

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, MUNICIPAL  
PLAZA BUILDING, THURSDAY, SEPTEMBER  
19, 1996.

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96-38 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: FLORES, LOTT, BILLA BURKE, AVILA, SOLIS, PEAK, THORNTON. Absent: HERRERA, ROSS, MARBUT, WEBSTER.

Staff Presentation on the status report on Inland Port San Antonio Trade Initiatives and Related Transportation Infrastructure Requirements - Council approved the placing on the agenda next week staff's recommendations, as follows: (1) Adopt a policy that specifies that all international trade and transportation infrastructure improvement initiatives be compatible with the overall Inland Port San Antonio Strategy. The policy should support an upgrade of IH 35, plan and develop SH 130, consider Interstate Bypass Route, relocate freight rail service, and develop commuter rail; and (2) Use the City's state and federal lobbying resources to advocate for the City's international trade and related transportation infrastructure improvement initiatives.

"B" Session adjourned at 11:10 A.M.

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96-38 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor William E. Thornton, with the following members present: FLORES, LOTT, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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96-38 Invocation - Minister James Kilgore, District Superintendent of Texas, United Pentecostal Church International.

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96-38 Pledge of Allegiance to the flag of the United States.

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96-38 Minutes of the August 1, 1996 Regular City Council Meeting were approved.

CITATIONS: OLYMPIAN AND PARALYMPIAN ATHLETES

Mayor Thornton stated that the City has invited some outstanding athletes to the Council meeting today, individuals who participated in the Olympic Games or the Paralympic Games in Atlanta this summer. He noted that some of these individuals were born and raised in San Antonio, and some have lived here for a number of years; nevertheless, we are very proud of each of them and wish to officially recognize them for their accomplishments.

The Mayor read the individual Citations for each, and members of the City Council joined in awarding those Citations to:

Mr. Joshua Davis, Olympics - swimming Gold Medal winner in 4 X 100 Meter Relay, the 4 X 200 Meter Relay, and the Medley Relay.

Mr. James O. Gregory, Olympics - 4th International Reserve for Modern Pentathlon (accepted by Coach, Mr. Jan Bartu).

Mr. Curt A. Young, Olympics - 400 Meter Hurdles representing the Republic of Panama.

Mr. Walter Eduardo Soza, Olympics - Swimming 200 Meter Individual Medley, 400 Meter Individual Medley, and 200 Meter Butterfly representing Nicaragua.

Ms. Henrietta Onodi, Olympics - Gymnastics representing Hungary (accepted by Coach, Ms. Kimberly Faires).

Mr. Thomas Jansing Bourgeois, Paralympics - Silver medal winner in Long Jump, Bronze Medal winner in the 4 X 100 Meter Relay, and participant in Pentathlon.

Mr. Ross Davis, Paralympics - Gold Medal winner in the 100 Meter Dash, setting a world and Paralympics record, and Bronze medal winner in the 400 meter Run.

Mr. Gabriel Diaz DeLeon, Paralympics - Bronze medal winner in the Discus Throw, and participant in Shot Put and Javelin Throw.

Each awardee spoke briefly of their Olympic or Paralympic event(s) and their individual reminiscences of the Games.

U.S. OLYMPIC COMMITTEE PRESENTATION

Mayor Thornton introduced Mr. Dick Schultz, Executive Director of the U.S. Olympic Committee, and stated that he is in San Antonio to speak about the Community Olympic Development Program, and also introduced Mr. David Schmidt and Mr. Ralph Bender, San Antonio

architect, planner.

Mr. Schultz stated that San Antonio is one of only three U.S. cities selected for participation in the Community Olympic Development Program, and spoke to the reasons for that selection and the economic impact it will have on San Antonio, as well.

Mayor Thornton asked Mr. Marbut to join him, and spoke to San Antonio's record of attracting amateur sporting events.

A Representative of the U.S. Olympic Committee then presented an Olympic Flag to the City of San Antonio, to mark this event.

Mr. Schultz then presented the Mayor with a U.S. Olympic Committee hat and a special pin emblematic of the 'Architect of Peace' award made during the Olympic Games.

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96-38                    CERTIFICATE OF APPRECIATION: CONTINENTAL AIRLINES

Mayor Thornton noted that a number of young people from San Antonio were stranded in Atlanta during the Olympic Games when their promised jobs failed to materialize. He further noted that Continental Airlines and Mr. Red McCombs both responded together to get the young people back home. He stated that both Mr. McCombs and representatives from Continental Airlines were invited to be on hand at Council meeting today to be recognized for their generous gesture, but Mr. McCombs is out of town today. He then introduced Mr. George Igo, representing Continental Airlines.

Mr. Igo spoke briefly to the details of the situation and the joint endeavor of his firm and Mr. McCombs to get the young people back to San Antonio.

Mayor Thornton, on behalf of the community, thanked both for their selfless contribution to this effort.

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96-38                    MR. JOHN M. KUCHARSKI

Mayor Thornton noted that the Greater Kelly Development Corporation has selected EG&G, Inc. as its master planner/project manager for the redevelopment of Kelly Air Force Base. He then introduced General H.T. Johnson, Chairman and president of the Greater Kelly Development Corporation, to make the formal introductions.

Gen. Johnson introduced Mr. John M. Kucharski, Chairman and President of the Board, and Chief Executive Officer, then provided a brief update on GKDC activities leading up to the selection of this firm as master planner and project manager for the KAFB redevelopment. He



AN ORDINANCE 84,749

ACCEPTING THE LOW, QUALIFIED BIDS OF RCK SALES, INC. AND BTE IMPORT/EXPORT TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GAMES FOR A TOTAL OF \$52,243.36.

\* \* \* \*

AN ORDINANCE 84,750

ACCEPTING THE LOW, QUALIFIED BIDS OF DOUGLAS W. KING COMPANY, INC. AND GOLD STAR SEED COMPANY, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GRASS SEED FOR A TOTAL OF \$190,696.60.

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AN ORDINANCE 84,751

ACCEPTING THE LOW BID OF ACCU-RITE ROOFING TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH SHINGLE ROOF REPLACEMENT FOR THE BUILDING MAINTENANCE FACILITY FOR A TOTAL OF \$15,987.00; AND PROVIDING FOR THE TRANSFER OF FUNDS IN THE AMOUNT OF \$15,987.00 FROM THE FACILITIES IMPROVEMENTS AND MAINTENANCE PROGRAM TO THE SHINGLE ROOF REPLACEMENT BUILDING MAINTENANCE FACILITY FUND.

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AN ORDINANCE 84,752

ACCEPTING THE LOW BID OF PRO LINE VIDEO TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT AND THE INFORMATION SERVICES DEPARTMENT WITH HIGH RESOLUTION PROJECTION MONITOR SYSTEM FOR A TOTAL OF \$26,894.00.

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AN ORDINANCE 84,753

ACCEPTING THE PROPOSAL OF AMDAHL CORPORATION TO PROVIDE HOST EQUIPMENT AND RELOCATION FOR THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT FOR A TOTAL OF \$242,400.00.

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AN ORDINANCE 84,754

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 1996-97 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,319,000.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT)

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AN ORDINANCE 84,755

RATIFYING A PROFESSIONAL SERVICES CONTRACT WITH KEI CONSULTANTS, INC. TO OBTAIN AN ENVIRONMENTAL ASSESSMENT OF THE PROPERTY AT MARKET AND NAVARRO (FORMER GROOS BANK SITE); APPROPRIATING FUNDS AND APPROVING PAYMENT OF \$13,822.50 OUT OF THE PARKING DIVISION FUNDS.

