

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 15, 2001.

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2001-07 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) **Briefing on One Stop Development Services Center Update and Financing Plan.** (Presented by Rebecca Waldman, Director of Asset Management)

The Council members present were: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

The "B" Session adjourned at 10:45 A.M.

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2001-07 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: AYES: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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2001-07 Invocation by Father Eddie Bernal, St. Leo's Catholic Church.

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2001-07 Pledge of Allegiance to the flag of the United States.

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2001-07 **PRESENTATION: GREEN TEAM CHALLENGE WINNERS**

Mayor Peak spoke to the Green Team Challenge which is a partnership between the Real Estate Council of San Antonio, Keep San Antonio Beautiful, and the City of San

Antonio. This year, eleven schools in San Antonio that participated in the Challenge are being recognized for their efforts to increase environmental awareness at their schools and in their neighborhoods. Mr. Art Downey, President, Keep San Antonio Beautiful, and Mr. Bill Ellis, Chairman, Real Estate Council, thanked members of the City Council and spoke to the importance of these awards.

The Mayor invited City Council to join him in front of the podium for the presentation. Representatives from each school came forward to receive their plaque and gift certificate as the Assistant City Clerk, Ms. Yolanda Ledesma, recognized the schools and the district in which they are located.

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2001-07 **RESOLUTION OF RESPECT: OCTAVIO PENA**

The Mayor explained that this past December, the City of San Antonio suffered a great loss in the death of the Finance Director, Octavio Peña. He then introduced Mr. Peña's parents, Mr. And Mrs. Noe and Gloria Peña, his siblings, Noe Peña, Jr., Arnoldo Peña and Maria Rodriguez, his daughters, Stefani and Valerie who accepted the City's official condolences upon his death.

Mayor Peak read a Resolution of Respect, which was presented to the Peña family. Mr. Noe Peña thanked the Mayor and members of the City Council.

Mr. Garza paid his respects to the Peña family and informed them that he would remember all the kind things Octavio did and the memories they shared. He then offered his condolences.

Mr. Frank Garza, City Attorney read some special words in memory of Octavio Peña, a copy of which is included for the record in the papers of this meeting.

Mr. Alexander E. Briseño, City Manager, explained to the family members that they are all considered extended City family members and asked for members of the Finance Department, current and past, to stand to be recognized. Mr. Briseño explained that Octavio's legacy will be around for a long while, detailing some of the many projects he helped assist with that are currently in progress and made possible due to Octavio Peña's work.

Mayor Peak thanked Mr. Noe Peña and his family for being here today and again expressed his condolences.

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A RESOLUTION
NO. 2001-07-08

RESOLUTION OF RESPECT

- Whereas,** on December 27, 2000, the life of our beloved Finance Director, Octavio Peña, came suddenly to a close leaving behind friends and family to mourn his sudden and untimely death; and
- Whereas,** Octavio Peña was an honored and respected employee of the City of San Antonio for more than 11 years, including service as Internal Review Director, Assistant Director of Finance, City Controller, and, since March 1998, as the Finance Director; and
- Whereas,** Octavio was a very hardworking, dedicated, energetic and trustworthy civil servant, respected by all and unwavering in the performance of his duties-he put the interests of San Antonio taxpayers first and, as a result of his outstanding leadership, San Antonio attained bond rating upgrades from Fitch and Standard & Poor's, significant achievements that paved the way for the City to garner favorable interest rates; and
- Whereas,** his valuable assistance in helping manage the debt plan enabled the City to save more than \$50 million in the last several years while issuing an additional \$250 million in bond money for improvements to libraries, streets, drainage and parks; and
- Whereas,** throughout his tenure, the Finance Department continued to receive recognition by the Government Finance Officers Association for excellence in financial reporting; and
- Whereas,** a native of southeast San Antonio, Octavio was also a loving son, brother, and father who positively touched the lives of all who knew him and managed to put first his love of his daughters, family, friends, and the City into a complete and well-rounded life of commitment to all; **NOW, THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. that with the death of Octavio Peña, the City of San Antonio has lost a

valuable and contributing asset to its past, present, and future.

SECTION 2. that the City Council joins with his family and friends in their sorrow over his death, and extends its sincerest sympathy and prayers of comfort to those who loved him.

SECTION 3. And it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof be presented to his family as a token of our deepest sympathy.

