

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 12, 1993.

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93-34 The City Council convened in an informal session at 10:00 A.M., City Hall, "B" Room, to consider the following item:

Joint Meeting with the Bexar County Commissioners Court to interview potential candidates for the Board of Directors of the Edwards Aquifer Authority.

The following City Council members were present: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff.

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93-34 The regular meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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93-34 Invocation - Reverend Mario Gallardo, Hosack Baptist Church.

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93-34 Pledge of Allegiance to the flag of the United States.

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93-34 Minutes of the July 8, 1993 Regular City Council Meeting were approved.

93-34 PEANUT FESTIVAL DAYS

Mayor Wolff introduced Mr. Ray Klespies, President of the Floresville Peanut Festival Association, and spoke to the annual Floresville Peanut Festival. He then read a proclamation designating "Peanut Festival Days" and presented it to Mr. Klespies and his delegation.

Mr. Klespies thanked the Mayor and City Council for the proclamation and introduced Queen-elect Miss Sarah Roemer and King-elect Mr. Ross Doenig, as well as members of their court.

Miss Roemer invited all San Antonians to attend the Floresville Peanut Festival.

Members of the court then presented a basket of peanut products to the City Council.

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93-34 1993 AMERICAN MUSIC SCHOLARSHIP ASSOCIATION WORLD PIANO COMPETITION

Mayor Wolff noted that at the recent American Music Scholarship Association World Piano Competition held in Cincinnati, Ohio, students from the Marsha Perkins Bufler Piano Studio competed in and won five major awards in respective competition levels. He further noted that these winners will perform at Carnegie Hall in New York City later this year.

Mayor Wolff then introduced the winners, and City Council members participated in handing out Certificates of Commendation to:

Nathaniel Hernandez, first place winner, Level 8 and the Grand Prize winner for Levels 4-8.

Wei Fu Tan, second place winner, Level 4.

Erica Maloney, third place winner, Level 2.

Wei Han Tan, fourth place winner, Level 7.

Earind Jackson, honorable mention recipient, Level 3.

Ms. Bufler briefly explained the competition, which is geared to young pianists, and thanked the Mayor and City Council for recognizing these young award winners.

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93-34 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 9-31b, constituting the Consent Agenda, with Items 22, 23 and 24 having earlier been removed from consideration by the City Manager. Mr. Solis seconded the motion.

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

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AN ORDINANCE 78,443

ACCEPTING THE PROPOSAL OF MERCK, SHARPE & DOHME TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH HEPATITIS B VACCINE FOR A TOTAL OF \$9,124.50.

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AN ORDINANCE 78,444

ACCEPTING THE LOW BID OF R.W. JONES & SONS, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH CONCRETE GOLF CART PATHS AT OLMOS BASIN GOLF COURSE FOR A TOTAL OF \$22,610.00.

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AN ORDINANCE 78,445

ACCEPTING THE BID OF SIMMANGS ENGRAVING COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIREFIGHTER AND OPERATOR BADGES FOR A TOTAL OF \$8,378.50.

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AN ORDINANCE 78,446

ACCEPTING THE LOW QUALIFIED BIDS OF DON HUME LEATHER GOODS, INC. AND G.T. DISTRIBUTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH LEATHER HOLSTERS, BELTS AND MAGAZINE POUCHES FOR A TOTAL OF \$15,060.00.

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AN ORDINANCE 78,447

CANCELLING THE CONTRACT WITH ALAMO DATA SYSTEMS BY MUTUAL AGREEMENT; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH COMPUTERLAND TO

FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH A LASER PRINTER FOR A TOTAL OF \$15,400.00.

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AN ORDINANCE 78,448

ACCEPTING THE LOW QUALIFIED BID OF TRAIT INTERNATIONAL, SIGNAL SALES CORPORATION, SOUTHWESTERN ELECTRIC WIRE & CABLE, AND KING WIRE & CABLE TO FURNISH THE CITY OF SAN ANTONIO WITH TRAFFIC CABLE FOR INSTALLATION OF TRAFFIC SIGNAL LIGHTS FOR A TOTAL OF \$49,068.50.

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AN ORDINANCE 78,449

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1993-94 FISCAL YEAR FOR APPROXIMATELY \$450,000.00 (COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE).

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AN ORDINANCE 78,450

AUTHORIZING A 1989 GENERAL OBLIGATION FUND CONSTRUCTION CONTRACT IN THE AMOUNT OF \$578,030.00 CONSISTING OF THE BASE BID AND ALTERNATE NO. 8 & 9 TO WALLACE L. BOLDT, GENERAL CONTRACTOR, INC., AUTHORIZING \$60,003.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES IN CONNECTION WITH THE CONSTRUCTION OF THE LEARNING & LEADERSHIP DEVELOPMENT CENTER.