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AN ORDINANCE 84,756

AUTHORIZING THE EXPENDITURE OF \$37,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS PAYABLE TO CHRISTIAN SENIOR SERVICES ADA MODIFICATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,757

SELECTING SPRINKLE ARCHITECTS, AIA TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE REPLACEMENT OF FIRE STATION NO. 8 AT HAMILTON AND SAN FERNANDO; AUTHORIZING A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$77,700; AUTHORIZING \$15,000 FOR MISCELLANEOUS ARCHITECTURAL AND ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,758

SELECTING DEBRA J. DOCKERY, ARCHITECT, P.C. (WBE) TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE NORMOYLE PARK AND COMMUNITY CENTER 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT UP TO \$20,475.00; TRANSFERRING FUNDS

AND ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$3,071.00 FOR ARCHITECTURAL CONTINGENCY EXPENSE; AUTHORIZING \$1,500.00 FOR BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,759

SELECTING LLOYD WALKER JARY & ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE SAN ANTONIO NATATORIUM 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT UP TO \$21,500.00; TRANSFERRING FUNDS AND ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$3,225.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$1,500.00 FOR BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,760

SELECTING LOUIS CRUZ ARCHITECTS, INC. (MBE) TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE JOHN TOBIN COMMUNITY CENTER 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT UP TO \$15,000.00; TRANSFERRING FUNDS AND ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$3,000.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$2,000.00 FOR BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,761

SELECTING FISHER, HECK, IMBIMBO, INC. TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE CONCEPCION PARK 1994 PARKS GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT UP TO \$6,540.00; TRANSFERRING FUNDS AND ESTABLISHING A PROJECT BUDGET; AUTHORIZING \$1,635.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES AND \$1,500.00 FOR BID ADVERTISING/PRINTING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,762

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$8,240.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN CONNECTION WITH THE KENNETH/TAHOKA AREA STREETS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,763

AUTHORIZING PAYMENT OF \$9,284.00 TO STEWART TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE DREAMLAND OAKS AREA PROPERTY ACQUISITION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,764

HONORING AN AGREEMENT WITH AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,950.00 TO APPLIED EARTH SCIENCES, INC., FOR ENVIRONMENTAL ASSESSMENT SERVICES PERFORMED FOR THE OCTAVIA PLACE DRAINAGE PROJECT #63 OUT OF 1987 GENERAL OBLIGATION DRAINAGE BONDS (SOLD IN 1996); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,765

ACCEPTING THE HIGHEST AND BEST BIDS TOTALING \$32,128.00 RECEIVED FOR EIGHT (8) OUT OF ELEVEN (11) CITY OF SAN ANTONIO-OWNED SURPLUS REAL PROPERTIES LOCATED IN CITY COUNCIL DISTRICTS 4 AND 6, HAVING BEEN ADVERTISED FOR SALE THROUGH THE PUBLIC BIDDING PROCESS; APPROVING THE SALE OF SAID PROPERTIES; REJECTING TWO (2) LOW BIDS RECEIVED ON SURPLUS PROPERTIES LOCATED IN CITY COUNCIL DISTRICT 9; AUTHORIZING THE CITY MANAGER TO RELEASE THE PERFORMANCE BID GUARANTEES FROM UNSUCCESSFUL BIDDERS; AND AUTHORIZING STAFF TO SELL BY PUBLIC BID THE THREE (3) PARCELS WHICH WERE NOT SOLD.

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AN ORDINANCE 84,766

AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE TO

LOT 20, BLOCK 12, NEW CITY BLOCK 13225, BEXAR COUNTY, TEXAS, LOCATED AT 10302 BURR OAK DRIVE, PARCEL 14239, IN THE DREAMLAND OAKS AREA PROPERTY ACQUISITION PROJECT FROM LISA J. MARTIN AND APPROVING THE EXPENDITURE OF \$109,500.00 OUT OF THE GENERAL OBLIGATION DRAINAGE BONDS FOR SUCH ACQUISITION.

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AN ORDINANCE 84,767

RATIFYING A CONTRACT WITH THE LAW FIRM OF DAVIDSON & TROILO, ACTING ON BEHALF OF A CONSORTIUM OF FIRMS, FOR SERVING AS LEGAL COUNSEL TO THE GREATER KELLY DEVELOPMENT CORPORATION (GKDC) FOR THE PERIOD MAY 1, 1996 THROUGH JULY 31, 1996; AUTHORIZING THE PAYMENT OF \$23,047.70 TO THE FIRM IN CONNECTION WITH SAID CONTRACT; AND APPROPRIATING \$48,664.84 IN EXCESS NON-FEDERAL FUNDS FOR THE GKDC IN FISCAL YEAR 1997.

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AN ORDINANCE 84,768

AMENDING ORDINANCE NO. 82882, PASSED AND APPROVED ON SEPTEMBER 28, 1995 BY EXTENDING THE CONTRACT PERIOD OF THE 1995 EMERGENCY SHELTER GRANT (ESG) AND EXTENDING THE DELEGATE AGENCY CONTRACT PERIODS WITH THE SAN ANTONIO METROPOLITAN MINISTRY, CHILDREN'S SHELTER OF SAN ANTONIO, NATIONAL VETERANS OUTREACH PROGRAM, FATHER FLANAGAN'S BOYS TOWN, AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION; REVISING THE APPROPRIATE BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

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AN ORDINANCE 84,769

AUTHORIZING THE ACCEPTANCE OF A \$99,981.00 CASH GRANT AWARD FROM THE TEXAS CANCER COUNCIL (TCC) TO FUND AN ONGOING CANCER PREVENTION PROJECT IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD SEPTEMBER 1, 1996 THROUGH AUGUST 31, 1997; AUTHORIZING THE EXECUTION OF CONTRACT AND AGREEMENT NO. 97-26 WITH TCC; APPROPRIATING FUNDS; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 84,770

ACCEPTING A GRANT IN THE AMOUNT OF \$171,620.00 FROM THE TEXAS STATE LIBRARY, ENTITLED INTERLIBRARY LOAN SERVICES-FEDERAL GRANT FISCAL YEAR 1996-97; AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE TEXAS STATE LIBRARY; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 84,771

ACCEPTING A GRANT AND AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$120,821.00 WITH THE TEXAS STATE LIBRARY ARCHIVES COMMISSION THROUGH THE MAJOR URBAN RESOURCE LIBRARY (MURL) GRANT PROGRAM, AND APPROVING A BUDGET.

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AN ORDINANCE 84,772

AUTHORIZING PAYMENT IN THE AMOUNT OF \$81,248.46 PLUS COURT COSTS AND POST-JUDGEMENT INTEREST OF \$20.28 PER DAY FROM SEPTEMBER 25, 1996 UNTIL PAID, IN THE JUDGMENT OF CAUSE NO. 220608, ELSA T. MAROTTA V. TERRY LEON LARISON.

\* \* \* \*

AN ORDINANCE 84,773

AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$14,000.00 TO CATERING BY ROSEMARY IN CONNECTION WITH THE OPENING RECEPTION ON SEPTEMBER 25, 1996, FOR THE "MEXICO FERIA TURISMO 96, MEXICO'S FIRST OFFICIAL TOURISM AND TRADE SHOW TO BE HELD OUTSIDE ITS BORDERS.

\* \* \* \*

AN ORDINANCE 84,774

AUTHORIZING THE TEMPORARY CLOSURE OF CROCKETT STREET BETWEEN PRESA AND NAVARRO STREETS FROM 8:00 A.M., SATURDAY, OCTOBER 5, 1996 UNTIL 11:00 P.M., SUNDAY, OCTOBER 6, 1996 IN CONNECTION WITH THE TEXAS BREWERS FESTIVAL.

