

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, APRIL 18,
1996.

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96-16 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, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON.

Staff Presentation of the proposed Public Arts Ordinance - presentation consisted of (1) program goals, (2) artist selection process, (3) other policies and guidelines, and (4) per cent for Art Program. City Council concurred with staff's presentation that the proposed ordinance be brought back in June, however, with the proviso and change to the present process by adding the City Council's final approval after the Historic & Design Review Commission has its review and approval.

"B" Session adjourned at 11:00 A.M.

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96-16 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, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER, THORNTON; Absent: NONE.

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96-16 Invocation - Reverend Jim Thompson, Alamo Heights Christian Church.

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96-16 Pledge of Allegiance to the flag of the United States.

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96-16 MAYOR MARILYN YOUNG, YUMA, ARIZONA

Mayor Thornton introduced Mayor Marilyn Young of Yuma, Arizona, and presented her with an official San Antonio book as a memento of her visit to San Antonio.

Mayor Thornton introduced El Rey Feo (The Ugly King) for this year, Mr. Antonio Flores, Jr., and his aides, and welcomed them all to City Hall.

Mr. Flores, El Rey Feo, then introduced his wife and daughter, also present in Council chambers today, and other members of his staff.

Mayor Thornton spoke to San Antonio's reputation as a special city because of its people, and addressed the scholarships that are provided by funds raised during the campaign for El Rey Feo each year.

Mayor Thornton then read a proclamation recognizing Antonio Flores Jr. as El Rey Feo, and presented it to Mr. Flores, as Alamo pins were being presented to other members of his official delegation present in the audience.

Mr. Flores accepted the proclamation, and the official entourage then presented the Mayor and City Council with their El Rey Feo medals.

Councilman Roger Flores noted that El Rey Feo's daughter is serving as Queen of La Feria de la Flores this year.

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Mayor Thornton addressed the importance of the San Antonio Conservation Society to the history of San Antonio, and introduced members of the Conservation Society entourage present in the Council chambers today.

Ms. Nancy Keller, Chairperson, "Night In Old San Antonio", briefly explained details of this year's event in La Villita and its expected attendance figures. She presented Mayor Thornton with the official NIOSA poster for 1996 and medal, and spoke to details of the creation of this year's poster. She noted that the Conservation Society this year, in view of the continuing drought, will be hanging 'rain buckets' in La Villita for NIOSA instead of the traditional 'rain-rocks' which ward off the rains during this event.

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At the request of Mr. Ross, Mayor and City Council, along with City staff and the audience, rose for a moment of silence to remember the Holocaust of World War II.

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96-16 CONSENT AGENDA

Mr. Webster made a motion to approve Agenda Items 6 through 40c, constituting the Consent Agenda, with Item 28 having been earlier removed from consideration by the City Manager, and Items 12 and 18 being pulled for individual consideration. Ms. Billa Burke seconded the motion.

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

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AN ORDINANCE 83,943

ACCEPTING THE LOW, QUALIFIED BID OF THE HOLT COMPANY OF TEXAS TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH AN ELECTRICAL GENERATING SYSTEM FOR THE SOUTHWEST BRANCH CLINIC FOR A TOTAL OF \$21,330.00.

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AN ORDINANCE 83,944

ACCEPTING THE LOW, QUALIFIED BID OF NELLCOR PURITAN BENNETT TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PULSE OXIMETERS FOR A TOTAL OF \$26,250.00.

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AN ORDINANCE 83,945

ACCEPTING THE LOW BIDS OF CASCO INDUSTRIES AND FERRARA FIREFIGHTING EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PROTECTIVE CLOTHING FOR FIREFIGHTING FOR A TOTAL OF \$45,322.90.

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AN ORDINANCE 83,946

ACCEPTING THE LOW BID OF TEXAS BUS SALES TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH A TYPE II VAN FOR A TOTAL OF \$37,349.00.

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AN ORDINANCE 83,947

CANCELLING THE CONTRACT OF AMERICAN REFRIGERATION & SERVICE FOR FULL SERVICE MAINTENANCE AND REPAIR FOR THE COMPUTER ROOM AIR CONDITIONING SYSTEMS AND AWARDING THE CONTRACT TO JOHNSON CONTROLS, INC. FOR A TOTAL OF APPROXIMATELY \$14,000.00 ANNUALLY. (AMENDS ORDINANCE NO. 82424, DATED JUNE 29, 1995.)

