

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, APRIL 6,
1995.

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95-15 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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95-15 Invocation - Chaplain George Schwanenberg, Chaplain for the San Antonio Police Department and FBI.

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95-15 Pledge of Allegiance to the flag of the United States.

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95-15 Minutes of the February 23, 1995 Regular City Council Meeting were approved.

95-15 CHRISTMAS IN APRIL - SAN ANTONIO

Mayor Wolff noted that "Christmas In April - San Antonio" is the local chapter of a national volunteer organization that rehabilitates homes for low-income homeowners. He then read a proclamation designating "Christmas In April" and presented it to Mr. Bob Earl, a representative of the organization.

Mr. Earl accepted the proclamation and thanked the Mayor and City Council members.

Mr. Solis explained the program and what it does to help stem the deterioration of older homes. He then addressed its current plans involving some 600 volunteers.

Moriarty, Director of Community Initiatives, both spoke to Mr. Garrett's record of employment and achievements, and his longtime service at the West End Multi-Service Center.

Mr. Perez spoke to Mr. Garrett's influence upon the neighborhood and his record of service.

Ms. McClendon thanked Mr. Perez for bringing this item to the City Council, and addressed Mr. Garrett's service to his community.

Mr. Garrett introduced his wife and other family members present in the audience, and thanked the City Council for renaming the West End Multi-Service Center the "Frank Garrett Multi-Service Center".

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

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95-15 At the request of Councilman Thornton, the City Council by consensus agreed to undertake consideration of Agenda Item 25 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,991

CONSENTING TO THE TRANSFER OF CONTROL OF THE SAN ANTONIO CABLE TELEVISION FRANCHISE FROM KBLCOM INCORPORATED TO TIME WARNER, INC., INCORPORATING CERTAIN ADDITIONAL ASSURANCES THAT PARAGON CABLE HAS PROVIDED TO THE CITY OF SAN ANTONIO REGARDING ITS OPERATIONS AFTER THE TRANSFER OF CONTROL TO TIME WARNER, INC.

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

Mr. Bill Arnette, Supervisor of Public Utilities, spoke to details of the ownership transfer from KBLCOM Inc. to Time Warner, Inc., noting that City staff and the Cable TV Advisory Committee recommend the approval by City Council.

Mr. T.J. Connolly, representing Paragon Cable, subsidiary of KBLCOM Inc., thanked the City staff and the committee for its recommendation.

Mr. Navarra Williams, General Manager, Paragon Cable, spoke to details of the changeover event and party to be held in San Pedro Park.

Mr. James Cottingham, Executive Vice President, Time Warner Cable, spoke to his firm's ranking as Number 2 in the nation. He addressed plans for future growth and service improvements in San Antonio.

Mr. Thornton spoke to Time Warner's reputation, and addressed his hopes for a continuation of many of Paragon Cable's local relationships with the community. He also spoke to his desire to see the TV production industry grow in San Antonio, as a result of this merger.

In response to a question by Ms. Ayala, Mr. Connolly addressed plans for expanding locations where cable customers can make payments, including the addition of some 50 sites in addition to five service centers. He also spoke to cable TV rates, which have come down in recent years, and noted that San Antonio is now some 98 per cent "cabled".

Mr. Solis spoke of Paragon Cable as a model for community involvement, and spoke to the need for more Hispanic programming.

In response to a question by Mr. Larson, Mr. Connolly noted that no name-change is being planned.

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

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95-15 At the request of Councilman Solis, the City Council by concensus agreed to consider Agenda Item 33 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 95-15-23

ACCEPTING CHANGES IN THE FIESTA COMMISSION BY-LAWS BY CITY COUNCIL MEMBERS, AS REQUESTED BY MAYOR NELSON E. WOLFF AND COUNCILMAN JUAN F. SOLIS.

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

The following persons appeared to speak:

Mr. Frank Burney, representing the Fiesta San Antonio Commission, spoke to the results of meetings with The Equity Coalition, and addressed plans for by-law changes of the commission.

Mr. Luis Wilmot explained that the Fiesta Commission has not yet voted officially on these proposed by-law changes, and he asked the City Council to reinforce the recommended changes with this Resolution.

Mr. Burney noted that some 20 organizations represented in the Fiesta Commission's Executive Committee have endorsed the proposed changes, and stated that the regular commission membership will vote on those proposed recommendations shortly.