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AN ORDINANCE 84,775

AUTHORIZING THE TEMPORARY CLOSURE OF GUADALUPE STREET BETWEEN BRAZOS AND SAN JACINTO STREETS FROM 8:00 A.M. UNTIL 8:00 P.M., SATURDAY, OCTOBER 5, 1996 IN CONNECTION WITH THE 1996 OCTOBERFEST, SPONSORED BY THE SAN ANTONIO APARTMENT ASSOCIATION.

\* \* \* \*

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,776

ACCEPTING THE LOW BID OF BEN E. KEITH TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH GROCERY PRODUCTS, FROZEN FOODS, MEATS, PAPER PRODUCTS AND JANITORIAL SUPPLIES FOR THE NUTRITION CENTERS FOR A TOTAL AMOUNT OF \$814,464.79 ANNUALLY.

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

Ms. Janie Cantu, Director of Purchasing & General Services, briefly explained the proposed ordinance.

Mr. Ed Johnson, attorney representing Sysco, read from a letter from the firm, speaking to Sysco's economic impact upon San Antonio and questioning certain calculations in the firm's bid, stating the firm's opinion that its bid would save the City some \$13,000 per year. The letter asked for a postponement of plans to enact the proposed ordinance and a re-evaluation of the matter.

Mr. Jeff Cristman, Chief Financial Officer, Sysco, explained the alleged discrepancies in the bid calculations.

Ms. Becky DeAtley, representing Ben E. Keith Co., the recommended bidder, stated that her firm stands behind its bid pricing.

In response to a question by Mr. Solis, Ms. Cantu explained the alleged discrepancies and other questions concerning the bids, noting that City staff cannot correct erroneous bids submitted.

Mr. Solis spoke to his concern with the impact upon the budget of having to perhaps pay \$13,000 more.

Mr. Frank Garza, Assistant City Attorney, informed Council that it could reject any or all bids in this matter, or accept staff's

recommendation.

Mr. Webster spoke to his concern with the effects of small errors on bids, and the need to possibly consider changing City policies on purchasing, if savings can be achieved by those changes.

Ms. Cantu stated that, according to staff calculations, the Ben E. Keith Co. bid is the lowest in total cost of all bids submitted on this matter.

Mr. Alexander E. Briseno, City Manager, explained the effects of an 'all or none' bid.

Mr. Peak asked City staff to look into Mr. Webster's suggestions.

Mr. Cristman spoke to a possible 90-day change in some pricing, and discussed negotiations over the bid and the results.

Mayor Thornton stated that he is hesitant to un-do a bidding process.

In response to a question by Ms. Lott, Ms. Cantu discussed the bid specifications and the fact that acceptable alternatives offer flexibility for the bidders.

Ms. Lott spoke to the need to perhaps look more closely at the figures and the calculations.

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

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96-38 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING ALLEY BETWEEN SANDALWOOD & SPRINGWOOD LANES.

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mr. Oscar Serrano, Asset Management Department, briefly explained details of the proposal to close this alley.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 84,777

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN UNIMPROVED 15-FOOT WIDE ALLEY LOCATED BETWEEN SANDALWOOD AND SPRINGWOOD LANES, WITHIN NEW CITY BLOCK 12073, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY JACK T. HECTOR, ET. AL.

\* \* \* \*

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

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

96-38 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING ALLEY BETWEEN MCCULLOUGH AVE. AND FOURTH STREET.

Mayor Thornton declared the Public Hearing to be open.

No citizen was signed to speak to this matter.

Mr. Oscar Serrano, Asset Management Department, briefly explained the proposed alley closing.

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

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

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

AN ORDINANCE 84,778

CLOSING, VACATING, ABANDONING AND QUITCLAIMING AN IMPROVED 20-FOOT WIDE ALLEY LOCATED BETWEEN MCCULLOUGH AVENUE AND FOURTH STREET, WITHIN NEW CITY BLOCK 434, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY FIRST PRESBYTERIAN CHURCH; FOR A TOTAL CONSIDERATION OF \$34,180.00.

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96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,779

SETTING SEPTEMBER 26, 1996 AT 7:00 P.M. AND OCTOBER 3, 1996 AT 3:00 P.M. AS THE DATES AND TIMES FOR THE PUBLIC HEARING ON THE PROPOSED ANNEXATION OF KELLY AIR FORCE BASE IN 1996; AND DIRECTING THE PLANNING DEPARTMENT TO PREPARE A SERVICE PLAN FOR THE ANNEXATION AREA.

\* \* \* \*

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

Mr. David Pasley, Director of Planning, explained the addition of a portion of Kelly Air Force Base to the annexation package for 1996 and the reasons for that action, taken by the Council's Annexation Committee.

In response to a question by Mayor Thornton, Mr. Paul Roberson, Greater Kelly Development Corporation, noted that some 40 per cent of Kelly Air Force Base already is within the City of San Antonio, and spoke to the transfer of federal land at Kelly to the Greater Kelly Development Corporation and state law involved which requires that any such land being given to GKDC be within the City limits of San Antonio. He then spoke to the provision of City services to the newly-annexed Kelly areas, such as fire and police, over a period of time up to the 1998-99 time-frame. He noted that some personal property tax revenues in this area will accrue to the City from location of private firms into this area.

In response to a question by Mr. Herrera, Mr. Roberson described the area involved and the matter of military housing area jurisdiction. He noted that the Kelly golf course is being linked to the nearby Lackland Air Force Base golf course.

In response to a question by Mr. Avila, Mr. Pasley noted that the newly-annexed Kelly areas will be part of Council District 4, and he addressed the impact of City services on that area, noting that a full explanation will be forthcoming at next week's formal Public Hearing on this matter.

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,780

APPROVING THE 1997 - 2001 ONE AND FIVE YEAR SERVICE AND ASSESSMENT PLAN FOR THE DOWNTOWN IMPROVEMENT DISTRICT AND LEVYING SUPPLEMENTAL ASSESSMENTS ON PROPERTIES IN THE DISTRICT OF \$0.094406 PER \$100.00 VALUATION FOR THE 1997 FISCAL YEAR; \$0.126600 FOR 1998; \$0.129678 FOR 1999; \$0.133935 FOR 2000; \$0.137893 FOR 2001; AND \$0.137978 FOR 2002.

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

Mr. Ron Darner, Director of Parks & Recreation, narrated a brief video presentation on the Assessment Plan details.

In response to a question by Mr. Flores, Mr. Darner stated that no objections have been registered during public hearings on this matter.

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,781

AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$65,000.00 TO THE DOWNTOWN IMPROVEMENT DISTRICT, INC., FOR ADMINISTRATIVE SERVICES FOR THE TENTH YEAR OF THE DISTRICT, AND PAYMENT OF \$2,750.00 FOR THE DIRECT COSTS OF PUBLISHING, PRINTING, AND MAILING NOTICES REQUIRED IN UPDATING THE ONE AND FIVE YEAR SERVICE AND ASSESSMENT PLAN, CONTINUING THE EXISTING CONTRACT FOR MANAGEMENT SERVICES FOR THE SAN ANTONIO DOWNTOWN IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT THROUGH SEPTEMBER 30, 1997.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the administrative contract for the Downtown Improvement District.

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

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96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,782

AUTHORIZING THE EXPENDITURE OF 1987 GENERAL OBLIGATION DRAINAGE FUNDS IN THE AMOUNT OF \$2,579,000.00 PAYABLE TO THE SAN ANTONIO RIVER AUTHORITY (SARA) FOR EXPENSES RELATED TO THE NORTH FLORES STREET DRAINAGE PROJECT 35, PHASE I, 35Y PROJECT; AND APPROPRIATING FUNDS.

\* \* \* \*

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

Mr. John German, Director of Public Works, spoke to details of this 18-month project, part of the San Pedro Creek Project work, located to the north of the Five Points area.

Mr. Flores addressed the importance of this project.

