

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, MAY 11,
1995.

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95-21 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, SOLIS, AYALA, ROSS, THORNTON, PEAK, WOLFF. Absent: AVILA, LARSON.

A. Presentation of the status report on AIDS - Dr. Fernando Guerra, MD.

B. Presentation of landfill items - Council concurred to postpone this item and concurred to direct staff to negotiate with all three firms (BFI, TDS, Waste Management) and have all three contracts come back to the City Council by the end of the month.

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95-21 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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95-21 Invocation - Rev. Paul van Coillie, Our Lady of Good Council Catholic Church.

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95-21 Pledge of Allegiance to the flag of the United States.

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95-21 MR. BILLY BURGE

Mayor Wolff, on a Point of Personal Privilege, introduced Mr. Billy Burge and family, present in the audience, and stated that Mr. Burge is a close friend and former school classmate, and who currently is Chairman of the Metro System in Houston. He welcomed them all to City Hall.

Mayor Wolff introduced members of the 1995 Martin Luther King, Jr. Scholarship Award Committee, present in the audience.

A spokesperson for the committee addressed the background for the awards and spoke to how this year's recipients were selected, and the details of the events held during MLK Week celebrations.

Mayor Wolff introduced each scholarship award winner. Each came forward to receive his or her award and to introduce themselves to the Mayor and City Council, and speak briefly to their future educational plans.

Ms. McClendon and Mr. Perez congratulated the recipients for receiving their scholarships, and members of the committee for their hard work in a good cause.

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95-21 MR. KEMER NORKIN, DIRECTOR GENERAL - MOSCOW CITY GOVERNMENT

Mayor Wolff noted that Mr. Kemer Norkin, Director General of the Moscow city government, currently is visiting San Antonio to attend the Urban Land Institute conference May 9-13, 1995. He stated that Mr. Norkin also serves on the advisory board of the Urban Land Institute, and in addition to attending and participating in the conference, Mr. Norkin also will visit various City departments, mainly the Finance Department and Asset Management. He further noted that Mr. Norkin is interested in learning about the management of our City-owned properties, as well as municipal loans and bonds.

Mr. Norkin thanked the Mayor and City Council for the recognition and spoke to the privilege of attending the ULI conference now underway in San Antonio. He addressed the importance of learning how to serve people with a government which works better and costs less.

Mr. Norkin then presented the Mayor with a miniature flag of the City of Moscow, and its Coat of Arms.

Mayor Wolff, in turn, presented Mr. Norkin with a San Antonio tie and an Alamo pin.

Mayor Wolff stated that tomorrow, May 12, 1995, the Greater San Antonio Chamber of Commerce will mark the 25th anniversary of Armed Forces Week in San Antonio, a celebration honoring all our military and their families. He noted that opening ceremonies will be held at 4:00 P.M. at the HEB corporate offices in The Arsenal, with Secretary of the Navy Mr. John Dalton of San Antonio on hand to officially kick off the ceremonies. He spoke to other highlights of the week. He then read the formal proclamation designating Armed Forces Week in San Antonio, and

presented it to Mr. Navarra Williams, Chairman of the Military Affairs Council of the Chamber, and to Ms. Carri Baker, Chairperson for Armed Forces Week.

Mr. Williams and Mr. Tullos Wells, Chairman of the Greater Chamber, spoke to the importance of Armed Forces Week and detailed the events to take place during that week. They thanked the Mayor, City Council members and others for their support in defending our military bases during these days of downsizing by the military.

Mr. Larson addressed San Antonio's reputation as a military city, and the importance of carrying this message to Washington D.C.

Mr. Peak thanked the Greater Chamber for 25 years of lending support to this salute to our military in San Antonio.

Mr. Perez thanked Mr. Wells and the Greater Chamber for their efforts in the Base Realignment & Closure Committee (BRAC) environment.

Ms. Ayala and Mr. Solis both noted that the Greater Chamber has been in the forefront of military affairs, over the years, in San Antonio.

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95-21

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SAN ANTONIO POLICE OFFICER MEMORIAL DAY

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Mayor Wolff noted that, just as the City acknowledges those who protect our society from external forces, we those who protect the citizen at home, from the internal forces of crime should be recognized. To that end, he then read a formal proclamation designating San Antonio Police Officer Memorial Day, and presented it to a delegation of police officers led by Chief Al Philippus.

Chief Philippus addressed the 11 per cent drop in San Antonio's crime rate this year and the 46 per cent drop over the past three years, then spoke to the comprehensive approach to solving youth problems of the city. He stated that this day will mark the occasion when the city honors the 39 San Antonio police officers who died in the line of duty.

Mayor Wolff and City Council members lauded the department and spoke in honor of the officers who have died in line of duty here. They spoke to the sharp drop in the crime rate and the contributions of the Crime Commission, and also addressed the impact of the "100 Club".

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95-21

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RESPITE CARE WEEK

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Mayor Wolff noted that Respite Care of San Antonio, in honor of Respite Care Week, will host a Respite Care Dinner and a Respite 500 Mini Grand Prix Race. He then read a proclamation designating Respite Care Week in San Antonio, and presented it to Mr. Robert Carter and Mr. Greg Gillespie, representing Respite Care of San Antonio and Builders Square, respectively.

Mr. Gillespie thanked the Mayor and City Council for the proclamation, and also thanked Mr. Larson for his coming service as chair of the dinner and race.

Various City Council members then donated funds from their respective Discretionary Funds for this function.

City Clerk Norma S. Rodriguez then read the following ordinance:

AN ORDINANCE 82,174

AUTHORIZING THE EXPENDITURE OF FUNDS FROM SEVERAL DISCRETIONARY FUNDS ACCOUNTS TO PARTIALLY FUND THE 1995 RESPITE 500 MINI-GRAND PRIX, AS REQUESTED BY COUNCILMAN BOB ROSS, DISTRICT 7; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

95-21 ALAMODOME DESIGN TEAM AWARDS PRESENTATION

Mr. Steve Souter, representing the design team for the Alamodome construction project, addressed the background of the design of the Alamodome and the awards received for that design, thus far.

Mr. Doug Steadman, representing The Simpson Group, outlined the awards received this far, and spoke to details of the printed report outline, given to each Council member. A copy of that report is made a part of the papers of this meeting.

Mayor Wolff lauded the design team and City staff, led by Mr. Roland Lozano, for their key roles in the design and construction of the Alamodome. He also recognized the role of former Mayor Henry Cisneros as leader of the Alamodome concept and funding.

