

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,  
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,  
THURSDAY, MAY 8, 1997**

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97-20 The City Council convened in an informal "B" Session at 10:00 a.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

A) Presentation on the Underground Utility Conversion Program.

City Council concurred to move the package of staff-recommended projects to next week's "A" Session

"B" Session adjourned at 10:51 A.M

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

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97-20 The regular meeting was called to order at 1 00 p.m by the Presiding Officer, Mayor Thornton, with the following members present. Flores, Lott, Billa Burke, Vásquez, Ross, Peak, and Webster, Marbut, Absent None

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97-20 Invocation - Reverend Greg Weyrauch, St. Andrew's Lutheran Church.

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97-20 Pledge of Allegiance to the flag of the United States.

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97-20 Minutes of the Regular City Council Meeting for February 20, 1997 were approved

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97-20

**CEREMONIAL ITEMS**

**PROCLAMATION: SAN ANTONIO POLICE OFFICER MEMORIAL DAY**

Mayor Pro Tem Vásquez read and presented a proclamation, "San Antonio Police Officer Memorial Day" to Deputy Chief Richard Gleinser Deputy Chief Gleinser accepted the proclamation and spoke to the proposed observance.

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**PROCLAMATION: PACE FOODS 50Th ANNIVERSARY**

Mayor Pro Tem Vásquez read and presented the proclamation to Mr Larry Swim, Vice President of Manufacturing with Pace Foods Mr. Swim introduced representatives and gave the fifty-year history of Pace which was begun by David Pace.

Members of the Council joined in  
The following Councilmembers spoke:

Mr Ross stated he knew David Pace.

Ms Billa Burke took art lessons from David's daughter, Martha Pace.

Ms Lott stated her whole family cats hot picante sauce.

Mr. Swim asked their Chef to share his recipe with them.

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**MOMENT OF SILENCE**

Councilman Jeff Webster, on a Point of Personal Privilege, asked for a moment of silence and reflection on the passing of Mayor Thornton's mother

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97-20

**CPS REVENUE AND REFUNDING BONDS**

The Clerk read a proposed ordinance to authorize the issuance of approximately \$661,170,000-00 "City of San Antonio, Texas Electric and Gas Systems Revenue and Refunding Bonds, New Series 1997;" providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an official statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a paying agent/registrar agreement, an escrow and trust agreement, and a bond purchase agreement, complying with the requirements of the depository trust company, enacting other provisions incident and related to the subject and purpose of this ordinance, and providing for an immediate effective date upon passage of eight (8) affirmative votes

Mr. Donald S. Thomas, Assistant Superintendent, City Public Service, gave details of the Ordinance to approve \$661,170,000 for the New Series 1997 Revenue and Refunding Bonds

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The following citizen(s) appeared to speak

Mr Fred Reynolds, 1502 Waverly, took exception to emergency items, stating not enough time is spent to put together the Ordinance properly

Ms. Maria Dominguez questioned the need of this Bond, stating we need to account for every penny.

Mr. Jack Finger stated citizens are not given enough notice when talking about \$200 million more than advertised.

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In response to a question by Mr Marbut, Mr. Donald Thomas stated he will be discussing with Nora Chavez, Director of Finance, the concerns with the story in the "Express-News" regarding "storefront names". He spoke to small and minority businesses involved and the sale of these bonds and how they qualify as these businesses and local firms.

Mr. Thomas spoke to the process which began last December and the fact that they checked references and backgrounds. He then explained the rational CPS used in choosing the firms they did

Mr Marbut stated he wants to see a Justice Department letter referenced to this firm He also inquired regarding SMBE policies and how they are applied.

Mr Bob Pearson, representative of Rauseher Pierce Company, spoke to the Howard Gard Company out of Florida, and the participation of Company's in underwriting.

Mr. Arthur Von Rosenberg, City Public Service, spoke to the ramifications of what happens if the small firm is eliminated from the Bond Sale.

In response to a question by Mr Ross, Mr Von Rosenberg stated he wants to include in the motion to approve the Ordinance without including the firm

Mr Ross stated he would want to make a motion to exclude Howard Gary Firm from the Bond Sale Inclusion, if legal.

Mr. Frank Garza, Acting City Attorney, stated it was okay to proceed with the Bonds without putting the City in jeopardy financially.

Mr Jeff Kuhn, Fulbright and Jaworski, stated it was up to the City Council.

Mr Ross made a motion to amend the proposed ordinance to exclude the Howard Gary Firm from Bond Sale inclusion, if legal (recommend to CPS Board) to go ahead with the Bond Sale.. Mr Peak seconded the motion

Mr Peak spoke to the good rate which will save the City money, but stated he is unhappy with the turn of events and is concerned with how to investigate RFP's/advisors/qualifications, asking when was information available to the City.

Mr. Von Rosenberg stated this has been available a year.

Mr. Ross, on a Point of Personal Privilege, stated the attorneys need to confer and go into Executive Session

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At 2 08 p m Mayor Pro Tem Vásquez stated they would recess for Executive Session at this time to discuss this item.

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At 3:03 p.m., Council reconvened and Mayor Pro Tem Vásquez announced no action was taken on the above and Council would be taking up this item later in the meeting.

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97-20            The Clerk read the following Ordinance:

AN ORDINANCE 85966

ACCEPTING THE LOW, QUALIFIED BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC IN THE AMOUNT OF \$482,821.71 IN CONNECTION WITH THE ALAMODOME HOME IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCKGRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$48,282.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AUTHORIZING \$15,500 00 FOR MISCELLANEOUS CONSULTING SERVICES, AUTHORIZING \$800 00 FOR ADVERTISING EXPENSES, AND PROVIDING FOR PAYMENT

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Ms. Frances Gonzalez, Director, Special Projects Office, explained details of the Ordinance.

Mr. Andrew Cameron, Director, Housing and Community Development, made an overview presentation and explained details

Mayor Pro Tem Vásquez spoke of the positive impact of the last "Parade of Homes" in District 5.

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Ms. Lott thanked the staff for their efforts

Mr Cameron stated that Cherry Street now has a 25 foot buffer against traffic sound.

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

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

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97-20

**ZONING HEARINGS**

5A. CASE #Z97058 The request of Penelope Dawn Hay (owner: Larry & Marilyn Ohlenburger), to rezone and reclassify 1 002 acres out of NCB 15671 from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-3NA" ERZD Non-Alcoholic Sales Business Edwards Recharge Zone District, located at 18843 Red Land Road, provided that the 10 recommendations of the Aquifer Studies Office are adhered to.

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 85967

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1 002 ACRES OUT OF NCB 15671, 18843 RED LAND ROAD FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD- NON-ALCOHOLIC SALES BUSINESS EDWARDS RECHARGE ZONE DISTRICT

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5B CASE #Z97061. The request of Kaufman and Broad of San Antonio (owner), for a change in zoning from "B-2" Business District to "R-5" Single Family Residence District on

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13 14 acres out of NCB 15564, from "R-5" Single Family Residence District to "P-1(R-5)" on a 30 66 acres out of NCB 15664, South of NW Loop 1604. Zoning Commission has recommended approval of this request (Council District 8)

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Robert Marbut moved for a continuance for 90 days to the meeting of August 7, 1997 Mr. Flores seconded the motion.