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

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96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,783

ACCEPTING THE LOW, QUALIFIED BID OF CLARK CONSTRUCTION COMPANY, INC. IN AN AMOUNT OF \$1,028,367.04 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE SLURRY SEAL 1996 PROJECT; AUTHORIZING \$154,255.06 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Clarence Daugherty, Assistant Director of Public Works, narrated a video presentation which explained the next two proposed ordinances dealing with slurry seal and microsurfacing projects which constitute the City's streets maintenance program for 1996, at a combined cost of some \$3.5 million. He then spoke to the district-by-district distribution of project work and how the 1996 program works into the 1997 streets maintenance package.

Mayor Thornton spoke to a history of streets maintenance projects and the graphics displaying that history, noting the annual increase in streets maintenance to some \$12.4 million over a two-year period. He addressed the advantages of the competitive bidding process in this matter.

Mr. Avila spoke to the equitable distribution of streets maintenance projects through the various City Council districts.

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

- - -  
96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,784

ACCEPTING THE LOW, QUALIFIED BID OF CLARK CONSTRUCTION COMPANY, INC. IN AN AMOUNT OF \$557,582.49 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE MICRO-SURFACE 1996 PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$83,637.37 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. Clarence Daugherty, Assistant Director of Public Works, briefly explained the microsurfacing portion of the streets maintenance program for the City.

Mr. Avila expressed his concerns with problems encountered with a certain street project in District 4.

In response to a question by Ms. Lott, Mr. Daugherty noted that most of the District 2 projects are being done by City forces, not by private contractors.

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

96-38 At the request of Mayor Thornton, Council agreed to bypass Agenda Item 43 at this time, awaiting the arrival of citizens wishing to speak to this matter.

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 87,785

AUTHORIZING REIMBURSEMENT IN THE AMOUNT OF \$600.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND TO COUNCILMAN ROGER FLORES, II, FOR A PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH RAFAEL MARFIL FROM SEPTEMBER 1 THROUGH SEPTEMBER 30, 1996, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,786

AUTHORIZING THE AMERICAN HEART ASSOCIATION TO HOLD ITS ANNUAL HEART WALK ON SATURDAY, SEPTEMBER 21, 1996 AT BRACKENRIDGE PARK; AUTHORIZING THE PARK RANGERS TO TEMPORARILY CLOSE STREETS IN THE PARK FOR THE EVENT; AND PROVIDING FOR IMMEDIATE EFFECTIVENESS OF THIS ORDINANCE UPON THE AFFIRMATIVE VOTE OF EIGHT (8) COUNCILMEMBERS, AS REQUESTED BY CITY COUNCILMAN JUAN F. SOLIS, III.

\* \* \* \*

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

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

96-38 The Clerk read the following Resolution:

A RESOLUTION NO: 96-38-40

EXPRESSING CITY COUNCIL'S SUPPORT FOR THE NATIONAL ASSOCIATION OF LATINO ELECTED OFFICIALS (N.A.L.E.O.) UNITED STATES CITIZENS WORKSHOP IN SAN ANTONIO, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,787

AUTHORIZING THE EXECUTION OF A CORRECTION DEED WITHOUT WARRANTY CORRECTING A DEED WITHOUT WARRANTY FROM THE CITY OF SAN ANTONIO TO ALAMO PLAZA VENTURES, INC. DATED APRIL 25, 1990 IN ORDER TO CORRECT INCONSISTENCIES BETWEEN A 1990 AND 1996 SURVEY AND LEGAL DESCRIPTION IN CONNECTION WITH THE CONVEYANCE OF THE CROCKETT BUILDING, FORMERLY KNOWN AS THE GILES BUILDING, EXCLUDING THE PORTION OWNED BY THE CITY OF SAN ANTONIO, FROM CROCKETT PALACE, LTD. TO BUCKHORN HOLDINGS, INC., AND PROVIDING FOR AN IMMEDIATE EFFECTIVE UPON EIGHT (8) AFFIRMATIVE VOTES.

\* \* \* \*

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

Mr. Roland Lozano, Director of Asset Management, briefly explained the proposed ordinance.

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

96-38

STATUS REPORT ON WATER-RELATED ISSUES

Mr. Joe Aceves, President, San Antonio Water System, narrated a video presentation concerning the Critical Period Surcharge, and stated that he would fully explain how the calculations were made to determine this Surcharge at next week's City Council meeting. He stated that SAWS has administratively halted all billing for the Surcharge for the third billing cycle, in anticipation of the City Council taking action to halt the Surcharge. He addressed current levels of the Edwards Aquifer in the test well, and noted that the fall cycle of water usage now has begun, with resultant recovery of aquifer well levels. He then spoke to SAWS' system pumpage figures and reviewed a history of the Critical Period Surcharge and the fact that SAWS' revenues are running ahead of budgeted figures by about \$1 million, not counting the Surcharge revenues. He noted that only about 17 per cent of SAWS customers use more than 17,200 gallons of water per month, and spoke to the Surcharge waiver process, as well as the impact of the Surcharge on selected water bills. He then addressed the need for an analysis of the Surcharge effectiveness at this time, noting that revenues generated by the Surcharge have reached some \$2.9 million. He spoke of SAWS plans to terminate the Surcharge next week, and addressed possible alternatives for the use of Surcharge revenues.

Mayor Thornton noted that the Surcharge is an encouragement to conservation of water, and stated his belief that its imposition helped in the appeal of the federal court's plan concerning Edwards Aquifer water. He noted that San Antonio citizens conserved water during the two months that the Surcharge has been in effect, and suggested possible use of excess revenues from the Surcharge for such things as repairs to water main breaks due to the drought, conservation programs, and the needs of the Citizens' Committee on Water Policy, perhaps for hiring water experts, in order for it to meet its December deadline for rendering a report.

Mr. Webster made a motion that an item be placed on next week's City Council agenda, asking San Antonio Water System to rescind the Water Surcharge. Mr. Flores seconded the motion.

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

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

Mr. Marbut spoke to suggested uses for the excess revenues, including actions aimed at avoiding some of the same drought-related problems next year, and perhaps returning a portion of the revenues to the customers.

Mr. Aceves noted that the Alamo Area Council of Governments already is looking into rain-enhancement or cloud-seeding possibilities, and spoke to the need to continue this as a multi-year program, not a single-year option.

Mr. Peak spoke in support of SAWS' administrative decision to halt billing for the Surcharge, and spoke to his preference to use the excess revenue to fund conservation programs and studies of the aquifer, in depth.

Mr. Aceves spoke in support for funding of water studies.

Mr. Webster spoke in support for using the excess revenues to best solve and manage our water problems, and noted that the Surcharge revenue is not sufficient to pay for all the needed studies.

In response to a question by Mr. Avila, Mr. Aceves spoke to possible refunds or rebates, and who those refunds or rebates would be going to. He also spoke to the need to pay for repair of water-main breaks, as well.

Mr. Avila stated his belief that the south, east and west sides of the city complied with the water-conservation process and with the most hardship cases, and should receive the rebates.

Mr. Aceves agreed that the 76 per cent of water users who complied with the conservation efforts should be commended.

In response to a question by Mr. Herrera, Mr. Aceves addressed 'billing cycles' for SAWS.

Mr. Aceves stated that he now has a 'feel' for the Council's desires in the Surcharge matter.

Mr. Herrera spoke in favor of rebates to water users.

Ms. Lott commended Mr. Aceves for his hard work in this matter.

Mr. Ross spoke in support for halting the Surcharge, and stated his belief that the excess revenues should not be used to repair water-main breaks, but for expanding the quality and quantity of water for San Antonio. He asked that the money be set aside to address these issues.

96-38 Mayor Thornton declared the Public Hearing on San Antonio's Fiscal Year 1996-97 Proposed Budget to be open.