Other City Council members spoke to the importance of the Alamodome to San Antonio, in attracting major conventions and other events.

95-21 It was the concensus of City Council members present to undertake consideration of Agenda Item 27 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 95-21-34

SUPPORTING THE CONCEPT OF PROVIDING FUNDING FOR THE CONSTRUCTION OF A NEW HIGHWAY INTERCHANGE ON IH 35 IN FRONT OF THE NEW BAMC HOSPITAL, AS REQUESTED BY MAYOR NELSON W. WOLFF AND COUNCILWOMAN RUTH JONES MCCLENDON.

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

Ms. McClendon spoke to the limited access currently available to the new Brooke Army Hospital, a major trauma treatment center, and addressed plans for a \$7 million overpass over IH 35. She spoke to the need for community support for this project, and asked local government to pledge some \$1.2 million of that needed total in local matching funds.

Mr. Navarra Williams, Chairman, Military Affairs Council, Greater San Antonio Chamber of Commerce, addressed the need for this overpass, emphasizing the need to reduce the time for emergency vehicles to reach the military hospital with trauma victims. He noted that Congressman Frank Tejada is seeking federal funds for this project, as well.

In response to a question by Mr. Larson, Mr. Alexander E. Briseno, City Manager, stated that the City might be able to use bond funds set aside for next year.

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

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95-21

MR. ELI GUERRA/KARATE KIDS

Mayor Wolff thanked Mr. Guerra for his anti drug program for San Antonio's youth, Mr. Guerra came forward to speak to the anti-drugs/anti-crime efforts of the Karate Kids.

Mr. Avila spoke to the widespread community efforts of this program.

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Mr. Avila made a motion to approve Agenda Items 8 through 21, constituting the Consent Agenda. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolf; ABSENT: McClendon, Billa Burke.

AN ORDINANCE 82,175 .

ACCEPTING THE LOW BID OF SNAPPY SNACK VENDING COMPANY/DIVISION OF COCA COLA BOTTLING COMPANY OF THE SOUTHWEST TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH A SUMMER FOOD PROGRAM FOR A TOTAL OF APPROXIMATELY \$474,610.50.

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AN ORDINANCE 82,176 .

SELECTING ANDREW PEREZ ASSOCIATES, ARCHITECTS TO PROVIDE ARCHITECTURAL AND DESIGN SERVICES IN CONNECTION WITH THE CITY-WIDE DISABILITY ACCESS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING NEGOTIATION OF A CONTRACT; AND APPROPRIATING \$36,327.00 FOR SUCH PURPOSE.

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AN ORDINANCE 82,177 .

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION, INC. IN THE AMOUNT OF \$793,556.68 IN CONNECTION WITH THE FENFIELD-LAREDO TO SOMERSET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$45,020.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$11,912.00 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,178 .

ACCEPTING THE LOW, QUALIFIED BID OF JAMES LITRELL CONSTRUCTION, INC. IN THE AMOUNT OF \$213,698.00 IN CONNECTION WITH THE SIDNEY-STREET-CLARK TO HALLIE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$13,220.00 FOR MISCELLANEOUS

CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,280.00 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,179 .

ACCEPTING THE LOW, QUALIFIED BID OF S.A. WINCO, INC.L IN THE AMOUNT OF \$609,810.40 IN CONNECTION WITH THE GRAYSON, COLITA, CARSON, MASON-NORTH NEW BRAUNFELS TO SPOFFORD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$34,238.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$5,753.00 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,180 .

ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES COMPANY, INC. IN THE AMOUNT OF \$170,115.55 IN CONNECTION WITH THE NORTH NUECES STREET-WEST MARTIN TO WEST TRAVIS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$10,775.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,226.00 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,181 .

AUTHORIZING ADDITIONAL 1989 G.O. LIBRARY BOND FUNDS IN THE AMOUNT OF \$70,480.00 PAYABLE ACCORDING TO THE TERMS OF THE PROFESSIONAL SERVICES AGREEMENT WITH JOHNSON, DEMPSEY, AND ASSOCIATES, INC. FOR ARCHITECTURAL SERVICES RELATED TO THE DESIGN AND CONSTRUCTION OF THE NEW CENTRAL LIBRARY.

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AN ORDINANCE 82,182 .

AUTHORIZING THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING

A FORCE ACCOUNT FUND IN THE AMOUNT OF \$8,400.00 FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL AND LABOR AT THE INTERSECTION OF THOUSAND OAKS AND CHAPALA WAY.

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AN ORDINANCE 82,183

AUTHORIZING THE TEXAS BANDMASTERS ASSOCIATION USE OF MAVERICK PLAZA, JUAREZ PLAZA AND PLAZA NACIONAL IN LA VILLITA IN CONNECTION WITH THEIR ANNUAL CONVENTION ACTIVITIES FOR 1995 THROUGH 2004.

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AN ORDINANCE 82,184

ACCEPTING A PROPOSAL FROM ST. MARY'S UNIVERSITY ARCHAEOLOGY PROGRAM TO PROVIDE ARCHAEOLOGICAL SERVICES IN CONNECTION WITH THE TAXIWAYS B, C & D RECONSTRUCTION PROJECT AT STINSON MUNICIPAL AIRPORT; AUTHORIZING ARCHAEOLOGICAL SERVICES FEES IN THE AMOUNT OF \$22,900.00; AUTHORIZING AN ADDITIONAL \$5,000.00 FOR A CONTINGENCY ACCOUNT; PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,185

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE SAN ANTONIO BRASS FOR \$3,617.00, THE SAN ANTONIO DANCE THEATER FOR \$2,600.00 AND THE SAN ANTONIO TEACHERS COUNCIL FOR \$3,400.00 UTILIZING TEXAS COMMISSION ON THE ARTS GRAND FUND.

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AN ORDINANCE 82,186

APPOINTING MIKE KNAPP TO THE AIR QUALITY TASK FORCE FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 1997.

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AN ORDINANCE 82,187

RATIFYING THE TEMPORARY CLOSURE OF CROCKETT STREET BETWEEN NAVARRO AND PRESA, FROM OCTOBER 30, 1994 UNTIL JANUARY 12, 1995, FOR THE SOUTH BANK PROJECT.