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AN ORDINANCE 78,451

RESCINDING ORDINANCE NO. 77526, PASSED AND APPROVED ON MARCH 4, 1993; ACCEPTING THE LOW, QUALIFIED BID OF PREMIUM CONSTRUCTION COMPANY IN THE AMOUNT OF \$147,500.00 IN CONNECTION WITH THE EMILIE & ALBERT FRIEDRICH PARK, DISABILITY ACCESS MODIFICATIONS PHASE II PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$26,945.00 TO THE

CONTRACT WITH PREMIUM CONSTRUCTION COMPANY FOR A NET CONTRACT AMOUNT OF \$120,555.00 IN CONNECTION WITH SAID PROJECT; AUTHORIZING \$19,967.16 FOR CONSTRUCTION CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,452

ACCEPTING THE PROPOSAL OF DANNENBAUM ENGINEERING CORPORATION IN THE AMOUNT OF \$10,411.00 FOR THE RECONSTRUCTION OF CASTROVILLE ROAD FROM GENERAL MCMULLEN TO ACME ROAD; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,453

ACCEPTING THE PROPOSAL OF REHLER, VAUGHN, BEATY, AND KOONE, INC. IN THE AMOUNT OF \$37,000.00 FOR DESIGN OF AN AUDIO-VISUAL SYSTEM FOR THE NEW CITY COUNCIL CHAMBERS IN THE MAIN PLAZA BUILDING.

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AN ORDINANCE 78,454

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$8,632.23 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO WEST COMMERCE; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO HUEBNER ROAD; AND ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE LORD ROAD DRAINAGE PROJECT #114C, PHASE I.

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AN ORDINANCE 78,455

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$3,000.00 WITH WAYNE A. GROLL, MAI, FOR THE PROVISION OF CERTAIN PROFESSIONAL REAL ESTATE APPRAISAL SERVICES RELATED TO THE WURZBACH PARKWAY (P.A.S.S. PROJECT); AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,456

APPROVING THE LEASE OF PARKING SPACES IN THE HEMISFAIR GARAGE TO THE ALAMO BOWL ASSOCIATION FOR USE BY FOOTBALL TICKET HOLDERS ATTENDING PROFESSIONAL AND COLLEGE FOOTBALL GAMES IN THE ALAMODOME AS FOLLOWS: AUGUST 21, 1993, DALLAS COWBOYS VS. HOUSTON OILERS, 1,215 SPACES; OCTOBER 23, 1993, UNIVERSITY OF TEXAS VS. SMU, 1,215 SPACES; NOVEMBER 20, 1993, TEXAS TECH VS. UNIVERSITY OF HOUSTON, 1,215 SPACES; AND DECEMBER 31, ALAMO BOWL, 800 SPACES, FOR A TOTAL REVENUE OF \$17,780.00.

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AN ORDINANCE 78,457

ACCEPTING THE PROPOSAL OF THE GENERAL SERVICES COMMISSION IN AMOUNT NOT TO EXCEED \$108,500.00 FOR RENEWAL OF THE PRESENT CONTRACT FOR INTERCITY LONG DISTANCE TELEPHONE SERVICE ON THE TEXAS AGENCY NETWORK (TEX-AN) FOR THE PERIOD OF SEPTEMBER 1, 1993 THROUGH AUGUST 31, 1995; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,458

AUTHORIZING THE SAN ANTONIO POLICE DEPARTMENT TO ACCEPT A GIFT OF \$916.00 FROM ALLOTTED INSURANCE COMPANY IN RECOGNITION OF THE OUTSTANDING SERVICES PROVIDED BY THE SAN ANTONIO CRIME PREVENTION TASK FORCE; AND AUTHORIZING THE PURCHASE OF "OLLIE AND FRIENDS PUPPETS" WITH SAID MONIES TO TEACH SAFETY AWARENESS TO ELEMENTARY STUDENTS.

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AN ORDINANCE 78,459

AUTHORIZING THE ACCEPTANCE OF \$1,521,307.00 IN CASH, \$153,240.00 IN-KIND SUPPORT AND \$6,490.00 IN CONTRACT ASSISTANCE FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING OF VARIOUS ACTIVITIES IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD), FUNDING OF A NEW TUBERCULOSIS OUTREACH ACTIVITY, AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 6, COMPOSED OF ATTACHMENTS 9 THROUGH 17 TO CONTRACT C400011 WITH

THE TDH; REVISING THE BUDGET OF THE PUBLIC HEALTH STATE SUPPORT PROJECT 1993-94; AUTHORIZING A PERSONNEL COMPLEMENT; AUTHORIZING CONTRACTUAL SERVICES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,460

ACCEPTING AN ADDITIONAL AWARD OF \$150,412.00 IN CASH FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1993 CHILD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AMENDING THE BUDGET, AUTHORIZING ONE ADDITIONAL PERSONNEL POSITION IN THE ACTIVITY AND AUTHORIZING PAYMENT OF LEASE COSTS IN CONJUNCTION WITH THE ACTIVITY.

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AN ORDINANCE 78,461

AUTHORIZING THE TEMPORARY STREET CLOSURE OF THE 500 BLOCK OF OGDEN BETWEEN EVERGREEN AND PARK, FROM 12:00 NOON UNTIL 7:00 PM ON SATURDAY, SEPTEMBER 11, 1993, AS REQUESTED BY RETAMA MANOR NORTH NURSING CENTER FOR THE PURPOSE OF HAVING A "MINI FESTIVAL".