Mr. Thomas Rockymore, representing Communities Organized for Public Service and Metro Alliance, spoke to the need for budget direction, and addressed his organizations' disappointment in the proposed funding cuts for human development. He then spoke to specific requests for additional funding in that area.

Ms. Elaine Joseph, representing COPS and Metro Alliance, also spoke to the need for more funding for human development needs.

Mr. Joe Soliz, representing COPS and Metro Alliance, addressed the need to continue the City's investment in its people and their social services, and spoke in favor of adopting a tough policy toward tax abatement.

Mr. Arturo Chavez, representing the Benedictine Resource Center, thanked the Council for being included in the proposed budget, and noted that San Antonio now faces new challenges in cuts for social service programs.

Mayor Thornton noted that another tough year is coming in the realm of federal social service program cuts, as well.

Mr. Joe Krier, representing the Greater San Antonio Chamber of Commerce, spoke in support for a budget with no tax increases, but addressed his concern with proposed cuts in the San Antonio Education Partnership, stating his hopes that that funding can be restored. He also spoke to his concern for proposed cuts in Project Quest funding, and in favor of more privatization of City services.

Mr. Jeff Judson, representing the Texas Public Policy Foundation, spoke in favor of market competition as an alternative to either cuts or higher taxes, and cited certain cities that save tax money by privatizing certain services.

Ms. Maria Dominguez spoke to her belief that excess revenues from the Critical Period Surcharge for water should be returned to the people, and spoke against tax abatement.

Mr. Adolph Hernandez, representing the American Federation of State, County and Municipal Employees (AFSCME), 913 South St. Mary's Street, stated his organization's belief that non-uniformed City employees are not being remembered in this budget, and that a \$300 'bonus' is not enough.

Ms. Rosa Rosales, representing the National Association of Government Employees (NAGE), noted that every City department has cut its own budget by seven per cent, already, and spoke to the need to treat all City employees equally, reminding Council that uniformed City employees are to receive a four per cent pay raise in this budget. She

stated that civilian employees are being penalized for not having the rights of collective bargaining, and addressed the need for a cost-of-living pay increase.

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

In response to a question by Mayor Thornton, Mr. Alexander E. Briseno, City Manager, spoke to certain amendments that are being proposed for the budget being presented today, and introduced Ms. Terry Brechtel, Director of Budget & Management Analysis.

Ms. Brechtel narrated a video presentation on the proposed budget, speaking to a background of the budget process and focusing on certain amendments being recommended by the Council's Budget Committee.

Mayor Thornton spoke to the average ad valorem tax in San Antonio as being about \$30 per month, and addressed the proposed \$300 bonus for civilian City employees in recognition of their service. He further noted that the Council probably will be facing a different and difficult budget next year.

Mr. Briseno stated that the proposed budget ordinance includes the amendments spoken to earlier, and addressed the number of City employees and their growth since 1980, illustrating that the per-capital number of City employees is not keeping up with the demand for services. He then spoke to certain moves toward privatization of City services in a number of areas, and noted that some 29 per cent of the City budget goes to private contractors.

Mr. Marbut stated that he is working on a measurement and accountability system for City-funded arts programs, of which he will speak more later, and agreed that next year's budget will be a problem.

Mr. Ross stated that the Council's Budget Committee is concerned about non-uniformed City employees' compensation, and stated his own belief that the City is not living within its means. He noted that some \$30 million in savings is being used in this budget, and if revenues do not increase next year, the City will be facing what he believes will be a \$30 million shortfall which needs to be addressed.

Mr. Peak spoke in favor of the proposed budget, and asked that City staff be directed to begin saving now toward next year's budgetary needs, with regular 30 to 60-day reports to City Council on savings and revenue increases.

Mr. Briseno noted that expenditures and revenues already are being addressed monthly, but staff can report these to Council, if it wishes.

Mayor Thornton noted that City Council instructed the City Manager to draft a budget this year based upon 'no new taxes' and no expansions in the budget, with an eye toward next year's budgetary

concerns, as well. He noted that the federal government is cutting its costs to reach a balanced budget, and he spoke to the impact of those cuts at the local level.

Mr. Webster noted that San Antonio's ad valorem taxes are among the lowest in the state, and stated that property taxes collected do not even pay for fire and police services, the basics of a community. He stated that his priority is basic City services, and spoke in support for departmental and agency performance measures. He spoke to his perception of hard funding decisions that have to be made by the City Council next year, and stated his belief that the City cannot afford pay increases for non-uniformed City employees at this time, noting that employees' benefits packages are better than those offered in the private sector.

Mr. Solis stated his belief that this budget represents a better use of the taxpayer dollar, and spoke in support for 'human capital' as a way for San Antonio to grow. He also noted that property taxes in San Antonio do not pay for even the necessary fire and police services.

Mr. Avila spoke in support for the proposed budget and the amendments by the Council Budget Committee.

Mayor Thornton noted that budgets are 'judgement calls' and that the balance of City programs involve citizens.

The City Clerk then read the following ordinance:

AN ORDINANCE 84,788

ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1996-97 BEGINNING OCTOBER 1, 1996 AND ENDING SEPTEMBER 30, 1997; SAVE AND EXCEPT THE BUDGET APPROPRIATIONS AND CITY'S 1996-97 CONTRIBUTION TO THE BIG BROTHERS & BIG SISTERS AND THE SYMPHONY SOCIETY OF SAN ANTONIO; APPROPRIATING FUNDS AND AUTHORIZING PERSONNEL POSITIONS IN ACCORDANCE WITH SAID BUDGET; AUTHORIZING CONTRACTS WITH OUTSIDE AGENCIES; SETTING THE FY 1996-97 HOLIDAY SCHEDULE AND PAY PLAN FOR CITY EMPLOYEES; SETTING DISTRICT CONTINGENCY FUNDS; AND APPROVING THE 1996-97 - 2001/2002 CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO.

\* \* \* \*

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

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,789

ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGET FOR BIG BROTHERS & BIG SISTERS AND THE SYMPHONY OF SAN ANTONIO FOR THE FISCAL YEAR 1996-97; APPROPRIATING THE AMOUNT OF \$21,082.00 FROM THE GENERAL FUND REPRESENTING THE CITY'S FISCAL YEAR 1996-97 CONTRIBUTION TO THE BIG BROTHERS & BIG SISTERS AND APPROPRIATING THE AMOUNT OF \$530,000.00 FROM THE HOTEL/MOTEL OCCUPANCY TAX FUND REPRESENTING THE CITY'S FY 1996-97 CONTRIBUTION TO THE SYMPHONY SOCIETY OF SAN ANTONIO; AND AUTHORIZING THE CONTRACTS WITH BIG BROTHERS & SISTERS AND THE SYMPHONY SOCIETY OF SAN ANTONIO.

\* \* \* \*

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

The City Clerk noted that Mr. Marbut wishes to abstain from this vote.

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,790

LEVYING AN AD VALOREM TAX FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO; FIXING THE RATE OF \$0.34712 PER \$100.00 OF ASSESSED VALUATION, SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JANUARY 1, 1996, AND ENDING DECEMBER 31, 1996.

\* \* \* \*

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

Mr. Ross noted that next year's City budget problems are still the problem of this City Council, and spoke to the need to lighten the load on next year's budget by acting now to phase-in a tax increase.

Mr. Ross then made a motion to direct City staff to put on the City Council's agenda of next week a proposed ordinance increasing the City's ad valorem tax rate by .0128 cents. Mr. Solis seconded the motion.

Mr. Ross stated that he did not realize until recently that the City would have to use some \$30 million in reserves for this year's budget, and stated his belief that citizens realize that taxes must be raised to provide more services. He stated his belief that a 10-cent-per-\$100 property valuation increase would be needed to balance next year's budget, and stated his desire to raise taxes a little this year in order to soften the tax hike next year.