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AN ORDINANCE 83,948

ACCEPTING THE LOW, QUALIFIED BIDS OF TEXAS EQUIPMENT COMPANY, CROFT TRUCK EQUIPMENT, COMMERCIAL BODY CORPORATION, TEXAS TRUCK CENTER AND FRUEHAUF TRAILER CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO WITH TRUCK BODIES FOR A TOTAL OF \$201,212.00. (MBE/WBE)

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AN ORDINANCE 83,949

AUTHORIZING ADDITIONAL 1994 GENERAL OBLIGATION DRAINAGE BOND FUNDS IN THE AMOUNT OF \$103,415.00 PAYABLE TO HOYT CONSULTING ENGINEERS, INC. FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO THE FLORES/BREEDEN/BEACON OUTFALL PROJECT. (AMENDS ORDINANCE NO. 81848 OF MARCH 16, 1995.)

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AN ORDINANCE 83,950

AUTHORIZING AN ADDITIONAL \$17,191.25 FOR PROFESSIONAL SERVICES PAYABLE TO GROVES AND ASSOCIATES, INC. IN CONNECTION WITH THE PECAN VALLEY - MORNINGVIEW TO "G" STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79144 OF NOV.18, 1993.)

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AN ORDINANCE 83,951

ACCEPTING THE LOW, QUALIFIED BID OF MATRIX BUILDERS, INC. IN THE AMOUNT OF \$239,800.00 IN CONNECTION WITH THE SOUTH PARK MEDICAL CENTER COMMUNITY

DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING
A CONSTRUCTION CONTRACT; REVISING THE PROJECT
BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 83,952

AUTHORIZING AN ADDITIONAL \$5,400.00 FOR PROFESSIONAL
SERVICES PAYABLE TO C.W. PFENNIG, INC. IN
CONNECTION WITH THE TOLTEC COURT - LILLITA TO LAS
PALMAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROJECT; REVISING THE PROJECT BUDGET; AND
PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 76847
OF NOV. 12, 1992.)

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AN ORDINANCE 83,953

ACCEPTING THE LOW, QUALIFIED BID OF VIRTUS
CONSTRUCTION COMPANY IN THE AMOUNT OF \$316,000.00 IN
CONNECTION WITH THE KENWOOD COMMUNITY CENTER
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT;
AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE
PROJECT BUDGET; AUTHORIZING \$24,935.00 FOR
CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING
FOR PAYMENT.

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AN ORDINANCE 83,954

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A
LEASE AT STINSON MUNICIPAL AIRPORT WITH MR. EDWARD
J. SWEARINGEN BY ADJUSTING THE OPTION TO EXTEND THE
LEASE PERIOD FROM AN EIGHT (8) YEAR PERIOD TO A
MONTH-TO-MONTH PERIOD FOR ONE (1) YEAR WITH OPTION
TO EXTEND FOR AN ADDITIONAL PERIOD OF SEVEN (7)
YEAR. (AMENDS ORDINANCE NO. 58503 OF MARCH 29,
1984.)

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AN ORDINANCE 83,955

AUTHORIZING THE EXECUTION OF AN AMENDMENT OF LEASE
FOR COMTRAN INTERNATIONAL, INC., A TENANT AT SAN
ANTONIO INTERNATIONAL AIRPORT, TO ADD APPROXIMATELY
66,932 SQUARE FEET OF LAND AREA, ADJUST THE

INSURANCE REQUIREMENTS, AND INCREASE THE PERFORMANCE
GUARANTEE TO \$61,200.00. (AMENDS ORDINANCE NO.
62582 OF MARCH 27, 1986.)

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AN ORDINANCE 83,956

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$73,635.00
OUT OF THE 1996 TAX EXEMPT CERTIFICATES OF
OBLIGATION STREET IMPROVEMENT (METROPOLITAN PLANNING
ORGANIZATION); ACQUIRING TITLE TO FIVE PARCELS IN
CONNECTION WITH EISENHAUER ROAD PROJECT - I.H. 35
TO MIDCROWN.

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AN ORDINANCE 83,957

AUTHORIZING PAYMENT IN THE AMOUNT OF \$48,418.33 FOR
TITLE SERVICES FOR THE SOUTH FLORES DRAINAGE PROJECT
#70-70A, PHASE II, THE CHERRY DRAINAGE PROJECT #15B,
PHASE II, AND THE VAN DE WALLE PURCHASE; AND
APPRAISAL SERVICES FOR THE WURZBACH PARKWAY P.A.S.S.
PROJECT; AND APPROPRIATING FUNDS.

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AN ORDINANCE 83,958

AUTHORIZING THE EXPENDITURE OF THE SUM OF
\$16,000.00, PLUS INTEREST, AND AUTHORIZING THE SUM
OF \$1,471.00 FOR COURT COSTS PAYABLE TO THE COUNTY
CLERK OF BEXAR COUNTY, TEXAS, IN CAUSE NO.
96ED-0001, CITY OF SAN ANTONIO VS LILLIAN SUTTON
TAYLOR, ET AL, FOR THE CHERRY STREET DRAINAGE
PROJECT #15B, PHASE II; AND AUTHORIZING
DISBURSEMENT AND DISPOSITION OF SUCH SUMS.