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AN ORDINANCE 78,462

AMENDING ORDINANCE NO. 77353, PASSED AND APPROVED ON FEBRUARY 11, 1993, TO AUTHORIZE THE CLOSURE OF SAN SABA BETWEEN DOLOROSA AND COMMERCE STREET ON SATURDAY, NOVEMBER 20, 1993, FROM 6:00 P.M. UNTIL 12:00 MIDNIGHT AND ON SUNDAY, NOVEMBER 21, 1993, FROM 8:00 A.M. UNTIL 12:00 MIDNIGHT TO ALLOW FOR THE HOLDING OF AN EVENT AT MARKET SQUARE BY THE SAN ANTONIO AIDS FOUNDATION.

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A RESOLUTION 93-34-57

APPROVING THE TRANSFER AND ASSIGNMENT OF THE INDUSTRIAL DISTRICT NON-ANNEXATION AGREEMENT DATED DECEMBER 1, 1986, AND THE RIGHTS UNDER THE BASIC FIRE SERVICE AGREEMENT DATED FEBRUARY 4, 1987, FOR

THE BRIGGS RANCH INDUSTRIAL DISTRICT FROM CONCORD
OIL COMPANY TO THE RESOLUTION TRUST CORPORATION.

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93-34

EDWARDS AQUIFER AUTHORITY APPOINTMENTS

City Council recessed its regular meeting at 1:35 P.M. in order to convene in "B" Session for the purposes of considering candidates for City Council appointment to certain positions with the Edwards Aquifer Authority.

Mayor Wolff spoke to this morning's informal meeting with Bexar County Commissioners Court members to hear from applicants for appointment to the Edwards Aquifer Authority. He expressed his desire that the City Council at this time discuss its proposed two appointees to the Board of Directors and one appointee to the 20-member Advisory Committee.

City Council members then nominated individuals to Position 1 on the Board of Directors, those being Mr. Mario Hernandez, Mr. Everett Fly, and Mr. Gene Ames. In open voting, eight votes were cast for Mr. Hernandez, two votes were cast for Mr. Fly, and one vote was cast for Mr. Ames, after City Council members spoke to the possible composition of the board and the qualifications of the various candidates.

City Council members then nominated individuals to Position 2 on the Board of Directors, those being Mr. Phil Barshop and Mr. Weir Labatt III. In open voting, nine votes were cast for Mr. Barshop and two votes were cast for Mr. Labatt, after City Council members spoke to the qualifications of the two candidates, and several spoke to their desire to ask Mr. Labatt to serve on the Mayor's Water Committee in order to take advantage of his unique expertise in this area.

City Council members then nominated Mr. Everett Fly to serve as the City of San Antonio's appointment to the South Central Texas Water Advisory Committee, and he was approved by acclamation.

Mayor Wolff asked that the three nominations made in informal session today be placed in an Ordinance for formal consideration by City Council during its regular meeting next week.

93-34 City Council reconvened in regular session at 1:52 P.M. and immediately recessed into Executive Session to consider:

A) Staff briefing on the legal implication of the Fiesta Commission suit styled LULAC Rey Scholsarhip Committee, Inc., et al vs. City of San Antonio, et al, Cause No. 93-CI-05349.

B) Review of legal aspects of state requirements to calling an election to repeal the adoption of Fire and Police Collective Bargaining.

C) Staff briefing on litigation of Bankruptcy Case No. 92-53504-C; Chapter 11 Proceeding, Adversary Proceeding No. 93-5090C; and Supervan, Inc., Debtor and Plaintiff vs. City of San Antonio, Ann Deosdade, Richard Mendez, and Kevin Shire.

D) Staff briefing on status of Fire and Police Contract Negotiations.

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93-34 City Council reconvened in regular session at 3:20 P.M., at which time Mayor Wolff stated that the City Council had been briefed but had not taken any action during its Executive Session.

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93-34 REPORT ON COLLECTIVE BARGAINING PETITIONS

City Clerk Norma S. Rodriguez read the following report to City Council, relative to petitions captioned "Petition For Election on Repeal of Collective Bargaining":

"On July 22, 1993, I reported to the City Council that our office had been in receipt earlier that morning of a petition presented by Mr. Van Henry Archer, President of the Homeowners-Taxpayers Association. A total of 9698 signatures were turned in to my office in connection with that petition.

Our office has been verifying the petition while awaiting the opinion from the Secretary of State relative to the required number of signatures required to call an election. The statute requires a petition to be signed by five percent of the voters voting in the last preceding general election in the city. There are conflicting views as to whether this would mean the statewide general election held last November or whether the city election held in May should be used. As it turns out, which is used is decisive.

For your information, please refer to the attached letter from the Secretary of State. It is their opinion that the general election in this context refers to the general election for county and state officers held in November. Based on this opinion, the required number of valid signatures would be 15,879. This represents 5 percent of the qualified voters in the City voting in the November Election.

