 11067, POTEET-JOURDANTON HIGHWAY FROM "B" RESIDENCE DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A MINI-WAREHOUSE FACILITY.

* * * *

4P. CASE #Z98127: The request of Eliseo R. Hernandez (owner: Jesse Maldonado), to rezone and reclassify Lot D, NCB 3266, 4211 S. Flores from "R-3" Multiple Family Residence District to "B-2NA" Non-Alcoholic Sales Business District. The property is located southwest of the intersection of South Flores and Neal Drive, having 61 feet on South Flores and 135.5 feet on Neal Drive. Staff's recommendation was for approval from "R-3" Multiple Family Residence District to "B-2NA" Non-Alcoholic Sales Business District.

The Zoning Commission has recommended approval

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88285

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 D, NCB 3266, 4211 S. FLORES FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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4Q. CASE #Z98093: The request of George Gervin Youth Center (owner: Wanda Moody Perkins), to rezone and reclassify Lot A-12 and the west 8 feet of Lot A-13, Block 111, NCB A-45, 1226 Wyoming Street from "R-2" Two Family Residence District to "R-2A" Three and Four Family Residence District. The property is located on the south side of Wyoming Street, 266.4 feet west of the intersection of Wyoming Street and Monumental Street, having 61 feet on Wyoming Street and a depth of 209.5 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Salas made a motion to deny the requested rezoning. Mr. Prado seconded the motion.

Mr. Salas noted that the neighborhood feels that this requested rezoning is not suitable for the area, and he will assist in locating a more suitable location for this proposed use through San Antonio Development Agency.

After consideration, the motion to deny this zoning case prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Menendez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Bannwolf.

Zoning Case Z98093 was denied.

* * * *

4R. CASE #Z98131: The request of Richard Vance (owner), to rezone and reclassify Lots 3, 4 and 5, Block 29, NCB 10330, 601 - 631 Roland Avenue from "B" Residence District to "B-3R" Restrictive Business District. The property is located on the northeast side of Roland Avenue and Amanda Avenue, having 150 feet on Roland Avenue and a depth of 150 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88286

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 LOTS 3, 4 AND 5, BLOCK 29, NCB 10330, 601 - 631 ROLAND AVENUE FROM "B" RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

4S. CASE #Z98149: The request of Bury & Pittman-SA, Inc. (owner: Nick Nykulak), to rezone and reclassify 11.434 acre out of NCB 17993, I.H. 10 Expressway and Foster Road from "B-3" Business District to "I-1" Light Industry District. The property is located southwest of the intersection of I.H. 10 Expressway and Foster Road, being 75 feet off of I.H. 10 Expressway and Foster Road, having a width of 935.69 feet and depth of 540.74 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Discussion took place concerning developer agreements as to ingress and egress to and from this property.

In response to a question by Mr. Salas, Mr. David Galvan, 7330 San Pedro Avenue, representing the proponent, spoke in agreement as to restrictions on ingress and egress to and from the property via Foster Road only, and not onto the I.H. 10 access road.

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

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

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AN ORDINANCE 88287

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 11.434 ACRE OUT OF NCB 17993, I.H. 10 EXPRESSWAY AND FOSTER ROAD FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

4T. CASE #Z98136: The request of Bill Miller Bar-B-Q (owner), to rezone and reclassify Lots 12 and 16, NCB 11687, 2110 Jackson-Keller Road from "B-1" Business District and "B-2" Business District to "B-3" Business District. The properties are located southwest of the intersection of Jackson Keller Road and West Avenue, having 319.11 feet on Jackson Keller Road and 35.78 feet on West Avenue. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 88288

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 LOTS 12 AND 16, NCB 11687, 2110 JACKSON-KELLER ROAD FROM "B-1" BUSINESS DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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98-29 City Council recessed its regular session at 3:35 P.M. in order to convene in Executive Session for the purpose of:

- A. Attorney/Client consultation regarding litigation case styled David Feigenbaum, Individually and on Behalf of the Estate of Sarah Feigenbaum and Heidi Feigenbaum, Individually and on Behalf of the Estate of Larry Feigenbaum v. City of San Antonio, Cause No. 98-CI-01238 in the 57th Judicial District Court.
- B. Attorney/Client consultation regarding litigation case styled Esperanza Peace and Justice Center v. City of San Antonio, et al, Cause No. FA-98-CA-0696-OG.
- C. Attorney/Client consultation relating to matters of real estate, litigation, contracts, personnel and security.