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AN ORDINANCE 82,188

AUTHORIZING THE TEMPORARY CLOSURES OF 1) SOLEDAD STREET, BETWEEN NAVARRO AND GIRAUD STREETS FROM 12:01 A.M., SATURDAY, MAY 20, 1995 UNTIL 2:00 A.M., SUNDAY, MAY 21, 1995, AND 2) SOLEDAD STREET, BETWEEN GIRAUD AND MARKET STREET, AND MAIN PLAZA BETWEEN MARKET STREET AND NUEVA STREET ON SATURDAY, MAY 20 FROM 9:00 A.M. UNTIL NOON IN ORDER TO CONDUCT THE "MAGICAL BOOK PARADE" AND OTHER ACTIVITIES RELATED TO THE GRAND OPENING OF THE NEW CENTRAL LIBRARY.

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95-21

ZONING HEARINGS

It was the concensus of City Council members present to undertake consideration of Agenda Item 4N at this time.

4N. CASE #295035 (CC) - to rezone and reclassify NCB 17877, P-28B, P-46 and All of Blocks 1 thru 10, save and except Lot 25, Block 2, Lot 16, Block 6, and NCB 18159, All of NCB save and except P-2C, P-2J, P-3A, P-4C, P-21, P-4D, P-21, P-21F, P-25 and P-106, from temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District; NCB 17877, Block 2, Lot 25 and NCB 17877, Block 6, Lot 16 from temporary "R-1" Single Family Residence District to "R-1" CC Single Family Residence District for a child day care center; NCB 17877, P-28 E from temporary "R-1" Single Family Residence District to "R-1" CC Single Family Residence District for a cemetery; NCB 18159, P-4D and NCB 15469, Block 1, the north 170 feet of Lot 2, from Temporary "R-1" Single Family Residence District to "R-2" Two Family Residence District; NCB 18159, P-21 and P-25, save and except the north 425 feet, from temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District; NCB 18158, Block 1, Lot 1 and NCB 18159, P-4C, P-21F, P-106 and the north 425 feet of P-25, from temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District. Target area is generally located on the southside of Marbach Road, between Ellison Drive and Horal Drive.

Mr. Andy Guerrero, Land Development Services, spoke to the overall zoning plan of the City of San Antonio.

The following persons appeared to speak:

Ms. Ruth Agather, attorney, spoke to the continuing development of this area and plans for a certain property on Hunt Lane. She also spoke to the zoning history of this area, and expressed her view that this area should be given non-conforming rights. She asked that this case be returned to the Zoning Commission for reconsideration.

Mr. John Carr asked to have a B-3R zoning on his own property,

separate from the case being considered.

Mr. Thomas Jones, P.O. Box 459012, presented petitions signed by some 169 individuals in the area, which he asked be added to the more than 400 similar petitions handed to the Zoning Commission in opposition to the requested rezoning. He asked that any zoning above R-1 on this property be denied, and further requested that certain site-work already underway on the property be halted, and the property be returned to its original state prior to beginning of this site-work.

Mr. Brett Covington, 9630 Boonsboro, stated his belief that the issue at hand is a matter of property rights versus community concerns about development of this particular site. He noted that a majority of the subject property lies within the 100-year floodplain, and he spoke to his concerns with flooding in the area and the possible adverse effects that development of this property might have on neighborhood property values. He requested that an R-1 zoning be placed upon the entire property.

Mr. Rudolfo Mata, 310 Mahota Drive, addressed the alleged adverse impact of development on this property upon the surrounding neighborhood. He also asked for an R-1 zoning on the subject property, as recommended by the Zoning Commission.

Mr. Fred Magee, 8826 Flint Valley, spoke to his fears for area flooding.

Mr. Ray Deshambo, 9446 Shields Drive, spoke to the area's development and the need for a master plan to effectively develop this area. He also stated his belief that no demand exists for multi-family housing in this area.

Ms. Helen A. Ervin addressed the adverse impact by another apartment project on nearby Horal Road.

Mr. Cecil Dykes asked to have a B-3R zoning on his own property, rather than the R-1.

After discussion, Mr. Avila made a motion to approve the recommendation of the Zoning Commission, with the exception of Parcels P-2C, P-3, P-3A and 2-J, NCB 18159, which are to be returned to the Zoning Commission for consideration of B-3R zoning. Ms. Billa Burke seconded the motion.

Ms. Kay Brown spoke to traffic congestion in the area and the need for a comprehensive plan for the entire area. She stated her belief that the Hunt Lane area needs to be R-1 in order to link the adjacent residential areas.

Mr. Stanley Rosenberg, attorney, stated that his client's command of the English language might possibly be an impediment in this matter, and spoke to his belief that he has a non-conforming right to develop this property. He then spoke to the concessions his client is willing to make in this matter, including a postponement of action on this matter until both sides can get together to discuss the issues.

In response to a question by Mr. Ross, Mr. Lloyd Garza, City Attorney, disagreed with the contention that non-conforming rights have been perfected on this property.

Mr. Avila stated his belief that the applicant made no attempt to contact neighborhood associations about this matter.

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

AN ORDINANCE 82,189

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 NCB 17877, P-28B, P-46 AND ALL OF BLOCKS 1 THRU 10, SAVE AND EXCEPT LOT 25, BLOCK 2, LOT 16, BLOCK 6, AND NCB 18159, ALL OF NCB SAVE AND EXCEPT P-2C, P-2J, P-3A, P-4C, P-21, P-4D, P-21, P-21F, P-25 AND P-106, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT; NCB 17877, BLOCK 2, LOT 25 AND NCB 17877, BLOCK 6, LOT 16 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT FOR A CHILD DAY CARE CENTER; NCB 17877, P-28 E FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT FOR A CEMETERY; NCB 18159, P-4D AND NCB 15469, BLOCK 1, THE NORTH 170 FEET OF LOT 2, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; NCB 18159, P-21 AND P-25, SAVE AND EXCEPT THE NORTH 425 FEET, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; NCB 18158, BLOCK 1, LOT 1 AND NCB 18159, P-4C, P-21F, P-106 AND THE NORTH 425 FEET OF P-25, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4A. CASE #Z94218 (PP) - to rezone and reclassify 17.51 acres out of NCB 17586 U.S. Hwy 281 North, from "B-3" ERZD Business Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District. Property is located on the southeast side of U.S. 281 North, 550 feet southeast of the intersection side of U.S. North and Encino Rio, having 1,418.59 feet on U.S. 281 North and a depth of 670.00 feet.