After a thorough check of the signatures submitted by HTA, we have determined the following:

Total number of signatures turned in:	9698
No voter registration number:	310
Date omitted:	11
No signature:	21
Duplicates:	28
Signatures in pencil:	26
No circulators' signature:	110
Out of the City:	191
Invalid Voter Registration Number:	998
Same signature and no printed name:	17
Premarked as no good by HTA:	70
 Total number of valid signatures:	 7916

Because of the opinion received from the Secretary of State, who is the Chief Election Officer for the State, I therefore certify that the petition submitted by HTA is insufficient and there are not enough valid signatures to call an election. State law does not allow for any amendment to this petition.

Mr. Van Henry Archer by copy of this memorandum is being apprised of the insufficiency of his petition."

(A copy of the memorandum cited above, and a copy of the Opinion of the Secretary of State relative to this matter, both are made a part of the papers of this meeting.)

Mayor Wolff stated that the effect of this report is that HTA may circulate a new petition on this matter, if they wish. He further stated that the City cannot sustain an election call on this matter, in light of the Secretary of State's opinion. He stated that the City Council is accepting this report from the City Clerk, and finds no grounds to call an election on this matter.

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5A. CASE Z93083 - TO REZONE 18.9318 ACRES OF LAND OUT OF NCB 17627, HUEBNER ROAD, FROM "B-3R" ERZD RESTRICTIVE BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE DISTRICT, LOCATED SOUTHWEST OF THE INTERSECTION OF HUEBNER ROAD AND TEXAS ELM, HAVING 390 FEET ON HUEBNER ROAD AND 1,325 FEET ON TEXAS ELM.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, provided that the recommendation of the Environmental Protection Officer's recommendations are met.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 78,463

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 18.9318 ACRES OF LAND OUT OF NCB 17627, HUEBNER ROAD, FROM "B-3R" ERZD RESTRICTIVE BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE DISTRICT, LOCATED SOUTHWEST OF THE INTERSECTION OF HUEBNER ROAD AND TEXAS ELM, HAVING 390 FEET ON HUEBNER ROAD AND 1,325 FEET ON TEXAS ELM. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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At the request of Councilwoman Billa Burke, Agenda Item 5I was brought up for consideration at this time, due to the fact that it is in her district, and she will shortly be leaving the Council meeting.

51. CASE Z93104 - TO REZONE LOT 1 AND THE WEST 25 FEET OF LOT 2, BLOCK 37, NCB 3305, FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, LOCATED SOUTHEAST OF THE INTERSECTION OF HAMMOND AVENUE AND NEW BRAUNFELS AVENUE, HAVING 75 FEET ON HAMMOND AVENUE AND 150 FEET ON NEW BRAUNFELS AVENUE.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Ms. Billa Burke made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

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

AN ORDINANCE 78,464

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND THE WEST 25 FEET OF LOT 2, BLOCK 37, NCB 3305, FROM "B" TWO FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, LOCATED SOUTHEAST OF THE INTERSECTION OF HAMMOND AVENUE AND NEW BRAUNFELS AVENUE, HAVING 75 FEET ON HAMMOND AVENUE AND 150 FEET ON NEW BRAUNFELS AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5B. CASE Z93100 - TO REZONE 37.209 ACRES OUT OF NCB 14857, FROM "B-2" AND "B-3" BUSINESS DISTRICTS, "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT AND "R-5" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, LOCATED SOUTHEAST OF THE INTERSECTION OF DEZAVALA ROAD AND IH 10 EXPRESSWAY, BEING 1,420 FEET SOUTHEAST OF DEZAVALA ROAD, 780 FEET NORTHEAST OF IH 10 EXPRESSWAY, HAVING A WIDTH OF 1,003.46 FEET AND LENGTH OF 1,677.24 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, provided that the Environmental Protection Officer's recommendations are met.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Avila seconded the motion.

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

AN ORDINANCE 78,465

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 37.209 ACRES OUT OF NCB 14857, FROM "B-2" AND "B-3" BUSINESS DISTRICTS, "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT AND "R-5" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, LOCATED SOUTHEAST OF THE INTERSECTION OF DEZAVALA ROAD AND IH 10 EXPRESSWAY, BEING 1,420 FEET SOUTHEAST OF DEZAVALA ROAD, 780 FEET NORTHEAST OF IH 10 EXPRESSWAY, HAVING A WIDTH OF 1,003.46 FEET AND LENGTH OF 1,677.24 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5C. CASE Z93132 Mr. Andy Guerrero, Land Development Services, stated that his office is in receipt of a letter from the proponent in this rezoning case, asking that the case be postponed in order to allow more time to complete necessary contractual procedures.

Mr. Peak made a motion to postpone agenda item 5C indefinitely. Ms. Billa Burke seconded the motion.

Zoning Case Z93132 was indefinitely postponed.

