

CEREMONIAL ITEMS

LITERACY AWARENESS MONTH

Mayor Peak explained that September is observed internationally as Literacy Awareness Month. He then read the proclamation and presented it to Dr. Terri Bogus, Chair of the San Antonio Commission on Literacy.

Mayor Peak and various councilmembers congratulated the work that Dr. Bogus and the Commission does for the city in promoting literacy.

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RECOGNITION OF MR. CLARENCE DAUGHERTY

City Manager Briseño announced the departure of Mr. Clarence Daugherty, Assistant Director of Public Works, from city employ. Mr. Briseño spoke to the accomplishments of Mr. Daugherty during his tenure with the City.

Mayor Peak and various members of the Council thanked Mr. Daugherty for his service to the city and wished him continued success.

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98-31 CONSENT AGENDA-CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to a synopsis of the entire Agenda.

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Mr. Michael Idrogo, 317 Rosewood, spoke to Agenda items 13, 14, and 25, regarding contracts He also offered his opinions for solutions to debt control.

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98-31 CONSENT AGENDA

Mr. Flores made a motion to approve Agenda Items 9 through 29c, constituting the Consent Agenda, with item(s) 16 having been previously remove from consideration by the City Manager. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 88331

ACCEPTING THE LOW BID OF CKS HYDRO SERVICES, INC. TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH RUNWAY RUBBER DEPOSIT REMOVAL, FOR A TOTAL AMOUNT OF \$72,072.46.

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AN ORDINANCE 88332

ACCEPTING THE LOW BIDS OF PRODUCTION ROOFING, INC. D/B/A ACCURITE ROOFING, (MBE/WBE) AND MAHONE ROOFING & SHEET METAL COMPANY TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH VARIOUS ROOF PROJECTS FOR A TOTAL AMOUNT OF \$94,881.00, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88333

ACCEPTING THE LOW QUALIFIED BIDS OF WILSON FIRE & APPARATUS/NAFECO, AND FERRARA FIREFIGHTING EQUIPMENT, AND CASCO INDUSTRIES, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PROTECTIVE FIREFIGHTING CLOTHING FOR A TOTAL OF \$38,634.50.

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AN ORDINANCE 88334

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1998-99 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$865,600.00.

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AN ORDINANCE 88335

ACCEPTING THE LOW, QUALIFIED RESPONSIBLE BID OF FUQUAY, INC. (MBE) IN THE AMOUNT OF \$691,860.58 IN CONNECTION WITH THE KINGS CROWN: O'CONNOR TO BRICKEN/HARDING PROJECT LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$56,463.71 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$6,000.00 PAYABLE TO SLAY ENGINEERING CO., INC. FOR ENGINEERING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88336

ACCEPTING THE LOW BID OF JAMES LITRELL CONSTRUCTION, INC. IN THE AMOUNT OF \$212,218.00 IN CONNECTION WITH THE RENOVATIONS TO FIRE STATIONS NO. 2 LOCATED IN COUNCIL DISTRICT 3, FIRE STATION NO. 24 LOCATED IN COUNCIL DISTRICT 10, FIRE STATION NO. 30 LOCATED IN COUNCIL DISTRICT 2, AND THE I. O. MARTINEZ BUILDING LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$42,445.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$17,680.00 PAYABLE TO ROBERT WATTS, ARCHITECT, FOR ARCHITECTURAL EXPENSES.

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AN ORDINANCE 88337

AUTHORIZING THE EXECUTION OF A CERTAIN SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT WITH AHR AVIONICS, INC. ("AHR") FOR LEASE OF 108,900 SQUARE FEET OF GROUND SPACE AND 21,902 SQUARE FEET OF HANGAR SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TWENTY (20) YEAR TERM, FOR A TOTAL ANNUAL RENTAL OF \$75,755.94.

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AN ORDINANCE 88338

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,757.16 PAYABLE TO STEWART TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE BLANCO ROAD AT JACKSON-KELLER ROAD PROJECT (\$1,528.16); EVERS ROAD - GLEN RIDGE TO DAUGHTRY DRIVE PROJECT (\$150.00); AND THE NACOGDOCHES ROAD - BROADWAY TO NEW BRAUNFELS PROJECT (\$79.00); AND THE AMOUNT OF \$445.80 TO LAWYER'S TITLE OF SAN ANTONIO FOR TITLE SERVICES IN CONNECTION WITH THE BABCOCK ROAD - DE ZAVALA ROAD TO HAUSMAN ROAD PROJECT; FOR THE TOTAL SUM OF \$2,202.96; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88339

AUTHORIZING THE CONTINUATION OF A LICENSE AGREEMENT WITH THE LIONS CLUB OF SAN ANTONIO CHARITIES, INC. FOR THE TERRESTRIALSCOPE CONCESSION ON THE TOWER OF THE AMERICAS FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 2008 FOR A PERCENTAGE OF GROSS REVENUE FROM THIS CONCESSION.