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AN ORDINANCE 83,959

AUTHORIZING A TWO YEAR LICENSE AGREEMENT WITH
WILLIAM CHAMPION D/B/A LOS FLAMENCA DE SAN ANTONIO
DANCE COMPANY TO CONDUCT THE 1996 & 1997 FIESTA
FLAMENCA IN THE ARNESON RIVER THEATER AT LA VILLITA
FOR CERTAIN DATES FROM MAY 13TH THRU SEPTEMBER 1ST
OF 1996 AND 1997 FOR \$7,500.00 PER YEAR IN 1996 AND
\$8,625.00 PER YEAR IN 1997.

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AN ORDINANCE 83,960

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH JOAN N. GROTHUES, DBA "ART INC." FOR APPROXIMATELY 759 SQUARE FEET OF REAL PROPERTY LOCATED AT 102 KING PHILIP STREET IN LA VILLITA FOR A RENTAL OF \$520.90 PER MONTH, PLUS THE COST OF UTILITIES AND AN ADJUSTMENT FOR THE NIGHT IN OLD SAN ANTONIO ("NIOISA") EVENT.

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AN ORDINANCE 83,961

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH QIV SYSTEMS, INC. FOR THE PURCHASE OF AUTOMATIC MAP DISPLAY SOFTWARE PACKAGES WHICH ENHANCES THE CITY'S PUBLIC SAFETY COMPUTER AIDED DISPATCH SYSTEM; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$19,000.00.

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AN ORDINANCE 83,962

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL GRANT FUNDS IN THE AMOUNT OF \$173,000.00 THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION, FOR THE FY 1997 OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER.

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AN ORDINANCE 83,963

AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,500.00 IN SETTLEMENT OF LORENE KRUEGER V. CITY OF SAN ANTONIO, ET AL CAUSE 95-CI-10467.

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AN ORDINANCE 83,964

AUTHORIZING THE CITY MANAGER AND RISK MANAGER TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF HELEN HUBBARD/DONTAY HUBBARD (A MINOR), CLAIM NO. 73702556, AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$6,500.00.

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AN ORDINANCE 83,965

AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,892.15 TO JAMES K. BARBE AND \$16,546.50 TO HIS ATTORNEY OF RECORD PLUS COSTS AND POSTJUDGEMENT INTEREST IN CONFORMANCE WITH THE JUDGEMENT OF THE COURT IN CAUSE NO. 94-CI-09817, STYLED JAMES K. BARBE V. WILLIAM GIBSON IN HIS CAPACITY AS CHIEF OF POLICE OF THE CITY OF SAN ANTONIO.

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AN ORDINANCE 83,966

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BAPTIST MEMORIAL HOSPITAL SYSTEM (BMHS) FOR THE USE OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FACILITIES AS TRAINING SITES FOR PUBLIC HEALTH NURSING STUDENTS.

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AN ORDINANCE 83,967

AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$3,300.00 TO WEST PUBLISHING CORPORATION FOR TEXAS CASE LAW ON CD ROM USED TO PROVIDE TEXAS CASE LAW INSTRUCTION TO POLICE CADETS.

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AN ORDINANCE 83,968

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF HUMAN SERVICES (TDHS) WHICH WILL PROVIDE FOR THE CERTIFICATION OF CITY GENERAL FUNDS IN AN AMOUNT NOT TO EXCEED \$127,825 WHICH WILL GENERATE MATCHING FUNDS UP TO \$220,567 FOR THE PROVISION OF CHILD CARE SERVICES; AMENDING THE PERSONNEL COMPLEMENT; AND AMENDING THE CCMS BUDGET BY ACCEPTING THE REALLOCATION OF \$184,233 IN CHILD CARE FUNDS.

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AN ORDINANCE 83,969

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF TRANSPORTATION IN AN AMOUNT NOT TO EXCEED \$26,754.00 IN FY 1995/1996, FOR THE PURCHASE OF A LIFTEQUIPED VAN FOR THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT IN THE ELDERLY AND DISABLED

SERVICES DIVISION OF THE DEPARTMENT OF COMMUNITY INITIATIVES AND TRANSFERRING FUNDS FROM GRANT 26-011048 IN THE AMOUNT OF \$11,466.00 TO BE USED FOR THE REQUIRED MATCH IN SAID PURCHASE. (AMENDS ORDINANCE NO. 81661, DATED FEB. 16, 1995.)