5D. CASE Z93133 (CC) - TO REZONE 0.918 ACRE TRACT OUT OF NCB 17857, HUEBNER ROAD AND BITTERS ROAD, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD CC BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A CONVENIENCE STORE WITH

UNDERGROUND GASOLINE STORAGE TANKS AND A CAR WASH, LOCATED SOUTHWEST OF THE INTERSECTION OF BITTERS ROAD AND HUEBNER ROAD, HAVING 178.68 FEET ON BITTERS ROAD AND 166.00 FEET ON HUEBNER ROAD.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, provided that the recommendations of the Aquifer Studies Division of the San Antonio Water System are met.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

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

AN ORDINANCE 78,466

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.918 ACRE TRACT OUT OF NCB 17857, HUEBNER ROAD AND BITTERS ROAD, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD CC BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A CONVENIENCE STORE WITH UNDERGROUND GASOLINE STORAGE TANKS AND A CAR WASH, LOCATED SOUTHWEST OF THE INTERSECTION OF BITTERS ROAD AND HUEBNER ROAD, HAVING 178.68 FEET ON BITTERS ROAD AND 166.00 FEET ON HUEBNER ROAD. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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5E. CASE Z93106 (PP) - TO REZONE LOT B AND THE NORTH 12.24 FEET OF LOT 26, BLOCK A, NCB 7787, FROM "D" APARTMENT DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE SOUTH SIDE OF KOEPKE AVENUE, 150 FEET EAST OF THE INTERSECTION OF PLEASANTON ROAD AND KOEPKE AVENUE, HAVING 50 FEET ON KOEPKE AVENUE AND A DEPTH OF 84.74 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Avila made a motion to approve the recommendation of the Zoning Commission. Mr. Perez seconded the motion.

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

AN ORDINANCE 78,467

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY LOT B AND THE NORTH 12.24 FEET OF LOT 26, BLOCK A, NCB 7787, FROM "D" APARTMENT DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE SOUTH SIDE OF KOEPKE AVENUE, 150 FEET EAST OF THE INTERSECTION OF PLEASANTON ROAD AND KOEPKE AVENUE, HAVING 50 FEET ON KOEPKE AVENUE AND A DEPTH OF 84.74 FEET. DESCRIBED HEREIN AS "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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93-34 It was the concensus of City Council members present to temporarily bypass Agenda Item 5F, inasmuch as the council member in whose district this requested rezoning matter is located, is temporarily absent from the meeting.

5G. CASE Z93127 - TO REZONE 1.381 ACRES OUT OF BLOCK 4, NCB 18204, BASSE ROAD, FROM "B-3" BUSINESS DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF BASSE ROAD, 95 FEET NORTHWEST OF THE INTERSECTION OF LONGSFORD STREET AND BASSE ROAD, HAVING 145.96 FEET ON BASSE ROAD AND A DEPTH OF 394.79 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 78,468

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.381 ACRES OUT OF BLOCK 4, NCB 18204, BASSE ROAD, FROM "B-3" BUSINESS DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF BASSE ROAD, 95 FEET NORTHWEST OF THE INTERSECTION OF LONGSFORD STREET AND BASSE ROAD, HAVING 145.96 FEET ON BASSE ROAD AND A DEPTH OF 394.79 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

5H. CASE Z93130 - TO REZONE TEMPORARY "R-1" AND "B-2" TO "B-2" 0.266 ACRES OUT OF BLOCK 2, NCB 15679, 13465 WETMORE ROAD, "B-2" AND TEMPORARY "R-1" TO "B-3NA" 2.113 ACRE OUT OF BLOCK 1, NCB 15679, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT AND "B-2 BUSINESS DISTRICT, LOCATED ON THE NORTHWEST SIDE OF WETMORE ROAD, 624.75 FEET NORTHEAST OF THE INTERSECTION OF THOUSAND OAKS DRIVE AND WETMORE ROAD, BEING 400 FEET NORTHWEST OF WETMORE ROAD, HAVING A WIDTH OF 155.21 FEET AND A DEPTH OF 191.68 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

In response to a question by Mr. Larson, Mr. Andy Guerrero, Land Development Services, addressed the proposed buffer-zone to be located between this property and the adjacent residential area.

Mr. Larson made a motion to approve the recommendation of the Zoning Commission. Mr. Peak seconded the motion.

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

AN ORDINANCE 78,469

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TEMPORARY "R-1" AND "B-2" TO "B-2" 0.266 ACRES OUT OF BLOCK 2, NCB 15679, 13465 WETMORE ROAD, "B-2" AND TEMPORARY "R-1" TO "B-3NA" 2.113 ACRE OUT OF BLOCK 1, NCB 15679, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT AND "B-2" BUSINESS DISTRICT, LOCATED ON THE NORTHWEST SIDE OF WETMORE ROAD, 624.75 FEET NORTHEAST OF THE INTERSECTION OF THOUSAND OAKS DRIVE AND WETMORE ROAD, BEING 400 FEET NORTHWEST OF WETMORE ROAD, HAVING A WIDTH OF 155.21 FEET AND A DEPTH OF 191.68 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

5J. CASE Z93119 - TO REZONE LOT 101, BLOCK 3, NCB 11260, 7407 LAREDO HIGHWAY, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES DISTRICT, LOCATED ON THE NORTHWEST SIDE OF LAREDO HIGHWAY, 495.35 FEET SOUTHWEST OF THE INTERSECTION OF LAREDO HIGHWAY AND BRIGGS AVENUE, HAVING 58.70 FEET ON LAREDO HIGHWAY AND A DEPTH OF 200 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Andy Guerrero, Planner III, explained details of the Ordinance.