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AN ORDINANCE 88340

CONSENTING TO THE AMENDMENT OF THE SAN ANTONIO BOTANICAL CENTER SOCIETY'S CONTRACT WITH MR. ED VERVAIS FOR USE OF A PORTION OF THE CARRIAGE HOUSE LOCATED AT THE SAN ANTONIO BOTANICAL CENTER FOR RESTAURANT PURPOSES, WITH ALL PROCEEDS FROM SAID CONTRACT TO BE USED TO SUPPORT THE BOTANICAL CENTER.

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AN ORDINANCE 88341

AUTHORIZING THE PAYMENT OF THE SUM OF \$7,293.81 PAYABLE TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANT IN CONDEMNATION CAUSE NO. 96-ED-0005, CITY OF SAN ANTONIO VS. JEANETTE POPHAM, ET AL.; AUTHORIZING THE PAYMENT OF \$6,000.00 FOR REAL ESTATE; AND THE SUM OF \$1,293.81 FOR INTEREST ACCRUED IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58 H, I AND J.

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AN ORDINANCE 88342

AUTHORIZING THE SALE OF A SURPLUS 0.5037 OF AN ACRE TRACT OF LAND LOCATED BETWEEN WEST SUMMIT AVENUE AND FREDRICKSBURG ROAD TO SOUTHERN FOODS GROUP, L. P., DOING BUSINESS AS OAK FARMS DAIRY, THE ADJACENT PROPERTY OWNER, FOR THE CONSIDERATION OF \$38,400.00, IN EXCHANGE FOR, AND ACCEPTING, FROM SOUTHERN FOODS GROUP, L. P., A 0.0116 OF AN ACRE TRACT OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF LOUISE STREET AND MOBERLY STREET OUT OF LOT 20, BLOCK 4, NEW CITY BLOCK 3245; FOR THE CONSIDERATION OF \$885.00 WITH THE CITY OF SAN ANTONIO RECEIVING THE DIFFERENCE OF \$37,515.00 FROM SOUTHERN FOODS GROUP, L. P.; AND AUTHORIZING THE EXECUTION OF AN EXCHANGE AGREEMENT AND ANY OTHER DOCUMENTS, AS FIRST REVIEWED AND APPROVED BY THE CITY ATTORNEY, IN CONNECTION WITH THE CLOSING OF THE TRANSACTION.

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AN ORDINANCE 88343

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A GRANT FROM THE TEXAS REHABILITATION COMMISSION IN AN AMOUNT UP TO \$400,000.00 ALONG WITH \$20,000.00 IN CLIENT FEES TO CONTINUE OPERATION OF THE PERSONAL ATTENDANT SERVICES PROGRAM IN THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION FROM SEPTEMBER 1, 1998 TO AUGUST 31, 1999; AUTHORIZING THE EXECUTION OF A GRANT CONTRACT RENEWAL; APPROVING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING THE TRANSFER OF UNEXPENDED 97/98 FUNDS.

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AN ORDINANCE 88344

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$1,386,006.00 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE CONTINUATION OF THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION, CLIENT MANAGED PROGRAM, FOR THE PERIOD BEGINNING SEPTEMBER 1, 1998 THROUGH AUGUST 31, 1999; AUTHORIZING THE EXECUTION OF A GRANT CONTRACT RENEWAL; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR THE PROGRAM; AUTHORIZING THE TRANSFER OF REMAINING FUNDS.

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AN ORDINANCE 88345

AUTHORIZING THE APPROPRIATION AND ENCUMBRANCE OF UP TO \$135,200.00 FROM THE 1989 LIBRARIES AND LEARNING CENTERS BOND ISSUE FOR THE PURCHASE OF FURNITURE AND FIXTURES; A COMPUTER ASSISTED INSTRUCTION SYSTEM; AND OTHER EQUIPMENT FOR THE ST. MARY'S LEARNING AND LEADERSHIP DEVELOPMENT LOCATED IN DISTRICT 7.

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AN ORDINANCE 88346

AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL FUNDS IN THE AMOUNT OF \$938,572.00 FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE HEAD START EARLY CHILD CARE PROGRAM FOR THE PERIOD OF FEBRUARY 1, 1998 THROUGH JANUARY 31, 1999; REVISING A BUDGET AUTHORIZED BY ORDINANCE NO. 87281, PASSED AND APPROVED ON JANUARY 29, 1998 TO REFLECT ADDITIONAL FUNDS RECEIVED AND TO REDUCE THE ORIGINAL EARLY HEAD START BUDGET IN THE AMOUNT OF \$731,259.00; AND AMENDING THE HEAD START EARLY CHILD CARE PROGRAM BUDGET.

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AN ORDINANCE 88347

RATIFYING SERVICES AND AUTHORIZING PAYMENT OF \$4,300.00 TO THE ALAMO COMMUNITY COLLEGE DISTRICT FOR INSTRUCTIONAL SERVICES FOR THE BASIC FIRE INSPECTOR CERTIFICATION COURSE FOR THREE (3) FIRE INSPECTORS FROM THE FIRE PREVENTION DIVISION.

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AN ORDINANCE 88348

RATIFYING SERVICES AND AUTHORIZING PAYMENT OF \$3,919.00 TO NEEL ASSOCIATES, INC. FOR THE REPAIR OF APPROXIMATELY 121 SECTIONS OF VARIOUS SIZES OF FIRE HOSE.