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97-20 At 3:23 PM Council continued with Item #4.

The City Clerk clarified the difference between the original and revised copy of the Ordinance

After consideration, the amendment to the motion, to exclude Howard Gary Firm from the Bond Sale Inclusion, prevailed by the following vote **AYES**: Flores, Lott, Vásquez, Herrera, Ross, Marbut, Peak, Webster; **NAYS**: None, **ABSENT**: Billa Burke, Avila, Thornton.

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

#### AN ORDINANCE 85968

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF \$661,170,000 "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE AND REFUNDING BONDS, NEW SERIES 1997", PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO, MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS, STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH, AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AND TRUST AGREEMENT, AND A ABOND PURCHASE AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY

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97-20 At 3 25 P M Council resumed the Zoning cases

5C CASE # Z97020 - to rezone and reclassify Lots 7 and 8, Block 1, NCB 11998, properties being located on the south side of Culebra Road, 300 feet east of the intersection of Culebra Road and Laven Drive, having 100 feet on Culebra Road and a depth of 150 feet, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located at 4224 Culebra Road.

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request

Mr Herrera made a motion to approve the proposed 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, Lott, Vásquez, Herrera, Ross, Webster; NAYS: None; ABSENT: Billa Burke, Avila, Marbut, Peak, Thornton

AN ORDINANCE 85969

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 7 AND 8, BLOCK 1, NCB 11998, 4224 CULEBRA ROAD FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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5D CASE #Z97052 (CC) The request of Minnie R. Salazar (owner: Rodolfo Arredondo), to rezone and reclassify Lot 3, save and except the east 70 feet of the west 125 feet of the north 145 feet, Block 4, NCB 12001, from "R-1" Single Family Residence District to "R-1" CC Single Family Residence District with special City Council approval for an athletic field, located on 1062 Laven Drive. Zoning Commission has recommended approval of this request. (Council District 6)

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request

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

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

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AN ORDINANCE 85970

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, SAVE AND EXCEPT THE EAST 70 FEET OF THE WEST 125 FEET OF THE NORTH 145 FEET, BLOCK 4, NCB 12001, 1062 LAVEN DRIVE, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT

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5E. CASE #Z97089 - to rezone and reclassify Lots 32 and 33, Block 1, NCB 17637 from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District; and Lot 25, Block 1, NCB 17637, from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District, 10470 Culebra Road Property being located between Culebra Road and Mountain View, 867 39 feet southeast of the intersection of Culebra Road and Rogers Road, having 24 8 77 feet on Culebra Road 100 feet on Mountain View Drive and a distance of 378 79 between the two right-of-ways

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Herrera made a motion to approve the proposed 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, Lott, Vásquez, Herrera, Ross, Webster; **NAYS:** None; **ABSENT** Billa Burke, Avila, Marbut, Peak, Thornton.

AN ORDINANCE 85971

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED AS LOTS 32 AND 33, BLOCK 1, NCB 17637 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND LOT 25, BLOCK 1, NCB 17637 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE TO "R-1" SINGLE FAMILY RESIDENCE, 10470 CULEBRA ROAD

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5F           CASE #Z97095 - to rezone and reclassify Lot 1, save and except the south 25 feet and the west 70 feet, Block 1, NCB 18049, 8300 Culebra Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. Property is located 88 feet northwest and 342 26 feet southwest of the intersection of Rim Rock Trail and Culebra Road, having 124.94 feet on Culebra Road and 431 53 feet on Rim Rock Trail

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Herrera made a motion to approve the proposed 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, Lott, Vásquez, Herrera, Ross, Webster; **NAYS** None; **ABSENT** Billa Burke, Avila, Marbut, Peak, Thornton

AN ORDINANCE 85972

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, SAVE AND EXCEPT THE SOUTH 25 FEET AND THE WEST 70 FEET, BLOCK 1, NCB 18049, 8300 CULEBRA, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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5G           CASE #Z97106 (CC) - to rezone and reclassify Lot 61, save and except the west 800 feet of the east 1,607.7 feet and the north 545 feet of Lot 62, NCB 13942 from "R-X' Residence Agriculture District to "R-A"CC Residence Agriculture District with special City Council approval for an athletic fields, and the west 800 feet of the east 1,607 7 feet of Lot 61, NCB 13942 from "R-A" Residence Agriculture District to "B-3NA" Non-Alcoholic Sales Business District Property is located on the west side of South Callaghan Road, 392.49 feet north of the intersection of Mayo Drive and South Callaghan Road, having 1,764.05 feet on South Callaghan Road and a depth of 2,907 7 feet

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 85973

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 61, SAVE AND EXCEPT THE WEST 800 FEET OF THE EAST 1,607 7 FEET AND THE NORTH 545 FEET OF LOT 62, NCB 13942 FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "R-A" CC RESIDENCE AGRICULTURE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR AN ATHLETIC FIELD, AND WEST 800 FEET OF THE EAST 1,607 7 FEET OF LOT 61, NCB 13942 FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, SOUTH CALLAGHAN ROAD

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5H CASE #Z97098 The request of Jose Luis Rodriguez (owner), to rezone and reclassify Lots 29 and 30, Block 17, NCB 10899, from "B" Residence District to "R-4" Manufactured Home Residence District Property located at 400 Sligo Street. Zoning Commission has recommended approval of this request (Council District 3)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Jose Luis Rodriguez, proponent, spoke on his reasons for requesting the change in zoning.

Mr Alex Casanova spoke in opposition

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

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

AN ORDINANCE 85974

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 29 AND 30, BLOCK 17, NCB

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10899, 400 SLIGO STREET, FROM "B" RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT

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5I CASE #Z97099 The request of Adrian M & Mary Ann Ortiz (owner), to rezone and reclassify Lot 18, save and except the south 125 feet, NCB 10914, San Juan Road, from "B" Residence District to "R-4" Manufactured Home Residence District Zoning Commission has recommended approval of this request (Council District 3)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request

Ms. Lott made a motion to approve the proposed zoning request. Mr Webster seconded the motion

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

#### AN ORDINANCE 85975

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, SAVE AND EXCEPT THE SOUTH 125 FEET, NCB 10914, SAN JUAN ROAD, FROM "B" RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT

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5J CASE #Z97086 The request of Samuel G. Dawson, Pape-Dawson Consulting Eng , Inc. (owner: Thomas F Vickers, E J. Burke, III and Burke Properties, Ltd.), for a change in zoning on 21 13 acres out of NCB 10979, S E Military Drive and Goliad Road, from "F" Local Retail Business District to "B-3" Business District Zoning Commission has recommended approval of this request (Council District 3)

Mr Gus Cuellar, Land Development Services, explained the proposed rezoning request.