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AN ORDINANCE 83,970

AMENDING ORDINANCE NO. 82608, PASSED AND APPROVED ON AUGUST 10, 1995 TO AUTHORIZE THE AMENDMENT OF THE CONTRACT WITH CREATIVA COMMUNICATIONS TO INCLUDE DESIGN AND PRODUCTION OF THE DEPARTMENT OF COMMUNITY INITIATIVES BROCHURES FOR AN ADDITIONAL COST OF \$2,500.00 TO BE PAID FROM GENERAL FUND ACCOUNTS. (AMENDS ORDINANCE NO. 82608, DTD AUGUST 10, 1995.)

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AN ORDINANCE 83,971

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF THE ENTIRE STREETS OF SAN JOSE DRIVE FROM MISSION SAN JOSE TO NAPIER, NAPIER FROM SAN JOSE DRIVE TO ESPADA DAM FROM 7:00 A.M. UNTIL 10:00 A.M., SUNDAY, MAY 5, 1996 IN CONNECTION WITH THE CINCO DE MAYO SPRING FESTIVAL 5K RUN, SPONSORED BY THE LULAC COUNCIL #4303.

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AN ORDINANCE 83,972

APPROVING A RUN/WALK PERMIT IN CONNECTION WITH THE HABILITATION CENTER FUND RAISER 5K RUN, SPONSORED BY THE CHILDREN'S HABILITATION CENTER AND AUTHORIZING THE TEMPORARY CLOSURE OF THE FOLLOWING STREETS FROM AT 7:00 A.M. UNTIL 11:00 A.M, SATURDAY, MAY 11, 1996 FOR SAID EVENT: SPORTS PARKWAY FROM THE PARKING LOT TO WETMORE, WETMORE FROM SPORTS PARKWAY TO RIDGE COUNTRY, RIDGE COUNTRY FROM WETMORE TO STONEY DRIVE, STONEY DRIVE FROM RIDGE COUNTRY TO STONEY DAWN WHICH TURNS INTO STONEY MEADOW, STONEY DAWN AND STONEY MEADOW FROM STONEY DRIVE TO RIDGE COURT, RIDGE COURT FROM STONEY MEADOW TO RIDGE COUNTRY, RIDGE COUNTRY FROM RIDGE COURT TO WETMORE, WETMORE FROM RIDGE COUNTRY TO PRIVATE ENTRANCE AFTER SPORTS PARKWAY AND FINISH AT THE PARKING LOT.

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AN ORDINANCE 83,973

APPROVING A RUN/WALK PERMIT IN CONNECTION WITH THE CHILDREN'S HOSPITAL 5K RUN, SPONSORED BY SANTA ROSA HOSPITAL AND AUTHORIZING THE TEMPORARY CLOSURE OF THE FOLLOWING STREETS FROM 7:00 A.M. UNTIL 10:30 A.M., SUNDAY, MAY 5, 1996 FOR SAID EVENT: SANTA ROSA FROM HOUSTON TO DURANGO, DURANGO FROM SANTA ROSA TO PANCOAST, PANCOAST FROM DURANGO TO WASHINGTON, WASHINGTON FROM PANCOAST TO ARSENAL, ARSENAL FROM WASHINGTON TO MAIN, MAIN FROM ARSENAL TO GUENTHER, GUENTHER FROM MAIN TO MADISON, MADISON FROM GUENTHER TO ST. MARY'S, ST. MARY'S FROM MADISON TO DURANGO, DURANGO FROM ST. MARY'S TO SANTA ROSA, SANTA ROSA FROM DURANGO TO HOUSTON AND FROM HOUSTON INTO MILAM PARK TO FINISH.

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AN ORDINANCE 83,974

APPOINTING ANTHONY J. FASANO (DISTRICT 1) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE JUNE 23, 1997.

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AN ORDINANCE 83,975

REAPPOINTING LEE BRIGHT (DISTRICT 1) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1997.

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AN ORDINANCE 83,976

APPOINTING DR. JUAN ARMENDARIZ (DISTRICT 9) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 15, 1997.

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96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,977

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, INC. AND AUTHORIZING ADDITIONAL 1987 GENERAL OBLIGATION DRAINAGE BOND FUNDS IN AN AMOUNT NOT TO EXCEED

\$20,000.00 FOR PROFESSIONAL SERVICES RELATED TO THE LEON CREEK WATERSHED DRAINAGE MASTER PLAN STUDY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 79831 OF MARCH 17, 1994.)

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

In response to a question by Mr. Ross, Mr. John German, Director of Public Works, spoke to the completion timetable for the project.