In response to a question by Mayor Thornton, Mr. Ross explained how he had arrived at the \$30 million shortfall figure for this year's budget, based upon spread-sheet figures provided.

Ms. Brechtel stated that City staff projects about an \$18 million shortfall for next year, and expressed her belief that the City's budget for this year probably will be underspent by about \$14 million.

Mr. Briseno explained the rationale for 'one-time' and 'recurring' expenditures.

Mr. Ross stated that even an \$18 million shortfall would require a 10-cent tax increase, and would then be subject to possible tax-rollback election procedures.

Mr. Marbut spoke to the need to consider privatization, reductions, and zero-based budgeting first, before raising taxes, and spoke to the need to live within our means. He stated that he would be voting against Mr. Ross' amendment.

Mr. Peak noted that a tax increase is the last choice, and spoke to the need to look at reductions first. He also stated his belief that city/county consolidation is a way to save money, and stated that he would be voting against the amendment.

Mr. Webster asked that the budget process be started earlier next year, with a tax increase the last option.

Mr. Solis spoke to the spirit of fiduciary responsibility in Mr. Ross' motion, noting that cost of living has risen steadily and taxes have not kept up with that rise. He stated that past City Councils have been reluctant to raise taxes, and noted his opinion that the Council cannot ignore the problems, but must address them. He spoke in support for a delay in setting the official tax rate for one week, in order to further discuss the matter.

Mr. Avila stated his opinion that the proposed amendment is coming too late in the budget process to consider.

Ms. Lott noted that the proposed amendment is being offered at the 11th hour, when the Council already instructed the City Manager to produce a 'no tax increase' budget.

Mr. Webster noted that the City is required to have a balanced budget, and he spoke in support of deregulation of City Public Service as a means of realizing more revenue. he stated his belief that a tax increase is not the answer.

Mr. Solis noted that a reduction of City services means less services, and that deregulation remains a question-mark as to its value.

Mayor Thornton recited the budget process briefly, noting that a 'budget gap' is not necessarily a 'budget deficit'. He spoke to the positive results of current spending procedures and expressed his belief that citizens want less government and lower taxes.

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,791

LEVYING AN AD VALOREM TAX TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT OF THE CITY AND TO CREATE A SINKING FUND THEREFORE; FIXING THE RATE OF \$0.23267 PER \$100.00 OF ASSESSED VALUATION; SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JANUARY 1, 1996, AND ENDING DECEMBER 31, 1996.

\* \* \* \*

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

Mayor Thornton noted that this portion of the tax rate pays for municipal debt, principally for bond projects voted on by the citizens.

Mr. Alexander E. Briseno, City Manager, explained the need to raise this particular tax rate by one-quarter-cent in order to pay for new bond-funded projects, next year.

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,792

ESTABLISHING A BUILDING PERMIT ADMINISTRATIVE PROCESSING FEE OF \$20.00; AMENDING THE SWIMMING POOL PLAN REVIEW FEE FROM \$10.00 TO \$20.00; ESTABLISHING A MINIMUM COMMERCIAL AND RESIDENTIAL PLAN REVIEW RATE SCHEDULE BASED UPON VALUATION; AND CONSOLIDATING ALL BUILDING INSPECTION FEES INTO ONE SECTION OF THE CITY CODE.

\* \* \* \*

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

Mr. Peak noted that the City is working closely with the development community to improve the permitting process.

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,793

AUTHORIZING A \$75.00 FEE FOR A VIDEOTAPE COPY OF AN ARSON EVIDENCE RECORD (CITY CODE #11-8); AMENDING THE HAZARDOUS MATERIALS STORAGE FLAT FEE FROM \$150.00 TO \$250.00 PER LOCATION (CITY CODE #16-3(c)); AMENDING THE HAZARDOUS RESPONSE FEE FOR RESPONSES OVER 4 HOURS IN DURATION FROM \$25.00 PER HOUR TO \$100.00 PER HOUR TO BE ASSESSED IN ADDITION TO \$400.00 FOR THE FIRST 4 HOURS (CITY CODE #16-3(e)); AMENDING THE EMERGENCY MEDICAL SERVICES PATIENT TRANSPORTATION FEE FROM \$225.00 PER PATIENT TO \$250.00 PER PATIENT (CITY CODE #15-3(a));

ESTABLISHING A \$4.00 PER MILL PATIENT TRANSPORT FEE TO BE CHARGED IN ADDITION TO THE \$250.00 PER PATIENT FEE (CITY CODE #15-3(a); AND AMENDING THE EMERGENCY MEDICAL SERVICES NON-TRANSPORT FEE FROM \$27.50 TO \$30.00 (CITY CODE #15-3(b)).

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,794

INCREASING THE WATER BACTERIOLOGY TESTING FEE FROM \$10.00 TO \$15.00; AND AMENDING CITY CODE CHAPTER 15, ENTITLED "HEALTH", SECTION 15-4, ENTITLED "FEE FOR WATER BACTERIOLOGY TEST," TO REFLECT SAID INCREASE.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,795

AUTHORIZING THE COLLECTION OF PENALTIES FOR OVERDUE, DAMAGED, OR LOST LIBRARY MATERIALS; ESTABLISHING A FEE FOR REPLACEMENT OF LOST BORROWERS' CARDS AND NON-RESIDENT BORROWERS' CARDS; CREATING SERVICE FEES FOR CUSTODIAL, SECURITY OR PROFESSIONAL ASSISTANCE REQUESTED BY PERSONS RENTING MEETING SPACE AT THE CENTRAL LIBRARY OF NOT LESS THAN \$10.00 PER HOUR AND NOT MORE THAN \$30.00 PER HOUR; AUTHORIZING A \$1.00 PER PAGE SERVICE FEE FOR THE

FAXING OF DOCUMENTS BY REQUEST; AUTHORIZING A COST-RECOVERY FEE FOR DATABASE SEARCHES DONE BY REQUEST; ESTABLISHING A \$0.10 PER PAGE FEE FOR THE PRINTING OF INFORMATION FROM COIN-OPERATED COPIERS, MICROFILM AND COMPUTER PRINTERS; AND AUTHORIZING THE COLLECTION OF 15% OF FOOD SERVICE CHARGES AND 25% OF LIQUOR CHARGES FROM VENDORS WHO CATER EVENTS AT THE CENTRAL LIBRARY.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,796

AN ORDINANCE ESTABLISHING A \$10.00 PER HOUR/2 HOUR MINIMUM RENTAL FEE FOR THE USE OF COMMUNITY CENTER FACILITIES; AUTHORIZING A \$300.00 USE FEE FOR LARGE ROOMS AND \$150.00 FOR SMALL ROOMS IN THE LA VILLITA-MCALLISTER BUILDING; CREATING A MORE PRECISE DEFINITION OF "NON-PROFIT USE" FOR THE PURPOSE OF ASSESSING THE NON-PROFIT RENTAL RATE AT THE SUNKEN GARDEN THEATER; AMENDING THE BOTANICAL CENTER ADMISSIONS FEE SENIORS AGE 55 AND OVER \$1.50 TO \$2.00 AND THE ADULT STUDENT TOUR FEE FROM \$1.50 TO \$2.00; ESTABLISHING A \$2.00 ADULTS STUDENT/MILITARY ADMISSION FEE FOR THE BOTANICAL CENTER; AMENDING THE WEEKEND PARK PAVILION RENTAL FEE FROM \$25.00 TO \$50.00; AMENDING THE DOWNTOWN PARK RENTAL FEE FROM \$25.00 FOR THE FIRST 4 HOURS/\$5.00 FOR EACH ADDITIONAL HOUR TO \$50.00 FOR THE FIRST 4 HOURS/\$10.00 FOR EACH ADDITIONAL HOUR; AMENDING THE ADMISSIONS FEE TO THE NATATORIUM POOL FOR PERSONS AGED 13 AND LESS FROM \$0.25 TO \$0.50; AMENDING THE INSTRUCTURAL SWIMMING CLASSES PER SESSION FEE FROM \$10.00 TO \$15.00; AMENDING THE SAN SABA STREET CLOSURE FEE FROM \$350.00 TO \$500.00 PER DAY; CHANGING THE MARKET SQUARE TEMPORARY ARTIST/CRAFTSMAN MONTHLY FEE FROM \$225.00 TO \$275.00 AND DAILY FEE FROM \$18.00 TO \$20.00; AMENDING THE MARKET SQUARE PLAZAS RENTAL FEE FROM \$200.00 TO \$300.00 PER DAY; AND CHANGING THE MARKET SQUARE EVENT GARBAGE DISPOSAL FEE FROM \$155.00 TO \$200.00

PER EVENT.