Mr. Avila made a motion to approve the recommendation of the Zoning Commission. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 78,470

738
AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 101, BLOCK 3, NCB 11260,
7407 LAREDO HIGHWAY, FROM "B" RESIDENCE DISTRICT TO
"B-3NA" NON ALCOHOLIC SALES DISTRICT, LOCATED ON THE
NORTHWEST SIDE OF LAREDO HIGHWAY, 495.35 FEET
SOUTHWEST OF THE INTERSECTION OF LAREDO HIGHWAY AND
BRIGGS AVENUE, HAVING 58.70 FEET ON LAREDO HIGHWAY
AND A DEPTH OF 200 FEET. "THE PENALTY FOR VIOLATION
IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

5F. CASE Z93110 (PP) - TO REZONE LOTS 52, 53, 54, 60, 61, 62
AND 64, NCB 1259 AND LOTS 37, 38, 45 AND 46, NCB 1260, IN THE 800 AND
900 BLOCK OF E. CARSON STREET, FROM "D" APARTMENT DISTRICT TO "O-1"
OFFICE DISTRICT, LOCATED NORTHWEST AND NORTHEAST OF THE INTERSECTION OF
CARSON STREET AND SPOFFORD STREET, HAVING 623.5 FEET ON CARSON STREET
AND 313 FEET ON SPOFFORD STREET.

The Zoning Commission has recommended that this request of
change of zone be approved by the City Council.

Mr. Andy Guerrero, Land Development Services, stated that the
applicant has asked that the rezoning request for Lots 37, 38, 45 and
46, NCB 1260, in the 800 block of East Carson Street, be deleted from
this case at this time.

Mr. Ross made a motion for approval, as presented by Land
Development Services. Mr. Solis seconded the motion.

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

AN ORDINANCE 78,471

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOTS 52, 53, 54, 60, 61, 62 AND
64, NCB 1259, IN THE 800 AND 900 BLOCK OF E. CARSON
STREET, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE

DISTRICT, LOCATED NORTHWEST AND NORTHEAST OF THE INTERSECTION OF CARSON STREET AND SPOFFORD STREET, HAVING 623.5 FEET ON CARSON STREET AND 313 FEET ON SPOFFORD STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

93-34 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING KENDALL AND ANNIE STREETS:

Mayor Wolff opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Wolff declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 78,472

CLOSING, VACATING, ABANDONING AND QUITCLAIMING (1) AN IMPROVED PORTION OF KENDALL STREET BETWEEN HOLLAND AVENUE AND ANNIE STREET AND (2) BOTH IMPROVED AND UNIMPROVED PORTIONS OF ANNIE STREET BETWEEN HOLLAND AVENUE AND THE CITY LIMITS OF OLMO PARK, AS REQUESTED BY TRINITY HILL JOINT VENTURE ET AL., TO BUILD AN APARTMENT COMPLEX OVER THE SUBJECT PROPERTY.

* * * *

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

Mr. Bill Touodouze, Real Estate Division, Public Works Department, explained the proposed street-closing for a 112-unit apartment project.

Mr. Peak spoke of the project as a significant upgrading of a neighborhood.

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

93-34

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
EXCEPTION TO ALAMODOME MORATORIUM:

Mayor Wolff opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Wolff declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 78,473

GRANTING AN EXCEPTION TO THE MORATORIUM ON THE ISSUANCE OF SIGN PERMITS, CERTIFICATES OF OCCUPANCY, AND ZONING CHANGES IN THE ALAMODOME IMPACT AREA IN ORDER TO ALLOW MR. JOE GARCIA TO APPLY FOR A CERTIFICATE OF OCCUPANCY FOR PROPERTY LOCATED AT 1224 E. DURANGO TO CONSTRUCT A COMMERCIAL PARKING LOT.

* * * *

Mr. Gene Camargo, Director of Building Inspections, explained the proposed exception to the moratorium, and noted that City staff recommends its approval.

Mr. Larson 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: Perez, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Ayala.

93-34

The Clerk read the following Resolution:

A RESOLUTION 93-34-58

STATING THE INTENTION OF THE CITY COUNCIL TO PARTICIPATE IN CABLE RATE REGULATION AS THE REGULATORY AUTHORITY UNDER THE CONSUMER PROTECTION AND COMPETITION CABLE ACT OF 1992; AUTHORIZING SUBMISSION TO THE FCC OF AN APPLICATION FOR CERTIFICATION TO REGULATE BASIC SERVICE TIER AND ASSOCIATED EQUIPMENT CHARGES FOR THE CABLE SYSTEM IN SAN ANTONIO; AND PROVIDING FOR DEVELOPMENT OF A

REGULATORY PROCESS WHICH WILL GIVE CITIZENS AND
INTERESTED PARTIES INPUT IN RATE REGULATION
PROCEEDINGS.