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

96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,978

RATIFYING CITY STAFF'S ACTIONS IN CONTRACTING WITH THE H.B. ZACHRY COMPANY FOR EMERGENCY REPAIRS TO THE RIVER WALK IN THE AMOUNT OF \$57,406.70; ESTABLISHING A PROJECT FUND AND BUDGET; AND PROVIDING FOR PAYMENT.

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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, briefly explained the work that was required on the River Walk.

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

96-16

AGENDA ITEM 23

In response to a question by Ms. McClendon for information purposes only relative to Agenda Item 23, just approved, Mr. John German, Director of Public Works, explained that this represents the first step in the Cherry Street Drainage Project, Phase II, which will be completed in about one year.

96-16

The Clerk read the following Ordinance:

AN ORDINANCE 83,979

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$178,171.68, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 169 TAX ACCOUNTS.

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

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

96-16

The Clerk read the following Ordinance:

AN ORDINANCE 83,980

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A CONTRACT WITH MEDICAL AUDIT CONSULTANTS, INC. FOR AN AMOUNT NOT TO EXCEED \$210,581.00 TO PROVIDE MEDICAL COST CONTAINMENT SERVICES FOR THE CITY'S SELF-FUNDED WORKERS COMPENSATION PROGRAM FOR THE PERIOD FROM MAY 1, 1996 THROUGH SEPTEMBER 30, 1997; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Ms. Nora Chavez, Director of Finance, explained the proposed contract with a local woman-owned business firm which has provided this particular service to the City since 1992. She then spoke briefly to the City's Workers Compensation Program and its progress, narrating a video presentation, and spoke to its positive aspects over recent years.

Mayor Thornton noted that the program has been successfully managed over the years, and thanked City staff for its work in this area in order to achieve this example of good financial management.

In response to a question by Mr. Ross, Ms. Chavez; Mr. Bruce Birdwell, Risk Manager; and Mr. Rolando Bono, Assistant City Manager, all spoke to recent examples of the medical claims appeals process,

after rejection of a claim by the City's third-party claims administrator. They also outlined the claims appeal process, and stated that they would provide an outline of that procedures to the Council member.

In response to a question by Mr. Webster, Ms. Chavez addressed the health provider networks now in place for the City employees and how the medical audit program is handled relative to Workers Compensation claims.

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

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96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,981

APPROVING A BUDGET FOR ACQUISITION OF EQUIPMENT AND THE RELOCATION OF COMPUTER AND TELECOMMUNICATIONS INFRASTRUCTURE AND INSTALLATION OF FIBER OPTIC COMMUNICATION LINES FOR THE PUBLIC SAFETY TECHNOLOGY CENTER, 515 S. FRIO; ALLOCATING \$1,666,000.00 AND AUTHORIZING PAYMENT TO AT&T, SOUTHWESTERN BELL CORP (SBC) AND IPI GRAMMTECH FOR THEIR PORTION OF THE SERVICES INVOLVED IN THE PROJECT.

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

Mr. Frank Stromboe, Director of Information Services, narrated a video presentation of the proposed move of his department into new facilities at 515 South Frio Street, and the reasons for that move. A copy of his presentation is made a part of the papers of this meeting.

Mayor Thornton spoke in support for the move and the enhancement of the services to be provided to all City departments.

In response to a question by Mr. Avila, Mr. Stromboe spoke in explanation of the product purchase plan to support this move.

In response to a question by Mr. Webster, Mr. Stromboe spoke to the benefits of the proposed move, inasmuch as he is concerned with potential problems with equipment in the City Hall Annex now, including leaks in the building. He then spoke to the advantages of the new building.

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

96-16 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE CLOSING TWO UNIMPROVED STREETS.

Mayor Thornton declared the Public Hearing to be open.

Mr. Oscar Serrano, Asset Management Department, explained the proposed plan to close two small unimproved street segments.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 83,982

CLOSING, VACATING, ABANDONING AND QUITCLAIMING TWO UNIMPROVED PORTIONS OF LIMA AND LISBON DRIVES, SAN ANTONIO, BEXAR COUNTY, TEXAS, AS REQUESTED BY ALEX H. HALFF, ET. AL.

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

In response to a question by Mr. Peak, Mr. Serrano noted that the properties are undeveloped.

Mr. Peak stated that he would speak with the proponents of this matter when then apply for a zoning change on the property in question.

In response to a question by Mr. Ross, Mr. Serrano explained the \$1.00 purchase price and its reasons, in accordance with state law and City regulations involved.

In response to a question by Mr. Ross, Mr. John German, Director of Public Works, stated that the original plat of the properties concerned occurred before the properties were annexed into the City of San Antonio.

Mr. Alexander E. Briseno, City Manager, noted that the two streets are on paper only, and never have been developed.

