

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MARCH 27, 1997.

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97-12 The City Council convened in an informal "B" Session at 10:00 a.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

Presentation of the Comprehensive Performance Review of the Code Compliance Department.

The "B" Session adjourned at 11:15 A.M.

The Council members present were: Flores, Lott, Avila, Vasquez, Herrera, Ross, Peak, Webster and Thornton. ABSENT: Billa Burke, Marbut.

97-12 The regular meeting was called to order at 1:00 p.m. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster and Thornton. Absent: Marbut.

97-12 Invocation - Rabbi Arnold Scheinberg, Congregation Rodfei Shalom.

97-12 Pledge of Allegiance to the flag of the United States.

97-12 Minutes of the Regular City Council Meeting for December 12, 1996 were approved.

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CEREMONIAL ITEMS

MR. KIYOSHI TSUZURABARA

Mayor Thornton introduced Mr. David Schillhammer, Executive Director, San Antonio Symphony.

Mr. Schillhammer spoke to the coming appearance by the 120-member Kumamoto Symphony on May 7, 1997, and the presence in the Council chambers today of Mr. Iyoshi Tsuzurabara, its Director. He then introduced Mr. Tsuzurabara, and thanked the corporate sponsors of the San Antonio Symphony for their sponsorship of this event.

Mayor Thornton thanked Mr. Tsuzurabara for its gift to the City.

Mr. Tsuzurabara in turn thanked San Antonio for its hospitality and the chance to share his symphony's music with San Antonians. He then issued an open invitation to the May 7, 1997 performance.

Mayor Thornton then made Mr. Tsuzurabara an Alcalde de La Villita, and presented him with the special certificate attesting that fact. He also noted that the Mayor of Kumamoto will be leading an official delegation to San Antonio in April. He then presented Alamo pins to each member of the delegation present, as well as presenting Mr. Tsuzurabara with a book on the San Antonio Museum of Art, as a memento.

Mr. Tsuzurabara and Mayor Thornton both spoke to the Symphony's coming program.

97-12 SPECIAL PRESENTATION TO CITY EMPLOYEE MR. RAUL PEREZ, PUBLIC WORKS

Mr. Alexander E. Briseno, City Manager, introduced Mr. Raul Perez from the Solid Waste Division of the Public Works Department, and stated that he was selected from among all the San Antonio Star recipients to receive two free round-trip tickets

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on Southwest Airlines. He spoke to the background of the San Antonio Star program, noting that Mr. Perez was cited in 1995 for his contributions to the City of San Antonio. He then thanked Ms. Christine Hernandez of Southwest Airlines for the firm's support of this vital City program.

Mayor Thornton then read the award letter and presented it to Mr. Perez, congratulating him.

Mr. Peak thanked the City Manager for taking the initiative in seeking ways to reward City employees for their outstanding work.

97-12 CONSENT AGENDA

Ms. Lott made a motion to approve Agenda Items 7 through 33b, constituting the Consent Agenda, with items 10 and 25 having earlier been removed from consideration by the City Manager, and Agenda Items 7, 11, 12, 13, 24, 27 and 29 having been pulled for individual consideration. Mr. Avila seconded the motion.

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

AN ORDINANCE 85768

ACCEPTING THE LOW BID OF E.G. HENDRIX COMPANY, INC. TO PROVIDE THE CITY OF SAN ANTONIO PURCHASING & GENERAL SERVICES DEPARTMENT WITH TRUCK LUBRICATION BODIES FOR A TOTAL OF \$214,999.08.

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AN ORDINANCE 85769

ACCEPTING THE LOW, QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY, INC. AND MISSION EQUIPMENT TO PROVIDE THE CITY OF

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SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH UTILITY VEHICLES FOR A TOTAL OF \$75,496.48.

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AN ORDINANCE 85770

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$980,816.69 IN CONNECTION WITH THE OBSERVATION DRIVE: HWY 90 - DEAD END PROJECT AND THE CASTLE TRAIL/MIDCROWN & RAY BON/GALAHAD INTERSECTIONS PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$58,091.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$8,000.00 FOR CONSULTANT EXPENSES; AUTHORIZING \$1,200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85771

SELECTING 3D/INTERNATIONAL TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE RIVER WALK PARK PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$24,355.00; AUTHORIZING \$1,700.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85772

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$10,300.00 PAYABLE TO ALAMO ARCHITECTS, INC. IN CONNECTION WITH THE

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CITY HALL ANNEX PROJECT; AND PROVIDING FOR PAYMENT.
(AMENDS ORDINANCE NO. 67625 DATED AUG. 4, 1988)

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AN ORDINANCE 85773

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$199,400.00 FROM MALEK, INC. FOR THE REPLACEMENT OF CHILLER IN THE CENTRAL HVAC PLANT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$19,940.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85774

AUTHORIZING PARKING FUNDS IN THE AMOUNT OF \$13,303.48 PAYABLE TO DAVIDSON AND TROILO, P.C. FOR PROFESSIONAL LEGAL SERVICES IN CONNECTION WITH THE CATTLEMAN'S SQUARE PARKING LOT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85775

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$500.00 WITH ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR PREPARATION OF REAL ESTATE APPRAISALS RELATED TO THE CHICO/KNOX/MARGIL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85776

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$681.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN CONNECTION WITH THE CLARK-ESSEX TO MARTIN LUTHER KING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85777

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR THE SUM OF \$13,075.00 IN CONNECTION WITH THE FREDERICKSBURG ROAD RECONSTRUCTION PROJECT PHASE II - SANDOVAL TO WOODLAWN.

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AN ORDINANCE 85778

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$24,742.00 FOR FEE SIMPLE TITLE TO THREE PARCELS AND THREE TEMPORARY EASEMENTS IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C; AND ACQUIRING TWO TEMPORARY EASEMENTS IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80.