City Council adjourned the Executive Session and reconvened in regular session at 4:40 P.M., at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

98-29 It was the consensus of City Council members present to at this time undertake consideration of Agenda Item 37.

The Clerk read the following Ordinance:

AN ORDINANCE 88289

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$31,325.00 TO THE CONTRACT WITH BARTLETT COCKE, INC. IN CONNECTION WITH THE CONSTRUCTION OF THE NEW PARKING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87161 DATED DEC. 18, 1997.)

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

Mr. Efren Gonzalez, Acting Director of Aviation, explained the need for the requested field alteration.

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In response to a question by Mr. Salas, Mr. John German, Director of Public Works, explained the vapor study conducted by the Texas Natural Resources Conservation Commission, the meetings held on this matter over the past week with the contractor, and details of the small explosions that had occurred in drilling operations for new piers for the International Airport Parking Structure. He noted TNRCC's finding that the explosions occurred involving small deposits of methane gas in the ground, resulting from past usage of this property.

Mr. Carl Raba, Raba Kistner and Associates, environmental engineers, spoke to the environmental assessments of this area of the airport property, using video display to identify two nearby previous land users, who he identified as Ogden Allied and Hertz Rentals. He noted that soil borings in the areas and soil samples taken showed no problems; however, later drilling in the footprint of the new Parking Structure by Bartlett Cocke Company, the contractor on the project, ignited some vapors in the ground.

Discussion then took place concerning the nature of the gas vapors that ignited and the question of the possibility that JP4 jet fuel might have been present. It was noted that the methane vapors which ignited pose no safety problems to the public at this site, in an open structure such as the Parking Structure.

Mr. Salas spoke to his concern for building a parking structure over land that might be a later explosion problem, and spoke to his concern for possible migration of these vapors into closed areas.

Mr. Raba stated that his studies have found that there is no free product underground in this area, anymore, and that the underground water has been pumped out by TNRCC order.

Mr. Randy Matyear, architect, spoke to the effects of the vapors on the parking structure.

In response to a question by Mr. Prado, Mr. German spoke to details of Bartlett Cocke Company's agreement to make certain repairs to Wolff Municipal Stadium, which it constructed, noting his satisfaction with the agreement document, and noted that the repairs have a one-year warranty.

In response to a question by Mr. Menendez, Mr. Frank Garza, City Attorney, noted that a representative of BIH last evening provided a detailed position statement to the BIH Committee. He noted that the committee has no power to force anyone to testify in person before the committee.

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In response to a question by Mayor Peak, Mr. German addressed staff follow-up on the warranty being provided for repairs to the baseball stadium by Bartlett Cocke Company, and asked the staff to be pro-active relative to the warranty within its one-year period.

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

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98-29 The Clerk read the following Ordinance:

AN ORDINANCE 88290

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$144,792.00 TO THE CONTRACT WITH BARTLETT COCKE, INC. OF WHICH THE AMOUNT OF \$110,930.24 IS FOR SUBCONTRACTORS TO BARTLETT COCKE, INC. FOR THE CONSTRUCTION OF THE NEW PARKING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.(AMENDS ORDINANCE NO. 87161 DATED DEC. 18, 1997.)

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Mr. Webster 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, Guerrero, Prado, Vásquez, Menendez, Garza, Bannwolf, Webster, Peak; **NAYS:** Salas, Marbut; **ABSENT:** None.

— — —
98-29 **PRESENTATION OF THE CITY 1998-99 BUDGET**

Mr. Alexander E. Briseño, City Manager, introduced a brief video on City Council priorities, agreed to in the Goals and Objectives Work Session of City Council some time ago. He then spoke to a step-by-step explanation of the \$1,069,400,219 City budget for the coming fiscal year. A copy of his presentation package is made a part of the papers of this meeting. He emphasized that staff is recommending no tax increase for the sixth consecutive year, and he projected a 4.2 per cent increase in sales tax revenues to the City, with 4.5 per cent more in revenues from City Public Service due to the

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unseasonably-hot summer weather. He then spoke to the recommended usage for those increased revenues.

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

Mr. Briseño then addressed the series of budget work sessions proposed, and reiterated the highlights of the proposed budget.

Mayor Peak and members of City Council congratulated the City staff for its hard work on this budget proposal.

Mr. Prado noted that the Mayor and Mr. Flores will be absent for the remainder of the Council meeting, due to their departure for Oaxaca, Mexico on an important trade mission.