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

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

96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,983

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX-EXEMPT REVENUE BONDS NOT TO EXCEED \$11,700,000.00 TO PROVIDE FINANCING TO ACQUIRE AND REHABILITATION THE HALLMARK APARTMENTS, ASPEN CHASE APARTMENTS, ROBINS NEST APARTMENTS AND SOUTH POINT APARTMENTS.

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

Ms. Frances Gonzalez, Special Projects Manager, briefly explained the proposed acquisition and rehabilitation of four apartment projects.

Mr. Apolonio Flores, General Manager, San Antonio Housing Authority, provided details of the proposed acquisition and rehabilitation.

Mr. Webster stated his desire that these projects, when completed, will be responsive to such programs as Cellular On Patrol, Neighborhood Watch, and other similar works.

Mr. Ted Cornwell, San Antonio Housing Authority, spoke to plans to maintain the apartment rents at their current levels after the projects are rehabilitated.

In response to a question by Mr. Avila, Mr. Flores addressed the \$75,000 difference in the proposed price and the bond sale, so as to provide a certain pad to cope with unexpected costs, if necessary.

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

96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,984

AUTHORIZING THE CITY MANAGER TO EXECUTE THE REVISED

CONTINUING PHASE AGREEMENT GOVERNING THE OPERATIONS AND ORGANIZATION OF THE METROPOLITAN PLANNING ORGANIZATION, AS RECOMMENDED BY THE MPO STEERING COMMITTEE.

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

Mr. John German, Director of Public Works, briefly explained the proposed changes to the operations and organization of the Metropolitan Planning Organization (MPO), noting that those changes will have the effect of reducing the City's voting strength on the board. He further stated that Mr. Peak, as current Chairman of the MPO, desires to have another City Council member on the MPO board, and this is included in the proposed changes, which have to be approved by the other participating entities.

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

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96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,985

ACCEPTING ON ADJUSTED GRANT AWARD IN THE AMOUNT OF \$958,284.00 FROM THE DEPARTMENT OF DEFENSE, OFFICE OF ECONOMIC ADJUSTMENT, AND MODIFYING THE BUDGET AND PERSONNEL COMPLEMENT OF THE OFFICE OF DEFENSE TRANSITION, APPROVED BY ORDINANCE NO. 82748 ON AUGUST 31, 1995 TO REFLECT THE GRANT AWARD. (AMENDS ORDINANCE NO. 82748, DATED AUGUST 31, 1995.)

* * * *

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

Mr. Rolando Bono, Assistant City Manager, explained the grant for continuing the work on Kelly Air Force Base worker transition.

Mr. Solis noted that this is important for the redevelopment of Kelly Air Force Base and to maintain efforts to preserve other military missions in San Antonio, even though this particular function will be going over to the new Local Redevelopment Authority this summer.

Mr. Solis and Mr. Herrera both asked to have a presentation by the Local Redevelopment Authority board to City Council, on the

status of the Kelly Air Force Base issues.

Discussion then took place concerning the Local Redevelopment Authority's Request For Proposal for development of the planning process for the Kelly Air Force Base efforts.

In response to a question by Mr. Herrera, Mr. Bono discussed the matter of increased staffing and its funding.

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

96-16 City Clerk Norma S. Rodriguez noted that some \$900 of the total amount sought by the Mayor's Commission on the Status of Women has already been pledged from City Council Discretionary Accounts Funds, to date.

Mr. Solis asked that his pledged \$100 amount be increased to \$200, while Mr. Peak committed \$200 from his account, said funds being added to those funds already committed, to date.

Ms. McClendon noted that her Discretionary Accounts Funds already are committed for the year, and thus will not be able to contribute.

Mr. Marbut stated his intention to contribute from his own personal funds to this matter.

The Clerk read the following Ordinance:

AN ORDINANCE 83,986

AUTHORIZING THE EXPENDITURE OF MONIES FROM VARIOUS CONTINGENCY ACCOUNT FUNDS TO ASSIST THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN CARRY OUT ITS MISSION OF ADDRESSING WOMEN'S ISSUE, AS REQUESTED BY MAYOR WILLIAM E. THORNTON.

* * * *

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

96-16

VOTE ABSTENTIONS FROM AGENDA ITEM 43

Ms. McClendon and Mr. Avila both asked that the record reflect their individual abstentions from the formal vote on Agenda Item 43 on today's City Council agenda.

Mayor Thornton took note of the request, and asked that the proper records so reflect.

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96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,987

AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND IN SUPPORT OF THE CITY'S YOUTH ATHLETIC PROGRAM BY HELPING TO PAY FOR RELACING WINDOWS AND INSTALLING WINDOW GUARD IN THE AMOUNT OF \$2,375.00, AND THE CERTIFICATE OF OCCUPANCY FEE IN THE AMOUNT OF \$160.00 FOR A TOTAL AMOUNT OF \$2,535.00 AT THE SOUTHEAST SKYLINE STADIUM OPERATED BY SOUTHEAST SAN ANTONIO BOYS BASEBALL, INC., AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE.