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AN ORDINANCE 85779

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH DURANGO STREET LIMITED D/B/A HERITAGE PLAZA OFFICE BUILDING FOR 1,924 SQUARE FEET OF OFFICE SPACE LOCATED AT 406 SOUTH

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MAIN AVE., SUITE 218 FOR THE PERIOD JANUARY 1, 1997 THROUGH DECEMBER 31, 1997 IN CONNECTION WITH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) IMMUNIZATION PROJECT AT A MONTHLY COST OF \$1,654.64; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH.

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AN ORDINANCE 85780

AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL GRANT IN THE AMOUNT OF \$1,037,638.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE HEAD START EARLY CHILD CARE PROGRAM FOR THE PERIOD FEBRUARY 1, 1997 THROUGH JANUARY 31, 1998; REVISING THE BUDGET FOR SAID PROGRAM ESTABLISHED IN ORDINANCE NO. 85682, PASSED AND APPROVED ON FEBRUARY 27, 1997; AND AUTHORIZING THE ACCEPTANCE OF \$259,410.00 IN AN IN-KIND CONTRIBUTION OF SPACE AND VOLUNTEER SERVICES FROM PARENT-CHILD, INCORPORATED. (AMENDS ORDINANCE NO. 85682 DATED FEBRUARY 27, 1997)

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AN ORDINANCE 85781

AUTHORIZING PAYMENT OF THE CITY'S MEMBERSHIP DUES IN THE AMOUNT OF \$5,000.00 TO THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA) FOR A THIRD YEAR OF PARTICIPATION IN THE COMPARATIVE PERFORMANCE MEASUREMENT CONSORTIUM; AND AUTHORIZING THE APPROPRIATION OF SAID AMOUNT.

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AN ORDINANCE 85782

APPROVING A PARADE PERMIT AND PROVIDING FOR TRAFFIC ASSISTANCE ON OUTBOUND LANE GOING NORTH OF NACOGDOCHES ROAD FROM THE NORTHWEST CORNER OF ROLLING OAKS MALL TO THE CITY LIMITS BEGINNING AT 7:30 A.M. UNTIL 2:00 P.M. SATURDAY, APRIL 12, 1997 IN CONNECTION WITH THE 1997 OTAMOUNTAIN DEW ALAMO CENTURY BIKE RIDE SPONSORED BY THE NORTH CENTRAL ROTARY CLUB.

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AN ORDINANCE 85783

APPROVING A PARADE PERMIT IN CONNECTION WITH THE LAURA STEELE ELEMENTARY SCHOOL EARTH DAY PARADE AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF THE FOLLOWING STREETS FROM 8:45 A.M. UNTIL 10:00 A.M., TUESDAY, APRIL 23, 1997 FOR SAID EVENT: HAGGIN, FROM THE CAMPUS OF LAURA STEELE ELEMENTARY TO ST. ANTHONY, ST. ANTHONY FROM HAGGIN TO TOPEKA, TOPEKA TO END AT LAURA STEELE ELEMENTARY SCHOOL.

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AN ORDINANCE 85784

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF KENTUCKY STREET FROM THE 900 BLOCK OF KENTUCKY TO ELMENDORF, FROM KENTUCKY TO CINCINNATI, CINCINNATI FROM ELMENDORF TO WOODLAWN LAKE BEGINNING AT 7:30 A.M. UNTIL 9:30 A.M., SATURDAY, MAY 3, 1997 IN CONNECTION WITH A LITTLE RUN FOR THE ROSES, SPONSORED BY LADY OF MOUNT CARMEL PARISH.

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AN ORDINANCE 85785

APPOINTING DIANA CARROLL-WIRTH (DISTRICT 8) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1997.

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AN ORDINANCE 85786

REAPPOINTING GREG TRIMBLE (MAYOR) AS TRUSTEE AND DIRECTOR OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2000.

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97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85787

ACCEPTING THE LOW QUALIFIED BID OF G.T. DISTRIBUTORS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH EXPANDABLE BATONS FOR A TOTAL OF \$75,100.50.

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

The following person appeared to speak:

Mr. Fred Reynolds, 1202 Waverly, stated his belief that the City would have saved \$3,000 by purchasing by 'line-item across'. He thanked City staff for providing him with a copy of the Fire Department Master Plan as requested and background data

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on other agenda items. He also spoke in favor of a \$250 cap on political contributions from anyone doing business with the City over the past year.

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Mr. Ross addressed details of a six-signature City Council memorandum on the matter now being circulated for signatures.

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

97-12 Agenda item 10, being a proposed ordinance accepting the bid of Antares Development Company to provide the City of San Antonio Information Services Department with document imaging software for a total of approximately \$50,000.00 annually, had earlier been removed from consideration by the City Manager.

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85788

AUTHORIZING AN ADDITIOAL \$50,000.00 PAYABLE TO BARON-LONG CONSTRUCTION, INC. FOR CONSTRUCTION WORK IN CONNECTION WITH THE VISTA VERDE BUSINESS PARK RENOVATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND SAN ANTONIO COMMUNITY DEVELOPMENT COUNCIL (SACDC) PROJECT; AMENDING THE CONSTRUCTION CONTINGENCY; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 84338 DATED JUNE 27, 1996)

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

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Mr. Gabriel Perez, Capital Projects Administration, Department of Public Works, explained the project and the funds required to add to the work.

Mr. Vasquez noted that this will assist small business as an 'incubator program' in District 5.

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

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85789

APPROVING FIELD ALTERATION NO. 2 - FINAL IN THE AMOUNT OF \$30,254.09 PAYABLE TO S.H. TOLLIVER COMPANY, IN CONNECTION WITH THE CITYWIDE SIDEWALKS, PHASE 1 PART 1 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO 83669 DTD FEBRUARY 29, 1996)

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

In response to a question by Mr. Faris Hodge, Jr., 140 Dora, Mr. John German, Director of Public Works, explained the \$30,000 addition to the sidewalk program.