Mr. Menendez thanked the City Manager for the serious consideration given to the Community Revitalization Action Group (CRAG) recommendations, and noted the 'back to basics' nature of the proposed budget.

Mr. Webster noted that the City Manager has presented good data for study by the citizens.

Mr. Garza noted that this is a good first step in the CRAG process for revitalization and attention to basics.

Mr. Bannwolf asked for data concerning personnel increases and their costs.

Mr. Vásquez lauded the budget document, and spoke of the need for better wage increases for City employees because of their increased workload.

Ms. Guerrero spoke to the need for community revitalization and more staff and programs to handle City Council and constituent needs.

Mr. Menendez noted that some \$9 million has been proposed for streets maintenance and repair in the upcoming budget.

Mr. Marbut stated that he looks forward to working on the budget process.

98-29 The Clerk read the following Ordinance:

AN ORDINANCE 88291

SETTING PUBLIC HEARINGS ON THE FISCAL YEAR 1998-99 CONSOLIDATED OPERATING AND CAPITAL BUDGETS FOR MONDAY, AUGUST 31, 1998 AT 7:00 P.M. AND THURSDAY, SEPTEMBER 17, 1998 AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA AND SETTING A PUBLIC HEARING ON THE 1998 PROPOSED TAX RATE FOR SEPTEMBER 3, 1998 AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA.

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Mr. Bannwolf 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:** Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster; **NAYS:** None; **ABSENT:** Flores, Peak.

98-29 The Clerk read the following Ordinance:

AN ORDINANCE 88292

ADOPTING THE PROPOSED REGULATIONS DEVELOPED BY THE CITY COUNCIL STREET SERVICES FOR PAVEMENT, RIGHT-OF-WAY WIDTHS AND STREET CROSS SECTIONS STANDARDS; ADOPTING THE AMERICAN ASSOCIATION OF STATE ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) GUIDE FOR DESIGN OF PAVEMENT STRUCTURES, TO INCLUDE: PAVEMENT LIFE, TRAFFIC LOAD RELIABILITY, SERVICEABILITY, ROADBED SOIL, PAVEMENT LAYER MATERIAL, MINIMUM PAVEMENT STRUCTURE, MAXIMUM PAVEMENT STRUCTURE AND MINIMUM LAYER THICKNESS; AMENDING THE CITY CODE TO REFLECT SUCH CHANGES INCLUDING AMENDING THE UNIFIED DEVELOPMENT CODE AS FOLLOWS: 1) ARTICLE IV, DIVISION 4, ESTABLISHING RIGHT-OF-WAY AND PAVEMENT WIDTHS, 2) EXHIBIT A, DIVISION 2, SPECIFYING STANDARD STREET CROSS SECTION REQUIREMENTS AND PAVEMENT

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REQUIREMENTS, AND 3) CHAPTER 35, EXHIBIT A, DIVISION 6, FIGURES OF STANDARD STREET CROSS SECTIONS; ESTABLISHING CITY COUNCIL POLICY TO PAY INCREASED PAVING COSTS IN AREAS DESIGNATED AS "AFFORDABLE HOUSING DEVELOPMENTS" WITHIN INTERSTATE HIGHWAY LOOP 410; AND PROVIDING FOR SEVERABILITY.

* * * *

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

Mr. John German, Director of Public Works, explained previous discussions with City Council relative to proposed new streets standards. He spoke to the costs for those increased standards and plans for a program to subsidize streets work in areas where the homes are valued at \$75,000 or less. He addressed how this subsidy will be financed, and addressed details of the Street Standards Affordable Housing Policy, a copy of which is made a part of the papers of this meeting.

Mr. Webster noted that this program will save taxpayers money in the long run, and he lauded the program for affordable-housing areas.

Ms. Guerrero spoke in favor of the program, and offered an amended motion that a three-tiered system be adopted for the "Criteria" segment of the Street Standards Affordable Housing Policy; that 50 per cent of the houses constructed in the subdivision must sell for \$75,000 or less in order to receive a 50 per cent reimbursement under the Policy; and that this level be indexed to the Consumer Price Index (CPI). Mr. Salas seconded the motion.

Mr. Marbut spoke in support for the amendment, but expressed his concern that it might cause reduced ability of some to purchase affordable housing in these areas. He suggested indexing the proposed "dollar figures" to the Consumer Price Index, for the future.