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AN ORDINANCE 88349

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AND EXTEND THE CONTRACT WITH SEDGWICK JAMES OF TEXAS, INC., TO SERVE AS THE CITY'S SOLE BROKER OF RECORD, TO ACQUIRE EXCESS OR DIFFICULT TO PLACE INSURANCE COVERAGES AND TO SERVE AS A CONSULTANT ON INSURANCE AND OTHER BROKER RELATED ISSUES AT A COST NOT TO EXCEED \$127,000.00, FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH AUGUST 31, 1999; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88350

APPOINTING DAVID R. LOGAN (DISTRICT 7) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2000.

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AN ORDINANCE 88351

REAPPOINTING LAWRENCE C. CLARK (MAYOR) TO THE OPEN SPACE ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 29, 2000.

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AN ORDINANCE 88352

APPOINTING MARY ISABEL PAIZ (DISTRICT 6) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 1999.

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98-31 The Clerk read the following Ordinance:

AN ORDINANCE 88353

AUTHORIZING PAYMENT IN THE AMOUNT OF \$68.00 TO NATIONSBANK FOR A PROCESSING FEE (PARTIAL RELEASE OF LIEN) IN CONNECTION WITH THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

After consideration, the motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Flores, Salas, Prado, Vásquez, Menendez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSTAIN:** Bannwolf; **ABSENT:** Guerrero.

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98-31 ITEMS FOR INDIVIDUAL CONSIDERATION: CITIZEN COMMENTARY

Mr. Michael Idrogo, address, spoke to the opposition to any study of the construction of a new Spurs arena.

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98-31 The Clerk read the following Ordinance:

AN ORDINANCE 88354

AUTHORIZING PAYMENT OF REFUNDS TOTALING \$231,543.93, TO PERSONS MAKING A DOUBLE PAYMENT, ERRONEOUS PAYMENT OR AS A RESULT OF A VALUE AND/OR EXEMPTION CHANGE ON 311 TAX ACCOUNTS.

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

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

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98-31 The Clerk read the following Ordinance:

AN ORDINANCE 88355

ACCEPTING THE LOW BID OF E-Z BEL CONSTRUCTION CO., INC. (MBE) IN THE TOTAL AMOUNT OF \$2,585,278.95, IN CONNECTION WITH THE CONTOUR DRIVE-SAN PEDRO TO MCCULLOUGH, HOWARD STREET TO EL MONTE, AND EL MONTE-SAN PEDRO TO MCCULLOUGH PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING \$179,480.02 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND AN ADDITIONAL \$30,000.00 PAYABLE TO MAESTAS AND BAILEY, INC. FOR ENGINEERING SERVICES.

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Mr. John German, Director of Public Works, made a presentation outlining the details of the Ordinance. A copy of the presentation is made a part of the papers of this meeting.

Councilman Bannwolf thanked Mr. German and his staff for their work in drafting this contract.

In response to a question posed by Mayor Peak, Mr. German explained how the drainage plan will work and also stated that the streets will be realigned.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas.

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AN ORDINANCE 88356

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERAGENCY AGREEMENT WITH SAN ANTONIO WATER SYSTEM, SAN ANTONIO HOUSING AUTHORITY, CITY PUBLIC SERVICE, AND AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR THE PURPOSE OF CREATING A REGIONAL CERTIFICATION AGENCY FOR SMALL, DISADVANTAGED, MINORITY, AND WOMEN BUSINESS CERTIFICATION; AND AUTHORIZING PAYMENT OF A PER ANNUM SHARE OF \$35,000.00.

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Mr. Clinton Bolden, Director of Economic Development, made a presentation and then introduced Ms. Terry Williams, who further explained the Interlocal Agreement between the City and the San Antonio Water System, City Public Service, San Antonio Housing Authority, and VIA Metropolitan Transit for the purpose of establishing Regional Certification Agency Interlocal Agreement.

Mayor Peak thanked the staff and agencies who participated in drafting the proposed Ordinance. He also posed the question as to whether Bexar County has agreed to sign on to simplify the procedure.

Ms. Williams explained the reasons why the other entities have not agreed to join in. She also stated that there will be continued efforts to seek out other entities who are willing to participate.

Mr. Webster spoke his role as Chairman of the Small Business Board and stated that he is pleased to see this coming to fruition.

Mr. Menendez congratulated Chairman Webster and the rest of the Economic Development staff for their work. He also spoke to the history of the concept.

Mr. Salas thanked the staff and spoke to the advantages this program will provide to the small businesses in the future. He also mentioned the amount of time saved by citizens utilizing these locations.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

98-31 The City Clerk read a proposed ordinance authorizing the City Manager to execute a five-year agreement with a five year renewal option with Pace/Resendez Partners guaranteeing the City a minimum of \$1,250,000.00 over each term of the Agreement for the non-exclusive production and presentation of multiple concerts and a variety of other entertainment events at the Alamodome and Convention Facilities (Lila Cockrell Theater and Municipal Auditorium).