* * * *

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

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

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96-16 The Clerk read the following Ordinance:

AN ORDINANCE 83,988

AUTHORIZING THE TRANSFER OF \$1,000.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND TO THE DISTRICT 5 TRAVEL ACCOUNT FUND FOR TRAVEL EXPENSES INCURRED FOR THE REMAINDER OF FY 1995/1996, AS REQUESTED BY COUNCILMAN JUAN F. SOLIS, III.

* * * *

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

96-16 City Council recessed its regular session at 2:35 P.M. in order to convene in Executive Session for the purpose of:

Attorney/client consultation regarding litigation styled (a) City of San Antonio vs. Alamo Iron Works, et al, and (b) Raba-Kistner, et al vs. City of San Antonio.

96-16 City Council adjourned the Executive Session and reconvened its regular session at 3:10 P.M., at which time Mayor Thornton announced that City Council had been briefed on the above-named topic and had given staff direction, but had taken no official action.

96-16 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE DESIGNATING "BDS" PROPERTIES REINVESTMENT ZONE.

Mayor Thornton declared the Public Hearing to be open.

City Clerk Norma S. Rodriguez stated that Mr. Marbut would be abstaining from any discussion or possible action relative to Agenda Items 4A and 4B.

Mr. Marbut then left the Council chambers.

Mr. Clint Bolden, Director of Economic Development, narrated a video presentation on the proposed designation of the BDS Properties Reinvestment Zone, involving a new consolidated headquarters facility for Diamond Shamrock.

Mr. Gregory Greene, President, BDS Properties, noted that his firm would not be applying for any tax abatement from Northside Independent School District for this project. He spoke to his firm's economic impact upon San Antonio, and projected an additional 100 jobs by the year 1998. He then spoke to the background of BDS Properties, noting that the firm is not a part of Diamond Shamrock, although it will be leasing facilities to Diamond Shamrock for its new headquarters. He then spoke of the planned new development in an area covered by many trees, and addressed its planned 'campus' configuration.

Ms. Bonnie Conner, 3400 River Path, stated her belief that this will be a good development for San Antonio, and offered several suggestions in regard to greenbelt development.

Mr. Ernani Falcone, 9322 Beowulf, spoke in support for further development of the Leon Creek greenbelt.

There being no further 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 83,989

DESIGNATING THE BDS PROPERTIES REINVESTMENT ZONE LEGALLY DESCRIBED AS 148.118 ACRES OF LAND OUT OF N.C.B. 14746, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING OUT OF THE B.B.B. AND C.R.R. CO. SURVEY NO. 21, ABSTRACT NO. 104, C.B. NO. 4765 AND ALSO OUT OF THE ANSELMO PRU SURVEY NO. 20, ABSTRACT NO. 574, C.B. NO. 4766, BEXAR COUNTY, TEXAS (SOUTH OF LOOP 1604 AND WEST OF I.H. 10).

* * * *

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

Mayor Thornton noted that this is development of a local firm that has outgrown its current facilities, and he spoke to Diamond Shamrock's sensitivity to design and development of its new headquarters area.

Mr. Peak spoke to the advantages of this development to the city.

Mayor Thornton then discussed the need for retaining floodwaters in their floodplain.

In response to a question by Mr. Ross, Mr. Greene stated that there will be no structures erected in the Recharge Zone of the Edwards Aquifer, and he noted that the two planned parking structures limit the need for extensive surface parking area.

In response to a question by Mr. Ross, Mr. Tim Frethold, representing Diamond Shamrock, stated that designation of this Reinvestment Zone is critical to this development.

Mr. Ross briefly discussed the possible need for a retention dam on the property.

Mr. Frethold stated that he would meet with the neighborhood associations involved on that possibility.

In response to a question by Mr. Herrera, Mr. Greene stated that the contractors on this project will be local businesses, and he spoke to the net new jobs involved in this development.

Mr. Solis stated his belief that this will encourage local firms to grow to the next level, and he spoke in support for the project.

Mr. Peak stressed the development plan's low density of development.

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

96-14 The Clerk read the following Ordinance:

AN ORDINANCE 83,990

APPROVING A TAX PHASE-IN AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH BDS PROPERTIES, INC. TO EXEMPT FROM AD VALOREM TAXATION SPECIFIED NEW REAL AND PERSONAL PROPERTY IMPROVEMENTS FOR A CORPORATE HEADQUARTERS TO BE OCCUPIED BY DIAMOND SHAMROCK.