Mr. Andy Guerrero, Land Development Services, stated that the applicant has withdrawn the rezoning request.

Case Z95035 CC was withdrawn from consideration.

95-21 At this time, Mayor Wolff was obliged to leave the meeting. Mr. Larson presided in the temporary absence of the Mayor Pro Tem.

4B. CASE #Z95082 - to rezone and reclassify Lot 1, Block 8, NCB 18208 Jones Maltsberger, from "B-3" Business District to Historic B-3" Business District. Property is located on the northeast side of Jones Maltsberger Road, 100 feet northwest of the intersection of Jones Maltsberger Road and a depth of 313.20 feet.

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

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

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

AN ORDINANCE 82,190

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 8, NCB 18208 JONES MALTSBERGER, FROM "B-3" BUSINESS DISTRICT TO HISTORIC B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE #Z95098 - to rezone and reclassify a 0.5787 acre tract of land out of NCB 14862, Laureate Drive, from "B-2" Business District to "B-3R" Restrictive Business District. Property is located on the east side of Laureate Drive, 84.90 feet north of the intersection of Laureate Drive and Prue Road, having 150.50 feet on Laureate Drive and a depth of 167.50 feet.

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

In response to a question by Mr. Thornton, Mr. Charles Edem,

consultant to West Telemarketing, spoke to the number of employees the firm has in San Antonio.

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

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

AN ORDINANCE 82,191

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 A 0.5787 ACRE TRACT OF LAND OUT OF NCB 14862, LAUREATE DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE #Z95026 (PP) - to rezone and reclassify A 2.00 acre tract out of NCB 18890, 14731 Bulverde Road, from temporary "R-1" Single Family Residence District to "I-1" Light Industry District. Property is located on the west side of Bulverde Road, 1,122.73 feet northwest of the intersection of Butterleigh Drive and Bulverde Road, having 203.79 feet on Bulverde Road and a depth of 370.98 feet.

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

Mr. Jeff Brown, the proponent, addressed the proposed buffering plan.

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

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

AN ORDINANCE 82,192

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 A 2.00 ACRE TRACT OUT OF NCB

18890, 14731 BULVERDE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE #Z95084 - to rezone and reclassify P-5D, NCB 15722 O'Connor Road, from "O-1" Office District to "B-3NA" Non-Alcoholic Sales District. Property is located on the west side of O'Connor Road, 1,030 feet north of the intersection of the Missouri Kansas Texas railroad right of way and O'Connor Road, having 105.21 feet on O'Connor Road and a depth of 194.75 feet.

Mr. Rafael Cordero, the proponent, asked that the entire property in question be rezoned to B-3NA.

After discussion, Mr. Perez moved that this rezoning case be continued until the meeting of May 25, 1995. Mr. Peak seconded the motion.

The motion to continue this rezoning case to May 25, 1995 was approved by the following vote: AYES: Perez, McClendon, Billa Burke, Ayala, Ross, Thornton, Peak, Larson. NAYS: None. ABSENT: Avila, Solis, Wolff.

Zoning Case Z95084 was continued to May 25, 1995.

95-21 At this time, Mayor Pro Tem Solis presided.

4F. CASE #Z95029 - to rezone and reclassify Lot 20, Block 4, NCB 642, 120 Ludwig, from "I-1" Light Industry District to "I-2" Heavy industry District. Property is located on the south side of Ludwig Street, 139.7 feet west of the intersection of the Southern Pacific railroad right-of-way and Ludwig Street, having 34.9 feet on Ludwig Street and a depth of 195.6 feet.

Mr. Andy Guerrero, Land Development Services, stated that because of the opposition to this rezoning case, it would require nine affirmative votes of City Council to grant the rezoning.

Ms. McClendon explained neighborhood concerns with the background on this parcel of land, which has been used as a foundry. She noted that the rezoning case proponent plans to reduce emissions from the foundry operation. A letter to that effect is made a part of the papers of this meeting.

Mr. Ronnie Hunt, the proponent, reiterated that the property will still be used for operation of a foundry, but with a reduction in

emissions through the use of better equipment.

Ms. McClendon made a motion to approve the recommendation of the Zoning Commission. Mr. Ross seconded the motion.

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

AN ORDINANCE 82,193

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 20, BLOCK 4, NCB 642, 120 LUDWIG, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4K. CASE #Z95091 - to rezone and reclassify A 0.057 acre tract of land out of NCB 11212, East of 9040 Somerset Road, from "B" Residence District to "B-3" CC Business District with special City Council approval for a communications transmission tower. Property is located 479 feet northeast of the intersection of Remigio Street and Somerset Road, being 287.66 feet east of Somerset Road, having a width of 50 feet and depth of 50 feet.

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

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

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

AN ORDINANCE 82,194

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 A 0.057 ACRE TRACT OF LAND OUT OF NCB 11212, EAST OF 9040 SOMERSET ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A COMMUNICATIONS TRANSMISSION TOWER. "THE PENALTY FOR

VIOLETION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE #Z95088 - to rezone and reclassify Lots 377 thru 393, NCB 6186, San Marcos Street, from "C" Apartments District "0-1" Office District. Property is located northwest of the intersection of San Marcos Street and Pendelton Avenue, having 103.86 feet on San Marcos Street and 368.92 feet on Pendelton Avenue.

After discussion, Mr. Perez made a motion to continue this case for 30 days. Mr. Ross seconded the motion.

The motion to continue this rezoning case for 30 days prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton. NAYS: None. ABSENT: Peak, Larson, Wolff.

Zoning Case Z95088 was continued for 30 days.

- - -
4I. CASE #Z95085 - to rezone and reclassify Lots 11 and 12, Block 1, NCB 8857, 454 N. San Felipe Street, from "C" Apartments District to "B-3NA" Non-Alcoholic Sales District. Property is located on the east side of San Felipe Street, 250 feet south of the intersection of Rivas Street and San Felipe Street, having 50 feet on San Felipe Street and a depth of 114.5 feet.

After discussion, Mr. Ross made a motion to continue this rezoning case until June 8, 1995. Ms. Billa Burke seconded the motion.

The motion to continue the case until June 8, 1995 prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ayala, Ross, Thornton. NAYS: None. ABSENT: Avila, Peak, Larson, Wolff.

Zoning Case Z95085 was continued until June 8, 1995.