Mr. German noted the cost to accomplish this program will be about \$250,000 per year, and he stated his opinion that it will encourage more affordable housing. He suggested indexing relative to the \$875 figure for increases in the per-house costs.

Mr. Vásquez spoke in support for the amended motion, and offered an amendment that the boundaries in the reimbursement rebate area also include outside Loop 410 and in the City's extraterritorial jurisdiction areas, as well, subject to qualifications. Mr. Salas seconded the motion.

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Mr. Alexander E. Briseño, City Manager, spoke to the need for City staff to look at this proposal in more detail from a legal standpoint, for compliance with applicable state law, and he spoke to some detail in explanation.

Mr. Webster suggested the Council's Streets Maintenance Committee look at the proposal, then come back later with recommendations.

Following discussion, Mr. Vásquez and his seconder, Mr. Salas, agreed to withdraw their motion.

Mr. Salas spoke to the reasons for his support for Mr. Vásquez' motion, inasmuch as one of his areas, East Commerce Estates, lies north of U.S. 90, the boundary line proposed.

After discussion, the amendment prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster. **NAYS:** None. **ABSENT:** Flores, Peak.

The main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster. **NAYS:** None. **ABSENT:** Flores, Peak.

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98-29 The City Clerk read a proposed ordinance authorizing the execution of a certain San Antonio International Airport Professional Services Contract with Unison Consulting Group, Inc. ("Unison") to perform a two-phased concession redevelopment study for San Antonio International Airport; phase one beginning September 1, 1998 and terminating at the end of one hundred-eighty days, for a total cost of \$157,278.00; providing for an optional phase two not to exceed \$89,321.00; and providing for payment.

Mr. Salas made a motion to approve the proposed ordinance. Mr. Garza seconded the motion.

Mr. Efren Gonzalez, Acting Director of Aviation, narrated a video presentation, a copy of which is made a part of the papers of this meeting.

Mr. Bannwolf stated his belief that this study would overlap the managed-competition dual-track process, and expressed his belief that he cannot support spending \$160,000.00 on this at this time. He urged that the Council let the managed-competition process run

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its course before taking action on this matter, noting that he feels that the managed-competition process will provide some of the answers that this study purports to provide.

In response to a question by Mr. Salas, Ms. Judy Byrd, representing Unison, Chicago, spoke to the firm's experience in these studies, noting that the program will be reflective of San Antonio. She then spoke to the small, minority and women-owned business status of her firm.

Mr. Salas spoke in support for the proposed ordinance.

Mr. Bannwolf noted that this firm might well get plugged into the managed-competition process, and he urged that the firm apply for the concessions portion of the Request For Proposal.

In response to a question by Mr. Menendez, Mr. Gonzalez stated his belief that this program would be complimentary to the managed-competition study, not in conflict with it.

In response to a question by Mr. Webster, Mr. Gonzalez spoke to the rationale for this proposal.

Discussion ensued concerning this proposal, versus City Council direction to staff for the managed-competition study, given in a recent "B" Session.

Discussion then took place concerning the time-lines of the two proposed studies.

Mr. Roland Lozano, Executive Director of Facilities & Visitor Services, stated his belief that this study is indeed complimentary to the managed-competition study.

Mr. Bannwolf then offered a substitute motion that the City retain the Unison firm to assist City staff with the retail component of the RFP process on the managed-competition study for a maximum fee of \$157,000.00, with a deadline of November 15, 1998. Mr. Webster seconded the motion.

Mr. Christopher Brady, Assistant to the City Manager, suggested postponing consideration of these proposed actions for one week in order to study them further.

Mr. Marbut urged Council to vote on the matter today.

Mr. Briseño stated that it appears to him that the scope of work for this firm has changed, and he addressed the need for a postponement of action for one week. He spoke to the many deadlines facing staff and City Council for the next few months, and spoke to the stretching of resources by these proposed actions today.

Mr. Menendez stated that he cannot support the substitute motion because he is unsure of the desired final result.

Ms. Byrd then explained what her firm would expect to accomplish, under the new proposal.

At this point, Mayor Pro Tem Prado declared a recess at 7:35 P.M. due to the loss of a quorum.

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98-29 The Council reconvened in regular session at 7:40 P.M. when a quorum again was obtained.

Mr. Menendez offered a motion to table this matter for one week. Mr. Garza seconded the motion to table.