Ms Lott made a motion to approve the proposed zoning request. Mr. Webster seconded the motion

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

AN ORDINANCE 85976

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 21.13 ACRES OUT OF NCB 10979, S.E. MILITARY DRIVE AND GOLIAD ROAD, FROM "F" LOCAL RETAIL BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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5K CASE #Z97030 The request of John Edmund Burke (owner), for a change in zoning on 3,238 57 square foot tract out of Tract A, Block 1, NCB 11949, 2103 Goliad Road, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District Zoning Commission has recommended approval of this request (Council District 3)

Mr Gus Cuellar, Land Development Services, explained the proposed rezoning request

Ms Carolyn Dylle, the proponent, spoke to reasons why she is requesting the change in zoning.

Ms Bertha Briseno, an opponent, spoke to the odors and health hazards which occur if the zoning is granted.

Ms Dylle, in rebuttal, spoke to the fact that vacant buildings cause problems, and that they need money from tenants in order to clean up the area

Mr Webster spoke to the property owner having responsibility whether the structure is vacant or not

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

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

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AN ORDINANCE 85977

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 3,238.57 SQUARE FOOT TRACT OUT OF TRACT A, BLOCK 1, NCB 11949, 2103 GOLIAD ROAD, FROM "F" LOCAL RETAIL BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT

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5L CASE #Z97080: The request of Joe Eureste (owner, Joe T. Eureste, Jr.), for a change in zoning on Lots 3 and 4, Block 20, NCB 12945, 3010-3014 S.E. Loop 410 Expressway, from "A" Single Family Residence District to "B-2" Business District. Zoning Commission has recommended denial of this request. (Council District 2)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request

Joe Eureste, the proponent, spoke in favor of a "B-2" zoning for a restaurant

Ms Lott made a motion in favor of a "B2NA" rating The motion was seconded by Mr Herrera

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

AN ORDINANCE 85978

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 3 AND 4, BLOCK 20, NCB 12945, 3010-3014 S E. LOOP 410 EXPRESSWAY, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

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5M CASE #Z97045 (CC) The request of Elaine Harrison Fee (owner Gerald & Brenda Jacobs), for a change in zoning on Lot 25, Block 1, NCB 15455, 206 Barbuda Drive, from "R-1" Single Family Residence District to "R-2" CC Two Family Residence District with City Council approval for a day care center Zoning Commission has recommended approval of this request (Council District 4)

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Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Ms Elaine Harrison, the proponent, stated they are requesting the change of zoning for a group day care center

Mr Frank Magee, opponent, spoke on behalf of 97 residents who are against the change in zoning, stating a Day Home and Day Care Center are not the same.

Mr. Andy Guerrero explained the difference between "R-A CC" and "R-2" zoning.

Ms. Harrison explained the difference of a Group Day Care Center.

Mr Peak spoke to clarify "R-1 CC" Group Day Home.

Mr Peak made a motion to withdraw "R-2" in favor of the opposition The motion was seconded by Mr Webster

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

#### AN ORDINANCE 85979

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 25, BLOCK 1, NCB 15455, 206 BARBUDA DRIVE, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" CC SINGLE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DAY CARE CENTER.

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5N CASE #Z97087 The request of Rose Marie Buchanan & Pete Molina (owner), to rezone and reclassify Lot 549, NCB 7883 and "O-1" Office District on Lots 16 thru 19, Block 3, NCB 8951, 5708 Macdona Street and 5800 IH 35 South, from "B-2" Business District to "B-2NA" Non-Alcoholic Sales Business District Zoning Commission has recommended approval of this request provide that a non-access easement be imposed along Macdona Street (Council District 4)

Mr. Webster made a motion to postpone the case for 30 days. Mr Flores seconded the motion.

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

CASE #Z97087 was postponed for 30 days

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50. CASE #Z97102. The request of Luis D. Soliz (owner), for a change in zoning on 0.4617 acres out of NCB 18890, 14391 Bulverde Road, from "R-5" Single Family Residence District and Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District Zoning Commission has recommended approval of this request (Council District 10)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr Luis D Soliz, the proponent explained his reasons for requesting a change in zoning

Mr. Webster made a motion to approve the proposed zoning Ordinance Ms Herrera seconded the motion.

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

#### AN ORDINANCE 85980

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 0.4617 ACRES OUT OF NCB 18890, 14391 BULVERDE ROAD FROM "R-5" SINGLE FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT

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5P CASE #Z97103 The request of Jerry Maldonado (owner Benard Jensen), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District on the north 250 feet of Lots 11, 12, and 12A, Block 162, NCB 16587, Nacogdoches Road. Zoning Commission has recommended approval of this request (Council District 10)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request

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Mr Webster made a motion to approve the proposed zoning request Ms Herrera seconded the motion

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

AN ORDINANCE 85981

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 250 FEET OF LOTS 11, 12, AND 12A, BLOCK 162, NCB 16587, NACOGDOCHES ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

\* \* \* \*

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5Q CASE NO Z97091 The request of Louis A Rivera (owner), to rezone and reclassify Lots 22 through 26, save and except the south 75 feet, NCB 7501, 4044 Culebra Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District. Zoning Commission has recommended approval of this request (Council District 7)

Mr. Andy Guerrero, Land Development Services, explained the proposed rezoning request.

Mr. Ross made a motion to approve the proposed zoning request Ms. Herrera seconded the motion

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

AN ORDINANCE 85982

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 22 THRU 26, SAVE AND EXCEPT THE SOUTH 75 FEET, NCB 7501, 4044 CULEBRA ROAD FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLC SALES BUSINESS DISTRICT

\* \* \* \*

5R CASE #Z97104: The request of United Land Company d/b/a Pear Apple County Fair (owner J Lamar Burges, Vice Pres ), to rezone and reclassify 5.384 acres out of Block 2, NCB 15054, 5820 N W Loop 410, from "B-3" Business District to "B-3NA" Non-Alcoholic Sales Business District Zoning Commission has recommended approval of this request. (Council District 7)

Mr Andy Guerrero, Land Development Services, explained the proposed rezoning request.

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

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

AN ORDINANCE 85983

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 5 384 ACRES OUT OF BLOCK 2, NCB 15054, 5820 N.W. LOOP 410 FROM "B-3" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT

\* \* \* \*

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97-20

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE**  
**CLOSING ALLEY BETWEEN PLEASANTON ROAD AND GRAPELAND**  
**AVENUE**

Mayor Pro Tem Vásquez declared the Public Hearing to be open

Mr Oscar Serrano, Sr Real Estate Specialist, Asset Management explained the request to close the alley

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

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AN ORDINANCE 85984

CLOSING, VACATING AND ABANDONING AN UNIMPROVED 15-FOOT WIDE ALLEY LOCATED BETWEEN PLEASANTON ROAD AND GRAPELAND AVENUE, AS REQUESTED BY THE CITY OF SAN ANTONIO CITY COUNCIL, THROUGH COUNCILMAN HENRY AVILA, DISTRICT 4

\* \* \* \*

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

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

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97-20                    PUBLIC HEARING ON CDBG HOME REPROGRAMMING

Mayor Pro Tem Vásquez declared the Public Hearing to be open.

The City Clerk read a proposed ordinance authorizing the reprogramming of Community Development Block Grant (CDBG) funds and the city-wide contingencies and program income in the amount of \$2,012,447 56 and \$1,054,296 21 from available Home Program Funds, to address existing project shortfalls and new projects, revising the appropriate CDBG budgets; and authorizing the execution and submission budgets, and authorizing the execution and submission of contracts and other documents as necessary in connection therewith

Mr. Drew Cameron, Director, Housing and Community Development, explained details of the proposed Ordinance

The following citizens appeared to speak:

Mr Fred Reynolds, 1502 Waverly, spoke to his concerns over the fact there was not enough time allowed in the posting to enable citizens to have time for analysis.

\* \* \* \*

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

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Councilman Robert Herrera made an amendment to move \$250,000 in HOME Funds from Our Lady of Good Counsel Project to be used as interim construction financing at 3 % for a period of up to twelve months for Edgewood Place (District 6) Mr Flores seconded the motion

After consideration, the first amendment prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Vásquez, Herrera, Ross, Marbut, Peak, **NAYS:** None; **ABSENT:** Avila, Webster, Thornton.

Councilman Ross stated the City Council Housing Task Force supports the staff recommendation with one change. He then made an amendment to delete the Carolina Neighborhood Project in District One and add the St James Housing Trust Acquisition and Rehabilitation Project for \$200,000 Ms Lott seconded the motion

After consideration, the second amendment prevailed by the following vote: **AYES:** Flores, Lott, Billa Burke, Vásquez, Herrera, Ross, Marbut, Peak; **NAYS:** None; **ABSENT:** Avila, Webster, Thornton

Ms Lott then made a motion to approve the proposed Ordinance as amended Ms. Billa Burke seconded the motion.

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

The Clerk read the following Ordinance

#### AN ORDINANCE 85985

ORDINANCE AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND THE CITY-WIDE CONTINGENCIES AND PROGRAM INCOME IN THE AMOUNT OF \$2,012,447.56 AND \$1,304,296 21 FROM AVAILABLE HOME PROGRAM FUNDS, TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS, REVISING THE APPROPRIATE CDBG BUDGETS, AND AUTHORIZING THE EXECUTION AND SUBMISSION BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH

\* \* \* \*

97-20

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE  
SECOND READING-SOUTHWESTEM BELL FRANCHISE AGREEMENT

Mayor Pro Tem Vásquez declared the Public Hearing to be open

Mr. Octavio Peña, Director of Internal Review, explained the ordinance

The following citizen(s) appeared to speak:

Mr. Fred Reynolds, 1502 Waverly, spoke against the ordinance and made a video presentation. He spoke in favor of a "wrap-around" contract (such as the one in Austin, Texas), stating that the City will be tied to a price index

\* \* \* \*

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

The Clerk read the following Ordinance

AN ORDINANCE 85917

GRANTING SOUTHWESTERN BELL TELEPHONE COMPANY (SWBT) A FOUR (4) YEAR FRANCHISE AGREEMENT TO ERECT, CONSTRUCT, RECONSTRUCT, REPLACE, MAINTAIN AND OPERATE A TELECOMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THREE READINGS AND A PUBLIC HEARING, AND SETTING THE EFFECTIVE SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER INTO A FRANCHISE AGREEMENT WITH SWBT, AND TERMINATING THE CURRENT AGREEMENT BETWEEN THE CITY AND SWBT FOR THE USE OF THE CITY'S PUBLIC RIGHTS-OF-WAY UPON THE EFFECTIVE DATE OF THIS FRANCHISE AGREEMENT (TERMINATES ORDINANCE NO 75437, DATED MARCH 12, 1992, AND ORDINANCE NO 85802, DATED MARCH 27, 1997)

\* \* \* \*

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

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

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97-20

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE  
SECOND READING ON ICG TELECOM GROUP, INC. FRANCHISE  
AGREEMENT.

Mayor Pro Tem Vásquez declared the Public Hearing to be open.

Mr. Octavio Pena, Director of Internal Review, made a presentation explaining the proposed Ordinance

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At 4:33 p.m., City Council recessed in order to stand in front of Main Plaza Building in of a parade passing by of Fire Department trucks and marching groups from San Antonio and surrounding townships in recognition and honor of the fireman who lost his life in a fire last week

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At 5:00 p.m., City Council reconvened and continued with the 4:15 Public Hearing.

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

The Clerk read the following Ordinance

AN ORDINANCE 85918

GRANTING ICG TELECOM GROUP, INC., (ICG) A FIFTEEN (15) YEAR FRANCHISE AGREEMENT TO ERECT, CONSTRUCT, RECONSTRUCT, REPLACE, MAINTAIN AND OPERATE A TELECOMMUNICATIONS SYSTEM THAT UTILIZES THE CITY'S PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THREE READINGS AND A PUBLIC HEARING; AND SETTING THE EFFECTIVE SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER INTO A FRANCHISE AGREEMENT WITH ICG

\* \* \* \*

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

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

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lmr 21

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97-20           The Clerk read the following Ordinance

AN ORDINANCE 85986

RENAMING THE FREEDOM BRIDGE ON MARTIN LUTHER KING, TO THE R.A. CALLIES, SR. FREEDOM BRIDGE FOR HIS RELENTLESS COMMUNITY EFFORTS TO IMPROVE LIVING CONDITIONS FOR EAST SIDE RESIDENTS; AS REQUESTED BY COUNCILWOMAN DOLORES LOTT

\* \* \* \*

Councilwoman Dolores M Lott introduced Rev Callies and spoke of his tireless work and efforts to improve the eastside

Reverend Callies thanked the City Council for what they are doing and putting his name on the bridge, as this will honor all races

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

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

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97-20           **CONSENT AGENDA**

Mr Lott made a motion to approve Agenda Items 11 through 31c, constituting the Consent Agenda, with items 11, 13, 14, 15, 18, 19, 27, and 31a having been pulled for individual consideration. Item 16 was pulled from consideration by the City Manager. Mr. Marbut seconded the motion

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

AN ORDINANCE 85987

AN ORDINANCE ACCEPTING THE LOW, QUALIFIED BID OF FRUEHAUF TRAILER CORPORATION, TEXAS EQUIPMENT COMPANY, TEXAS TRUCK CENTER AND CROFT TRUCK EQUIPMENT TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC

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WORKS, CONVENTION FACILITIES AND AVIATION DEPARTMENTS WITH TRUCK BODIES FOR A TOTAL OF \$384,613 50

\* \* \* \*

AN ORDINANCE 85988

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 \$21,190.00 FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL AND LABOR ON LOOP 353 (NEW LAREDO HWY) AT LOOP 13 (SW MILITARY DR.), LOVETT, SOUTHCROSS BLVD AND ZARZAMORA STREET

\* \* \* \*

AN ORDINANCE 85989

APPROVING FIELD ALTERATIONS NO 4 AND NO 5, AMENDING THE THERMAL SITE UTILITIES CONSTRUCTION CONTRACT FOR THE CONVENTION CENTER EXPANSION PROJECT WITH R E C INDUSTRIES, INC. SO AS TO INCREASE THE SCOPE OF WORK RELATED TO THE REMOVAL OF IMPACTED SOILS; AUTHORIZING PREVIOUSLY PERFORMED WORK, INCREASING THE CONSTRUCTION CONTINGENCY; AND PROVIDING PAYMENT IN THE AMOUNT OF \$143,978.00 FOR SAID FIELD ALTERATIONS. (AMMENDS ORDINANCE NO. 85136, DATED NOV. 7, 1996)

\* \* \* \*

AN ORDINANCE 85990

APPROVING A ONE (1) YEAR MEDIA LEASE AGREEMENT WITH WATERMAN BROADCASTING CORP OF TEXAS (KTSA) FOR USE OF APPROXIMATELY 110 SQUARE FEET OF OFFICE SPACE LOCATED AT THE LOFT AT CITY HALL, KNOWN AS ROOM "D" FOR \$1 25 PER MONTH PER SQUARE FOOT FOR AN OVERALL TOTAL OF \$1,650.00 BEGINNING JANUARY 1, 1997 AND ENDING DECEMBER 31, 1997.

\* \* \* \*

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AN ORDINANCE 85991

APPROVING A ONE (1) YEAR MEDIA LEASE AGREEMENT WITH CLEAR CHANNEL RADIO, INC. (WOAI) FOR USE OF APPROXIMATELY 71.17 SQUARE FEET OF OFFICE SPACE LOCATED AT THE LOFT AT CITY HALL, KNOWN AS ROOM "E" FOR \$1 25 PER MONTH PER SQUARE FOOT FOR AN OVERALL TOTAL OF \$1,067 56 BEGINNING JANUARY 1, 1997 AND ENDING DECEMBER 31, 1997.

\* \* \* \*

AN ORDINANCE 85992

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$11,000 00 WITH NOBLE & ASSOCIATES, INC , FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE MISSION TRAILS PARKWAY - PACKAGE 1, A METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

\* \* \* \*

AN ORDINANCE 85993

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$100 00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR SUCH ACQUISITION IN CONNECTION WITH THE CHICO/KNOX/MARGIL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, REVISING THE PROJECT BUDGET, AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 85994

APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH WESTERN BEVERAGES, INC FOR THE LEASE OF RETAIL SPACE AT RIVERBEND PARKING GARAGE, AND CONSENTING TO THE ASSIGNMENT OF THE LEASE, AS AMENDED, FROM WESTERN BEVERAGES, INC TO EGP HOLDING CO., LTD (AMENDS ORDINANCES NO 72167, DATED AUGUST 30, 1990 AND 82366, DATED JUNE 15, 1995)

\* \* \* \*

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lmr 24

AN ORDINANCE 85995

AUTHORIZING AN AGREEMENT WHICH AMENDS A LEASE WITH SAN ANTONIO AVIATION, INC BY ALLOWING FOR THE RESTORATION AND RENOVATION OF CITY-OWNED BUILDING 604, REQUIRING SAN ANTONIO AVIATION, INC. TO VACATE SAID LEASED PREMISES, AND AUTHORIZING THE ABATEMENT OF \$278 67 GROUND AND \$165 77 BUILDING RENTAL EACH MONTH OR PRORATED PORTION THEREOF DURING CITY RESTORATION AND RENOVATION OF BUILDING 604 AT STINSON MUNICIPAL AIRPORT.

\* \* \* \*

AN ORDINANCE 85996

AMENDING ORDINANCE NO 84562 PASSED AND APPROVED ON AUGUST 15, 1996, TO ACCEPT AND EXECUTE A GRANT AWARD CONTRACT IN THE AMOUNT OF \$793,278.00 FROM THE TEXAS WORKFORCE COMMISSION (TWC) IN ORDER TO CONTINUE THE ADMINISTRATION OF THE CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM TO REFLECT THE ADDITIONAL FUNDS RECEIVED, AND AMENDING THE CCMS BUDGET

\* \* \* \*

AN ORDINANCE 85997

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT ACCEPTING THE AMOUNT OF \$30,535.00 FROM THE TEXAS WORKFORCE COMMISSION (TWC) TO PURCHASE NEW AUTOMATION SOFTWARE AND EQUIPMENT DUE TO THE MODIFICATION AND IMPROVEMENT OF THE CHILD CARE MANAGEMENT SERVICES (CCMS) SYSTEM; AND AMENDING THE CCMS BUDGET IN ORDINANCE NO 84562, PASSED AND APPROVED ON AUGUST 15, 1996.

\* \* \* \*

AN ORDINANCE 85998

AUTHORIZING THE TEMPORARY CLOSURE OF SOUTH CIBOLO BETWEEN BUENA VISTA AND COMMERCE STREETS FROM 3.30 P.M. UNTIL 10.00 P.M , FRIDAY, MAY 23, 1997 FOR THE LIVING DRUG AND ALCOHOL-FREE RALLY, SPONSORED BY VICTORY FELLOWSHIP

\* \* \* \*

97-20  
May 8, 1997  
lmr 25

AN ORDINANCE 86000

APPOINTING CELESTE YVETTE FLORES (DISTRICT 6) TO THE CITY OF SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 1999.

\* \* \* \*

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97-20 The Clerk read the following Ordinance

AN ORDINANCE 86001

ACCEPTING THE LOW, QUALIFIED BID OF HILLTOP FORD AND MCCOMBS FLEET SERVICE TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ONE TON TRUCKS FOR A TOTAL OF \$73,925.00.

\* \* \* \*

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

The following citizen(s) appeared to speak

Mr Fred Reynolds, 1502 Waverly, questioned the process that did not take the lowest bidder.

\* \* \* \*

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

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97-20 The Clerk read the following Ordinance

AN ORDINANCE 86002

ACCEPTING THE LOW, QUALIFIED BID OF BARRETT CONTRACTING, INC. IN THE AMOUNT OF \$396,500 00 TO CONSTRUCT THE RESTORATION AND RENOVATIONS TO HANGAR 3 AT STINSON MUNICIPAL AIRPORT, AUTHORIZING AN ADDITIONAL \$39,650 00 FOR A CONTINGENCY ACCOUNT; AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH GUSTAVE HEYE & ASSOCIATES BY INCREASING THE

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lmr 26

SCOPE OF WORK TO INCLUDE ENVIRONMENTAL MONITORING SERVICES DURING THE CONSTRUCTION PHASE AND INCREASING THE ARCHITECTURAL FEES BY AN AMOUNT NOT TO EXCEED \$20,868 00, AUTHORIZING AN ADDITIONAL \$2,500 00 FOR ADMINISTRATIVE EXPENSES, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

\* \* \* \*

The following citizen(s) appeared to speak

Mr Fred Reynolds, 1502 Waverly, expressed concern over the increase of \$20,868, payable to Gustave Heye & Associates as Additional Architectural Fees.

Mr Faris Hodge, Jr., 140 Dora, expressed concerns over not having information available before hand

\* \* \* \*

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

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

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97-20 The Clerk read the following Ordinance.

AN ORDINANCE 86003

ACCEPTING THE LOW, QUALIFIED BASE BID, IN THE AMOUNT OF \$427,000.00, FROM GREYSTONE INDUSTRIES, LTD , LLC, TO CONSTRUCT IMPROVEMENTS TO TERMINALS 1 & 2 AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING AN ADDITIONAL \$42,700 00 FOR A CONTINGENCY ACCOUNT; APPROVING ADDITIONAL ARCHITECTURAL FEES IN THE AMOUNT OF \$2,000.00 PAYABLE TO THE BOMMARITO GROUP, AUTHORIZING AN ADDITIONAL \$2,000.00 FOR ADMINISTRATIVE EXPENSES, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT (AMENDS ORDINANCE NO 84049, DATED MAY 9, 1996)

\* \* \* \*

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

97-20  
May 8, 1997  
lmr 27

The following citizen(s) appeared to speak

Mr Faris Hodge, Jr., 140 Dora, made suggestions to assist the handicapped.

\* \* \* \*

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

---

97-20           The Clerk read the following Ordinance:

AN ORDINANCE 86004

APPROVING DEDUCTIVE FIELD ALTERATION NO 3 IN THE DECREASED AMOUNT OF \$29,386 50 TO THE CONSTRUCTION CONTRACT WITH BRODBECK CONSTRUCTION, INC AND AMENDING THE PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$5,000 00 PAYABLE TO CLEAN ENVIRONMENTS, INC. IN CONNECTION WITH THE HERTZBERG MUSEUM RENOVATION PROJECT (AMENDS ORDINANCE NO 85014, DATED OCTOBER 17, 1996)

\* \* \* \*

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

The following citizen(s) appeared to speak

Mr Faris Hodges, Jr , 140 Dora, spoke to the city needing to advertise agenda items

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

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97-20           The Clerk read the following Ordinance

AN ORDINANCE 86005

ACCEPTING THE LOW, QUALIFIED BID OF DESIGN & GENERAL CONTRACTING, INC. IN THE AMOUNT OF \$1,168,009 00 IN CONNECTION WITH THE FIRE STATION NO 20 PROJECT, AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$58,491.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES,

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lmr 28

AUTHORIZING \$800 00 FOR ADVERTISING EXPENSES, AND PROVIDING FOR PAYMENT

\* \* \* \*

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

The following citizen(s) appeared to speak.

Mr. Faris Hodges, Jr , 140 Dora, spoke to the public needing to be informed.

Mr. Travis Bishop, Assistant to the City Manager, informed Mr. Hodges that another Public Hearing is scheduled for next Friday, May 15, 1997.

Mr Fred Reynolds, 1502 Waverly, expressed concern over the Public Hearing posting not being placed in the outside Kiosk He also spoke to his concern over EMS not being build into the Fire Plan and recommended it be added

\* \* \* \*

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

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97-20 The Clerk read the following Ordinance

AN ORDINANCE 86006

AUTHORIZING THE EXPENDITURE OF SAN ANTONIO WATER SYSTEM FUNDS IN THE AMOUNT OF \$256,830 00 TO OVERSIZE THE DEVELOPER CUSTOMER APPROACH WATER MAINS FOR THE VILLAGES OF SONTERRA SUBDIVISION FROM 1,750 FEET OF 12-INCH AND 2,250 FEET OF 16-INCH APPROACH WATER MAIN TO TWENTY-FOUR (24) INCHES

\* \* \* \*

Mr Billa Burke made a motion to approve the proposed Ordinance Mr Lott seconded the motion

97-20  
May 8, 1997  
lmr 29

The following citizen(s) appeared to speak

Mr Jack Finger, P.O Box 12048, requested postponement on this Ordinance.

In response to a question by Councilman Peak, Mr. John German, Director of Public Works, clarified this is not a subsidy, but work with SAWS to provide better service to whole community, and that money is recaptured as new areas in the future come on-line.

\* \* \* \*

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

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97-20            The Clerk read the following Ordinance

AN ORDINANCE 86007

AMENDING ORDINANCE NO 84562, PASSED AND APPROVED ON AUGUST 15, 1996, TO ACCEPT ADDITIONAL FUNDS AND EXECUTE A GRANT AWARD CONTRACT FROM THE TEXAS WORKFORCE COMMISSION (TWC) IN AN AMOUNT NOT TO EXCEED \$29,981.00 TO CERTIFY THE DONATION OF PARENTING EDUCATION PROGRAM (PEP) FUNDS CURRENTLY BEING USED BY INDEPENDENT SCHOOL DISTRICTS TO PURCHASE CHILD CARE SERVICES FOR CHILDREN OF TEEN PARENTS IN THE ALAMO SERVICE DELIVERY AREA THROUGH THE CHILD CARE MANAGEMENT SERVICES PROGRAM (CCMS), AND AMENDING THE CCMS BUDGET

\* \* \* \*

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

The following citizen(s) appeared to speak

Mr Fred Reynolds, 1502 Waverly, stated he wants to be in the Parenting Education Program, but was not notified in time

\* \* \* \*

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

---

97-20  
May 8, 1997  
lmr 30

The Clerk read the following Ordinance.

AN ORDINANCE 86008

APPOINTING THOMAS WHITE (DISTRICT 2), SHIRLEY AGUILAR (DISTRICT 5), GUY SMITH (DISTRICT 6), MARIO HERNANDEZ (DISTRICT 7) AND STEPHANIE COLEMAN (MAYOR) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR TWO-YEAR STAGGERED TERMS

\* \* \* \*

Councilman Robert Marbut requested that Fred D Raley be added as a member representing District 8

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

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

\* \* \* \*

Councilmembers then drew lots to determine whether their District nominee's term would expire in 1998 or 1999. The following is the result of the drawing:

District1	1 year 1998
District2	2 years 1999
District3	1 year 1998
District4	1 year 1998
District5	1 year 1998
District6	2 years 1999
District7	2 years 1999
District8	2 years 1999
District9	2 years 1999
District10	2 years 1999
Mayor	1 year 1998

97-20 The Clerk read the following Ordinance

AN ORDINANCE 86009

AUTHORIZING THE TEMPORARY CLOSURE OF SAN FERNANDO STREET BETWEEN SALADO AND SOUTH COMAL STREETS FROM 7:00 A.M., MAY 16, 1997, UNTIL 12 00 P M, MAY 17, 1997, FOR AN OPEN HOUSE/COMPANY PICNIC, SPONSORED BY CARMUN INTERNATIONAL, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

\* \* \* \*

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

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

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97-20 The Clerk read the following Ordinance:

AN ORDINANCE 86010

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$178,465.93, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 74 TAX ACCOUNTS

\* \* \* \*

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

The following citizen(s) appeared to speak

Mr Fred Reynolds, 1502 Waverly, spoke to expenditures of tax, credit and refunds, and asked that the issue be tabled until they could obtain copies of said documentation.

Councilman Marbut expressed concern over the amount of time devoted to items pulled by only one person

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Councilman Ross stated to Mr. Reynolds that he could be found in his office each day from 8:00 a.m. to 5:00 p.m. if he wanted to discuss anything

\* \* \* \*

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

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97-20           The Clerk read the following Ordinance

AN ORDINANCE 86011

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS APPROVING THE FORM AND CONTENT AND THE DISTRIBUTION OF AN OFFICIAL NOTICE OF SALE, OFFICIAL BID FORM, AND PRELIMINARY OFFICIAL STATEMENT RELATING TO THE SALE OF OBLIGATIONSS DESIGNATED AS "CITY OF SAN ANTONIO, TEXAS SPECIAL ASSESSMENT REVENUE REFUNDING BONDS, SERIES 1997; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SALE; COMPLYING WITH THE REAUREMENTS OF RULES AND REGULATIONS PROMULGATED BY THE MUNICIPAL SECURITIES RULE-MAKING BOARD; AND PROVIDING AN EFFECTIVE DATE

\* \* \* \*

Ms. Nora Chavez, Director, Finance Department, spoke to \$2.7 million dollar refund on the 1987 Bonds, stating the \$4 million debt was reduced #3 3 million, which will cut one year off the debt She stated the Board met yesterday (May 7, 1997) and will take bids on May 22, 1997.

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

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

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97-20           The Clerk read the following Ordinance.

AN ORDINANCE 86012

AN ORDINANCE AMENDING CHAPTER 10 OF THE CITY CODE ENTITLED "ELECTRICITY" BY CREATING LICENSE AND REGISTRATION REQUIREMENTS FOR

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MAINTENANCE ELECTRICIANS, TECHNICIANS, TRAINEES, AND SIGN TECHNICIANS, UPDATING VARIOUS CODE SECTIONS THAT MODIFY THE NATIONAL ELECTRIC CODE, INSURANCE PROVISIONS, LICENSE RENEWAL, FEES AND BOARD COMPOSITION AND ESTABLISHING THAT A VIOLATION OF CHAPTER 10, AS AMENDED, IS PUNISHABLE AS A MISDEMEANOR AND DIRECTING PUBLICATION

\* \* \* \*

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

Mr Gene Camargo, Director, Building Inspections, made a presentation and spoke to details of the Ordinance

The following citizen(s) appeared to speak

Mr Harry Katz, Chairman, Election Board, spoke in favor of the Ordinance

Mr Gene Chamberlain, International Brotherhood of Electrical Workers, spoke in favor of the Ordinance.

Mr Bob Corbo, 1436 N. Flores Street, spoke in favor of the Ordinance

Mr Thom Cronkhite, Master Electrician, Independent Electrical Corporation, spoke in favor of the Ordinance

Ms Tomi Sue Beecham, San Antonio Builders Association, spoke in favor of the Ordinance. Ms Delicia Herrera, spoke against the Ordinance

Mr A R Velasquez, San Antonio Craftsman Association, requested the Ordinance be tabled for 90 days

Mr. John Gray, 1223 E Euclid, spoke in favor of the Ordinance.

Mr Albert Cisneros, Bexar County Electrical Assoc , spoke against the Ordinance, stating no cost analysis was included, and that all organizations need to be involved. He also spoke to no structured time being available for others to speak and that the document was important to the industry

Mr Scott Blech, stated they had been meeting since 1996 and spoke on maintenance

Mr David Earl, spoke in favor of the Ordinance, and spoke to the process of rule-making being open.

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Mr Tom Sandoval, Bexar County Electrical Association, St. Phillips College Electrical Program, spoke against the Ordinance, and to the changes needing to be made

\* \* \* \*

In response to a question by Mr. Peak, Mr Camargo, clarified that the Electrical Board meets on the second and fourth Tuesday of each month, so the opportunity is there for all to speak.

In response to a question by Ms. Lott, Mr Camargo stated there are eleven members on the Electrical Board, with no African-Americans represented at this time

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

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97-20            The Clerk read the following Ordinance:

AN ORDINANCE 86013

ESTABLISHING A CULTURAL FACILITIES EXPENDABLE TRUST FUND WHERE REVENUES GENERATED FROM PRESERVATION FEES PAID UNDER VARIOUS CULTURAL FACILITIES LEASE AGREEMENTS AND OTHER SOURCES WILL BE DEPOSITED AND USED BY THE CITY, BASED UPON CITY COUNCIL APPROVAL, FOR PURPOSES RELATING TO THE REPAIR, IMPROVEMENT, AND POTENTIAL FUTURE ACQUISITION OF CITY CULTURAL ASSETS.

\* \* \* \*

Mr Roland Lozano, Director, Assets Management, made a presentation and explained details of the Ordinance

In response to a question by Mayor Pro Tem Vásquez, Mr Lozano spoke of the facilities that are impacted by this Ordinance

Mr Flores made a motion to approve the proposed Ordinance Mr Billa Burke seconded the motion

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

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The Clerk read the following Ordinance

AN ORDINANCE 86014

APPROVING A LEASE AGREEMENT WITH THE MAGIK THEATRE FOR A 15-YEAR INITIAL TERM WITH ONE 10 TEN-YEAR OPTION, SUBJECT TO CITY COUNCIL APPROVAL, TO OCCUPY, RENOVATE, RESTORE AND OPERATE THE BEETHOVEN THEATRE IN HEMISFAIR PARK IN CONSIDERATION FOR \$2,000,000.00 IN IMPROVEMENTS TO BE MADE DURING THE FIRST THREE (3) YEARS OF THE TERM AND FOR THE PAYMENT OF PRESERVATION FEES BASED ON TICKET SALES TO BE PAID IN LIEU OF RENT

\* \* \* \*

Mr Roland Lozano, Director, Assets Manager, spoke to details of the Ordinance

Ms Sally Buchanan, President, San Antonio Conservation Society, spoke in support of the proposed Ordinance

Councilman Webster asked to see a copy of the report, stating he was not in favor of a long-term agreement

Councilman Flores stated he is in favor of the Ordinance and the report is strong

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

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

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At 7:00 p.m. Mayor Pro Tem Vásquez announced that City Council would take a ten-minute recess and would reconvene at 7:10 p.m.

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97-20

The Clerk read the following Ordinance

AN ORDINANCE 86015

ACCEPTING THE LOW, QUALIFIED BASE BID AND VARIOUS BID ALTERNATES OF CLARK/JT CONSTRUCTION, A JOINT VENTURE, IN THE TOTAL AMOUNT OF \$105,189,000.00 FOR CONSTRUCTION WORK ON PHASE 1B NEW CONSTRUCTION

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AND RENOVATION WORK FOR THE CONVENTION CENTER EXPANSION PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT, AUTHORIZING \$4,733,505.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, APPROPRIATING FUNDS FOR THE CONTRACT, CONTINGENCY EXPENSES; \$4,900 00 FOR BID ADVERTISING; AND PROVIDING FOR PAYMENT, AUTHORIZING A PERSONNEL COMPLEMENT FOR THE CONVENTION CENTER EXPANSION OFFICE; AUTHORIZING THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH KELL MUNOZ WIGDOSKY, INC., PROJECT ARCHITECTS; AND APPROPRIATING \$1,577,835.00 FOR SAID SERVICES

\* \* \* \*

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

Ms Jelynn Burley, Director, Convention Center Expansion Office, made a presentation on the "Convention Center Expansion Project", giving details of the ordinance.

Mr. Clinton Bolden, Director, Economic Development Department, explained SBEDA Participation Levels, stating he had met with the contractors the day before

Ms Burley spoke to Staff recommendations

Mr Bruce Birdwell, Risk Manager, spoke to the insurance program.

Mr Milton Guess, Chair, Convention Center Expansion Adhoc Committee, spoke positively of the ordinance.

Mr Jaime Torres, representative, J T Clark Construction, spoke of details of the Joint Venture contract

The following citizen(s) appeared to speak

Mr Fred Reynolds, 1202 Waverly, expressed concern over information not being available early enough for the citizens

Ms Margo Pena, Margo's Ent. Inc , SMB, stated that her firm suffers in the bidding process, stating that favoritism hurts small businesses

In response to a question by Councilman Webster, Ms. Burley explained the process followed for bidding

Mr Kelly Munoz, spoke to the reason for not considering Margo Pena in the bid.

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Ms Pena explained she received a quote from only one company, with the other two companies refusing to give her a quote

Mr. Jack Finger, P. O. Box 12048, expressed concern over inclusion as no dollar amounts were included in Item 38, which was posted too late, and suggested they postpone this for one week.

\* \* \* \*

Council discussion took place at this time

Ms Burley stated she called two manufacturers, and that the Convention Center Expansion Office advertised for bid the Convention Center Expansion Project Phase IB (New Construction and Renovation) on March 3, 1997, with bids opened on May 2, 1997. The four responsive bidders responding to the base contract were JT Clark Construction, A Joint Venture, Centex Construction Company; Lyda/Metric, Joint Venture; and Hensel-Phelps Construction Company.

Ms Terri Lynn Williams, Economic Development Manager, SMBE Officer, spoke to the non-response of Ms Peña's bid

Ms. Peña stated she was contacted in March and was told there would be no response until May 1, 1997

Ms Williams stated the Economic Development Department has reviewed and approved the good faith effort plan submitted by Clark/JT Construction, who indicated they would attain at least a 19% small, minority and women-owned business enterprise (SMBE) utilization level., and that there will be significant subcontracting opportunities as negotiations with second and third-tier contractors are finalized This is to be completed within a three-month period and the SMWBE utilization levels will increase accordingly

Mr. Duane Pozza, Construction Manager, spoke to the process and the fact that this was a lump sum bid, not a line-item bid

Councilman Flores suggested that we need to re-bid that section

Mr Frank Garza, Acting City Attorney, clarified that Council can approve the bid as a whole, or can require re-bid of that one section

Mr Kell spoke to the way they set up the carpet bidding, and recommended that Clark meet with the person and work through this

In response to Mr Flores, Clark stated they would work with Ms Pena along with a Councilmember to monitor the meeting

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Ms. Burley stated she will work with Ms. Pena, stating Ms. Pena's problem lies with the manufacturers

Mr. Webster asked that direction be given to Staff to have Clark work with Ms. Margo Pena, with staff monitoring and come back to Council on the carpet segment inclusion

Mr. Alexander E. Briseno, City Manager, asked that Council consider the overall picture and the savings of being under budget when they voted. He expressed appreciation to the staff for their diligent work.

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

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97-20            The Clerk read the following Ordinance

AN ORDINANCE 86016

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,884,093.00 TO BARTLETT COCKE-INCORE-HARDIN, CONSTRUCTION MANAGER, FOR INCENTIVE FEES DUE TO SAVINGS ON THE CONVENTION CENTER EXPANSION PROJECT AS SET FORTH IN THE CONSTRUCTION MANAGEMENT AGREEMENT; AND APPROPRIATING FUNDS FOR SAID FEES

\* \* \* \*

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

The following citizen(s) appeared to speak:

Mr. Fred Reynolds, 1202 Waverly, expressed concerns with the Convention Center Expansion Project.

\* \* \* \*

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

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97-20            The Clerk read the following Ordinance

AN ORDINANCE 86017

AWARDING A PROFESSIONAL SERVICES CONTRACT WITH THE HOBBS GROUP, INC TO PERFORM INSURANCE AND SAFETY CONSULTING SERVICES IN CONJUNCTION WITH THE OWNER CONTROLLED INSURANCE PROGRAM FOR THE CONVENTION CENTER EXPANSION PROJECT IN AN AMOUNT NOT TO EXCEED \$818,092 00, AUTHORIZING STAFF TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES CONTRACT; AUTHORIZING A PERSONNEL COMPLEMENT FOR THE CITY ATTORNEY'S OFFICE - RICK MANAGEMENT DIVISION; SELECTING ARGONAUT INSURANCE COMPANY TO PROVIDE WORKERS' COMPENSATION AND GENERAL LIABILITY COVERAGE IN AN AMOUNT NOT TO EXCEED \$2,721,103.00; SELECTING TRANSAMERICA INSURANCE COMPANY TO PROVIDE EXCESS GENERAL LIABILITY COVERAGE IN AN AMOUNT NOT TO EXCEED \$167,220.00; SELECTING CIGNA TO PROVIDE EXCESS GENERAL LIABILITY COVERAGE IN AN AMOUNT NOT TO EXCEED \$160,000 00; SELECTING THE HARTFORD INSURANCE COMPANY TO PROVIDE EXCESS GENERAL LIABILITY COVERAGE IN AN AMOUNT NOT TO EXCEED \$35,000 00, AND TO PROVIDE BUILDERS' RISK COVERAGE IN AN AMOUNT NOT TO EXCEED \$115,200.00, AUTHORIZING PAYMENT; AND APPROPRIATING FUNDS FOR SAID SERVICES

\* \* \* \*

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

The following citizen(s) appeared to speak

Mr. Fred Reynolds, 1202 Waverly, expressed concern with the Convention Center Expansion Project.

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Mr Jack M Finger, P O Box 12048, made a presentation, and stated the posting took place only two hours before the meeting, and suggested that Council not ramrod things through.

\* \* \* \*

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

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97-20            TRAVEL AUTHORIZATION - Granted

Travel Authorization for Mayor William E Thornton, to Washington, D.C., for the purpose of meeting with the Texas Delegation to discuss legislative issues regarding Kelly AFB and to solicit their support for those issues, on May 8, 1997

Mr Flores made a motion to approve the Travel Authorization Mr Lott seconded the motion

The following citizen(s) appeared to speak

Mr Faris Hodge, Jr , 140 Dora, suggested Council spend the Mayor's travel money to train Kelly workers

\* \* \* \*

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

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97-20                                    CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, cited a number of things he wants City Council to address.

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97-20            There being no further business to come before the Council, the meeting was adjourned at 8:29 P.M.

A P P R O V E D



WILLIAM E. THORNTON  
M A Y O R



Attest:

NORMA S. RODRIGUEZ, CMC/AE  
City Clerk