- - -
4J. CASE #Z95069 - to rezone and reclassify Lot A-3, NCB 989, 719-723 South Flores, from "B-3NA" Non Alcoholic Sales District to Historic "B-3NA" Non Alcoholic Sales District. Property is located between South Flores and the M.K. & T Railroad right of way, 204.4 feet northeast of the intersection of South Flores and Guadalupe, having 88.6 feet on South Flores and a depth of 294.3 feet.

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

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

After consideration, the motion, carrying with it the passage

May 11, 1995
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of the following Ordinance, prevailed by the following vote: AYES:
Perez, McClendon, Billa Burke, Solis, Ross, Thornton, NAYS: None;
ABSENT: Avila, Ayala, Peak, Larson, Wolff.

AN ORDINANCE 82,195

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 A-3, NCB 989, 719-723 SOUTH
FLORES, FROM "B-3NA" NON ALCOHOLIC SALES DISTRICT TO
HISTORIC "B-3NA" NON ALCOHOLIC SALES DISTRICT. "THE
PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

* * * *

4K. CASE #Z95091 - to rezone and reclassify the north 93.3 feet of
Lots 6 and 7, NCB 2228, Morales and N. Las Moras, from "C" Apartments
District to "0-1" Office District. Property is located southwest of the
intersection of Morales and N. Las Moras, having 88 feet on Morales and
93.8 feet on N. Las Moras.

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

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

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

AN ORDINANCE 82,196

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 THE NORTH 93.3 FEET OF LOTS 6
AND 7, NCB 2228, MORALES AND N. LAS MORAS, FROM "C"
APARTMENTS DISTRICT TO "0-1" OFFICE DISTRICT. "THE
PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

* * * *

4L. CASE #Z94277 (CC) (PP) - to rezone and reclassify North 50 feet
of Parcel 1D, NCB 18198, from "R-1" Single Family Residence District to

"0-1" Office District and Parcel 3B and Parcel 1D, save and except the north 50 feet, NCB 18198, Braun Road and Alisa Brooke, from "R-1" Single Family Residence District to "B-2" Business District. Property is located northwest of the intersection of Alisa Brook and Braun Road, having 250 feet on Alisa Brooke and 400 feet on Braun Road.

After discussion, Mr. Thornton made a motion to continue this rezoning case until June 8, 1995. Mr. Perez seconded the motion.

The motion to continue this case until June 8, 1995 prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Solis, Ross, Thornton. NAYS: None. ABSENT: Avila, Ayala, Peak, Larson, Wolff.

Zoning Case Z94277 CC PP was continued until June 8, 1995.

4M. CASE #Z95096 - to rezone and reclassify Lot 34, NCB 6907, 2903 E. Houston Street, from "JJ" Commercial District to "B-3NA" Non-Alcoholic Sales District. Property is located northeast of the intersection of Rosary Street and E. Houston Street, having 125 feet on Rosary Street and 50 feet on E. Houston Street.

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

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

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

AN ORDINANCE 82,197

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 34, NCB 6907, 2903 E. HOUSTON STREET, FROM "JJ" COMMERCIAL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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95-21 PUBLIC HEARING AND CONSIDERATION OF GROUND TRANSPORTATION ORDINANCE

5. Mayor Pro Tem Solis declared the Public Hearing to be open.

City Clerk Norma S. Rodriguez read a proposed ordinance

amending the Ground Transportation Ordinance, Chapter 33 of the City Code, regulating Vehicles For Hire (Taxicabs, Limousines, Charter and Tour Vehicles); requiring operating permits for ground transportation services, vehicle permits for vehicles used in the services, and driver permits for drivers of vehicles for hire; setting up procedures for the application for and revocation or suspension of the permits; providing regulations for permit holders, drivers and vehicles; making some violations misdemeanor crimes subject to penalties of up to \$500.00 and other violations administrative offenses subject to fines of \$10.00 to \$500.00; providing for severability; and declaring an effective date.

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

Captain Tom Polonis, San Antonio Police Department-Ground Transportation, spoke to the overall plan for a comprehensive ground transportation ordinance, and noted that today's public hearing is the third to be held on this matter concerning amendments to the Vehicles For Hire segment of Chapter 33, City Code. He then narrated a brief video presentation on the proposed changes, a copy of which is made a part of the papers of this meeting.

The following persons appeared to speak:

Mr. Cruz Chavira, representing San Antonio Taxi Drivers Alliance, questioned two items: the recent court ruling on Checker Cab vs City of San Antonio, and some proposed revisions generated by City staff. He asked the Council to wait 20 more days in order that the new City Council, which begins June 1, will be in place to consider this matter. He stated his belief that no statistics are available on the adverse impact of recent regulations on taxi drivers' incomes, and spoke to the impact of the many fees and regulations governing the taxicab industry in San Antonio. He stated his belief that 70 per cent of the taxicabs on the city's streets now will be forced off the streets by these proposed changes, and he recommended fairness be applied in this matter.

Mr. Bill Stephens, Taxicab driver, addressed what he considers 'onerous rules and regulations' for the local taxicab industry.

Mr. David Nagle, representing Carey Limousine, addressed several perceived problem areas in the new proposed amendments which he feel go too far in regulating the industry.

Mr. Skip Farkas, representing San Antonio Limousine Association, questioned the need for many of the proposed new regulations, and asked for a delay in the City Council's vote on adoption, until the new Council takes office.

Mr. Mike Fazio, also representing San Antonio Limousine Association, stated his belief that an agreement by all sides concerned is within reach, and expressed his belief that the proposed new amendments are too stringent. He stated his fear that chaos will result if they are adopted.

Mr. Kent Mantle, also representing San Antonio Limousine Association, feels that the new proposed regulations will force more limousines off the streets, and he asked for a 20-day delay in the vote.

Mr. Stan Sigler, representing River City Limousine, stated his contention that smaller limousine firms cannot stay in business with the new and higher fees being proposed.

Mr. Mario Zamora, representing Fiesta City Fun Tours, spoke to the need for more tour-vehicle space.

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

* * * *

In response to a question by Mr. Perez, Captain Polonis stated that the goal of the proposed amendments is to bring consistency to the industry, noting that only a small number of changes apply to taxicabs.

Mr. Perez stated that service levels of taxicabs have risen over the past year, and noted that the goal is to standardize regulations of the entire industry. He noted further that staff currently is revising the segment of the proposed ordinance affected by the federal judge's ruling of late.