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

Mr. Mike Abington, Director of Alamodome, made a presentation outlining the details of the proposed ordinance and contracts involved. He then spoke to the bidding process involved. He then spoke to the accomplishments of Pace and Resendez. Mr. Abington also explained that the proposed contract is non-exclusive.

The following citizen(s) appeared to speak:

Mr. Tony Garza, spoke to his concerns with the proposed contract. He also spoke to his opinion that there are several issues that need be addressed, including that the City should not be in the business of promoting events.

Mr. Tom McElyeh, read a prepared statement which outlined his opposition to the proposed contract.

Mr. Raul Resendez, President of Resendez and Associates, spoke to the reasons for the partnership with Pace Productions which are for economic growth and financial survival. He also spoke to the history of his company and the risks involved in creating a wave of Latin music market in San Antonio by way of holding events in the Alamodome.

Mr. John Huff, Pace Productions, spoke to the success of the company and the work they have done to develop San Antonio as must play market for most of the National touring artists. The goal of the company is to build volume and deliver high level of top quality events. He also spoke to their history and their location which is outside the City.

Mr. Bill Drain, Backstage Productions, spoke to the advantages of a competitive market.

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Mr. Richard Scaraffa, Progressive Productions, spoke to his promotions record and to other venues he owns and the type of music he promotes. He also explained that with this ordinance his company cannot grow.

Mr. Glenn Smith, of Glen Smith Presents, spoke to his business of promoting worldwide productions and to the accomplishments of his company. He also spoke to the opportunities of promoting events.

Mr. Rick Vigilante, and Richard Stevenson, spoke in support of non-profit organizations and spoke in opposition to this ordinance because it hinders non-profit events.

Mr. Jack Orbin, Stone City Attractions, spoke to the history of his company. He also spoke to how this ordinance will create a monopoly among event promoters.

Mr. T.C. Calvert stated that this proposed ordinance is B.I.H. all over again. He also spoke to his discontent with the provisions of the ordinance.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need of a consultant to research the issue and reiterated Mr. Calvert's comments.

Mr. Jack Finger, P.O. Box 12048, spoke to items presented as back up information and to the two year span at which the bidding process was started. He then questioned why that information was not presented along with initial back up material available in the Clerk's office.

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In response to questions from Mayor Peak, Mr. Mike Abbington explained the RFP process. Also in response to Mayor Peak, Mr. Abbington stated that no exclusivity with this contract will not put any of the other businesses on a competitive disadvantage. He then outlined the factors influencing promoter selection by the artists. (A copy of his presentation is on file with the papers of the meeting.)

Councilman Flores spoke this as a guaranteed source of revenue. He spoke to the need to promote the Alamodome and keep it in the "black."

Mr. Abbington then reiterated the commitment made and the reason the exact number of shows cannot be stated at this time.

Mr. Flores spoke in support of Mr. Abbington's comments.

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(At this time Mayor Peak was obliged to leave the Council meeting. Mayor Pro Tem Prado presided.)

In response to a question from Mr. Marbut, Mr. Abbington stated that the opening date for the RFP was November 4, 1996 and the deadline was 45 days later in December of 1996.

Mr. Jack Orbin, Stone City Attractions, was requested to come forward by Mr. Marbut to explain the bidding process. He stated if a promotion firm does not have a strong revenue stream then they will be selected. He also stated that another RFP process would not be fiduciary at this point.

Mr. Marbut made a substitute motion to table this matter indefinitely. Mr. Salas seconded the motion.

(Mr. Marbut's substitute motion was withdrawn after further discussion)

In response to a question from Mr. Salas, Mr. Abbington explained that typically all events are staffed locally.

(At this time Mayor Peak returned to the meeting to preside.)

Discussion ensued concerning the proposal process as to whether it should be reopened.

Mr. Frank Garza, City Attorney, explained the legalities of tabling this matter.

Mr. Salas continued the discussion of putting smaller promoters at an unfair advantage. He also stated that he will not be supporting this ordinance as it is now written.

Mr. Abbington continued to explain that the reason for the two year span on the contract is due to the time being limited because its gone through six drafts of the contract

Mr. Garza spoke to his desire to see the Alamodome remain in the "black" and recommended a postponement on this matter.

Mr. Menendez spoke to the volume based incentive plan, which would better serve the City. He recommended a new RFP process for the events held in the dome.

Mr. Abbington explained that a sharing arrangement with Stone City was proposed at one time, but was turned down.

Councilwoman Guerrero questioned the 1.2 million guarantee. She then offered her support of the concept, and she then made a substitute motion to re-bid the contract out, without including Lila Cockrell and Municipal Auditorium. Councilman Flores seconded the motion.

In response to a question from Mr. Vásquez, City Manager Briseño explained that the catering contracts for the Tower, Spurs, and the Riverwalk are all facilities with exclusive contracts.

Mr. Vásquez explained that the City has done this before and spoke of the exclusive contract with the caterer at the Convention Center.

Council discussion ensued concerning the benefits of an exclusive contract and the substitute motion was clarified.