Mr. Solis explained the move toward all-elective board seats on the Executive Committee, noting that it no longer will have 'permanent members'.

Ms. Omega Ortega, representing the Equity Coalition, noted that some 72 different organizations formed the Coalition last year, and stated that the Coalition will continue to meet on such matters in order to have full community participation in the leadership of the Fiesta Commission.

Mr. Thornton spoke to the Fiesta Commission's efforts to represent the community.

Mr. Perez spoke in support of the proposed Resolution in order to lead the Commission in what he believes to be the right direction.

Mr. Larson noted that he was the only Council member to oppose the Coalition, inasmuch as it only has targeted the Fiesta Commission makeup. He spoke to the process leading up to the change in the Fiesta Commission and its future citywide plans, and spoke to the Coalition's willingness to address any ethnic disparities, not only Hispanic. He stated that he would be willing to work with anyone, and discussed the matter of the Texas Cavaliers.

Mr. Solis noted that the Coalition was formed only to highlight a particular ethnic disparity.

Mayor Wolff addressed the agreement proposed today and lauded all involved in its creation.

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

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95-15 At this time, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Solis presided.
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95-15 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 6 through 24, constituting the Consent Agenda, with Agenda Item 14 having been removed from consideration by the City Manager, and Agenda Items 9, 16 and 24 being pulled for individual consideration. Ms. McClendon seconded the motion.

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

AN ORDINANCE 81,992

ACCEPTING THE LOW QUALIFIED BID OF ACCUTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH REVENUE CONTROL EQUIPMENT FOR A TOTAL OF \$28,995.00.

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AN ORDINANCE 81,993

ACCEPTING THE PROPOSAL FROM AMDAHL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH A MEMORY DISK STORAGE UPGRADE FOR A TOTAL OF \$64,130.00.

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AN ORDINANCE 81,994

CANCELLING THE CONTRACTS OF ESCO ELEVATORS, INC. FOR ELEVATOR MAINTENANCE AT VARIOUS LOCATIONS AND AWARDING CONTRACTS TO OMNI ELEVATOR FOR ELEVATOR MAINTENANCE AT VARIOUS PARKS AND RECREATION DEPARTMENT AND HEALTH DEPARTMENT FACILITIES AND TO MONTGOMERY KONE, INC. FOR ELEVATOR MAINTENANCE AT THE CITY MARINA FOR TOTAL OF APPROXIMATELY \$8,700.00 ANNUALLY.

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AN ORDINANCE 81,995

SELECTING VICKERY & ASSOCIATES TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE BOBLINK DRAINAGE PROJECT NO. 96A; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR

AN AMOUNT NOT TO EXCEED \$115,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,996

SELECTING UNINTECH CONSULTING ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CASTLE TRAIL/MIDCROWN & THE RAY BON/GALAHAD INTERSECTIONS PROJECTS; AUTHORIZING THE NEGOTIATION OF AN PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$16,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,997

SELECTING TEXAS ENGINEERING GROUP TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE STONEGATE/DUKE DRAINAGE PROJECT; AUTHORIZING NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$53,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,998

SELECTING M.W. CUDE & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE OAKWOOD DRAINAGE PROJECT NO. 58 BY; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$79,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,999

APPROVING FIELD ALTERATION NO. 114 IN THE AMOUNT OF \$588,607.00 PAYABLE TO H.A. LOTT, INC. IN CONNECTION WITH THE NEW CENTRAL LIBRARY; AMENDING THE CONSTRUCTION CONTINGENCY BY \$600,00.00; AUTHORIZING EXECUTION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 82,000

APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE STATE OF TEXAS BY WHICH THE CITY WILL BE ABLE TO USE A PORTION OF CERTAIN STATE OWNED PROPERTY AT THE CORNER OF NORTH CHERRY AND EAST CROCKETT STREET (LOT 1, NCB 582, BEXAR COUNTY, TEXAS) FOR A TWO YEAR PERIOD AS PART OF THE CHERRY STREET DRAINAGE PROJECT NO. 15B, PHASE II.

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AN ORDINANCE 82,001

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$79,687.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE II, PARTS B&C, THE OCTAVIA PLACE DRAINAGE PROJECT NO. 63, PHASE II, F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO HUEBNER ROAD AND THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE II.