Mr. Peak noted that all sides of this issue have been heard, and stated his belief that the applicable rules continue to improve.

In response to a question by Mr. Ross, CPT Polonis discussed the need for taxicabs to have an office, noting that they can have a 'pool office' serving more than one taxi service.

Ms. McClendon thanked Mr. Perez for his leadership in the transportation industry and this issue before Council today, but spoke to certain concerns with possible problems involving the new regulations.

Ms. McClendon made a motion to amend the proposed ordinance by removing taxicab issues from that document and bringing them back to City Council in 30 days. Mr. Avila seconded the motion.

A discussion then took place concerning the federal judge's recent ruling and its impact.

Mr. Solis spoke to the need for more time to meet with the industry and to discuss the issues.

In response to a question by Mr. Peak, Ms. McClendon restated the essence of her amendment to the main motion.

Mr. Ross urged a vote on this issue be taken today, then allow the Transportation Committee meet with the industry to address their concerns.

Mr. Alexander E. Briseno, City Manager, noted that this a longstanding issue, and stated his belief that the City has a good ordinance with very few amendments affecting taxicabs. He stated that the proposed ordinance contains no substantive changes from the ordinance enacted some 15 months ago, and recommended the proposed ordinance be approved.

CPT Polonis spoke to redefining some of the issues to make the ordinance easier to understand.

In response to a question by Mr. Larson, Mr. Chavira stated his belief that the recent federal judge's ruling will add 100 more taxicabs to the local industry, which in turn will affect the current taxicabs.

Mr. Larson made a second amendment to allow for use of 1991-model vehicles, thus providing for vehicles that are six model-years old. Ms. Billa Burke seconded the motion.

The second amendment then prevailed by the following vote:
AYES: Perez, Billa Burke, Avila, Solis, Ross, Thornton, Peak, Larson.
NAYS: None. ABSENT: McClendon, Ayala, Wolff.

The first amendment then failed to carry by the following vote:
AYES: McClendon, Billa Burke, Avila, Solis, Thornton. NAYS: Perez, Ross, Peak, Larson. ABSENT: Ayala, Wolff.

The main motion, as amended, then failed to carry by the following vote: AYES: Perez, Billa Burke, Ross, Peak, Larson. NAYS: McClendon, Avila, Solis, Thornton. ABSENT: Ayala, Wolff.

Mr. Briseno stated that, since the motion failed to carry, the existing Ground Transportation ordinance remains in effect.

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95-21 PUBLIC HEARING-ANNEXATION OF STATE FELONY JAIL FACILITY AND PRIVATE PROPERTY

6. Mayor Pro Tem Solis declared the Public Hearing to be open.
No citizen was signed to speak to this matter.

Mr. David Pasley, Director of Planning, noted that this is the first of two required public hearings on the proposed annexation of the new State Felony Jail Facility and certain private property along Cagnon Road. He spoke to specifics of the proposed annexation, and noted that no formal action of City Council is required at this time.

There being no citizens present to speak to this matter, Mayor Pro Tem Solis declared the Public Hearing to be closed.

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95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,198

AUTHORIZING PAYMENT IN THE AMOUNT OF \$189,868.40 FOR LEGAL SERVICES PERFORMED BY LLOYD, GOSSELINK, FOWLER, BLEVINS AND MATHEWS, P.C., RELATED TO CONTRACT CLAIMS ANALYSIS AND LITIGATION DEFENSE ASSOCIATED WITH CONSTRUCTION OF THE ALAMODOME; APPROPRIATING AN ADDITIONAL AMOUNT OF \$250,000.00 FOR CONTINUED LEGAL SERVICES; AND AUTHORIZING A TRANSFER FROM VIA 1/2 PERCENT SALES TAX TO PAY FOR SAID SERVICES.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the legal fees involved in construction of the Alamodome, as well as contract claims analysis and litigation defense.

A discussion ensued concerning subcontractors' problems with Salazar Construction Company.

Mr. Gabriel Perez, Capital Projects Administration, Public Works Department, noted that 15 subcontractors remain unpaid for their work on the Alamodome, and all have agreed to accept a lower amount from funds remaining in the Alamodome account, and to seek the difference directly from Salazar Construction. He stated that the subcontractors thus will receive about 80 cents on the dollar. He further noted that Salazar Construction now is in receivership, and its bonding company also failed.

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

Mr. Perez stated, in conclusion, that he hopes for a solution to this matter within two weeks.

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

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,199

AMENDING BUDGETS IN THE "HOTEL/MOTEL TAX CAPITAL IMPROVEMENT PLAN EXPANSION FUND" AND THE "HOTEL/MOTEL IMPROVEMENT AND CONTINGENCY FUND";

AUTHORIZING THE ESTABLISHMENT OF A CAPITAL PROJECTS FUND ENTITLED "CONVENTION CENTER EXPANSION PROJECT"; AND AUTHORIZING THE TRANSFER OF PREVIOUSLY RECORDED ACTIVITY RELATED TO THE CONVENTION CENTER EXPANSION PROJECT TO THE NEWLY ESTABLISHED CAPITAL PROJECTS FUND.

* * * *

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

Ms. Jelynn Burley, Convention Center Expansion Office, explained the proposed ordinance to better tract the expenses for expansion of the Convention Center.

In response to a question by Mr. Larson, Ms. Burley and Ms. Nora Chavez, Finance Director, discussed financing of this project, including returns on the additional two per cent hotel/motel room tax and a possible bond sale to finance the project.

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

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,200

AUTHORIZING ADDITIONAL SERVICES PERFORMED BY KELL MUNOZ WIGODSKY, INC., RELATED TO SCHEMATIC DESIGN, DESIGN DEVELOPMENT, CONSTRUCTION DRAWINGS, AND ENVIRONMENTAL TESTING FOR THE HEMISFAIR ARENA DEMOLITION PHASE OF THE CONVENTION CENTER EXPANSION PROJECT; AND APPROPRIATING FUNDS TO KELL MUNOZ WIGODSKY, INC., IN THE AMOUNT OF \$15,014.00 FOR ADDITIONAL SERVICES, AND \$18,560.00 FOR ENVIRONMENTAL TESTING, FOR A TOTAL AMOUNT NOT TO EXCEED \$33,574.00.

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

Ms. Jelynn Burley, Convention Center Expansion Office, briefly explained the additional services and environmental testing required.