The following person appeared to speak:

Mr. Faris Hodge spoke to his concern with a general lack of sidewalks and the need to publicize where they are being built. He spoke in favor of doubling the annual amount of funds for this program.

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

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85790

APPROVING FIELD ALTERATION NO. 2 FINAL IN THE AMOUNT OF \$9,001.86 PAYABLE TO ELLA S.A. CONTRACTING CO. IN CONNECTION WITH THE SAN CARLOS: NAVIDAD-ZARZAMORA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AMENDING THE CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$7,833.60; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 84242 DTD JUNE 13, 1996)

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

Mr. John German, Director of Public Works, briefly explained this final field alteration for additional work on this project.

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

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97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85791

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$146,896.00 TO THE TEXAS STATE LIBRARY ARCHIVES COMMISSION THROUGH THE MAJOR URBAN RESOURCE LIBRARY (MURL) GRANT PROGRAM.

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The following person appear to speak:

Mr. Faris Hodge, Jr., 140 Dora, asked the City to sponsor youth events to help the library and to support the youth.

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

97-12 Agenda Item 25, being a proposed ordinance revising the budget for the Library Automation Project with CARL Corporation by consolidation of funds from sales of Certificate of Obligation, cancellation of an encumbrance previously approved by Council action in Ordinance No. 80316, dated June 16, 1994, and encumbrance of an equal amount in a different index code; no additional funds will be obligated through this action, was earlier removed from consideration by the City Manager.

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97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85792

RATIFYING THE STAFF'S ACTIONS IN PURCHASING \$6,000.00 IN BROCHURE ADVERTISING FROM THE GREATER SAN ANTONIO AREA TOURISM COUNCIL (GSAATC) IN SAN ANTONIO VACATION EXPERIENCE (SAVE) PROGRAM FOR PROMOTION OF THE CITY'S TOWER OF THE AMERICAS AND THE BOTANICAL CENTER; AND PROVIDING FOR PAYMENT.

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

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need to use VIA buses to advertise various tourist and visitor attractions and events around the city.

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

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85793

ACCEPTING THE DESIGNATION AS THE EXCLUSIVE BARGAINING REPRESENTATIVE OF HOMELESS SERVICE PROVIDERS BY THE GREATER KELLY DEVELOPMENT CORPORATION; AND APPROVING THE SUBMISSION OF A LEGALLY BINDING AGREEMENT BETWEEN THE CITY'S DEPARTMENT OF COMMUNITY INITIATIVES AND THE

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GREATER KELLY DEVELOPMENT CORPORATION AS PART OF THE HOMELESS ASSISTANCE SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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

The following persons appeared to speak:

Mr. Fred Reynolds, 1202 Waverly, spoke to his concern with the operational procedures of the Community Initiatives Department and his inability to receive an application in relation to homeless programs of the department. He spoke to the need for new guidelines in order to involve more agencies in homeless matters.

Ms. Julie Oldham, 4523 Allegheny, stated that she is a member of the board of directors of the Homeless Coalition at the SAMM Shelter, and spoke to the breadth of the local homeless problem. She spoke against tax phase-ins, and addressed her concern with how Project WARM works. She also spoke in favor of spending more on the homeless and less on other projects.

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

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GREATER SAN ANTONIO CRIME COMMISSION.

Mayor Thornton spoke to his announcement of new appointments and certain reappointments to the Greater San Antonio Crime Commission and the change in certain categories. A copy of his memorandum on this subject is made a part of the papers of this meeting.

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Ms. Yolanda Ledesma, Office of the City Clerk, briefly explained the proposed changes.

Mr. Avila made a motion to place this matter on the Council agenda next week for action. Ms. Billa Burke seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster, Thornton. NAYS: None. ABSENT: Flores, Marbut.

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ETHICS COMMITTEE VACANCY

Mayor Thornton asked City Council members for their nominees as a replacement for Mr. Abe Flores.

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ZONING HEARINGS

4A. Zoning Case #Z97054 to rezone and reclassify Lots 1,2,3,4 and 5, Block 3, NCB 10050, 6646 San Pedro Avenue, from "F"Local Retail District to B-3NA" Non-Alcoholic Sales Business District. Property is located on the south side of Jeanette Drive, between San Pedro Avenue and El Montan, having 150 feet on Jeanette Drive and 125 feet on San Pedro Avenue and El Montan.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Peak made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Webster seconded the motion.

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

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AN ORDINANCE 85794

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN LOTS 1,2,3,4 AND 5, BLOCK 3, NCB 10050, 6646 SAN PEDRO AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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4B. CASE #Z97049 (CC) - to rezone and reclassify The west 75 feet of the south 145.2 feet of Lot 5, Block 7, NCB 10942, 901 Hot Wells Boulevard, from "B" Residence District to "B-1" Business District. Property is located northeast of the intersection of Clark Avenue and Hot Wells Boulevard, having 145.2 feet on Clark Avenue and 75 feet on Hot Wells Boulevard.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

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

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

AN ORDINANCE 85795

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS WEST 75 FEET OF THE

SOUTH 145.2 FEET OF LOT 5, BLOCK 7, NCB 10942, 901 HOT WELLS BLVD, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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4C. CASE #Z97057 - to rezone and reclassify The south 200 feet of Lot 424, Block, 61, NCB 11145, 710 Buchanan, from "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District. Property is located 457.6 feet east of the intersection of Bellin Avenue and Buchanan, Boulevard, being 224.4 feet south of Buchanan Boulevard, having a width of 100 feet and a depth of 200 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Ms. Billa Burke made a motion to reject the recommendation of the Zoning Commission and to rezone to "R-4" only that portion of the property sufficient for location of the mobile home, with concrete pad and skirts. Ms. Lott seconded the motion.