* * * *

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

In response to a question by Mr. Ross, Ms. Claudia Mora, Economic Development Manager, discussed the taxes being phased-in over the 10-year period of the abatement.

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

96-16 City Council recessed its regular session at 3:55 P.M. in order to convene in Executive Session for the purpose of:

Attorney briefing on Claim No. 73702875, Refugio Martinez against the City of San Antonio.

96-16 City Council reconvened its regular session at 4:50 P.M., at which time Mayor Thornton stated that Council had been briefed on the

above-named topic and had given staff direction, but had taken no action.

96-16

CITIZENS TO BE HEARD

Mr. Lou Georges, AFGE, Local 1617, presented a prepared statement to the City Council, a copy of which is on file with the papers of this meeting, in which he expresses their proposals and concerns of retraining of Kelly A.F.B. employees.

Councilman Solis stated that the monies received and mentioned by Mr. Georges in his presentation are federal monies and not awarded to the City of San Antonio. He suggested that the City Council look at the appointments to be made to the Alamo Work Force Development Board in order to receive input from this group.

Councilman Ross stated that the City Council had adopted a plan in order not to politicize this Board and suggested that Mr. Georges appear in person before the Alamo Work Force Development Board and present these concerns and their input.

In other matters, Mr. Georges made personal inquiries of a Councilmember, and the Mayor asked Mr. Georges to refrain from making any personal statements or remarks to individual Council members.

EL MERCADO MERCHANTS

Mr. Richard Gonzales, a member of the Alamo Community College District, and Chairman of the Market Square Commission, stated that he was appearing before the City Council not as Chair but rather as a member of the Commission. He spoke to their concerns of what has recently transpired at Market Square and asked that the City Council be supportive to these concerns. He also took issue to the City staff not being present at a meeting of the Commission yesterday. He then spoke to the importance of Market Square to the tourism business in San Antonio and the need to continue with the progress they have made in the past few years.

Councilman Flores stated that he has been meeting with the City staff on these concerns and will apprise Mr. Gonzales of the results of their deliberations.

Mr. Nick Pena, a member of this Commission and a tenant of Market Square spoke to their concerns with changes which they hear may take place concerning the abolishment of this Commission. He stated that any changes to that effect would be very detrimental to the overall success of Market Square.

Mr. Ruben Cortez spoke in support of the efforts of Mr. Richard Gonzales who has served very ably as Chair of the Commission.

Mr. Andrew Perez also spoke to the work on the Master Plan linking Market Square and the Historic Civic Center. He also lauded the efforts of Mr. Gonzales to bring all three organizations at the Market together.

Mr. Louis Ramirez spoke to the many activities being planned for Fiesta Week and distributed Fiesta El Mercado Caps to all the City Council as a momento of this year's Fiesta.

In response to Councilman Flores, Mr. Robert Tagle, Market Square Manager, spoke to a miscommunication between him and his staff as a reason for not being present at last night's meeting. He then invited the City Council to attend the opening day ceremonies of the Modern Day Chili Queens tomorrow at 10:00 A.M.

MRS. ROSA ROSALES

Mrs. Rosales spoke to the Council on behalf of several individuals who were "sold" booth space at Market Square and were later told that the person selling this space had no authority to do so by private individuals.

Ms. Yolanda DeHoyos also spoke to how she and others paid cash for this space only to be told that they now would not be able to have the booth space.

Councilmembers were told by Mr. Travis Bishop, Asst. to the City Manager, that these individuals should file a complaint with the police department. He then asked Ms. De Hoyos and Mrs. Rosales to file these complaints with the police officers present at the Council meeting.

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MR. ALAN BACON

Mr. Alan Bacon presented a written statement to the City Council, (A copy of which is on file with the papers of this meeting.)

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MR. ALAN PARKER

Mr. Parker took exception to the trip made by the Mayor to Israel.

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96-16 There being no further business to come before the Council, the meeting was adjourned at 5:37 P.M.

A P R R O V E D
M A Y O R

Attest: *Norma S. Rodriguez*
City Clerk

96-16 PETITIONS

April 18, 1996

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

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

March 28, 1996 Petition submitted by Mr. Fernando G. Rodriguez, 815 Cavalier, San Antonio, Texas 78225, on behalf of area residents, requesting that the City of San Antonio pave the 700 and 800 blocks of Cavalier Street.

April 5, 1996 Petition submitted by Mr. James Medlock, Jr., Northampton Subdivision, 8126 Chestnut Manor, Cibolo, Texas 78109, on behalf of area residents, opposing the proposed plan to extend Donshire Avenue to Longing Trail for the purpose of connecting the subdivisions of Northampton and Ventura.

/s/ Norma S. Rodriguez
City Clerk