\* \* \* \*

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

In response to a question by Mr. Peak, Mr. Ron Darner, Director of Parks & Recreation, spoke to the use of the Sunken Gardens Theater by non-profit organizations.

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

- - -  
96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,797

AMENDING THE FEES CHARGED FOR CITY DEMOLITION OF DANGEROUS BUILDINGS FROM \$150 PER HOUR FOR ALL TYPES OF STRUCTURES TO \$400 PER HOUR FOR SINGLE RESIDENCES WITHOUT ASBESTOS, \$800 PER HOUR FOR OTHER STRUCTURES WITHOUT ASBESTOS, \$600 PER HOUR FOR SINGLE RESIDENCES WITH ASBESTOS, AND \$975 PER HOUR FOR OTHER STRUCTURES WITH ASBESTOS. IN ADDITION TO THE HOURLY RATES, THIS ORDINANCE AUTHORIZES THE ASSESSMENT OF FEES SUFFICIENT TO RECOVER OTHER COSTS INCURRED BY THE CITY IN THE DEMOLITION OF A STRUCTURE TO SATISFY THE REQUIREMENTS OF A GOVERNMENT AGENCY OR OTHER LEGAL REQUIREMENTS PLUS A 10 PERCENT ADMINISTRATIVE CHARGE.

\* \* \* \*

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

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

- - -  
96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,798

AUTHORIZING A \$12.00 FEE FOR THE PARKING OF BUSES AT

CROCKETT PARKING LOT DURING SPECIAL EVENTS;  
CREATING A \$3.00 FEE FOR THE PARKING OF CARS DURING  
FIESTA PARADES; AND AMENDING THE MONTHLY FEE  
ASSESSED FOR PARKING AT THE DOLOROSA PARKING LOT  
FROM \$40.00 TO \$30.00 AND AMENDING THE CITY CODE IN  
CONFORMANCE.

\* \* \* \*

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

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

- - -  
96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,799

AUTHORIZING REVISION OF THE DAILY MAXIMUM RATE FOR  
SHORT TERM PARKING FROM \$8.00 TO \$10.00 AT SAN  
ANTONIO INTERNATIONAL AIRPORT OPERATED BY THE  
AVIATION DEPARTMENT.

\* \* \* \*

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

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

- - -  
96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,800

REVISING THE RATES AND POLICIES OF THE CONVENTION  
FACILITIES DEPARTMENT FOR THE USE OF CONVENTION  
FACILITIES AND EQUIPMENT WITH AN EFFECTIVE DATE OF  
OCTOBER 1, 1996.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,801

AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202 (g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,802

ALLOWING CERTAIN EMPLOYEES OF THE CITY, WHO PERFORMED OR HEREAFTER PERFORM ACTIVE SERVICE IN THE ARMED FORCES (OR THEIR RESERVES OR AUXILIARIES) OF THE UNITED STATES UNDER HONORABLE CONDITIONS TO APPLY AND MAKE DEPOSITS FOR, AND TO RECEIVE SPECIAL CREDIT WITH THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR LIMITED PORTIONS OF SUCH MILITARY SERVICE, AND PROVIDING FOR PAYMENT BY THE CITY OF SAN ANTONIO ITS SHARE OF THE COSTS OF ALLOWING SUCH CREDITS.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,803

GRANTING TO CITY EMPLOYEES ADDITIONAL RIGHTS AND CREDITS IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM AS AUTHORIZED BY SECTION 853,304, TITLE 8 OF THE GOVERNMENT CODE.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,804

AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.

\* \* \* \*

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

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

96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,805

REPEALING SECTIONS 21-152(b)(4), 21-153(b)(1),

21-154(c)(1), AND 21-156(b)(1) OF THE CITY CODE IN ORDER TO PROHIBIT HUNTING WITHIN THE CITY LIMITS OF THE CITY OF SAN ANTONIO; A VIOLATION OF WHICH WILL RESULT IN A FINE NOT TO EXCEED \$500.00.

\* \* \* \*

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

Ms. Sherry Jolly, 1226 Silverway, stated that her daughter was hit by shotgun pellets from a hunter in the adjacent field, and she spoke in support for a ban on hunting within the city limits.

Mr. John Connors, 8315 Beauty Oaks, spoke against irresponsible hunting, noting that shotgun pellets have hit his wife in their yard.

Mr. Randall S. Myers, 1514 Richland Hills Drive, asked that hunting be banned within 50 feet of residences.

Ms. Marie Myers, same address, spoke to the need to protect children from injury.

Ms. Diane Staley, 2715 Day Creek, stated that her husband was hit in the hand by shotgun pellets from land adjacent to their home, and spoke to the need for police to have a law to enforce a ban on hunting in city limits.

Ms. Tamara Lopez, 1502 Leander, submitted a letter asking for a ban on hunting inside city limits. A copy of that letter is made a part of the papers of this meeting.

Mr. Alejandro Olivares, 8902 Rich Quail, noted that he has been hit by shotgun pellets in his yard, pellets fired by allegedly intoxicated hunters on adjacent land.

Ms. Lourdes Olivares, same address, also spoke in favor of the ban.

Ms. Brenda Stuckey, 1530 Leander, spoke in support for the current hunting.

Mr. Richard Bennett, 615 Ciruela, stated that he operates lands for hunting and never has problems such as those expressed today. He called it a 'management problem' in the area in question, and spoke against a ban on hunting within city limits.

Mr. Herrera noted that he has met with State Rep. Christine Hernandez, and that state game wardens will patrol these areas. He spoke to the need for a ban on hunting within city limits, and noted that there are not sufficient police to patrol many areas used for hunting inside city limits.

In response to a question by Mr. Peak, Mr. Frank Garza, Assistant City Attorney, spoke to the validity of hunting licenses involved, and stated that only three state game wardens are located in the San Antonio area. He addressed certain exceptions to laws on discharge of weapons inside city limits, if granted by the State Parks & Wildlife Department.

Mr. Peak addressed his concern that continued annexations will affect the matter of hunting in areas now within the city limits.

In response to a question by Mr. Avila, Police Chief Al A. Philippus spoke to San Antonio Police Department presence in the area in question.

Mr. Avila spoke to the need to take drastic measures, suggesting perhaps that the City consider purchasing the lands in question, noting that we cannot jeopardize lives.

Mr. Ross stated that there has been no response to the City's inquiry into perhaps buying up the hunting lease on the land in question for the rest of the current year.

Mr. Garza noted that the City is limited in its actions, as long as the state grants exceptions to shotgun-discharge regulations.

Mr. Ross spoke to the need to know the number of hunting licenses issued in Bexar County, and noted that the proposed ordinance only addresses a ban on hunting with firearms.