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

AN ORDINANCE 85796

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 40 FEET OF THE NORTH 120 FEET OF THE SOUTH 200 FEET OF LOT 424, BLOCK 61, NCB 11145, 710 BUCHANAN, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

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4D. CASE #Z97003 - to rezone and reclassify Lot 7, NCB 8669, Castroville Road, from "B-1" Business District and "B-3R" Restrictive Business District to "I-1" Light Industry District. Property is located on the southeast side of Castroville Road, 234.63 feet northeast of the intersection of Castroville Road Jasmine Lane, having 187.18 feet on Castroville Road and a depth of 246.98 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

In response to a question by Mr. Herrera, Mr. Joe Gonzalez, representing Ozuna & Associates, noted that this will be for warehouse use only with no outside storage of chemicals, as nearby citizens had feared.

Mr. Herrera made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 85797

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, NCB 8669, CASTROVILLE ROAD FROM "B-1" BUSINESS DISTRICT AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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4E. CASE #Z97059 - to rezone and reclassify Lot 53, Block 21, NCB 16531, 6611 N. Highway 90 West, from "O-1" Office District and "B-3NA" Non-

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Alcoholic Sales Business District to "B-2" Business District. Property is located on the northwest side of Old Highway 90 West, 600 feet northeast of the intersection of Suzette Avenue and Old Highway 90, West having 100 feet on Old Highway 90 West and a depth of 169.3 feet.

The following person appeared to speak:

Mr. Eugene Bloom, the proponent, spoke to the need for rezoning in order to accomodate location of a restaurant serving alcoholic beverages, such as wine and been with food.

Speaking in opposition:

Mr. Mike Galan, 6646 Winkle Court, spoke to his concerns with other types of businesses in the area, run by the proponents, and noted that the requested rezoning to allow sale of alcoholic beverages on the property was rejected once already. He noted that the neighborhood is concerned that the restaurant usage might fail and the site could become a sexually-oriented business, as an example. He contended that the proponents have a 'track record' for business failures.

Ms. Dalia Tamez, 6638 Winkle Court, spoke to her reasons for opposition to the rezoning, stating her contention that it would have a negative impact upon the neighborhood.

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

Mr. Herrera made a motion to continue this case to the Council meeting of April 10, 1997. Mr. Webster seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster. NAYS: None. ABSENT: Flores, Marbut, Thornton.

Zoning Case Z97059 was continued to the Council meeting of April 10, 1997.

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4F. CASE #Z97053 - to rezone and reclassify 5.276 acres out of NCB 17997, I.H. 10 Expressway and Green Road, from "B-3" Business District to "I-1" Light Industry District. Property is located on the southeast side of I.H. 10 Expressway, between F.M. 1516 and Green Road, having 305.71 feet on I.H. 10 Expressway, 609.56 feet on F.M. 1615 and 311.50 feet on Green Road.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

In response to a question by Ms. Lott, Mr. Robert Vargas, representing the proponent, stated that his client agrees to the Zoning Commission recommendations.

Mr. Andy Guerrero, Land Development Services, noted that City staff supports the recommendation.

Ms. Lott made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 85798

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANING BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 5.276 ACRES OUT OF NCB 17997, I.H. 10 EXPRESSWAY AND GREEN ROAD FROM "B-3" DISTRICT TO "I1" LIGHT INDUSTRY DISTRICT.

* * * *

4G. CASE #Z97046 - to rezone and reclassify 0.4844 acres out of Lot 20, Block 1, NCB 7185, I.H. 10 Expressway and Sherwood Drive, from "O-1" Office District to "B-3NA" Non-Alcoholic Sales Business District. Property is located north of the intersection of I.H. 10 Expressway, having 80.03 feet on I.H. 10 West Expressway, 65.18 feet on Sherwood Drive and a depth of 299.26 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Flores made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 85799

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.4844 ACRE OUT OF LOT 20, BLOCK 1, NCB 7185, I.H. 10 EXPRESSWAY AND SHERWOOD DRIVE, "O-1" OFFICE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS BUSINESS DISTRICT.

* * * *

4H. CASE #Z97042 - to rezone and reclassify Lots 7 and 8, Block 3, NCB 2353, 2022, Monterey Street, from "B" Residence District to "R-3" Multiple Family Residence District. Properties located southeast of the intersection of Monterey Street and Cibolo Street having 100 feet on Monterey Street and 151 feet on Cibolo Street.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

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(At this point, Mayor Pro Tem Vasquez yielded the chair temporarily to Mr. Webster so that he could take part in the consideration of this rezoning item.)

The following person appeared to speak:

Mr. Rudolph C. Muniz, 2106 Monterrey, spoke to his reasons for opposition to the rezoning, including the number of apartments on the property and the parking situation.

Mr. Armando Gamboa, 2101 Monterrey, asked that the zoning on the property remain as it currently is, and he addressed certain other concerns about the proposed rezoning.

Mr. Vasquez stated that he would like to have time to meet with both sides in this matter to discuss it further.

* * * *

Mr. Vasquez then made a motion to postpone this case indefinitely. Mr. Avila seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster. NAYS: None. ABSENT: Marbut, Thornton.

Zoning Case Z97042 was postponed indefinitely.