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AN ORDINANCE 82,002

NAMING AN EARLY VOTING BALLOT BOARD FOR THE PURPOSE OF PROCESSING EARLY VOTING BALLOTS CAST BY PERSONAL APPEARANCE AND BY MAIL FOR THE REGULAR ELECTION OF MAY 6, 1995.

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AN ORDINANCE 82,003

ESTABLISHING A CENTRAL COUNTING STATION FOR THE PURPOSE OF TABULATING EARLY VOTING BALLOTS FOR THE REGULAR ELECTION OF MAY 6, 1995, AND VOTES CAST ON ELECTION DAY APPOINTING A CENTRAL COUNTING STATION MANAGER AND TABULATION SUPERVISOR, AND APPROVING ASSISTANTS TO SAID SUPERVISOR.

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AN ORDINANCE 82,004

APPROVING A JOINT ELECTION WITH THE NORTHSIDE AND NORTHEAST INDEPENDENT SCHOOL DISTRICTS DURING THE CITY REGULAR ELECTION TO BE HELD ON THE 6TH DAY OF MAY, 1995; APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY AND THE BEXAR COUNTY

ELECTION ADMINISTRATOR, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND THE BEXAR COUNTY ELECTIONS ADMINISTRATOR IN CONNECTION WITH SAID JOINT ELECTION, AND AUTHORIZING PAYMENT FOR THE SERVICES.

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AN ORDINANCE 82,005

AUTHORIZING THE TEMPORARY CLOSURE OF CLOWER STREET BETWEEN BRAD AND THE ACCESS ROAD TO I.H. 10 FROM 6:00 A.M. UNTIL 12:00 MIDNIGHT, SUNDAY, MAY 7, 1995 IN CONNECTION WITH THE MAY FROLIC, SPONSORED BY ST. MARY MAGDALEN CHURCH.

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AN ORDINANCE 82,006

AUTHORIZING THE TEMPORARY CLOSURE OF SHANNON LEE DRIVE BETWEEN OBLATE AND MOUNTAIN TOP DRIVE FROM 12:00 NOON. UNTIL 9:00 P.M., SUNDAY, MAY 7, 1995 IN CONNECTION WITH BLESSED SACRAMENT CHURCH PARISH FESTIVAL.

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95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,007

SELECTING BAIN, MEDINA, BAIN INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE ROSELAWN DRAINAGE FROM GENERAL MCMULLEN TO IMPERIAL PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$121,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, briefly explained the Roselawn Drainage Project, from Gen. McMullen to Imperial.

Ms. Ayala asked that neighborhood organizations and school representatives be advised of plans for the project with meetings scheduled early in project construction.

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,008

APPROPRIATING \$5,250.00 TO PURCHASE PROPERTY
REQUIRED FOR CONSTRUCTION OF THE BABCOCK RD.
FREDERICKSBURG RD. TO ST. CLOUD PROJECT AND
AUTHORIZING PAYMENT.

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

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,009

AUTHORIZING THE TEMPORARY CLOSURE OF LEWIS STREET
BETWEEN CYPRESS AND POPULAR FROM 11:00 A.M. UNTIL
6:00 P.M., SATURDAY, MAY 6, 1995 IN CONNECTION WITH
THE RONALD MCDONALD HOUSE 10TH BIRTHDAY.

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

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

95-15 The Clerk read the following Resolution:

A RESOLUTION NO: 95-15-24

SUPPORTING CONTINUED FUNDING OF THE LOCAL JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM.

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

Mr. Octavio Pena, Internal Review, spoke to the progress of funding initiatives now in the Congress, relative to the Summer Youth Program, and the need for a City Council Resolution to support its continuation in San Antonio. He noted that the legislation now before the U.S. House of Representatives would eliminate the program, while the Senate still is considering it.

Mr. Anthony Herrera, Chairman, San Antonio Youth Commission, spoke in support for continued federal funds for this project.

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Mr. Solis addressed the need for the program to continue, to provide needed jobs for the youth of San Antonio.

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,010

APPROVING THE PROGRAM YEAR 1995 JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE II B (SUMMER YOUTH) PLAN AND AUTHORIZING THE MAYOR TO SIGN THE "STATEMENT OF APPROVAL" OF THE PLAN.