City Manager Briseño recommended bringing this matter back to B Session discussions and review all the aspects of the contract.

After consideration, the substitute motion prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Garza.

After consideration, the main motion as substituted prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Vásquez, Menéndez, Garza.

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98-31 ZONING CASES-CITIZEN COMMENTARY

Mr. Faris Hodge, Jr., 140 Dora, spoke to a synopsis of each zoning case.
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98-31 ZONING CASES

4A. CASE #98170- The request of Joseph W. Buntin (owner), to rezone and reclassify Lot 1, Block 7, NCB 11843, 3018 Urban Crest from "A" single Family Residence District to "R-2" Two Family Residence District. The property is located on the south side of Urban Crest, 179.94 feet east of the intersection of Urban Crest and Vandiver Drive, having 111.7 feet on Urban Crest and a depth of 160.87 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

The following citizen(s) appeared to speak:

Mr. Michael Idrogo, 317 Rosewood, spoke in opposition to this zoning case.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Guerrero, Prado, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Vásquez, Menendez, Garza.

AN ORDINANCE 88357

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, BLOCK 7, NCB 11843, 3018 URBAN CREST FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT.

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4B. CASE #Z98164- The request of Action Installation & Equipment, Inc. (owner), to rezone and reclassify 0.132 acres out of Lot 23, Block 15, NCB 16092, O'Connor Road from "O-1" Office District to "B-3NA Non-Alcoholic Sales Business District. The property is located on the west side of O'Conner Road and the Missouri

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Kansas Texas railroad right-of-way, being 150.08 feet west off of O'Connor Road, having a width of 125.02 feet and a depth of 48.62 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Webster made a motion to postpone this zoning case. Mr. Bannwolf seconded the motion.

After consideration, the motion to postpone this case prevailed by the following vote: **AYES:** Guerrero, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Vásquez, Menéndez.

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4C. CASE #98151- The request of Brian K. Schroder, DDS (owner: Church Loan and Investments Trust), for a change in zoning from "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District to "B-1" ERZD Business Edwards Recharge Zone District on P-8, NCB 15009, Huebner Road. The property is located southwest of the intersection of Huebner Road and Deerfield Wood Drive. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Bannwolf made a motion to postpone this meeting until the September 10th Council Meeting. Mr. Webster seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote: **AYES:** Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Guerrero, Vásquez, Menéndez.

Zoning Case Z98151 was continued to the Council Meeting of September 10, 1998.

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4D. CASE #Z98113- The request of Kerry Bartholomew (owner), to rezone and reclassify P-4C, P-4L, P-4J, P-4K, P-4Q and P-17, NCB 15671, 18953 Redland Road from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-3NA" ERZD Non-Alcoholic Sales Business Edward Recharge Zone District. The property is located on the south side of Redland Road, having 168 feet on Redland Road and a depth of 799.60 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Councilman Bannwolf made a motion to amend the proposed zoning ordinance by including the following provision:

"The applicant shall submit to the Watershed Protection and Management Department the information required on a Notice of Intent (NOI) form, a storm water pollution prevention plan, and other documentation which is required for compliance by industry for the City of San Antonio NPDES permit. Documentation would be required for submittal within 90 days of approval of the zoning designation by City Council."

Mr. Webster then seconded the motion.

After consideration, the amendment to the motion prevailed by the following vote: **AYES:** Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Guerrero, Vásquez, Menéndez.

AN ORDINANCE 88358

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 P-4C, P-4L, P-4J, P-4K, P-4Q AND P-17, NCB 15671, 18953 REDLAND ROAD FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD NON-ALCOHOLIC SALES BUSINESS EDWARD RECHARGE ZONE DISTRICT.

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4E. CASE #Z98165- The request of FC Properties, Ltd. (owner), to rezone and reclassify 516.319 acres out of NCB 19217, Stone Oak Parkway, Hardy Oak and Canyon Gold Road from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District. The properties are located on the north side of Stone Oak Parkway, between Hardy Oak and Canyon Golf Road. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Guerrero, Vásquez, Menendez.

AN ORDINANCE 88359

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 516.319 ACRES OUT OF NCB 19217, STONE OAK PARKWAY, HARDY OAK AND CANYON GOLD ROAD, FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT.

* * * *

4F. CASE #Z98073: The request of Jack M. Harper (owner: John L. McBaine), to rezone and reclassify 9.102 acres out of NCB 14614, "B-2NA" ERZD Non-Alcoholic Sales Business Edwards Recharge Zone District on 2.221 out of NCB 14614 and "B-1" ERZD Business Edwards Recharge Zone District and "B-1" Business District on 35.32 acres out of NCB 14614, F.M. 1604 and Hausman Road from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District and Temporary "R-1" Single Family Residence District to "B-3NA" ERZD Non-Alcoholic Sales Business Edwards Recharge Zone District and "B-3NA" Non-Alcoholic Sales Business District. Staff's

recommendation was for denial as requested and approval of all B-3 on except the east 300 feet to remain "R-1" along Hausman Road.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Prado, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Guerrero, Vásquez, Menendez.