4I. CASE #Z97050 - to rezone and reclassify Lots 11 and 12, Block 29, NCB 2283, 2803 W. Houston Street, from "B" Residence District to "O-1" Office District. Property is located northwest of the intersection of W. Houston Street and Rosillo Street, having 100 feet on W. Houston Street and Rosillo Street, having 100 feet on W. Houston and 125 feet on Rosillo Street.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

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Mr. Vasquez made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

AN ORDINANCE 85800

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 11 AND 12, BLOCK 29, NCB 2283, 2803 W. HOUSTON STREET, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

4J. CASE #Z96212 - to rezone and reclassify Lot 4, Block 1, NCB 18581, 8300 Block of Dawnwood Drive, from "R-1" Single Family Residence District to "O-1" Office District and Lots 1,2 and 3, Block 1, NCB 18581, Guilbeau Road and Dawnwood Drive, from "R-1" Single Family Residence District to "B-2" Business District. Properties proposed for "B-2" zoning are located southeast of the intersection of Guilbeau Road and Dawnwood Drive, having 105 feet on Guilbeau Road and 187.54 feet on Dawnwood Drive. The proposed "O-1" zoning is located on the east side of Dawnwood Drive, 187.54 feet south of the intersection of Guilbeau Road and Dawnwood Drive, having 53.42 feet on Dawnwood Drive and a depth of 151.87 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

The following persons appeared to speak:

Mr. Kenneth Brown, Kaufman & Associates, representing the applicant, submitted petitions in favor of the proposed rezoning change and briefly explained plans for

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development of the property. He spoke to the deed restrictions agreed to, and to the commercial nature of nearby lots, then stated his opinion that the neighborhood supports the proposed change.

Mr. Ken Bryan, 8203 Sherri Oaks, spoke in support for the proposal, stating his belief that the area is commercial in nature. He spoke to the improvements planned on the property as a result of its development.

Mr. Michael Bigley, owner of the video store and planned occupant of the subject property, stated that he had surveyed some 80-90 per cent of the neighborhood to get the petitions just submitted.

Ms. Pearl Hawkins, 8363 Misty Willow, presented photographs of the entrance to the neighborhood, now and as proposed, and addressed her reasons for supporting the proposed zoning change. She also submitted a letter in support.

Speaking in opposition:

Ms. Shirley Thompson, 8363 Dawnwood Drive, spoke to the deed restrictions on the neighborhood properties and certain covenants that must be met in order to change the zoning. She spoke to an intrusion of commercial uses into a residential area, and her concern for an increase in the traffic in the area.

Ms. Angie Sanchez, 8242 Misty Willow, stated her concern that property values will decrease as a result of this zoning change, and for an attempt to get around the neighborhood's deed restrictions. She spoke in favor of retaining a residential neighborhood.

Mr. Carl McMurtray, 8326 Echo Willow, spoke to his concern for a traffic problem as a result of the rezoning, and stated his belief that the neighborhood is against it.

Mr. Ted Colunga spoke to his fears for a degradation of property values in the neighborhood, and narrated a brief video presentation about the neighborhood. He also spoke to his concern with an increase in traffic.

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Speaking in rebuttal, Mr. Brown noted that the property in question fronts onto Guilbeau Road and has been undeveloped for 20 years. He then spoke to planned area improvements.

In response to a question by Mr. Ross, Mr. Brown spoke to the ownership of the lots concerned and who signed the original deed restrictions as that owner.

Mr. Ross noted that the deed restrictions are valid through the year 2008, but are amendable by a vote of 51 per cent of the homeowners. He then spoke to his plan to recommend denial of the rezoning petition because of the deed restrictions.

Mr. Ross made a motion to deny the recommendation of the Zoning Commission, and to deny the requested rezoning. Mr. Peak seconded the motion.

After consideration, the motion to deny the rezoning prevailed by the following vote: AYES: Flores, Lott, Avila, Herrera, Ross, Peak, Webster, Thornton. NAYS: None. ABSENT: Billa Burke, Vasquez, Marbut.

Zoning Case Z96212 was denied.

4K. CASE #Z97047 - to rezone and reclassify Lots 29 and 30, Block 16, NCB 11404, 275 and 279 Riverdale, from "R-1" Single Family District to "R-2" Two Family Residence District. Property is located on the north side of Riverdale, 175 feet east of the intersection of Maiden Lane and Riverdale, having 100 feet on Riverdale Lane and a depth of 140 feet.

Mr. Andy Guerrero, Senior Planner, explained the proposed rezoning request.

Mr. Ross made a motion to approve the recommendation of the Zoning Commission and grant the rezoning. Mr. Avila seconded the motion.

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

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AN ORDINANCE 85801

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 29 AND 30, BLOCK 16, NCB 11404, 275 AND 279 RIVERDALE FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO 'R-2" TWO FAMILY RESIDENCE DISTRICT.

* * * *

(At this point, Mayor Thornton again took the chair to preside.)

97-12 The City Clerk read a proposed ordinance amending the City of San Antonio guidelines and criteria for tax phase-in and reinvestment zones approved by Ordinance No. 83899 on April 4, 1996 for a two-year period ending on April 4, 1998, to exclude hotel projects as an eligible category for tax phase-in, with the exception of a convention headquarters hotel to be built adjacent to the Henry B. Gonzalez Convention Center.

Mayor Thornton declared the Public Hearing to be open.

The following person appeared the speak:

Sister Gabriella, Co-Chair, Metro Alliance, asked the City Council to commit to a 'living wage strategy' and spoke against granting tax phase-ins that don't provide a living wage. She spoke to previous tax abatements to companies and how those companies have fared, and spoke against granting tax abatements to some firm and support for such a move for others.

Mr. Joe O. Soliz, Co-Chair, Communities Organized For Public Service, asked City Council to halt negotiations with ITT Sheraton until a full cost analysis is made of

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wages to be paid by the company. He asked the Council to adopt a new tax abatement policy which calls for a minimum wage of \$10 per hour plus benefits.

Mr. Andy Sarrabia, COPS, asked for initiatives to produce a better work-force with a special fund to train workers. He spoke in support for a 'hold' on abatements until the living wage provision is adopted.

Rev. Claude Black, Mt. Zion First Baptist Church, spoke in favor of job equity in San Antonio and against giving privileges to one area at the expense of others. He stated his belief that an inequity exists in San Antonio jobs, and that hotels don't hire African Americans for better jobs. He asked the City Council to re-think tax abatements.

Ms. Maria Dominguez spoke in support of the previous speakers.