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

Mr. Octavio Pena, Internal Review, noted that some 3,000 local youths are affected, at a cost of some \$3.9 million.

The following persons appeared to speak:

Mr. Gilbert Sanchez, CEO, Alamo Workforce Development Council, touched on the highlights of the program and now participants are selected for the Summer Youth Plan from local school districts.

Mr. Ross addressed plans to tie job placement to poverty levels, and spoke to positive changes that have been made at Alamo Workforce Development Council. He stated that he feels that funding will come to the states and cities in the form of 'block grants'.

In response to a question by Mr. Avila, Mr. Sanchez narrated a video presentation of details for planned allocations.

Ms. Ayala spoke to her desire to have more programs in her district, to prevent the devastation of certain areas.

In response to a question by Mr. Solis, Mr. Sanchez discussed funding assurances from the Department of Labor to begin this program, and the possibility that the Summer Youth Program might not be funded.

Mr. Solis spoke to his concern for a sudden termination of the program and its adverse impact upon local students.

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

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A RESOLUTION NO: 95-15-25 .

SUPPORTING THE SUBMISSION OF A PROPOSAL TO THE U.S. DEPARTMENT OF LABOR THROUGH THE TEXAS EMPLOYMENT COMMISSION BY THE ALAMO WORKFORCE DEVELOPMENT COUNCIL, INC. FOR THE DEVELOPMENT OF A ONE-STOP CAREER CENTER SYSTEM.

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

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,011

AWARDING V.K. KNOWLTON PAVING CONTRACTOR, INC. A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$6,733,124.77 IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT NO. 39 B-F, SOUTH; AUTHORIZING \$471,318.73 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, briefly explained the Driftwood Drainage Project, South, the third of three like projects for which construction is due to begin within 90 days.

Mr. Solis noted that this is the final part of an overall \$18 million project funded by 1985 bond funds.

In response to a question by Mr. Ross, Mr. German discussed the contracting firm's ability to do this job, and spoke to the procedures in place to insure its completion, though the firm has other City projects in progress at the same time.

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,012

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO (UTHSCSA) FOR EMERGENCY MEDICAL TECHNICIAN (EMT) TRAINING AND EMS MEDICAL DIRECTOR SERVICES FOR A TWO-YEAR TERM BEGINNING JANUARY 1, 1995 THROUGH DECEMBER 31, 1996, AT ANNUAL COSTS OF \$916,502.00 FOR 1995 AND \$979,703.00 FOR 1996.

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

Ms. Frances Gonzalez, Organizational Review, explained the contract for EMS training and Medical Director Services.

In response to a question by Mr. Larson, Dr. Jeff Gordon, University of Texas Health Science Center at San Antonio discussed the allocation of patients between San Antonio's three trauma centers. He spoke to details of a recent crisis situation during which some trauma victims could not be transferred because of patient overloads and other reasons for temporary closure of certain trauma centers to new transfers for a period of time. He then discussed the cooperative relationship between the City's Emergency Medical Services and 'first responder services', and the amount of training available.

City Council members congratulated Dr. Gordon for his leadership of this program.

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

Discussion took place concerning interlocal agreements vital to the EMS program and the prevention of service duplication.

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,013

REVISING THE CITY'S CURRENT INDUSTRIAL DISTRICT POLICY ESTABLISHED BY CITY COUNCIL RESOLUTION NO. 85-03-04, PASSED JANUARY 10, 1985, PURSUANT TO THE MUNICIPAL ANNEXATION ACT.

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

Mr. Clinton Bolden and Ms. Claudia Mora, Economic Development Department, explained the proposed revisions to the City Council's policy on industrial districts and the four area of the city involved. They also addressed plans for five- or seven-year tax phase-in period recommended for areas south of Highway 90/IH 10 East, as discussed in the staff memorandum, a copy of which is made a part of the papers of this meeting .

Discussion ensued concerning the proposed changes and how they would apply to industrial districts.

Mayor Wolff stated his preference for bringing in firms under tax phase-in rules and incentives, rather than industrial district rules.

Mr. Bolden then discussed the differences between the two.