* * * *

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

Mr. Bill Arnette, Supervisor of Public Utilities, explained the ramifications of the proposed Resolution and spoke to the enabling federal legislation. He stated that its financial impact will not be determined until the local cable television franchise operator files for new cable TV rates this fall.

In response to a question by Mr. Thornton, Mr. Arnette explained that City Council will have control over basic cable TV rates in San Antonio, which includes channels 2-22, as well as control over associated equipment used to support those rates.

Mr. Thornton stated his belief that passage of this proposed Resolution will be good for San Antonio, since Paragon Cable has not been regulated on the local level in recent years.

In response to a question by Mr. Thornton, Mr. Arnette discussed possible staff recommendations, should the cable franchise operator have to pay KENS-TV to carry its signal on cable, as provided by the new cable law. He noted that, should that be the case, Paragon Cable in the first year would have to absorb the increased costs occasioned by the charge, but in the second and ensuing years would be able to pass-through that charge to cable subscribers. He noted that there are about 180,000-200,000 cable subscribers inside the city of San Antonio, and stated his belief that City staff would recommend approval of that "pass-through", if it came to that.

In response to a question by Mr. Larson, Mr. Arnette discussed the 'basic tier of services' provided by the cable operator, noting that the cable operator must obtain the consent of network TV stations, if it wishes to carry that station's signal on cable.

Mr. George K. Noe, Director of Management Services, explained the law involved in the current Paragon/KENS-TV discussions on this matter.

A discussion ensued concerning why Cablemaxx is not classified as "effective competition" under this new law, and also the possible impact of this proposed Resolution on local basic cable rates.

Mr. Arnette noted that, under the new law, the "non-basic tiers of service" have their rates regulated by the Federal Communications Commission.

Mr. Ross noted that the new federal regulations on cable television do not give the City the right to regulate the content of shows, only the basic rates being charged customers.

In response to a question by Mr. Solis, Mr. Arnette discussed the role of the Cable Television Advisory Committee at the current time, as well as under the new regulations. He stated his belief that the committee will serve as a data-collection and public-input agency for the City of San Antonio, and discussed the adverse impact of declining cable television revenues on the City's general fund, which is impacted by the five percent franchise fee.

In response to a question by Mr. Thornton, Mr. T.J. Connally, representing Paragon Cable, discussed the arguments, pro and con, in the current negotiations between Paragon and KENS-TV concerning transmission fees. He stated his opinion that, if the station is successful in charging such transmission fees to Paragon, then cable television rates will rise in San Antonio.

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

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93-34 The Clerk read the following Ordinance:

AN ORDINANCE 78,474

RATIFYING AND CONFIRMING THE ACTIONS TAKEN BY CITY STAFF IN PROVIDING LIGHTING AND A SOUND SYSTEM AND AUTHORIZING PAYMENT OF ASSOCIATED EXPENSES IN THE AMOUNT OF \$4,416.00 IN CONNECTION WITH RELOCATING THE WATCHTOWER CONVENTION FROM THE HEMISFAIR ARENA BECAUSE OF DAMAGE TO THE BUILDING'S FACADE.

* * * *

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

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

93-34 The Clerk read the following Ordinance:

AN ORDINANCE 78,475

AUTHORIZING THE EXTENSION OF THE LEGAL HOURS OF OPERATION FOR GALAXY BILLIARD, INC. TO ACCOMMODATE TOURNAMENTS SCHEDULED TO BE HELD IN AUGUST, OCTOBER AND DECEMBER 1993; AND DECLARING AN EMERGENCY DUE TO THE AUGUST 12, 1993 SCHEDULE FOR THE FIRST TOURNAMENT.

* * * *

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

Mr. Travis Bishop, Assistant to the City Manager, explained the need for the proposed ordinance in order to allow Galaxy Billiards to exceed the 2:00 A.M. legal closing time for such establishments, in order to hold their tournaments.

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

93-34 The Clerk read the following Ordinance:

AN ORDINANCE 78,476

AUTHORIZING THE TEMPORARY STREET CLOSURE OF HAYS STREET FROM MITTMAN TO HUDSON FROM 9:00 AM UNTIL 9:00 PM ON SATURDAY, AUGUST 14, 1993, AS REQUESTED BY COUNCILWOMAN RUTH JONES McCLENDON IN ORDER FOR THE ELLA AUSTIN HEALTH CENTER TO HOLD A HEALTH FAIR; AND DECLARING AN EMERGENCY.

* * * *

Mr. Perez 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: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Ayala.

93-34 The Clerk read the following Ordinance:

AN ORDINANCE 78,477

RATIFYING AND CONFIRMING ALL ACTION TAKEN BY CITY STAFF IN CONNECTION WITH FIELD ALTERATION NO. 17 IN THE AMOUNT OF \$120,199.44 AND FIELD ALTERATION NO. 18 IN THE AMOUNT OF \$1,957.00 FOR EMERGENCY WORK ON THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE I AND PROVIDING PAYMENT TO H. B. ZACHRY COMPANY IN CONNECTION THEREWITH.