Mr. David Arevalo, representing ROSE, stated his belief that construction of the Alamodome has not produced good jobs. He spoke in support for the proposed Dal-Mac hotel project in Sunset Square and asked that this project go through the tax phase-in process without change in the process.

Mr. Bob Bomer, Chairman, Greater San Antonio Chamber of Commerce, spoke against any moratorium on tax phase-ins until those phase-in policies come up for another look in April of 1998. A copy of his presentation is made a part of the papers of this meeting. He then spoke to the pros and cons of tax phase-ins.

Mr. Marcus Hart, representing the Alamo City Chamber of Commerce, urged that the Council take a longer look at tax phase-ins, away from the political arena, and spoke in support for economic development in San Antonio.

Mr. Ed White, Jr., representing the same organization, noted that economic development is critical for the creation of jobs, and spoke in support for tax phase-ins, noting that to do away with them would harm chances for hotel development in St. Paul Square. He urged that City Council take no action today and review the matter after the upcoming election.

Mr. Skip Wood, representing the Targeted Industry Council of the Greater Chamber, stated his belief that now is not the time to revise San Antonio's

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economic development tools. He urged a review after two years, which will be in April of 1998, and further discussions of the matter at that time.

Mr. Doug Beach, Vice-Chair, San Antonio Tourism Council, spoke to the benefits of the tourism industry to San Antonio, and stated his belief that the current phase-in policy is a good one. He asked the Council not to revise it until April of 1998. Mr. Robert Trudeau, President, Alamodome East Property Owners Association, spoke in support for the Dal-mac tax abatement and urged Council not to change the 'rules of the game' to harm this east side project. He spoke against any arbitrary changes to the current policy.

Mr. Tim White, Senior Vice-President, Dal-Mac Investment Corporation, spoke to a brief history of the proposed hotel development and noted the tax phase-ins are necessary for development in an economically-deprived area. He asked that no change be made in the policies at this point.

Mr. Richard Tankerson, Chairman, VIA Metropolitan Transit Authority, noted that VIA is the landlord for the property to be used as the site for the proposed new hotel, and spoke in support for the Dal-Mac project. He also spoke in support for the beginning of a process of raising wages, and stated his belief that development in an economically-disadvantaged area cannot be viable without a subsidy.

Mr. Walter Cerna, also representing VIA, noted that the Dal-Mac project is important to the east side of San Antonio, and he spoke to the hotel's importance to St. Paul Square. He then addressed the advantages to VIA of this project, through rent.

Ms. Nancy Bohman, District 2 City Council candidate, urged consideration of all economic generators for the east side.

Mr. Faris Hodge, Jr., 140 Dora, stated his belief that the Council is applying a double-standard to this issue, and he addressed several concerns including growth and development. He also spoke against any tax "giveaways".

Mr. Milton Guess, representing the Convention & Visitors Bureau Advisory Commission, spoke in support for the current guidelines, and asked that any review be held in April of 1998. He spoke in favor of monitoring all firms given tax phase-

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ins to insure compliance, and spoke in support for sound economic development guidelines.

Mr. Bob Comeaux, representing the San Antonio chapter of Alliance For Democracy, spoke against what he termed the takeover of America's development, and spoke in support for the COPS/Metro Alliance stand for higher pay. He spoke against what he called "handouts to the rich" and in support of a moratorium on tax phase-ins.

Mr. Jesse H. Gonzales, 9910 Cinnamon Ridge, urged equal distribution of tax phase-ins and citizen involvement in checking tax phase-in firms for compliance.

Mr. Jack Finger, P.O. Box 12048, stated his belief that large corporations don't need tax phase-ins, and spoke against selective abatements and a tax abatement for the hotel in St. Paul Square. He spoke to a newspaper article concerning tax phase-ins, and spoke against duplicity.

Mr. Mario Hernandez, Economic Development Foundation, noted that tax abatements are, by law, for 'value-added' development, and for firms that would not be coming to San Antonio without tax abatements. He called San Antonio's guidelines a model for others in compliance. He spoke against any moratorium on tax phase-ins.

Mr. C.J. Conner, 13306 Hunters Hollow, called the situation a 'dilemma', and stated his belief that the City cannot change its policies in mid-stream. He spoke to the need for an abatement program with a cost/benefit analysis.

Mr. Doug Leonhard, 13230 Hunters Lark, representing the Real Estate Council of San Antonio, spoke against any moratorium, stating his belief that the La Cantera development would have been a difficult development without a tax phase-in. He spoke in support for a cost/benefit analysis on hotel development, and addressed examples. He lauded City staff for its compliance work, as well.

Mr. Abel Torres, 807 Delaware, spoke in support of a tax abatement for the Dal-Mac hotel development in St. Paul Square.

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Mr. Ray Hamilton, 2523 Wilderness Hill, representing Northside Neighborhoods for Organized Development (NNOD), stated his belief that any moratorium is premature, and noted that all applicants for tax phase-ins must meet high standards.

He stated that San Antonio does not want to lose good developments, and spoke in favor of delaying any moratorium.

Mr. Mike Harris, President, San Antonio Manufacturers Association, spoke in support for tax phase-ins, noting that creation of new jobs is the reason why San Antonio's unemployment rate is just four per cent. He urged City Council to consider tax phase-ins on a case-by-case basis, noting that the current program has accountability.

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

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

Mayor Thornton spoke to the background of tax phase-ins and their guidelines, and addressed statistics involving firms receiving tax phase-ins, to date. A copy of his remarks is made a part of the papers of this meeting. He noted that large convention-headquarters hotels qualify for tax phase-ins under higher requirements, although smaller hotels do not. He spoke to the amount of taxes paid by some of the tax phase-in recipient firms in San Antonio, to date. He then addressed the statewide incentives available in some states, noting that the Texas Legislature now is addressing this issue. He expressed his belief that perhaps two of the bills will pass, and perhaps a third one is likely to pass, and stated that each would require a cost/benefit analysis before abatements are granted. He stated further that he has invited State Senator David Sibley, chairman of the Senate Economic Development Committee, to come here to address this issue.