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,014

ESTABLISHING A MORATORIUM ON BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY FOR SEXUALLY ORIENTED BUSINESSES PENDING THE EFFECTIVE DATE OF AN ORDINANCE PROVIDING NEW ZONING FOR SEXUALLY ORIENTED BUSINESSES OR SIXTY (60) DAYS FROM PASSAGE HEREOF, WHICHEVER EVENT OCCURS FIRST; AND DECLARING AN EMERGENCY.

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

Mr. Steve Arronge, Assistant City Attorney, explained the proposed moratorium ordinance on sexually-oriented businesses, pending the effective date of a new zoning law change affecting such facilities. He noted that City Council is scheduled to consider that zoning law change on April 27, 1995.

Mr. Ross noted that this proposed ordinance today is effective for a period of 60 days, and asked for a legal briefing on the ramifications of changing non-conforming-usage regulations for only two years.

In response to a question by Mr. Larson, Mr. Arronge stated that staff is currently looking at a possible minimum distance of 1,000 feet to separate sexually-oriented businesses from residential areas, churches and schools. He also discussed the application of the City's nuisance laws to these cases.

In response to a question by Ms. Ayala, Mr. Arronge discussed enforcement areas that can legally be applied to sexually-oriented businesses.

Ms. Ayala stated her desire to look at permit regulations that

protect the city's neighborhoods, citywide, and the liability questions involved.

Mr. Peak stated his belief that the City Attorney will draft an Ordinance that is as constitutionally-strong as possible, and spoke to his desire not to have to fight this matter through the courts.

Mr. Thornton spoke in support for the proposed Ordinance and the need for the City to employ all its available tools in this area.

Mayor Wolff noted that today's Ordinance puts the moratorium in place for a period of 60 days, and that City Council will consider the follow-up Ordinance on zoning on April 27, 1995.

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

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95-15 It was the concensus of City Council members present to temporarily bypass Agenda Item 35, a discussion regarding VIA board appointments and Blue Ribbon Investigating Committee, until later in the meeting.

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95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,015

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO PAY THE JUDGEMENT IN CAUSE NO. 93-CI-07749 STYLED MANUEL CAVICH VS. MATTHEW EDWARD NOWAK AND CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$42,796.60 PLUS COURT COSTS AND POST JUDGEMENT INTEREST.

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

Mr. Don King, Assistant City Attorney, addressed the court case and the judgment rendered.

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

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95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,016

AUTHORIZING THE TEMPORARY CLOSURE OF MAIN PLAZA BETWEEN COMMERCE AND DOLOROSA STREETS FROM 7:00 A.M. UNTIL 4:00 P.M. ON PALM SUNDAY, APRIL 9, 1995 AND FROM 10:00 A.M. UNTIL 8:00 P.M., ON GOOD FRIDAY, APRIL 14, 1995 IN CONNECTION WITH THE BLESSING OF THE PALMS AND GOOD FRIDAY PROCESSION SPONSORED BY SAN FERNANDO CATHEDRAL; AND DECLARING AN EMERGENCY.

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

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

95-15 The Clerk read the following Ordinance:

AN ORDINANCE 82,017

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM DISTRICT ONE DISCRETIONARY ACCOUNT TO DEFRAY THE COST INCURRED BY MR. MANUEL PENA TO TRANSPORT THE "GHETTO BYRDS", A CITY OF SAN ANTONIO BASKETBALL TEAM, TO A ALL HISPANIC BASKETBALL TOURNAMENT HELD ON MARCH 18TH AND 19TH, 1995 IN HOUSTON, TEXAS.

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

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

95-15

DISCUSSION

ON

VIA BOARD APPOINTMENTS AND BLUE RIBBON INVESTIGATING COMMITTEE

Mayor Wolff addressed the question of appointment of an

investigating committee, appointment of new VIA board members by the City, the question of possibly appointing five new VIA board members, or whether to wait for new legislation presented to the state legislature by Rep. Karyn Conley.

After discussion, Mr. Thornton made a motion to place an item on next week's City Council meeting agenda, naming five members to the VIA board of trustees by the City. Mr. Avila seconded the motion.

In response to a question by Mr. Peak, Mr. Lloyd Garza, City Attorney, noted that he and the VIA attorneys differ in interpretation of the law on board appointments in this matter. He stated his opinion that the City is on sound legal grounds in the motion involved, and he discussed his perception of where any challenge would come from, relative to the proposed appointment of five new VIA board members by the City. He likened the situation to a similar matter with the removal of Municipal Court judges.