On roll call, the motion to table failed to carry by the following vote: **AYES:** Salas, Prado, Menendez, Garza. **NAYS:** Marbut, Bannwolf, **ABSENT:** Flores, Guerrero, Vásquez, Webster, Peak.

Mayor Pro Tem Prado again declared a recess at 7:45 P.M. due to the lack of a quorum in the Council chambers, announcing that he would seek to reconvene in some three minutes, and, failing to reach a quorum at that time, would declare the meeting adjourned.

City Council reconvened at 7:50 P.M., having once again attained a quorum.

The substitute motion then failed to carry by the following vote: **AYES:** Prado, Marbut, Bannwolf. **NAYS:** Salas, Menendez, Garza. **ABSENT:** Flores, Guerrero, Vásquez, Webster, Peak.

The main motion then failed to carry by the following vote: **AYES:** None. **NAYS:** Salas, Prado, Menendez, Garza, Marbut, Bannwolf, Webster. **ABSENT:** Flores, Guerrero, Vásquez, Peak.

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Mr. Bannwolf then made a motion to direct City staff to come back to City Council next week with a plan to restructure the package with a 90-day time-frame ,and to dovetail this work with the managed-competition proposal. Mr. Menendez seconded the motion.

The direction to City staff then prevailed by the following vote: **AYES:** Salas, Prado, Menendez, Garza, Marbut, Bannwolf, Webster. **NAYS:** None. **ABSENT:** Flores, Guerrero, Vásquez, Peak.

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98-29 The Clerk read the following Resolution:

A RESOLUTION
NO. 98-29-27

APPROVING THE MEMORANDUM OF AGREEMENT OF THE SAN ANTONIO PAWNBROKERS ASSOCIATION PROVIDING FOR VOLUNTARY ELECTRONIC TRANSFER OF PAWN TRANSACTION DATA TO THE SAN ANTONIO POLICE DEPARTMENT.

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Mr. Marbut made a motion to approve the proposed Resolution. Mr. Garza seconded the motion.

Deputy Police Chief Richard Gleinser narrated a video presentation on the Memorandum of Agreement of the San Antonio Pawnbrokers Association, a copy of which is made a part of the papers of this meeting.

Mr. Larry Nuckols, President, San Antonio Pawnbrokers Association, spoke to the rationale for the new system for tracking pawn transactions by police.

City Council members spoke in support for the Resolution.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 88295

AMENDING THE CITY'S TAX INCREMENT FINANCING (TIF) GUIDELINES AS APPROVED BY ORDINANCE NO. 88196 ON JULY 30, 1998 TO CLARIFY CITY COUNCIL'S INTENT REGARDING APPLICATION OF THE GUIDELINES ON CERTAIN PROJECTS.

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

Mr. Garza briefly explained the need for the amendment to the Council's recently-enacted Tax Increment Financing (TIF) Guidelines, and spoke in support for the change.

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

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CITIZENS TO BE HEARD
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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke on several issues including his concern with the action taken by the City Council on item 39 of today's agenda; opposed to a new Arena for the Spurs unless they pay for it; opposed to any new funding for the San Antonio Symphony; opposed to the Tree Ordinance and that Council should rescind it; reasons why the City of San Antonio did not get the EMS contract with the suburban cities. He also spoke in-favor of the consolidation of the City of San Antonio Police Department and the Bexar County Sheriff's Department. He also urged that the City Council grant the City employees the same percentage wage increase as City police; concerned over the number of topless bars around Travis Park.

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MR. MICHAEL IDROGO

Mr. Michael Idrogo, 317 Rosewood, spoke to the Council of his opposition to the proposed use of the Sunset Depot as a "saloon" and stated that it should remain a passenger rail depot. He also stated that use of the Sunset Depot as a passenger rail depot would be more beneficial in terms of jobs than the proposed intended use.

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MR. JACK FINGER

Mr. Finger again spoke to the City Council about the City budget work sessions and the recently filing of a lawsuit by the Esperanza Peace Center against the City which he considers to be a frivolous. He asked the City Council not to fund any arts agencies.

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MR. NAZIRITE RUBEN FLORES PEREZ

Mr. Nazirite R.F. Perez, 627 Hearne Avenue, spoke to an article appearing in *The Current* newspaper regarding the Esperanza Peace and Justice Center. He also spoke to the issue of funding agencies which promote the homosexual agenda.

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98-29 There being no further business to come before the Council, the meeting was adjourned at 8:25 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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