Mayor Thornton also noted that only three Council members have made their district appointments to the new Tax Phase-In Committee. He also stated that he plans to ask County Judge Cyndy Krier to consider a combined tax phase-in committee to present a united front for tax phase-ins between city and county. He

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stated his hopes that the committee would receive reports on compliance concerning firms receiving tax phase-ins.

Speaking to Mr. Tankerson, chairman of VIA, Mayor Thornton asked that, while awaiting new legislation, the chairman work with the Mayor on the issue, and urged Dal-Mac Development Corporation to move rapidly with their financing of the new proposed hotel.

Mr. Tankerson stated that he would ask COPS and Metro Alliance to meet with him to discuss a possible unified position regarding tax phase-ins for this proposed new hotel.

Mayor Thornton asked Ms. Billa Burke and other members of her Legislative Committee to watch the aforementioned bills, now before the legislature. He also reminded Council members to make their respective district appointments to the City's Tax Phase-In Committee.

Finally, Mayor Thornton summarized his hopes for a decision today, involving (1) waiting for new legislation, and (2) work toward city-county cooperation on this issue.

Mr. Ross noted that an immigration-rights group supports the committee's compliance review of hotels and others who receive tax phase-ins, and he compared certain tax phase-in firms' job levels with those of the COPS/Metro Alliance program.

Discussion then took place concerning a possible meeting of all concerned to compare facts.

Mr. Ross spoke to the overall effect on the economy of tax phase-in firms, over the years.

Mr. Ross then proposed that the matter be tabled today, and at the same time direct City staff to enlarge the scope of work for the Tax Phase-In Committee.

During the ensuing discussion, Mr. Ross made a substitute motion to table this matter. There was no second on the motion, and it died for lack thereof.

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Mr. Peak then made a substitute motion to (1) continue the review process of the ITT Sheraton Project, and utilize an independent analysis to use it as a case study for future hotel tax phase-in projects; and (2) review the City's overall economic development strategy with a timetable of six months, taking into consideration the work of the state legislature and any revisions recommended by the Tax Phase-In Advisory Committee. Mr. Ross seconded the motion.

Ms. Billa Burke noted that Golden Aluminium, mentioned earlier by one speaker as having failed after receiving a tax phase-in, has only downsized, not closed, and has continued to pay school taxes and reportedly soon will be rehiring workers.

Mr. Webster spoke to the need to invest in both youth and jobs development, and for a good plan and strategy for economic development. He spoke to the need to develop St. Paul Square.

Mr. Flores spoke in support for an independent cost/benefit study on hotels.

Mr. Ross addressed the need to expand the scope of the committee to monitor compliance of tax phase-in firms.

After discussion, Mr. Ross formally withdrew his second from the substitute motion on the floor.

Mr. Vasquez spoke to the need to put real dollar figures on the city's visitor industry, and spoke to his interest in legislation supporting the COPS/Metro Alliance desire for accountability by firms receiving tax phase-ins. He spoke in support for the Human Development Fund idea.

(At this point, Mayor Thornton was obliged to leave the meeting. Mr. Webster temporarily presided.)

Mr. Vasquez offered a substitute motion to (1) include a cost/benefit analysis for the two hotel projects under discussion: the Del-Mac Development Corp. Hotel and the ITT Sheraton; (2) establish guidelines for companies with living-wage standards; and (3) explore the creation of a Human Development Fund for job training, etc. Mr. Avila seconded the motion.

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Ms. Lott spoke in support for tax phase-ins for the Dal-Mac hotel project in St. Paul Square.

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

Mr. Herrera spoke in support for the idea of a cost/benefit analysis and the Human Development Fund. He addressed the need to attract better jobs, and spoke in support for the hotel project in St. Paul Square.

In response to a question by Mr. Avila, Sister Gabriela restated the COPS/Metro Alliance stance, including (1) no tax phase-ins if jobs are below \$10 per hour, and (2) a cost/benefit analysis on each proposed tax phase-in project. She also asked that the negotiations on the ITT Sheraton convention headquarters hotel project be halted so that an independent cost/benefit analysis could be held on the job wage levels involved in that project.

Mr. Sarabia defended Project Quest, and spoke to a report on the project's accomplishments.

Mr. Avila spoke to his concern with certain pieces of legislation now before the state legislature, and the payscale/benefit parameters involved.

Mr. Peak spoke in favor of melding both motions, and spoke to details of the proposal.

Mayor Thornton asked Council members to consider withdrawing all substitute motions now on the floor.

During discussion, it was the concensus by acclamation, that all pending substitute motions would be withdrawn by their respective makers and seconders, and such was formally recognized.

The main motion then failed to carry by the following vote: AYES: None. NAYS: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster, Thornton. ABSENT: Marbut.

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Mr. Ross then offered a motion to direct City staff (1) to expand the scope and responsibilities of the Tax Phase-In Advisory Committee; (2) have the committee receive the report from Austin; and (3) have the committee explore the City's overall economic development policies, including the tax phase-in policy, and report back to City Council by September, 1997. Mr. Webster seconded the motion.

Mr. Peak and Mr. Ross both discussed the pending motion and its ramifications and details.

Discussion took place concerning how the new motion would affect negotiations now underway on the ITT Sheraton convention headquarters hotel, to which Mayor Thornton responded that the pending motion is only direction to City staff.

That pending motion on direction to City staff then prevailed by the following vote:
AYES: Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Peak, Webster, Thornton.
NAYS: Flores. ABSENT: Marbut.

In summary, Mayor Thornton briefly restated the substance of City Council action taken today on this matter.