AN ORDINANCE 88360

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 9.102 ACRES OUT OF NCB 14614, "B-2NA" ERZD NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT ON 2.221 OUT OF NCB 14614 AND "B-1" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "B-1" BUSINESS DISTRICT ON 35.32 ACRES OUT OF NCB 14614, F.M. 1604 AND HAUSMAN ROAD FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" ERZD NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT AND "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

4G. CASE #Z98123: The request of Lancaster Development Company (owner: Life Family Church), to rezone and reclassify P-10C, P-90 and P-91, NCB 18290, Prue Road, from "R-1" Single Family Residence to "P-1(R-1)" Planned Unit Development Single Family Residence District. The property is located on the south side of Prue Road, 100 feet west of the intersection of Prue Road and Cedar Park Drive, having 1,295.21 feet on Prue Road and a depth of 648.68 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

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

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Prado, Menendez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Guerrero, Vásquez, Bannwolf.

AN ORDINANCE 88361

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 P-10C, P-90 AND P-91, NCB 18290, PRUE ROAD, FROM "R-1" SINGLE FAMILY RESIDENCE TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE DISTRICT.

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4H. CASE # Z98166: The request of Richard Page (owner: State Farm Mutual Automobile Insurance Company), to rezone and reclassify Lot 3, Block 5, NCB 17875, Cable Ranch Road and Garden Brook from Temporary "R-1" Single Family Residence District to "O-1" Office District. The property is located northwest of the intersection of Cable Ranch Road and Garden Brook, having 294.51 feet on Cable Ranch Road and 245.06 feet on Garden Brook. Staff's Recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Prado, Menendez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Guerrero, Vásquez, Marbut, Bannwolf.

AN ORDINANCE 88362

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 3, BLOCK 5, NCB 17875, CABLE RANCH ROAD AND GARDEN BROOK FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

4I. CASE #Z98168: The request of Margaret Verlander (owner), to rezone and reclassify Parcel 78C, Block 54, NCB 15596, 2341 Pinn Road from "B-2NA" Non-Alcoholic Sales Business District to "B-3NA" Non-Alcoholic Sales Business District. The property is located on the west side of Pinn Road, 77.17 feet north of the intersection of Pinn Road and Westfield Drive, having 47.83 feet on Pinn Road and a depth of 73.68 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Menendez made a motion to approve the proposed Zoning Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 88363

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 PARCEL 78C, BLOCK 54, NCB 15596, 2341 PINN ROAD FROM "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

4J. CASE #Z98155: The request of Albert & Janie C. Preciado, Jr. (owner), to rezone and reclassify Lots 49, 50 and the south 174.5 feet of Lot 31, Block 2, NCB 7578, 455 Montrose Avenue from "D" Apartment District to "B-3NA" Non-Alcoholic Sales Business District. The property is located on the north side of Montrose Avenue, 96.01 feet east of the intersection of Montrose Avenue and New Braunfels, having 127.12 feet on Montrose Avenue and a depth of 174.5 feet. Staff's recommendation was for denial.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Ms. Guerrero made a motion to approve the proposed Zoning Ordinance. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Guerrero, Vásquez, Menendez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Prado, Marbut, Bannwolf. **ABSTAIN:** Flores.

AN ORDINANCE 88364

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 49, 50 AND THE SOUTH 174.5 FEET OF LOT 31, BLOCK 2, NCB 7578, 455 MONTROSE AVENUE FROM "D" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

4K. CASE #Z98157: The request of Jorge A. Gutierrez, (owner), to rezone and reclassify Lot 14, Block 159, NCB 8817, 1815 Thorain Boulevard from "B-3" Business District to "R-5" Single Family Residence District. The property is located on the north side of Thorain Boulevard, 155.38 feet east of the intersection of Thorain Boulevard and I.H. 10 Expressway, having 50 feet on Thorain Boulevard and a depth of 120 feet. Staff's recommendation was for approval.

The Zoning Commission has recommended approval.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

Mr. Flores made a motion to approve the proposed Zoning Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Guerrero, Vásquez, Menendez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Prado, Marbut, Bannwolf.

AN ORDINANCE 88365

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 14, BLOCK 159, NCB 8817, 1815 THORAIN BOULEVARD FROM "B-3" BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT.

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4L. CASE # Z98161: The request of Dan Murphy (owner: Blanco One Associates, Joint Venture), to rezone and reclassify Lots 14, 15, and 16, Block 10, NCB 10210, 811 Lovera Boulevard from "B" Residence District to "O-1" Office District. The property is located northwest of the intersection of Lovera Boulevard and Blanco Road, having 150 feet on Lovera Boulevard and 92.10 feet on Blanco Road. Staff's recommendation was for denial.

The Zoning commission has recommended approval.

Mr. Flores made a motion to approve the proposed Zoning Ordinance. Ms. Menendez seconded the motion.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning request.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Prado, Vásquez, Menendez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Guerrero, Marbut, Bannwolf.

AN ORDINANCE 88366

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 14, 15, AND 16, BLOCK 10, NCB 10210, 811 LOVERA BOULEVARD FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

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**98-31 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE-
CLOSING NOCK STREET.**

Mayor Peak declared the Public Hearing to be open.