In response to a question by Ms. McClendon, Ms. Burley explained the ratification actions involved, noting that, from now on, each charge will be approved ahead of time.

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

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,201

AUTHORIZING KELL MUNOZ WIGODSKY, INC., TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES AND ENVIRONMENTAL MONITORING FOR THE HEMISFAIR ARENA DEMOLITION PHASE OF THE CONVENTION CENTER EXPANSION PROJECT AND APPROPRIATING FUNDS TO KELL MUNOZ WIGODSKY, INC., IN THE AMOUNT OF \$29,549.00 FOR BASIC SERVICES, \$34,567.00 FOR ADDITIONAL SERVICES, AND \$22,915.00 FOR ENVIRONMENTAL MONITORING, FOR A TOTAL AMOUNT NOT TO EXCEED \$87,031.00.

* * * *

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

Ms. Jelynn Burley, Convention Center Expansion Office, explained the fees involved, and noted that any future costs will be approved ahead of time.

Mr. Ross spoke to his concern for possibly paying for the same work twice, and expressed his belief that the architect is being paid for construction management.

A discussion took place concerning payments for primary responsibility and for review responsibility.

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

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,202

SELECTING THE FIRM OF BARTLETT COCKE-INCORE-HARDIN (BIH) AS THE CONSTRUCTION MANAGER FOR THE CONVENTION CENTER EXPANSION PROJECT AND AUTHORIZING STAFF TO NEGOTIATE THE TERMS AND CONDITIONS OF A PROFESSIONAL SERVICES CONTRACT WITH SAID FIRM TO PERFORM CONSTRUCTION MANAGEMENT SERVICES.

* * * *

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

Ms. Jelynn Burley, Convention Center Expansion Office, explained the firms responding to the Request For Proposal for construction manager of the project, how the firms were rated, and the rationale for those ratings.

The following persons appeared to speak:

Mr. Duane Pozza, representing Bartlett Cocke Construction Company, spoke to the expertise of the Bartlett Cocke-Incore-Hardin team, and narrated a video presentation of how the team will function.

Mr. Jack Lopez, representing Incore, Inc., spoke to the complex nature of the long-running six-year project, and why his team can best do the job. He then addressed plans to seek out and train persons interested in construction.

Mr. Jack Rawlings, representing The Hardin Group, addressed the preparation of a working construction schedule, including a 90-day "sprint schedule" for fast initial action on the project. He then addressed 'value engineering'.

Mr. Manuel Longoria, Assistant Director, Economic Development Department and former EEOC Compliance Officer, spoke to minority participation of the recommended BIH group.

Mr. Kyle Rooney, representing Turner/Zachry-Mitchell Joint Venture, asked the City Council to consider all of the aspects of project, when making the decision on construction manager.

Mayor Wolff noted that all three teams responding to the RFP are well-qualified, and spoke in support of the staff recommendation.

Mr. Peak spoke in favor of the recommended group, including its training venture and value engineering.

In response to a question by Ms. McClendon, Mr. Paul Foster spoke to his role in one of the joint venture firms.

In response to a question by Ms. Ayala, Mr. Lopez reiterated plans for a training program for those working into the construction business.

In response to a question by Mr. Solis, Mr. Lopez stated that his group can work with the various unions and their apprentice programs in construction training, and addressed his group/s assistance to small businesses through the Small Contractor Assistance Team (SCAT).

Discussion then took place concerning minority and small business training plans.

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

95-21

CITIZENS TO BE HEARD

MR. ALAN E. THORN BACON

Mr. Alan E. Thorn Bacon, Committee for Alternative, presented a five minute video to the City Council on Therman Disposal system by the Sutton Energy Corporation. He also distributed a prepared statement, a copy of which is on file with the papers of this meeting.

MR. MOHAMMAD H. AMROLLAH

Mr. Amrollah, 11915 Holm Oaks, spoke to the City Council about his certain situation and his concerns about not taking action to give him an exception to the present Ground Transportation Ordinance.

Councilman Perez advised Mr. Amrollah that the Council had not passed the Ground Transportation Ordinance and therefore, his particular issue was not addressed.

MS. PATSY CHEYNEY

Ms. Patsy Cheyney complimented the City Council for the manner in which the San Antonio Police Officers deal with civil commitments of the mentally ill patients here in San Antonio. She then compared the level and intensity of the training undergone by the City of San Antonio's police officers versus other police departments such as in Harris County. She then spoke to the monies spent by different states on community mental health services and spoke to Texas' low ratings, a copy of this information is on file with the papers of this meeting.

MRS. VIVIAN STOLTZ

Mrs. Stoltz accompanied by a group of area residents again addressed the City Council on their concerns with the traffic

situation on Timberhill. She spoke to various meetings with city staff and Councilman Ross and expressed concern that this issue is still being addressed to their satisfaction.

After much discussion of ways to deter the high rate of speed on this thoroughfare, Mayor Wolff suggested that Mr. John German come back in two weeks with a report on the Austin and Dallas ordinances that deal with the installation of "humps" to slow down traffic. A report will be forthcoming from the staff in two weeks.

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MR. JOHN SHULL

Mr. Shull appeared to speak to the City Council about his concerns with the manner in which VIA is operated and managed. He spoke to the many problems at VIA as well.

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MR. KARL WURZ

Mr. Karl Wurz read a prepared statement to the Council regarding his perspective on the water issue and the "endangered species".

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MR. ALFRED LADSON, JR.

Mr. Alfred Ladson, Jr., 6730 Spring Brook, spoke to his problems with the Police Department's Internal Affairs Department and spoke in particular with the manner in which a police report was written involving an vehicular accident.

After discussions, Mayor Wolff asked the police department representative in the audience and Mr. Travis Bishop, Assistant to the City Manager, to discuss and try to resolve this issue with Mr. Ladson.

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MR. ALAN PARKER

Mr. Alan Parker spoke to the upcoming Mayoral Run-off election.

95-21 The City Council Recessed for dinner at 7:25 P.M.

95-21 The City Council reconvened at 7:45 P.M.

95-21 Following Citizens To Be Heard, it was the concensus of City Council members present to undertake consideration of Agenda Item 40.

The Clerk read the following Ordinance:

AN ORDINANCE 82,203

APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY AND THE BEXAR COUNTY ELECTIONS ADMINISTRATOR, SETTING FORTH THE DUTIES OF THE BEXAR COUNTY ELECTIONS AND ADMINISTRATOR AND THE CITY OF SAN ANTONIO, IN CONNECTION WITH THE RUN OFF ELECTION FOR TUESDAY, MAY 30, 1995, AND AUTHORIZING PAYMENT FOR THE SERVICES.