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85802

EXCERCISING THE CITY'S TWO YEAR RENEWAL OPTION, GRANTED BY ORDINANCE NO. 75437, DATED MARCH 12, 1992, TO THE EXISTING AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE COMPANY (SWBT) ALLOWING (SWBT) ALLOWING SWBT THE RIGHT TO USE THE CITY'S STREETS AND PUBLIC RIGHTS-OF-WAY FOR THE PURPOSE OF OPERATING AND MAINTAINING A TELECOMMUNICATIONS SYSTEM; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON RECEIPT OF EIGHT (8) AFFIRMATIVE VOTES.

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

Mr. Octavio Pena, Director of Internal Review, outlined the current franchise agreement with Southwestern Bell Telephone Company, and spoke to the two-year renewal option in that agreement. He further stated that it will take some three months to complete a new franchise agreement; thus, the need for a renewal option.

In response to a question by Mr. Ross, Mr. Pena stated that on the topic of underground utility lines, Southwestern Bell has the right to speak to its own fiscal concerns with going underground in some cases, by 'fiscal feasibility'. He noted that this will not be in the new agreement.

In response to a question by Mr. Ross, Mr. Frank Garza, Acting City Attorney, addressed the financial disclosure statement attached to the ordinance, noting that Southwestern Bell's political action committee is not required to report, only the entity itself. He noted that the PAC itself has no contract with the City of San Antonio, while Southwestern Bell Telephone Company does, as the contracting entity in this case.

Discussion then took place concerning a proposed \$250 limit on political contributions.

Mr. Ross stated his belief that the law on political contributions affects small business, yet big businesses, through their individual political action committees, are not affected.

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

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85803

AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE ADMINISTRATION OF THE SAN ANTONIO HOMEOWNERSHIP INCENTIVE PROGRAM (HIP) IN THE AMOUNT OF \$694,000.00 IN FY 1996-97 HOME FUNDS; AND AUTHORIZING PAYMENT AFTER SUCH EXECUTION.

* * * *

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

Mr. Andrew Cameron, Director of Housing & Community Initiatives, narrated a video presentation on the Homeownership Incentive Program, and explained the two options involved.

A copy of his presentation is made a part of the papers of this meeting.

(At this point, Mayor Thornton was obliged to leave the meeting. Mr. Flores presided in lieu of the Mayor Pro Tem.

Mr. Ross and Mr. Avila spoke in favor of the Housing Task Force recommendation, and spoke to a rationale for that stance.

Mr. Ross then made a motion to approve the Housing Task Force recommendation. Mr. Avila seconded the motion.

Mr. Avila spoke in support for San Antonio Development Agency providing administrative services for this program.

In response to a question by Mr. Peak, Mr. Cameron discussed narrowing the gap between the two proposals, and City staff's recommendation for one proposal over the other.

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Mr. Vasquez stated his belief that SADA may look at the matter of 'secondary marketing'.

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

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85804

REQUESTING THE CITY COUNCIL TO WAIVE FEES ASSOCIATED WITH THE PLATTING OF RICHTER ESTATES UNIT-1 IN THE AMOUNT OF \$1,975.00 AS PROCESSING FEE AND \$145.00 PER VARIANCE REQUEST, IF REQUIRED, AS REQUESTED BY PLANNING COMMISSION, BUT NOT RECOMMENDED BY CITY STAFF.

* * * *

Ms. Rebecca Waldman, Assistant to the City Manager, explained the background of this matter and a history of the platting request, and the ramifications of granting the requested fee waiver.

(At this point, Mayor Pro Tem Vasquez took the chair to preside.)

The following persons appeared to speak:

Mr. Tom Flores, civil engineer representing the requestor, explained the need for a time extension, noting that his client missed the deadline by one month. He noted that all the required infrastructure is in place.

Mr. Jack Finger, P.O. Box 12048, spoke against the fee waiver.

* * * *

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Mr. Peak made a motion to deny the request for proposed Ordinance. Mr. Webster. seconded the motion.

After consideration, the motion to deny the request, prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Avila, Vasquez, Ross, Webster; **NAYS:** None; **ABSENT:** Herrera, Marbut, Peak, Thornton.

The requested fee waiver was thus denied.

97-12 The Clerk read the following Ordinance:

AN ORDINANCE 85805

RESCINDING ORDINANCE NO. 85568, PASSED AND APPROVED ON FEBRUARY 6, 1997, WHICH RENAMED DAFOSTE PARK TO THE WILLIAMS/GREENE PARK; AS REQUESTED BY COUNCILWOMAN DOLORES LOTT.

* * * *

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

Ms. Lott briefly explained the need for this proposed Ordinance, to restore the name of Dafoste Park.

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

97-12 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Austin, Texas, from March 21, 1997 thru March 21, 1997, to attend the Texas Municipal League Board Meeting, President of the Texas Municipal League.

* * * *

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

97-12 City Council recessed its regular session at 6:55 P.M. for dinner, and then to convene in Executive Session for the purpose of:

A. Attorney/Client consultation regarding litigation case styled George Coulter, et al v. City of San Antonio.

B. Attorney/Client consultation regarding Alamodome related litigation cases styled Eric T. Ferguson, Sr., et al v. Alamo Iron Works, et al; William Hernandez, et al v. VIA Metropolitan Transit, et al; and Jeannine Martinez, et al v. City of San Antonio, et al.

C. Attorney/Client Consultation regarding the proposed Brackenridge/Koehler Park Concession Agreement.

97-12 City Council adjourned the Executive Session and reconvened the regular session at 9:00 P.M., at which time Mayor Thornton announced that City Council had been briefed on the above-styled cases and had given staff direction, but had taken no official action.

97-12 At this time there were no citizens to be heard signed up to speak:

97-12 There being no further business to come before the Council, the meeting was adjourned at 9:01 P.M.

A P P R O V E D



WILLIAM E. THORNTON
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

MARCH 27, 1997

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