Mr. Oscar Serrano made a presentation outlining the proposal to close, vacate and abandon an unimproved portion of Nock Street to be used by the owners this right of way as extra parking and yard space.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the fee imposed for the request to close the portion of the street.

Mr. Michael Idrogo, 317 Rosewood, spoke in opposition to the closing of the street and to the \$1.00 fee imposed on the owners. He stated that they should be paid a fair market value of the property.

There being no further persons signed to speak on this matter, Mayor Peak declared the Public Hearing to be closed.

The Clerk read the proposed ordinance closing, vacating and abandoning an unimproved portion of Nock Street, located between McCauley Boulevard and Rayburn Drive; for the consideration of \$1.00; as requested by l-t financial, Inc. and Ramona C. Campa, the adjacent property owners.

Mr. Prado made a motion to approve the proposed Ordinance. Mr. Vásquez seconded the motion.

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In response to a question from Mayor Peak, Mr. Serrano gave a brief history of the property and explained that it has never been developed and only has easement rights.

Mr. Vásquez reiterated the points covered by Mr. Serrano with regard to getting the property on the tax rolls.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Prado, Vásquez, Garza, Bannwolf, Peak; **NAYS:** None; **ABSENT:** Salas, Guerrero, Menéndez, Marbut, Webster.

AN ORDINANCE 88367

CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF NOCK STREET, LOCATED BETWEEN MCCAULEY BOULEVARD AND RAYBURN DRIVE; FOR THE CONSIDERATION OF \$1.00; AS REQUESTED BY L-T FINANCIAL, INC. AND RAMONA C. CAMPA, THE ADJACENT PROPERTY OWNERS.

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98-31 SECOND READING: AMERICAN COMMUNICATIONS SERVICES OF SAN ANTONIO, INC. FRANCHISE AGREEMENT.

Mayor Peak declared the Public Hearing to be open.

Mr. Octavio Peña, Director of Finance, gave a presentation outlining the monetary compensation aspects of the contracts.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, referred to page 78 of the City Charter, and read from the section regarding franchises.

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In response to a Council question, Mr. Peña explained that the City is not in violation of any part of the Charter.

Mr. Mike Idrogo, 317 Rosewood, spoke in opposition to the proposal.

* * * *

Mayor Peak declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 88160

GRANTING AMERICAN COMMUNICATIONS SERVICES OF SAN ANTONIO, INC. (ACSI) A TEN (10) YEAR FRANCHISE AGREEMENT TO ERECT, CONSTRUCT, RECONSTRUCT, REPLACE, MAINTAIN AND OPERATE A TELECOMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHT-OF-WAY; PROVIDING FOR THREE (3) READINGS AND PUBLIC HEARING; SETTING THE EFFECTIVE DATE OF THE FRANCHISE NO SOONER THAN SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; PROVIDING FOR THE TERMINATION OF THE INTERIM LICENSE AGREEMENT WITH ACSI UPON THE EFFECTIVE DATE OF THE FRANCHISE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FRANCHISE AGREEMENT WITH ACSI.

* * * *

Mr. Flores made an motion to approve the proposed Ordinance. Mr. Webster seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Guerrero, Prado, Vásquez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Salas, Menéndez.

— — —
98-31 PRESENTATION OF THE AVIATION MANAGED COMPETITION PROCESS.

Ms. Terry Brechtel, Director of Budget and Management Analysis, made a presentation regarding the advertisement and release of two (2) requests for qualifications to retain an outside consultant to review and validate airport benchmark data and to select a private firm with experience in privatization and the managed competition competitive process for management of aviation services at San Antonio International and Stinson Airports. (A copy of this presentation is made part of the papers of this meeting.)

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In response to a question from Councilman Bannwolf, Ms. Brechtel explained that the contract does not require the City to select a firm at this point.

Mr. Menendez spoke to the benchmarking cost for the outside consultant. He expressed his concern for spending 200 thousand of taxpayer dollars for this report.

In response to a question from Mayor Peak, Ms. Brechtel stated that the estimated time length for the benchmarking process would average 10 weeks.

Mr. Bannwolf made a motion to direct staff to issue the two RFQ's but not hire the manager competitive bid process consultant until the benchmark results are received, including terms and conditions of the RFQ's as presented by staff at this meeting. Mr. Webster seconded the motion.

After consideration, the motion to give staff direction prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

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98-31 PRESENTATION BY THE S.A. PUBLIC LIBRARY BOARD OF TRUSTEES

Mr. Frank Davila, Chair of the Library Board, made a presentation regarding the accomplishments of the Library and to thank the Council for their support. (A copy of his statements is made part of the papers of this meeting.)

Mayor Peak thanked Mr. Davila and the rest of the board members for their work in improving the library system.

Various councilmembers offered their gratitude to the board and the library staff for its numerous accomplishments.