Mr. Larson stated his belief that the remaining three VIKA board members appointed by the City might resign from their positions in the next week, and he spoke to the need to have a clean slate. He spoke against the appointment of any oversight commission, and stated that the Council can decide these issues next Thursday.

Mr. Thornton stated his opinion that the City needs to act, to allow VIA to look out for its own interests and rebuild the transit system. He voiced his concern that the VIA board has said that it will elect a new chairman at its meeting of April 18, 1995. He also noted that the Conley bill, now before the legislature, is being strengthened.

A discussion then took place concerning the possibility of having prospective new VIA board members appear before City Council next week. Further discussion centered around the relationship between next week's proposed ordinance and the Conley bill.

Mr. Perez voiced his concern that this might not be the proper step to take now.

Mr. Garza noted that the terms of the VIA board members in question now have expired, and they can be replaced.

Mr. Thornton asked that prospective VIA board members be interviewed at next Thursday's "B" Session.

In response to a question by Ms. Ayala, Mayor Wolff spoke to the stance taken by VIA lawyers relative to replacement of VIA board members whose terms have expired.

The following persons then appeared to speak:

Ms. Maria Dominguez took exception to City Council interference in VIA operations, and noted that voters voted VIA out of

the city. She spoke to her fears for a degradation of VIA services.

Mr. Tom Culbertson, Regional Clean Air & Water, spoke to his hopes for a peaceful solution to the VIA situation. He also spoke to the need to replace Mr. Victor Miramontes on the board of San Antonio Water System, and he recommended Mr. Kirk Patterson for that appointment.

* * * *

Mayor Wolff stated that the City Council will schedule interviews for those interested in appointment to the VIA board of trustees during next Thursday's "B" Session, with an appointment ordinance to follow during the regular meeting.

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

Mr. Peak and Mayor Wolff stated that interested Via board appointees should send their resumes to the City Clerk as quickly as possible.

Mr. Perez asked the City Attorney to present a possible scenario of legal actions that could occur in this matter.

Mayor Wolff noted that next Thursday's ordinance will appoint five new VIA board members by the City of San Antonio, and this action does not remove anyone.

95-15

AMENDING ETHICS ORDINANCE

The City Clerk read a proposed ordinance amending the Ethics Ordinance to require annual financial disclosure statements from all members of the Firemen and Policemen Pension Fund Board of Trustees, as requested by Councilwoman Helen Ayala.

Ms. Ayala noted that attorneys for the Pension Fund board agree with the proposed ordinance, and she read from a letter outlining that support, thanking them for their cooperation.

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

Ms. Ayala made a motion to accept the Firemen and Policemen Pension Fund report, and to take no formal action on the proposed ordinance. Mr. Larson seconded the motion.

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

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95-15

The City Clerk read the following Resolution:

A RESOLUTION NO: 95-15-26

ADOPTING A POSITION ON SJR 74 AND HJR 104 REGARDING
CONSOLIDATION OF CITY AND COUNTY GOVERNMENTS.

* * * *

Ms. Myra Leo, Director of Intergovernmental Relations, explained the current status of the legislation on consolidation of local governments, noting that, if passed, it will be on the November ballot for approval. She then spoke to how a consolidation charter commission can be appointed, stating that a vote on such a consolidation charter must come within two years. She noted that, right now, the legislation would have a statewide effect, but that Rep. Robert Puente of the Bexar delegation wants to make it a local bill for Bexar County.

Ms. Ayala, chair of the City-County Cooperation Committee, addressed the possible repercussions of the bill, and questioned how certain things would be funded.

Mr. Bill Sinkin, chair of the Citizens Commission on Consolidation, spoke to the benefits to be attained from the first good look at the costs of government in 40 years, and he spoke to the ramifications of the bill.

Ms. Leo then spoke to certain questions she has with the bill.

Mr. Peak spoke in support of making the legislation a 'local bill' for Bexar County, and the need for more effective and efficient local government. He emphasized the local-option aspect of the legislation and urged support for the bill and the 'local bill' status.

Mr. Thornton stated his belief that consolidation of city and county governments still is a long way off, and this bill simply starts the process. He spoke in support of the legislation in order to proceed with the issue.