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

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

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,204

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM DISTRICT 7 DISCRETIONARY FUND ACCOUNT TO PARTIALLY FUND THE JEFFERSON BAND BOOSTERS SCHOLARSHIP AWARD PROGRAM, AS REQUESTED BY COUNCILMAN BOB ROSS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

95-21 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Monclova, Coahuila, Mexico from May 15, 1995 to May 15, 1995, to attend a recognition luncheon with Mexican Businessmen.

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95-21 TRAVEL AUTHORIZATION - Granted:

CouncilWoman Helen Ayala to travel to Washington, D. C. from May 9, 1995, to May 11, 1995, to attend hearing Base Closure and Realignment Commission regarding any additional closures.

* * * *

95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,205

AUTHORIZING THE EXPENDITURE OF \$1,150 FROM THE DISTRICT 3 DISCRETIONARY FUND ACCOUNT TO PROVIDE A BASKETBALL RIM AND BACKBOARD TO BE ADDED TO THE TENNIS COURTS AT THE SOUTHSIDE LIONS TENNIS FACILITY, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

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

95-21 Agenda Item 33, being a proposed ordinance authorizing the City Manager or his designee to negotiate with and enter into a 30-year contract with Waste Management, Inc. to provide solid waste disposal services to the City to include a minimum of 50,000 tons of municipal solid waste per year from all City sources; authorizing the City to pay a rate of \$12.95 per ton for all such waste during the first two years with that rate increasing over the life of the 30-year contract in a manner consistent with the terms and conditions of the proposed and the negotiated contract, was earlier removed from consideration by the City

Manager.

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95-21 Agenda Item 34, being a proposed ordinance authorizing the City Manager or his designee to negotiate with BFI and TDS to extend the existing solid waste disposal contracts with each firm for a period of 20 years beyond the end of the existing contracts with these firms at the rates set out in the respective proposal and in accordance with the terms and conditions set out in the revised contract with each firm, was earlier removed from consideration by the City Manager.

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95-21 Agenda Item 35, a presentation on the Alamodome Operating Budget, was temporarily bypassed for later consideration during this meeting.

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95-21 The Clerk read the following Ordinance:

AN ORDINANCE 82,206

AWARDING A CONTRACT TO TICKETMASTER TO PROVIDE BOX OFFICE AND TICKET DISTRIBUTION SERVICES TO THE CITY OF SAN ANTONIO FOR PUBLIC EVENTS HELD AT THE ALAMODOME AND CONVENTION CENTER FACILITIES FOR AN INITIAL PERIOD OF THREE YEARS AND ESTIMATED ANNUAL REVENUES TO THE CITY IN THE AMOUNT OF \$100,000.00.

* * * *

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

Mr. Mike Abington, Director of the Alamodome, explained the evaluations of the three firms responding to the Request For Quotations, and compared their responses. He then spoke to the recommendation for Ticketmaster. He addressed the 'convenience charges' at both outlets and by telephone, then compared an example purchase made at any outlet, versus a purchase made at the Alamodome ticket office, noting that the latter would have no 'convenience charge' applied to it. He spoke to the advantages of automated tickets, stating that they also curtail fraud because of changes made in the tickets. Finally, he stated that the new Alamodome ticket office would be staffed by Alamodome personnel.

In response to a question by Mr. Solis, Ms. Teri Johnson spoke to the the small and minority business response by Ticketmaster.

Mr. Solis addressed his concern with citizens having to pay a ticket surcharge of 50-cents per ticket, with 25-cents going to the Alamodome and 25-cents going to VIA Metropolitan Transit. He also voiced his concern with exemptions given to PACE Entertainment, the Spurs, and to Stone City Attractions, when other local promoters are not

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exempt from using the Ticketmaster service, because those entities have their own agreements with Ticketmaster, except for Stone City Attractions.

Mr. Abington spoke to the reasons for the exemptions for those firms.

Mr. Alexander E. Briseno, City Manager, noted that City Council had agreed to fund a \$1.1 million package to configure the Alamodome similar to the Arena layout, for concerts.

Mr. Edward C. Garcia, Director of Convention Facilities, stated that the City would exempt PACE and Stone City Attractions because of their record of longstanding bookings into City facilities, whereas other local promoters do not.

Mr. Peak spoke to the need for the City to be on-line with this matter as quickly as possible.

Mr. Ross noted that Dallas is in process of privatizing its Reunion Arena and is not involved with Ticketmaster or anyone else, for that reason.

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

Mayor Wolff spoke to the Alamodome's record of having made a profit in only its second year.

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95-21 (At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided in the temporary absence of the Mayor Pro Tem.)

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95-21 PRESENTATION-ALAMODOME OPERATING BUDGET

Mr. Mike Abington, Alamodome Director, narrated a brief video presentation on the Alamodome's operating budget, a copy of which is made a part of the papers of this meeting.

(At this point, Mayor Pro Tem Solis returned to the meeting to preside in the absence of the Mayor.)

Mr. Solis lauded City staff for the excellent track-record of the Alamodome.

Mr. Steve Moore, Director of the Convention & Visitors Bureau, spoke to visitor attendance at the Alamodome over the first two years of its existence, and the event "mix" at the facility.

Mr. Perez and Ms. McClendon stated that they were pleased with the results thus far, and lauded City staff for its record in this area.

95-21 There being no further business to come before the Council, the meeting was adjourned at 8:44 P.M.

A P P R O V E D

Robert W. Wolff
M A Y O R

Attest:

Norma S. Rodriguez
C I T Y C L E R K



May 11, 1995

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

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

April 27, 1995

Petition submitted by Ms. Queen Grice, 7511 Van Ness, San Antonio, Texas 78251, on behalf of concerned residents in the area, requesting that City Council stop the construction of HUD residential units proposed for the corner of Ingram Road and Stedwick Drive.

May 01, 1995

Petition submitted by Ms. Lou Hughes, 16350 Blanco Road, Suite 110, San Antonio, Texas 78232, requesting City Council to consider the repaving of Mount Rainier Drive, beginning at 900 Mt. Rainer Drive and ending at the cross street of Carolwood.

/s/ Norma S. Rodriguez
City Clerk