* * * *

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

Mr. John German, Director of Public Works, explained the need for ratification of work already performed as part of the completion stages for the Alamodome.

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

93-34 Agenda Item 35, being a proposed ordinance ratifying and approving the selection of the firm of Lloyd, Gosselink, Fowler, Blevins and Mathews in representation of the City of San Antonio in seeking the extension of the Nelson Gardens landfill permit; authorizing the City Manager to direct the City Attorney to undertake all action necessary before the Texas Water Commission and any other Administrative Agency or Court; establishing a budget not to exceed \$400,000.00 for the fees for legal services, employment of expert witnesses and related expenses; and ratifying all work undertaken to date by the City staff and the firm, was earlier removed from consideration by the City Manager.

93-34 Agenda Item 36, being a proposed ordinance approving the selection of Lloyd, Gosselink, Fowler, Blevins and Mathews to provide legal services in a joint venture with the local minority firm of Villareal, Ruiz and Moreno, in connection with the Regional Environmental Enterprise Zone (REEZ); establishing a budget and authorizing the City Manager to direct the City Attorney to proceed with the project, was earlier removed from consideration by the City Manager.

The Clerk read the following Ordinance:

AN ORDINANCE 78,478

RATIFYING AND CONFIRMING ALL ACTIONS TAKEN BY THE CITY STAFF IN CONNECTION WITH THE CONSTRUCTION OF THE ALAMODOME IMPROVEMENTS (LOCKER ROOM); AND APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF THE FIFTH AMENDMENT TO THE MULTI-PURPOSE DOME FACILITY SUBLEASE AGREEMENT WITH THE SAN ANTONIO SPURS, LTD. TO PROVIDE FOR CONSTRUCTION OF THE SPURS LOCKER ROOM BY THE SPURS AND REIMBURSEMENT BY THE CITY OF SAN ANTONIO TO THE SPURS IN AN AMOUNT NOT TO EXCEED \$610,248.00 FOR CONSTRUCTION OF SAID IMPROVEMENT.

* * * *

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

Ms. Jelynn Burley, Dome Development Office, explained the high bid costs involved in completion of the locker rooms at the Alamodome, and staff's recommendation that the San Antonio Spurs be allowed to complete the locker rooms in time for the opening of the National Basketball Association fall season, costs that will be reimbursable from the City of San Antonio. She spoke to the funding sources that might be available to pay for this work.

In response to a question by Mr. Larson, Ms. Burley explained the difference between the earliest estimates for completion of this project, some \$200,000.00, and the final bid cost, which reached some \$610,000.00.

Mr. Larson noted that mechanical systems costs are driving up the costs for the Alamodome.

Mr. Steve Souter, member of the Alamodome's design team, explained how the early estimate and the newest cost estimates were arrived at, and addressed the NBA requirement of 5000 square feet for locker rooms in the league.

Mr. Solis expressed his concern with the high costs involved, and the Spurs-generated time constraints to complete the locker rooms.

In response to a question by Ms. McClendon, Ms. Burley noted that the Alamodome will be completed by the end of November or the first of December, this year.

Mr. Avila spoke to his concern with the cost differential between earliest estimates and final estimates, and stated his belief that some compromise should be reached.

Mr. ⁷¹⁶Ross noted that, overall, the Alamodome was completed on-time and near-budget, with very small cost overruns.

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

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93-34 (At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided.)

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93-34

CITY MANAGER'S REPORT

CURBSIDE RECYCLING

Mr. John German, Director of Public Works, provided Council members with a brief status report on the City's recycling program, and addressed certain problems experienced in the first few days of the program's implementation. He noted that, in one particular area, participation in the curbside recycling program was some 78 percent. He then spoke to the addition of new recycling routes and certain adjustments being made to handle the exceptional participation rate.

Mr. Peak stated that he is pleased with the high participation rate of San Antonio citizens.

Mr. German addressed the problems experienced by theft of aluminum cans left out for recycling pickup, noting that thieves are moving ahead of City pickup crews to steal the aluminum cans.

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

Mr. German noted that the City already has picked up some 320 tons of recycled materials, through yesterday.

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BOND RATINGS

Mr. Alex Briseno, City Manager, noted that the City has retained its AA rating given by two bond-rating firms, and that the rating given by Moody's still has not yet been received. He noted that the local economy is looking up, and addressed the 11 percent rise in sales tax receipts, over this time a year ago. He further noted that the City plans to sell some of its bonds next week.

City Council members congratulated the City Manager, and spoke to coming good news for taxpayers of San Antonio from the City's budget for next fiscal year.

Mayor Wolff noted that property values, which have risen here in San Antonio this year, have declined some 2.4 percent in Dallas over the same period.

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93-34

CITIZENS TO BE HEARD

DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, urged the City Council to investigate the abuses of authority within the Police Department.

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93-34 There being no further business to come before the Council, the meeting was adjourned at 5:06 P.M.

A P P R O V E D

Norm Wolff
MAYOR

Attest: *Norm S. Rodriguez*
CITY CLERK