Chief Philippus noted that there is no way to determine the exact number of hunting licenses issued in Bexar County, as yet.

In response to a question by Ms. Billa Burke, Chief Philippus stated that he does not have the resources to police every hunting lease area within the city limits, and noted that his department will respond to any complaints filed.

Mr. Rolando Bono, Assistant City Manager, noted that some five or six areas of complaints currently exist, and these can be patrolled.

Ms. Billa Burke voiced her concern with possible lawsuits arising from this issue, and stated her belief that a strong law is needed to cover all citizens, not just a few.

Discussion took place concerning possible financial exposure by the City in this matter.

In response to a question by Mr. Marbut, Mr. Garza stated his belief that the City has legal justification to enforce this proposed no-hunting law, once it is enacted, but noted that the City still is limited so long as the state grants exceptions to the discharge of weapons in city limits. He stated his belief that the state must move

to revoke any such licenses.

Mr. Marbut spoke to the need to look at a long-range solution to this problem, so that responsible hunters are not hurt.

In response to a question by Mr. Avila, Mr. Garza noted that the ordinance will become effective five days after its publication. He noted that this is a penal ordinance and governed as such by provisions of the City Charter.

Mr. Bennett stated that most lease contracts for hunting are for one person, and he differentiated between season leases and so-called 'day leases'. He suggested that the City consider forbidding 'day lease' hunting within city limits.

Mayor Thornton stated that he opposes all hunting within city limits, and that this is a public policy issue.

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

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96-38 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE DESIGNATING LCWW REINVESTMENT ZONE.

Mayor Thornton declared the Public Hearing to be open.

Mr. Clint Bolden, Director of Economic Development, provided a summary of the 29 tax phase-ins granted by the City, to date, and spoke to the strategy to diversify the city's economic base. A copy of his video presentation is made a part of the papers of this meeting.

(During the presentation, Mayor Thornton was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

The following persons spoke in opposition to the granting of this tax phase-in agreement:

Mr. Van Henry Archer, representing Homeowners-Taxpayers Association, spoke against tax abatements for corporate investments.

Mr. Joe Soliz, representing Communities Organized for Public Service and Metro Alliance, asked the Council to re-examine the type of jobs being created by this organization, stating that his groups want higher wage positions.

Ms. Carol Patterson, 410 Larkwood, addressed her concern about water quality as well as the effects of this tax phase-in on taxpayers.

Mr. Tom Culbertson, 511 Westwood, also expressed concern about

the location selected by La Cantera for this project and spoke against this proposed action.

Ms. Maria A. Berriozabal expressed strong opposition to this tax abatement because of the caliber of jobs being created. She expressed her concern about the long-term value of tax abatements, their impact upon growth development, protection of the Edwards Aquifer, and the effects upon the aquifer due to development over it.

There being no further citizens signed to speak to this matter, Mayor Pro Tem Billa Burke declared the Public Hearing to be closed.

The Clerk read the following ordinance:

AN ORDINANCE 84,806

DESIGNATING THE LCWW REINVESTMENT ZONE (WESTIN LA CANTERA RESORT) LEGALLY DESCRIBED AS APPROXIMATELY 315.96 ACRE (NORTHWEST QUADRANT OF LOOP 1604 AND I.H. 10), MORE OR LESS CONSISTING OF TWO PARCELS DESCRIBED AS FOLLOWS: A 288.82 ACRE (12,580,000 SQUARE FEET) TRACT OUT OF THE TEXAS CENTRAL RAILWAY CO. SURVEY NO. 599, ABSTRACT 1071, COUNTY BLOCK 4762, THE COMMACHE CREEK IRRIGATION COMPANY SURVEY NO. 437, ABSTRACT 888, COUNTY BLOCK 4724, THE S.R. ROBERTS SURVEY NO. 22 1/2, ABSTRACT NO. COUNTY 640, COUNTY BLOCK 4721, THE CHAS. H. SEIDENSCHNUR SURVEY NO. 410, ABSTRACT 1222, COUNTY BLOCK 4725, THE JASPER WOOLRIDGE SURVEY NO. 600, ABSTRACT 1226, COUNTY BLOCK 4548, THE C. BRANNEN SURVEY NO. 433 1/2, ABSTRACT NO. 994, COUNTY BLOCK 4722, AND NEW CITY BLOCKS 14859 AND 16600 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS SAID TRACT BEING A 345.87 ACRE TRACT SAVE AND EXCEPT A 57.05 ACRE TRACT AND A 27.14 ACRE TRACT OF LAND, BEING OUT OF THE TEXAS CENTRAL RAILROAD CO. SURVEY NO. 599, ABSTRACT 1071, CB 4762, THE COMMACHE CREEK IRRIGATION CO. SURVEY NO. 437, ABSTRACT 888, CB 4724, AND BEING WITHIN THE CORPORATION LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND NCB 14859.

\* \* \* \*

Mr. Avila made a motion to approve the ordinance. Mr. Herrera seconded the motion.

In response to a question by Mr. Peak, Mr. Scott J. Woroch, Vice President for Development, Westin Hotels & Resorts, Seattle, Washington, spoke to the nature, category and salary wages of the jobs to be created.

Mr. Peak spoke to the planned benefits being proposed for

these newly-created jobs, and spoke to the planned stringent enforcement of precautionary measures to safeguard the aquifer.

Mr. Gene Dawson, Jr., Pape-Dawson Engineers, explained in detail the planned precautions to safeguard the aquifer.

Mr. Peak spoke to the nature of these proposed measures and expressed his opinion that they are environmentally safeguarding and protecting the aquifer. He spoke in favor of this project and expressed his view that it will set the standard for other developments.

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

Mr. Peak then made a motion to direct City staff to present to City Council a review of current policies relating to tax phase-ins in order to improve tax phase-in policies. Mr. Avila seconded the motion.

After discussion, the direction to City staff prevailed by the following vote: AYES: Lott, Billa Burke, Avila, Marbut, Peak, Thornton. NAYS: None. ABSENT: Flores, Solis, Herrera, Ross, Webster.

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96-38 The Clerk read the following Ordinance:

AN ORDINANCE 84,807

APPROVING A TAX PHASE-IN AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH LCWW PARTNERS TO EXEMPT FROM AD VALOREM TAXATION SPECIFIED REAL PROPERTY AND PERSONAL PROPERTY IMPROVEMENTS.

\* \* \* \*

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

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

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CITIZENS TO BE HEARD

MR. GARY BRANDENBERG

Mr. Brandenburg, representing San Ann Cab Company, spoke to the Council regarding the taxicab drivers' opposition to the present dispatching system. He asked that the Council direct the staff to review this situation. Mr. Travis Bishop, Assistant to the City Manager, stated that the staff will review this matter with Mr. Brandenburg.

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MR. FARIS HODGE, JR.

Mr. Hodge spoke to the City Council about the need for more Code Compliance Officers. He brought to the attention of the Council several other concerns such as the need for street lights in certain areas of District 2. He took issue with the length of Council agendas and asked the City Council to hold the Citizens to be Heard segment at 5:00 P.M. as posted on the Agenda.

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MR. NORMAN POSEY

Mr. Posey, a member of the San Antonio Taxicab Legal Defense Fund, did not speak to the City Council, but presented a written statement to the City Council, a copy of which is made a part of the papers of this meeting.

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96-38 City Council recessed its regular meeting at 7:55 P.M. in order to convene in Executive Session for the purpose of Attorney/Client consultation regarding legal implications involved with a Petition filed by Paragon Cable with the Federal Communications Commission (FCC).

City Council adjourned the Executive Session and reconvened in regular session at 8:05 P.M., at which time Mayor Pro Tem Billa Burke stated that Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

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96-38 There being no further business to come before the Council, the meeting was adjourned at 8:06 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