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The Clerk read the following Ordinance:

AN ORDINANCE 88368

AUTHORIZING THE EXPENDITURE OF \$110.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO ASSIST THE CULEBRA PARK NEIGHBORHOOD ASSOCIATION WITH THE PURCHASE OF TWO (2) "CELLULAR ON PATROL" SIGNS TO BE PLACED ON HEMPHILL DRIVE AND CHESTERHILL DRIVE IN THE CULEBRA PARK AREA; AS REQUESTED BY COUNCILMAN ED GARZA.

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Mr. Garza made a motion to approve the proposed Ordinance. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Guerrero, Prado, Menéndez, Garza, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Vásquez, Marbut.

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CITY MANAGER'S REPORT
—

A report on the City's response over the weekend and assistance to the flood victims outside of San Antonio was given by the Public Works, Fire, and the Police Department.

Officer Lupe Rodriguez was then introduced and recognized for his work in saving two children from raging flood waters of the river. He expressed his gratitude toward the Police Department for his training.

Fire Chief Richard Ojeda spoke to the many high water rescues that took place over the weekend and gave special recognition to individuals who traveled to Del Rio to assist with emergency services.

Mr. Mike Miller, Texas Task Force One, spoke to the emergency efforts provided by his team who were deployed to Del Rio.

City Manager Briseño, spoke to the number of ways the departments responded to the emergency situations over the weekend. He expressed his gratitude to all the departments who helped in all of the emergency relief efforts over the past weekend.

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Mayor Peak thanked the department representatives for enlightening the Council on the past events.

Various Councilmembers then offered their appreciation for the all the City departments who lent a hand in the flood relief efforts.

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PRESENTATION: TRIP TO OAXACA

Ms. Beth Costello, Director of International Relations, made a presentation briefing the Council on her department's recent trip to Oaxaca. She then presented a list of agreements and conclusions made by the trip. (A copy of her presentation is made part of the papers of this meeting.)

Mayor Peak thanked the staff for the follow up report. He also spoke to the several opportunities for the City and addressed the historic and cultural resources of Oaxaca with regard to revitalizing historical buildings.

Mr. Flores spoke to the success of the trip and acknowledged the strides made by staff and the other participating delegates.

City Manager Briseño thanked Ms. Costello and her staff for their report.

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CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke on several issues, including concerns with appointments made by the City Council to various Boards and Commissions; would like to see Citizens to be Heard televised as is the practice at the County; in favor of building or expanding the SAMM Shelter in areas other than downtown; opening more streets to Fiesta and that the carnival should be moved away from its present location near the County Jail. He expressed concern over the topless bars operating around San Antonio College. He spoke in favor of term limits and the tearing down of Victoria Courts as public housing and would prefer to see single family housing. He wants the Committee overseeing the Tree Ordinance to resign since they have had only one meeting this year.

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Mr. Hodge then expressed concern over the increase in bats in the downtown area.

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MR. MICHAEL K. WOLFE

Mr. Michael K. Wolfe, 11245 Sir Winston #104, referred to a response letter he had received from the Chair of the Convention and Visitors Bureau. He stated that he had taken exception to the letter and presented it to the City Council for their review, a copy of the letter is on file with the papers of this meeting. Mr. Wolfe then stated that the "Pure/Puro San Antonio Campaign" is not a good marketing tool and took exception to the recently awarded Advertising contract to the Atkins Agency.

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MR. WALTER J. HAGEN

Mr. Walter J. Hagen, 120 W. Rose Blossom, thanked the Mayor for his participation as a judge at last week's Dog Show. He also expressed concern over the Animal Rights Activists Groups who are wanting to eliminate pet ownership.

Mr. Hagen then spoke to the condition of city roads as deplorable and urged the City Council to place a high priority on streets during this upcoming budget cycle.

Mayor Peak and members of the City Council spoke to the high priority given to streets during this budget deliberation.

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MR. MICHAEL IDROGO

Mr. Michael Idrogo spoke about his concerns over the current condition of the Sunset Depot which it is being converted to a "saloon".

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MR. WILLIAM GARCIA SMYTHE

Mr. William Garcia Smythe expressed concerns to the City Council about violations against senior citizens by the San Antonio Police.

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MR. NAZARITE R. F. PEREZ

Mr. Nazirite R.F. Perez, 627 Hearne Avenue, made references to bible passages.

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98-31 City Council recessed its regular session at 6:21 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney/Client consultations regarding terms and conditions of a lease agreement and related documents with Starwood Hotels and Resorts Worldwide, Inc. for construction of the proposed Sheraton Riverwalk San Antonio adjacent to the Henry B. Gonzalez Convention Center.
- B) Attorney/Client consultation regarding the status on negotiation in City of San Antonio v. Alamo Community College District, Cause No. 83-CI-20386.
- C) Attorney/Client consultation regarding the acquisition of property in District 1 in connection with 1998 Affordable Parade of Homes.

The Council reconvened in regular session at 7:55 P.M., at which time Mayor Peak stated that City Council had been briefed during Executive Session and had given City staff direction, but had taken no official action.

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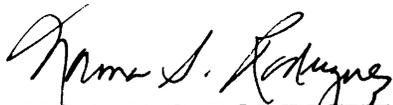
98-31 There being no further official business to conduct in formal "A" Session,
that portion of the meeting was adjourned at 9:10 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk