

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 17, 1997.

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97-16 The regular meeting was called to order at 1:00 p.m. by the Presiding Officer, Mayor William E. Thornton, with the following members present: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster and Thornton. **ABSENT:** None.

97-16 Invocation - Rev. Hector Grant, Bethel United Methodist Church.

97-16 Pledge of Allegiance to the flag of the United States.

97-16 Minutes of the Regular City Council Meetings for January 23, 1997 and February 6, 1997 were approved.

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97-16 **CEREMONIAL ITEMS**

EL REY FEO AND COURT

Mayor Thornton introduced El Rey Feo (Ugly King) Kirk K. Colyer and members of his royal court, all present in the audience.

Mr. Colyer formally recognized other members of his royal court, present in the audience, and read his formal proclamation, then spoke to planned events of his reign.

Members of El Rey Feo's royal court then distributed special medals to the Mayor and City Council.

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Mayor Thornton spoke to the impact of El Rey Feo, especially in the field of higher education, including scholarship fundraising, and spoke to the coming-together of all facets of San Antonio during Fiesta Week.

Councilman Flores, himself a former El Rey Feo, congratulated Mr. Colyer and his royal court.

NIGHT IN OLD SAN ANTONIO

Mayor Thornton noted that one of the highlights of Fiesta Week in San Antonio is the San Antonio Conservation Society's "Night In Old San Antonio" event, and stated that to commemorate the 50th anniversary of NIOSA, he had a special proclamation, which he read before presenting it to San Antonio Conservation Society President, Sally Buchanan.

Ms. Buchanan then spoke to details of the 50th anniversary edition of NIOSA, as members of the Conservation Society and NIOSA staff distributed special pins and posters to Mayor and City Council.

Ms. Buchanan then unveiled the annual NIOSA poster, as volunteers distributed prints of that poster to each member of City Council.

MARTIN LUTHER KING COMMISSION 1997 SCHOLARSHIP RECIPIENTS

Mayor Thornton recognized representatives of the Martin Luther King Commission present in Council chambers accompanied by the 1997 recipients of the Commission's scholarship program. He then introduced Ms. Nancy Bohman, representing the Commission.

Ms. Bohman spoke briefly to an explanation of the scholarship program and introduced representatives of local high schools represented by scholarship winners, noting that the Commission thus far has given more than \$100,000 in scholarships to deserving people of San Antonio.

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As City Clerk Norma S. Rodriguez read aloud the names of each scholarship winner, that winner came forward to receive his or her special medal and receive the congratulations of the Mayor and City Council.

97-16 CONSENT AGENDA

Ms. Lott made a motion to approve Agenda Items 8 through 36, constituting the Consent Agenda, with items 12, 14, 15, 25, 26, and 27 having been pulled by the City Manager. Ms. Billa Burke seconded the motion.

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

AN ORDINANCE 85882

ACCEPTING THE LOW, QUALIFIED BID OF INTEGRATED OFFICE SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH FACSIMILE MACHINES FOR A TOTAL OF \$14,700.00

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AN ORDINANCE 85883

SELECTING CHIANG, PATEL & YERBY, INC., TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE BROADWAY AT WETMORE ROAD PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$50,772.00; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 85884

SELECTING S.M. GALINDO ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SOUTH NEW BRAUNFELS: I.H. 10 TO SOUTHCROSS PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$40,129.00; AUTHORIZING \$4,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 85885

SELECTING HNTB TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE ST. MARY'S: ALAMO TO PEREIDA PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$46,685.00; AUTHORIZING \$4,680.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85886

SELECTING RONNFELDT ENGINEERING CONSULTANTS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE MEDICAL DRIVE: BABCOCK TO FREDRICKSBURG ROAD PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$62,534.00; AUTHORIZING \$6,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85887

ACCEPTING THE LOW, QUALIFIED BID OF CAPITAL EXCAVATION COMPANY IN THE AMOUNT OF \$95,865.60 IN CONNECTION WITH LARKSPUR DRAINAGE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$9,600.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85888

ACCEPTING THE LOW, QUALIFIED BASE BID, AND ADDITIVE ALTERNATES ONE AND TWO, OF JAMES LITTRELL CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$66,557.00 FOR BATHHOUSE RENOVATIONS TO THE CONCEPCION PARK SWIMMING POOL; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; REVISING THE CONCEPCION PARK PROJECT BUDGET; AUTHORIZING ALLOCATION OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS INTO THE PROJECT BUDGET; AUTHORIZING THE ALLOCATION OF DISABILITY ACCESS PROGRAM FUNDS FROM THE CAPITAL RESERVE FUND OF THE CITY'S GENERAL REVENUE FUND; AUTHORIZING \$6,181.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (SMBE)

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AN ORDINANCE 85889

AUTHORIZING ASSIGNMENT OF THE LEASE AGREEMENT FOR 103,875 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT FROM EDWARD J. SWEARINGEN TO 99TH STREET INC., AND APPROVING AN AMENDMENT OF SAID LEASE BY ADDING 40,252 SQUARE FEET OF GROUND SPACE FOR AN ADDITIONAL

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RENTAL OF \$2,012.60 PER YEAR. (AMENDS ORDINANCE NO. 78493
DATED AUGUST 19, 1993)

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AN ORDINANCE 85890

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$22,950.00 FOR
FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE
SOUTH FLORES STREET DRAINAGE PROJECT #70-70A, PHASE II; AND
FEE SIMPLE TITLE TO TWO PARCELS IN CONNECTION WITH THE
NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS
METROPOLITAN PLANNING ORGANIZATION PROJECT.

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AN ORDINANCE 85891

ACCEPTING THE DEDICATION OF A PERMANENT EASEMENT FROM
7701 WURZBACH TOWER COUNCIL OF OWNERS, INC., TO PROVIDE
FOR A TRAFFIC SIGNAL AT MERTON MINTER AND WURZBACH
ROAD.

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AN ORDINANCE 85892

ACCEPTING THE DEDICATION OF TWO (2) PERMANENT EASEMENTS
FROM TEXAS 1993-N3, INC., AT CULEBRA ROAD AND RIMROCK
TRAIL, AND VALERO TRANSMISSION, L.P. AT RAY ELLISON DRIVE
AND OLD PEARSALL ROAD, TO PROVIDE FOR TWO (2) TRAFFIC
SIGNALS.

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AN ORDINANCE 85893

AUTHORIZING PAYMENT OF THE TOTAL AMOUNT OF \$1,131.08 FOR TITLE SERVICES IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74; THE HI-LIONS DRAINAGE PROJECT #80; THE SOUTH FLORES STREET DRAINAGE PROJECT #70-70A, PHASE II; AND THE BASSE ROAD AT SAN PEDRO AVENUE METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 85894

AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$69,004.96 PAYABLE TO CARL CORPORATION FOR THE LIBRARY AUTOMATION ENHANCEMENT PROJECT; REVISING THE PROJECT BUDGET; AND AUTHORIZING THE CLOSURE OF THE RELATED CERTIFICATES OF OBLIGATION CAPITAL PROJECTS FUNDS; AND TRANSFERRING FUNDS ORIGINALLY ENCUMBERED IN ORDINANCE NO. 80316, PASSED AND APPROVED ON JUNE 16, 1994.

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AN ORDINANCE 85895

AMENDING THE SAN ANTONIO MUSEUM OF ART LATIN AMERICAN ART CENTER PROJECT BUDGET TO REFLECT THE ALLOCATION OF AN ADDITIONAL \$250,000.00 IN UNALLOCATED 1994 PARKS GENERAL OBLIGATION BOND FUNDS; AND AUTHORIZING THE REIMBURSEMENT OF THE SAN ANTONIO MUSEUM ASSOCIATION FOR AN ADDITIONAL \$250,000.00 IN PROJECT CONSTRUCTION COSTS. (AMENDS ORD. NO. 84598 AUG. 22, 1996)

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AN ORDINANCE 85896

AUTHORIZING PAYMENT IN THE AMOUNT OF \$18,000.00 TO J.W. MARRIOT HOTEL IN WASHINGTON, D.C. FOR VARIOUS EVENTS ASSOCIATED WITH A CONVENTION INDUSTRY SALES PRESENTATION TO BE HELD IN WASHINGTON, D.C. ON MAY 14, 1997.

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AN ORDINANCE 85897

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 96-CI-12064 IN THE 285TH JUDICIAL DISTRICT COURT, STYLED JOSEPH SERINGER V NATIVIDAD JAUREGUI & CITY OF SAN ANTONIO IN THE AMOUNT OF \$120,000.00.

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AN ORDINANCE 85898

AUTHORIZING THE EXECUTION OF A ONE (1) YEAR PROFESSIONAL SERVICES CONTRACT WITH THE SAN ANTONIO SPORTS FOUNDATION IN THE AMOUNT OF \$64,350.00 FOR THE PURPOSE OF SOLICITING COMPETITIVE SPORTING EVENTS TO BE HOSTED IN SAN ANTONIO.

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AN ORDINANCE 85899

APPROVING A PARADERUN PERMIT IN CONNECTION WITH THE CHILDREN'S HOSPITAL 5K RUN, SPONSORED BY SANTA ROSA HOSPITAL AND AUTHORIZING THE TEMPORARY CLOSURE OF THE FOLLOWING STREETS FROM 7:00 A.M. UNTIL 10:30 A.M., SUNDAY,

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MAY 4, 1997 FOR SAID EVENT : SANTA ROSA FROM HOUSTON TO DURANGO, DURANGO FROM SANTA ROSA TO PANCOAST, PANCOAST FROM DURANGO TO WASHINGTON, WASHINGTON FROM FROM PANCOAST TO ARSENAL, ARSENAL FROM WASHINGTON TO MAIN, MAIN FROM ARSENAL TO GUENTHER, GUENTHER FROM MAIN TO MADISON, MADISON FROM GUENTHER TO ST. MARY'S, ST. MARY'S FROM MADISON TO DURANGO, DURANGO FROM ST. MARY'S TO SANTA ROSA, SANTA ROSA FROM DURANGO TO HOUSTON AND FROM HOUSTON TO END AT MILAM PARK.

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AN ORDINANCE 85900

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF TIMBER VIEW FROM 3110 TIMBER VIEW TO CREEKLINE DRIVE, CREEKLINE DRIVE FROM TIMBER VIEW TO RIM ROCK TRAIL, RIM ROCK TRAIL FROM CREEKLINE DRIVE TO WILLOW CREEK DRIVE, WILLOW CREEK DRIVE FROM RIM ROCK TRAIL TO TIMBER VIEW, TIMBER VIEW FROM WILLOW CREEK DRIVE TO END AT 3110 TIMBER VIEW BEGINNING AT 1:00 P.M. UNTIL 2:30 P.M. IN CONNECTION WITH THE CARLOS COON COMMUNITY CELEBRATION PARADE TO BE HELD ON THURSDAY, MAY 15, 1997.

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AN ORDINANCE 85901

AUTHORIZING THE TEMPORARY CLOSURE OF W. ASHBY STREET BETWEEN FREDRICKSBURG ROAD AND ST. ANN'S STREET FROM 7:00 A.M. UNTIL 12:00 MIDNIGHT ON SUNDAY JUNE 8, 1997, FOR THE ANNUAL PARISH FESTIVAL, AS REQUESTED BY ST. ANN'S CATHOLIC CHURCH.

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AN ORDINANCE 85902

AUTHORIZING THE TEMPORARY CLOSURE OF CLINTON STREET BETWEEN WAGNER AND GERALD STREETS FROM 1:00 P.M. UNTIL 8:00 P.M. ON FRIDAY, MAY 2, 1997 FOR THE BLOCK PARTY AND RE-DEDICATION CEREMONY FOR SOUTH PARK MEDICAL CARE CENTER, AS REQUESTED BY EL CENTRO DEL BARRIO.

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AN ORDINANCE 85903

AUTHORIZING THE TEMPORARY CLOSURE OF W. SALINAS STREET BETWEEN ZARZAMORA AND ROSILLO STREETS, AND ROSILLO STREET BETWEEN W. SALINAS STREET AND BARNES ALLEY, FROM 7:30 A.M. UNTIL 5:30 P.M. ON FRIDAY, MAY 2, 1997, FOR THE FIRST ANNUAL OPEN HOUSE OF THE MAIN OFFICE OF THE CATHOLIC CHARITIES, ARCHDIOCESE OF SAN ANTONIO, INC., AS REQUESTED BY THE CATHOLIC CHARITIES, ARCHDIOCESE OF SAN ANTONIO, INC.

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AN ORDINANCE 85904

AUTHORIZING THE TEMPORARY CLOSURE OF CLOWER STREET BETWEEN BRAD STREET AND I.H. 10, FROM 9:00 A.M. UNTIL 9:00 P.M. ON SUNDAY, MAY 4, 1997, FOR THE ANNUAL MAY FROLIC, AS REQUESTED BY ST. MARY MAGDALEN'S CATHOLIC CHURCH SCHOOL.

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97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85905

SELECTING GARCIA ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE TIMBER PATH BIKEWAY: LES HARRISON TO GRISSOM (FM 471) PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$13,810.00; AUTHORIZING \$1,500.00 IN MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated his opinion that three-foot-wide bicycle lanes are too narrow and pose a safety hazard.

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Mr. John German, Director of Public Works, spoke to the six-foot width of these bicycle lanes in this project.

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

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97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85906

SELECTING PAPE-DAWSON ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CALLAGHAN: BANDERATO WEST HORESHOE BEND PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$213,233.00; AUTHORIZING \$15,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85907

ACCEPTING THE LOW, QUALIFIED BID OF CIRCLE D.L. DBA EARTHWORKS, INC., IN THE AMOUNT OF \$159,800.00 IN CONNECTION WITH THE DISTRICT 3 SIDEWALKS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$15,980.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$800.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. John German, Director of Public Works, spoke to the locations of the various sidewalk projects involved.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85908

AMENDING ORDINANCE NO. 79180, PASSED AND APPROVED ON NOVEMBER 18, 1993, BY REMOVING DOMESTIC FERRETS FROM THE LIST OF PROHIBITED ANIMALS; AUTHORIZING THE KEEPING OF DOMESTIC FERRETS; AND AMENDING ORDINANCE NO. 79180, PASSED AND APPROVED ON NOVEMBER 18, 1993, ORDINANCE NO. 85353, PASSED AND APPROVED ON DECEMBER 19, 1996, CITY CODE CHAPTER 5, ENTITLED "ANIMALS & FOWL," CITY CODE SECTION 5-1, 5-156, 5-157, 5-158, 5-160, 5-161, 5-162, AND 5-176 TO REFLECT SAME.

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

Mr. Frank Blaylock, Assistant Director of the Metropolitan Health District, spoke to the reasons for recommending removal of domestic ferrets from the list of prohibited pets in San Antonio.

The following citizens appeared to speak:

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Ms. Rachel Zepeda, member, Animal Control Advisory Board, distributed to Council members copies of the minutes of a board meeting at which this recommendation was made. She described ferrets, and noted that only four board members voted in favor of this recommendation, indicating no overwhelming board support for the recommendation. She spoke to her reasons for opposition to the recommendations, including fear of ferret bites, and spoke to the advantages and disadvantages of lifting the restriction on ferrets as pets. She also noted that Ms. Lynn Cuny, director of Wildlife Rescue, opposes the recommendation, and she asked for either outright rejection or postponement of this issue.

Ms. Rebecca Chavez, ferret owner, spoke in support for the proposed ordinance, stating her belief that domestic ferrets should be allowed as pets in San Antonio. She spoke to the advantages of having ferrets as pets, and distributed photographs to City Council in support of her position.

Mr. George H. Saenz, President, Ferret Enthusiasts, also spoke in favor of the proposed ordinance and noted that some 85 per cent of ferret owners are women. He then addressed the advantages of ferret ownership.

Ms. Mary Beth Durler, representing Responsible Pet Owners Alliance, noted that this is a public health issue, for which the Metropolitan Health District now recognizes an effective anti-rabies vaccine for ferrets. She asked the Council to ignore the rhetoric of animal rights activists in this matter.

Ms. Christina Heath differentiated between wild and domestic ferrets, and spoke in support of ownership for domestic ferrets.

Mr. Donald Barnes, representing Voice For Animals, spoke against allowing ownership of domestic ferrets inside the city limits of San Antonio, as well as ownership of potbellied pigs. He distributed spay/neuter bumper stickers to City Council members, and spoke to potential problems of many animals as pets. He asked the Council to at least postpone action on this matter until effective animal control exists in San Antonio.

Mr. Herman Schwartz, also representing Voice For Animals, spoke against allowing ownership of domestic ferrets in San Antonio, stating his belief that this is a step backward. He then spoke to unknown elements of rabies in domestic ferrets.

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Mr. Ross spoke in support for the Animal Control Advisory Board's recommendation to remove ferrets from the list of prohibited pets in San Antonio.

In response to a question by Mr. Peak, Dr. William E. Lammers, veterinarian in charge of the Animal Control Facility, addressed the health district's recommendations in this matter, noting that most health groups now approve of domestic ferrets as pets. He spoke to how ferrets are cared for, and stated his opinion that this will not cause an over-population problem with these animals, noting that domestic ferrets cannot survive in an outside environment.

In response to a question by Ms. Lott, Ms. Chavez spoke to how domestic ferrets act around humans.

In response to a question by Mr. Avila, Dr. Lammers stated that the health district only recorded two domestic ferret bites last year, and he spoke to the health advantages of legalizing ferrets, stating that this will cause only minimal impact upon current City staff.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85909

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPLY TO THE TEXAS AUTOMOBILE PREVENTION AUTHORITY FOR A \$1,100,000.00 GRANT TO AUGMENT THE SAN ANTONIO POLICE DEPARTMENT'S EFFORTS IN REDUCING AUTO THEFT.

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

Police Chief Al A. Philippus explained the auto theft reduction consolidated program of many local law enforcement agencies.

In response to a question by Mr. Fred Reynolds, 1202 Waverly, Chief Philippus noted that the one-dollar surcharge has been in place for some five years.

Discussion took place concerning the cooperative efforts of local law enforcement agencies in other areas and funding matters involved.

Mr. Reynolds spoke to his concern that San Antonio and its grants appear to be supporting surrounding communities, as well. He spoke to the need for accountability in funding.

Chief Philippus responded with a number of statistics involving this program, indicating its success over the years.

Mr. Reynolds spoke to his belief that all communities need to pay their own way, and stated his belief that the Police Department should be accountable for this funding.

Mr. Webster spoke to the success of this program.

Ms. Julie Iris Oldham, 4523 Allegheny Drive, addressed her concern with Police Department and Code Compliance results in her neighborhood, and spoke to adverse instances in her area, including alleged harassment by her neighbors.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85910

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY IN THE AMOUNT \$303,794.00 TO FUND THE SOUTH TEXAS INTELLIGENCE CENTER, A NEW HIDTA INITIATIVE.

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

Police Chief Al A. Philippus explained the program and spoke to its results, including creation of a new South Texas Intelligence Center to coordinate data from all law enforcement agencies.

The following person appeared to speak:

Mr. Fred Reynolds, 1202 Waverly, spoke in support for halting the flow of narcotics into this area, but stated that he has little data or audit results available to track this funding.

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Chief Philippus noted that both federal and City auditors make their audit reports on such grants public.

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

97-16 Mayor Thornton declared a Public Hearing to be open on Property at 122 Elsie.

Mr. Frank Garza, Acting City Attorney, spoke to the background of this issue and the reasons for the requested ordinance allowing the City Attorney to file suit against the individual property owner involved.

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

The Clerk read the following Ordinance:

AN ORDINANCE 85911

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUIT AGAINST LLOYD MEYERS, AKA RUDY MEYERS, AND ALL NECESSARY PARTIES HAVING INTERESTS IN THE REAL PROPERTY AT 122 ELSIE STREET, SAN ANTONIO, BEXAR COUNTY, TEXAS, TO ENJOIN AND ABATE A DANGEROUSLY DAMAGED AND DETERIORATED BUILDING; AND PROVIDING A PUBLIC HEARING.

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

Mr. Vasquez thanked City staff for its expeditious action in this matter, but addressed his concerns relative to certain changes affecting 'dangerous buildings' to be discussed later in this meeting. He spoke to the movement toward preservation of dangerous buildings, rather than removal, and noted that if groups want to expand the powers of preservation, they should come up with adequate funding to do so. He also addressed his concern with dangerous structures remaining in neighborhoods.

Mr. Avila spoke to the need to expedite this issue, speaking to his concerns that a lawsuit will delay demolition, a public safety issue.

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Mr. Garza then addressed a proposed timetable for the lawsuit.

Mr. Flores noted that delays in demolishing dangerous structures is frustrating, and asked that such matter be expedited through due process.

In response to a question by Mr. Ross, Mr. Garza differentiated between this case and cases of 'eminent threat to safety', and spoke to background details of this case.

Mr. Vasquez stated his belief that the new 'dangerous buildings' ordinance to be considered by City Council later today will interpose another preservation issue layer into the current City laws on this matter. He stated his belief that City staff needs the legal right to act immediately on such matters.

Mr. Michael Clack, Assistant Director of Building Inspections, spoke to why this building in question is not an 'imminent threat', so that it could be immediately bulldozed.

Mr. Avila spoke to the need to be sensitive to community needs in these matters.

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

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97-16 Mayor Thornton declared a Public Hearing on the Downtown Transportation Study.

Ms. Rebecca Waldmann, Assistant to the City Manager and Acting Director of Planning, noted that this matter was discussed by City Council in a "B" Session in January of this year, and narrated a video presentation on City staff recommendations, a copy of which is made a part of the papers of this meeting.

The following persons appeared to speak:

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Mr. Ben E. Brewer III, representing the Downtown Alliance, spoke in support for a comprehensive downtown transportation plan.

Mr. Faris Hodge, Jr., 140 Dora, addressed several concerns, including the need for more bus lanes in the downtown area, more park-and-ride areas, and a parking garage near the Alamodome.

Ms. Sally Buchanan, President, San Antonio Conservation Society, spoke in support for increased priority for river extension improvements and design of the transfer-station area.

In response to a question by Mr. Flores, Mr. Brewer discussed plans for the downtown transfer station and amenities planned for transit bus riders. He explained the rationale for this plans and noted that bus riders will be able to board busses throughout the downtown area, not only in the transfer-station area.

In response to a question by Ms. Lott, Ms. Buchanan noted that certain projects already have been funded in the study area.

Mr. Peak spoke in support for a multimodal transportation program.

Mr. Ross stated his belief that the plan needs assurance of flexibility.

Mr. Ross and Mr. Peak both spoke in support for a request that this downtown transportation plan be reviewed in three years.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85912

ACCEPTING THE DOWNTOWN TRANSPORTATION STUDY WHICH WILL BE REVIEWED IN THREE YEARS.

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

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

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97-17 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE ON ACCEPTING THE SALADO CREEK WATERSHED MASTER DRAINAGE PLAN.

Mayor Thornton declared the Public Hearing to be open.

Mr. John German, Director of Public Works, narrated a video presentation of the proposed \$27.5 million drainage plan, a copy of which presentation is made a part of the papers of this meeting. He spoke to details of the now-completed watershed studies on the Upper Olmos Creek, Leon Creek, and now the Salado Creek plan, totaling some \$101.70 millions. He spoke to possible funding sources and described these studies as the basis for future development activities in these area.

The following persons appeared to speak:

Mr. Lew Coleman, 4130 Monaco, urged Council support and funding.

Ms. Cathie Ladd, 1266 Holbrook Road, President, Salado Valley Neighborhood Association, addressed three major concerns and spoke in support for the project in principle, so long as there are no 'buyouts' on Holbrook Road. She spoke to the need to maintain a greenbelt atmosphere in the area, with no restrictions on access to the area. She spoke in support for City staff recommendations.

Ms. Jo Ann Rivera, 1006 Holbrook Road, spoke in support for the revised plan and echoed Ms. Ladd's concerns.

Mr. Tom Sickmann, representing San Antonio Cycling, spoke in favor of hike-and-bike trails as part of a greenbelt flood control plan.

Mr. George W. Eisenhower, 442 Holbrook Road, also spoke in support, but against any restrictions on ingress/egress to Holbrook Road.

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

The Clerk read the following Ordinance:

AN ORDINANCE 85913

ACCEPTING THE SALADO CREEK WATERSHED MASTER DRAINAGE PLAN, INCLUDING A LISTING OF PROPOSED MITIGATION PROJECTS; ADOPTING THE PROPOSED 100-YEAR FLOOD PLAIN BOUNDARIES ESTABLISHED BY ENGINEERING STUDIES; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT THE PROPOSED FLOOD PLAIN BOUNDARIES TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR APPROVAL.

* * * *

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

In response to a question by Mr. Ross, Mr. John German, Director of Public Works, spoke to the impact upon this project of a flood-retention dam in McAllister Park.

Mr. Ross suggested taking some \$800,000 scheduled for the Holbrook Road project and offer it to the federal government, through San Antonio River Authority, as incentive to move up construction of the flood-retention dam in McAllister Park. He spoke to his plan to ask for staff direction to study this concept, following the formal vote on the ordinance.

Ms. Lott noted that the citizens involved support construction of a levee next to Wheatley Heights, near Salado Creek.

Mr. Peak spoke in support of a three-study package to prevent flooding.

Mr. Vasquez suggested that Mr. Ross' planned direction to City staff be treated in the same context as other drainage plans.

Mayor Thornton stated his belief that drainage projects such as the Salado Creek project must be studied as a whole, and not in part. He spoke in support for the linear park concept, and the proposed ordinance.

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

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Mr. Ross then made a motion to direct City staff to study the possibility of using the \$800,000 scheduled for the Holbrook Road Project and offer it to the federal government as incentive to speed up construction of the flood-abatement dam in McAllister Park. Mr. Vasquez seconded the motion.

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

97-16 SALADO CREEK OPEN SPACE CORRIDOR AND NATURE TRAIL STUDY REPORT.

Ms. Rebecca Waldman, Assistant to the City Manager and Acting Director, Department of Planning, narrated a video presentation explaining the Study Group recommendations on the Salado Creek Watershed Master Drainage Plan, a copy of which is made a part of the papers of this meeting. She noted that City staff does not recommend having separate advisory board for the different corridors.

Mr. Jack de Vaughn, a member of the Salado Creek Open Space Corridor and Nature Trail Study Group, spoke in support for the study and the report.

Ms. Lott thanked the group for its hard work, and spoke in support for the plan.

Mr. Ross called this a good plan, and spoke in support of City staff recommendations for having a single advisory board for all corridors. He also expressed his belief that this project needs to stay in the Parks & Recreation.

Department, since the Planning Department is so inundated with work. He also spoke in support for an additional City staff person to be involved in this work.

The following persons appeared to speak:

Mr. Lew Coleman, 4130 Monaco, spoke to the impact of Salado Creek and addressed the amenities of the project. He also spoke in support for having separate advisory boards.

Mr. Albert Fernandez, Jr., Open Space Advisory Board, stated that his group supports this plan, and addressed details of that recommendation.

Ms. Jo Ann Rivera, 1006 Holbrook Road, also spoke in support, and stated her belief that this corridor needs an individual advisory board.

Mr. Walter Schuman spoke in support for a park development as park of this project.

Mr. Joel Williams also spoke in support for the project.

Mr. George W. Eisenhower, 442 Holbrook Road, spoke to his concern with parks plans below Rittiman road because of land constraints, traffic, and an overloaded sewage line.

Ms. Annalisa Peace spoke in support for the project. A copy of her remarks is made a part of the papers of this meeting.

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Mayor Thornton declared the Public Hearing to be closed

In response to a question by Mr. Peak, Ms. Waldman spoke to the next step in the process and addressed possible funding sources to continue the process.

Mr. Webster noted that amenities are planned as part of this project along Salado Creek, taking advantage of natural resources. He spoke to the need to expedite this work.

The Clerk read the following Resolution:

A RESOLUTION NO: 97-16-19

ACCEPTING THE SALADO CREEK OPEN SPACE CORRIDOR AND NATURE TRAIL REPORT.

* * * *

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

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

97-14 The Clerk read the following Ordinance:

AN ORDINANCE 85914

APPROVING THE PROPOSED TRANSPORTATION PLANNING PROJECTS TO BE SUBMITTED TO THE METROPOLITAN PLANNING ORGANIZATION FOR FUNDING FOR FISCAL YEAR 1997-1998.

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

Mr. Jesus Garza, Planning Department, narrated a video presentation explaining the project being recommended.

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

- - -
97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85915

AMENDING THE CODE OF ORDINANCES OF THE CITY OF SAN ANTONIO BY REPEALING IN ITS ENTIRETY, ARTICLE VIII, ENTITLED DANGEROUS BUILDINGS, OUT OF CHAPTER 6, BUILDINGS, AND ADOPTING IN ITS STEAD A NEW ARTICLE VIII ENTITLED DANGEROUS BUILDINGS AND DISTRESSED PROPERTIES; RECONSTITUTING THE DANGEROUS STRUCTURE DETERMINATION BOARD (DSDB); INCORPORATING STATE STATUTORY AUTHORITY PERTAINING TO ABATEMENT OF NUISANCE CONDITIONS RELATED TO STRUCTURES AND BUILDINGS; PROVIDING FOR NOTICES OF VIOLATION AND HEARINGS, AND PREDICATES TO CITY REMEDIATION TO FIX LIENS FOR COSTS; ALLOWING FOR EMERGENCY SECURING AND DEMOLITION PROVIDING A PENALTY AND DIRECTING PUBLICATION.

* * * *

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

Mr. Martin Rodriguez, Director of Code Compliance, narrated a video presentation which spoke to the aim of the proposed changes to the City Code.

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The following persons appeared to speak:

Ms. Sally Buchanan, President, San Antonio Conservation Society, stated her organization's belief that the proposed new ordinance better holds the property owner accountable for the structures and their conditions. She also asked that the City's Historic Preservation Officer sit on the Dangerous Structure Determination Board (DSDB), stating her group's desire that historic structures be saved.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need for more Code Compliance Officers, and spoke to the problem of abandoned houses and the need for a rehabilitation program for some houses.

Mr. Rodrigo Garcia, City Clean-Up Commission, addressed the need for changes in the law to clear abandoned houses as soon as possible, for safety purposes.

Mr. Gene Shepherd, representing Seniors In San Antonio, spoke to the options available for improving abandoned houses, and spoke to better enforcement initiatives.

In response to a question by Mr. Vasquez, Mr. Rodriguez spoke to the tracking system currently used on dangerous structures, noting that some 2,800 structures each near need to be renovated or destroyed. He noted further that some 300 such structures were demolished last year, with perhaps 500 more to be destroyed this year. He stated that it currently takes some 45 days to demolish a house, from identification of the problem to actual removal of the structure.

Discussion then took place concerning the 60-day minimum time-line to demolish a structure, including a 30-day period for the Historic Preservation Officer to review the matter.

Mr. Vasquez stated his belief that it is a continuing blight upon neighborhoods to leave dangerous structures standing, and he spoke against the proposed ordinance currently before Council today, and urged its defeat.

Mr. Vasquez then made an amended motion that, on Page 10, Section 6-167 of the draft Attachment A, the suggested five hundred (500) feet be changed to a distance of one thousand (1,000) feet; and that on Page 4, Line 6 of Attachment A, wording

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be added to reflect that general funding shall be appropriated to acquire, rehabilitate and dispose of the property. Mr. Avila seconded the motion.

Mr. Avila stated that this is an important issue, and voiced his concern with the slow process in resolving such issues.

Mr. Ross noted that Council members are frustrated by current procedures now in place.

In response to a question by Mr. Ross, Mr. Habib Erkan and Ms. Sally Farris, Assistant City Attorneys, spoke to changes in the proposed ordinance developed during negotiations with San Antonio Conservation Society.

Mr. Ross suggested that the proposed ordinance be enacted today, then other issues be addressed after the fact. He stated his opinion that the City's Historic Preservation Officer cannot appropriate monies to fund rehabilitation of a structure, and asked City staff to come back in two weeks with recommendations on the funding issue.

Mr. Webster spoke briefly in support for Mr. Vasquez's motion.

In response to a question by Mr. Flores, Mr. Alexander E. Briseno, City Manager, suggested that it would slow down the process if City staff must identify funding sources prior to rehabilitating structures.

Mr. Flores spoke in support for the ordinance as drafted, stating his belief that the funding question is not practical at this moment. He spoke in support for the 1,000 foot designation.

After discussion, both the maker and seconded of the amended motion, Mr. Vasquez and Mr. Avila, agreed to withdraw the funding portion of the motion, and asked City staff to come back to Council with a way to identify such funding.

Ms. Lott spoke in support for the motion, as restates.

Mr. Peak addressed the problem of dangerous buildings, and spoke to the need for the City to get involved quicker in such matters. He spoke to the need to get help from the state if it imposes restrictions on cities in this area of code compliance.

In response to a question by Mr. Avila, Mr. Briseno discussed funding alternatives and City Council priorities, including funds donations.

The amendment, as modified by maker and seconded, then prevailed by the following vote: AYES: Flores, Lott, Billa Burke, Avila, Vasquez, Herrera, Ross, Marbut, Peak, Webster, Thornton. NAYS: None. ABSENT: None.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85916

AMENDING ORDINANCE NO. 84834 AND AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$334,215.00 FOR A TOTAL GRANT FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A TOTAL AMOUNT OF \$1,521,027.00 BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES FOR THE CONTINUATION OF THE FY97 COMMUNITY SERVICES BLOCK GRANT (CDBG) FOR THE PERIOD JANUARY 1, 1997, TO DECEMBER 31, 1997; AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH ELLA AUSTIN IN THE AMOUNT OF \$103,258.00, AVANCE IN THE AMOUNT OF \$83,333.00, PROJECT QUEST IN THE AMOUNT OF \$83,333.00, THE SAN ANTONIO HOMEOWNERSHIP COLLABORATIVE IN THE AMOUNT OF \$50,000.00, HOUSE OF NEIGHBORLY SERVICES IN THE AMOUNT \$20,000.00, THE SAN ANTONIO EDUCATION PARTNERSHIP IN THE AMOUNT OF \$50,000.00, THE BOYS AND GIRLS CLUB OF SAN ANTONIO FOR \$20,000.00, AND THE MEXICAN AMERICAN UNITY COUNCIL (MAUC) IN THE AMOUNT OF \$42,500.00;

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AUTHORIZING THE EXECUTION OF A LEASE OF 2,858 SQUARE FEET OF OFFICE SPACE AT THE MAUC BUILDING LOCATED AT 2300 W. COMMERCE IN THE AMOUNT OF \$2,434.00 A MONTH FOR THE OPERATION OF THE PROGRAM; AUTHORIZING PAYMENT OF DUES TO THE TEXAS ASSOCIATION OF COMMUNITY ACTION AGENCIES; AND APPROVING AN AMENDED BUDGET AND PERSONNEL COMPLEMENT.

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

Mr. Rolando Morales, Acting Director of Community Initiatives, narrated a video presentation explaining the proposed ordinance, including its additional funding.

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

The following person appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for Project Quest job training and other agencies involved.

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

97-16 The Clerk read the following Ordinance:

AN ORDINANCE 85917

GRANTING SOUTHWESTERN BELL TELEPHONE COMPANY (SWBT) A FOUR (4) YEAR FRANCHISE AGREEMENT TO ERECT, CONSTRUCT,

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REPLACE, MAINTAIN AND OPERATE A TELECOMMUNICATION SYSTEM THAT UTILIZES THE CITY'S PUBLIC HEARING; AND SETTING THE EFFECTIVE DATE 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 RIGHT-OF-WAY UPON THE EFFECTIVE DATE OF THIS FRANCHISE AGREEMENT. (TERMINATE ORDINANCE NO. 75437, DATED MARCH 12, 1992, AND ORDINANCE NO. 85802, DATED MARCH 27, 1997)

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

Mr. Octavio Pena, Director of Internal Review, narrated a video presentation explaining the three-reading process leading up to granting this proposed franchise agreement.

The following citizens appeared to speak:

Ms. Marsha Lindsay, representing Southwestern Bell, thanked the City and its staff.

In response to a question by Mr. Fred Reynolds, 1202 Waverly, Mr. John German, Director of Public Works, explained that this new franchise agreement affects removal of any contaminated soils as a part of the relocation of any Southwestern Bell lines.

Mr. Reynolds spoke against the ordinance, voicing his concern with possible soils contamination problems.

In response to a question by Mr. Ross, Mr. Pena discussed the lack of veto power in the agreement.

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

97-16 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 DATE SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS ORDINANCE; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A FRANCHISE AGREEMENT WITH ICG.

* * * *

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

Mr. Octavio Pena, Director of Internal Review, narrated a video presentation explaining the proposed franchise agreement with ICG Telecom Group, Inc.

Mr. Vasquez noted that this was a complicated area, and thanked all concerned for their cooperation.

The following individuals appeared to speak:

Mr. Bebb Francis, attorney representing ICG Telecom Group, Inc., thanked the City staff.

Mr. Robert Cook, Vice President and General Manager, ICG Telecom Group, Inc., thanked the City for working with his firm on this proposed franchise.

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

97-16 The Clerk read the following Resolution:

A RESOLUTION NO: 97-16-20

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$350,000,000; APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO THE SALE OF THE REVENUE AND REFUNDING BONDS; COMPLYING WITH THE REQUIREMENTS OF THE RULES AND REGULATIONS PROMULGATED BY THE MUNICIPAL SECURITIES RULE-MAKING BOARD; AND PROVIDING AN EFFECTIVE DATE.

* * * *

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

Ms. Jamie Rochelle, representing City Public Service, speaking for Mr. Don Thomas, addressed the evolving power situation in these deregulating times of 'retail wheeling', narrating a video presentation on the proposed bond sale. She noted that these funds will be used for construction by City Public Service over the next two years, including the refunding of some older bonds. She then addressed the 'combined source' funding, and spoke to the reimbursement resolution to follow.

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

97-16 The Clerk read the following Resolution:

A RESOLUTION NO: 97-16-21

A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURESE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CONSTRUCTING VARIOUS CAPITAL INFRASTRUCTURE IMPROVEMENTS TO THE CITY'S ELECTRIC AND GAS SYSTEMS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATION NOT TO EXCEED \$350,000,000 TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

* * * *

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

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

97-16 The Clerk read the following Resolution:

A RESOLUTION NO: 97-16-22

HONORING STATE SENATOR JUDITH ZAFFIRINI AND CONGRATULATING HER ON HER APPOINTMENT AS GOVERNOR FOR A DAY.

* * * *

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

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

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CITIZENS TO BE HEARD

MR. FARIS HODGE

In response to Mr. Hodge's question, Councilwoman Billa Burke stated that the Fire Chief will be calling a series of public hearings on the Fire Master Plan throughout the community.

Mr. Hodge then spoke to several concerns he has with different issues throughout the City.

Also in response to Mr. Hodge, Mr. Frank Garza Acting City Attorney, stated that the plans are to annex the Dominion property by December of 1998.

MRS. MARIA DOMINQUEZ

Mrs. Maria Dominguez took issue with VIA's new advertising methods as well as the manner in which they manage their operations.

MRS. KAY FORTUNE

Mrs. Kay Fortune expressed dismay at an ordinance which requires a permit for any type of remodeling, even that which is minor and could be done by the homeowner. She stated that if that is the case, then hardware stores should be required to issue permits at the time of sale of any type of remodeling materials. She also asked that the City Council consider extending the open container law to neighborhoods and not just the downtown business area.

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97-16 There being no further business to come before the Council, the meeting was adjourned at 7:25 P.M.

A P P R O V E D

WILLIAM B. THORNTON
M A Y O R

Attest: 
NORMA S. RODRIGUEZ, CMC/AE
City Clerk