Mr. Peak made a motion to enact a Resolution to support this legislation. Mr. Larson seconded the motion.

Mr. Larson also spoke in support for the legislation and referred in particular to such areas as parks, public works, tax, health and magistrating functions of government. He spoke to the consolidation as being in the best interests of the citizens.

Mr. Solis spoke in opposition to the legislation and addressed several concerns he has with the bill.

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

In response to a question by Mr. Solis, Dr. Tom Brereton, representing the City-County Consolidation Commission, addressed the matter of 'graduated ad valorem taxes' within the legislation and its impact, voicing his concern with equity in taxation.

Mr. Ross spoke in support for taking this issue to the voters.

Mr. Perez spoke in support for moving to the next step in this matter.

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

Ms. Ayala questioned whether or not the City-County Consolidation Commission has official status.

Mayor Wolff replied that the commission is composed of informed citizens, and he spoke the group's background. He noted that he has no plans to make the commission an official one, until such time as the legislation is enacted. He then spoke in support for the bill and its flexibility.

Mr. Thornton spoke in support for the legislation.

Mr. Alex Briseno, City Manager, addressed several concerns with possible consolidation of governments.

After City Clerk Rodriguez read the Resolution's caption for the record, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: Solis. ABSENT: None.

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95-15 The Clerk read the following Resolution:

A RESOLUTION NO: 95-15-27

EXPRESSING THE OPPOSITION TO SB 1608 AND HB 3208 RELATING TO THE ELECTIONS OF MUNICIPAL COURT OF RECORD JUDGES, AS FILED BY SENATOR GREGORY LUNA AND REPRESENTATIVE ROBERT PUENTE, RESPECTIVELY.

* * * *

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

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

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95-15 Ms. Leo then provided a brief update on the legislation by Rep. Karyn Conley relative to VIA Metropolitan Transit, noting that she has strengthened the wording in the legislation to allow City Council to remove its VIA board appointees for any one of several causes.
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95-15 CITIZENS TO BE HEARD

(Mayor Pro Tem Juan Solis presided in the absence of Mayor Wolff).

MR. MOHAMMAD H. AMROLLAH

314 E. Nakoma, appeared before the City Council regarding his Taxi Cab permit and the revocation of it. The Council advised Mr. Amrollah to visit with the transportation Advisory Board on this issue.
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MR. TOM CULBERTSON

Mr. Culbertson spoke in opposition to H.B. 3189 sponsored by Robert Puente, He stated that this bill is but a continuation of SB 1477 and will be ineffective. He also stated that it will not solve the Endangered Species.
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MR. GEORGE BIGLEY

Mr. Bigley spoke to his concern with the illegal immigrant problem in this Country, He has received correspondence from the providers of the U.S. relative to why the Federal Government is attempting to do to resolve the issue. Mr. Bigley spoke to his main concerns being that there illegal immigrants get welfare and public housing assistance.
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MR. DON WILKENS CASTILLO

Mr. Castillo, 1010 N. Frio Street, spoke to what he considers are stated mysteries surrounding the death of Ms. Selena Quintanilla Perez.

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MR. BILL STEPHENS

Mr. Stephens stated that the New Ground Transportation Ordinance dose not track Council policy.

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95-15 City Council recessed its regular meeting at 5:25 P.M. in order to convene in Executive Session for the purpose of:

A) Staff briefing and report on status of engineering related to the City's program of remediation and mitigation of Dome dirt issues.

B) Staff briefing and review of the legal issues involved in a complaint filed with the City's Ethics Commission by Rio San Antonio Cruises and review of the issues related to the award of a contract to Yanaguana Cruises, Inc.

(NOTE: A previously-posted Executive Session item, a staff briefing regarding the terms and conditions of lease agreements for certain parcels of City-owned real estate in preparation for recommended negotiations, was removed from consideration by the City Manager.)

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95-15 City Council reconvened at 7:24 P.M., at which time Mayor Pro Tem Solis, presiding the the absence of Mayor Wolff, announced that the City Council had met in Executive Session on the above-mentioned two items, had given staff direction, but had taken no official action.

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95-15 There being no further business to come before the Council, the meeting was adjourned at 7:25 P.M.

A P P R O V E D


M A Y O R

Attest:


C I T Y C L E R K