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Mr. Carpenter made a motion to approve the Resolution of Respect. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the Resolution of Respect, prevailed by the following vote: **AYES:** Perez, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Prado.

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2001-07 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mrs. Conner explained it was National Tourist Day. A representative of the Tourist Industry came forward to give information on some of the tour guides in San Antonio and the various affiliated associations.

Ms. Conner and members of the City Council thanked them for being present today and the work they do to promote San Antonio.

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2001-07 **POINT OF PERSONAL PRIVILEGE**

Mr. Salas explained that the Mayor from Mafikeng, South Africa and two of the City Counselor representatives were visiting San Antonio. They were here on business researching possible future economic development opportunities, as well as to sign the alliance between Mafikeng and San Antonio.

The Mayor from Mafikeng expressed his thanks to members of the City Council for the opportunity to be here today. He expressed his and the counselors excitement of being in the beautiful City of San Antonio.

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2001-07 CONSENT AGENDA – CITIZENS COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, San Antonio Texas, 78212, spoke on agenda items 6 – 22 and explained his opinions on each of them.

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2001-07 CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 6 through 22D, constituting the Consent Agenda. Mr. Bannwolf seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

AN ORDINANCE 93442

ACCEPTING THE BID SUBMITTED BY THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH NETWORKING EQUIPMENT AND SERVICE FOR A TOTAL OF \$178,961.00.

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AN ORDINANCE 93443

APPROVING FIELD ALTERATION NO. 2 IN THE INCREASED AMOUNT OF \$74,964.04 PAYABLE TO SERVICE STATION CONSTRUCTORS & FUEL SYSTEMS, INC. FOR SERVICES PERFORMED IN CONNECTION WITH THE SCIENCE PARK #58 H, I, AND J, PHASE III PROJECT, LOCATED IN COUNCIL DISTRICT 7. (AMENDS ORDINANCE 90417, SEPTEMBER 2, 1999.)

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AN ORDINANCE 93444

RATIFYING WORK PERFORMED AND APPROVING FIELD ALTERATION NOS. 73, 75, 77, AND 78 IN THE AMOUNT OF \$353,947.00 PAYABLE TO CLARK/JT CONSTRUCTION, A JOINT VENTURE IN CONNECTION WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86015, MAY 8, 1997.)

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AN ORDINANCE 93445

AUTHORIZING THE EXECUTION OF AGREEMENTS AMENDING LEASES AT SAN ANTONIO INTERNATIONAL AIRPORT, IN ORDER TO DELETE 31,374 SQUARE FEET OF GROUND SPACE, MORE OR LESS, FROM ONE SECURITY AIRPARK, INCORPORATED LEASE, AND ADD SAME TO AN ABUTTING SECURITY AIRPARK, INCORPORATED LEASE, PRODUCING AN ANNUAL GROUND RENTAL OF \$10,196.00 FOR THE ADDED SPACE. (AMENDS ORDINANCE NO. 60849, JUNE 13, 1985; AMENDS ORDINANCE 89969, JUNE 24, 1999.)

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AN ORDINANCE 93446

AUTHORIZING PAYMENT OF THE AMOUNT OF \$28,612.00 TO LAWYER'S TITLE OF SAN ANTONIO AS ESCROW AGENT FOR HARRY LA RUE HUNTER, RAYMOND R. HUNTER AND JAMES D. HUNTER, FOR FEE SIMPLE TITLE TO A 14.306 ACRE TRACT OF LAND OUT OF THE ELIZABETH PLUNKETT SURVEY NO. 72, ABSTRACT NO. 573, NEW CITY BLOCK 18049, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND PAYMENT OF THE AMOUNT OF \$100.00 TO HARRY LA RUE HUNTER, RAYMOND R. HUNTER AND JAMES D. HUNTER, FOR A RIGHT OF ENTRY AGREEMENT, FOR A TOTAL SUM OF \$28,712.00, IN CONNECTION WITH THE HUNTER TRACT PARK PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93447

AUTHORIZING PAYMENT OF THE AMOUNT OF \$2,955.97 TO SYLVIA S. ROMO, TAX ASSESSOR-COLLECTOR, FOR INTERIM TAXES ON THREE PARCELS IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93448

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,700.00 TO PRIDE HOME IMPROVEMENTS, INC. FOR FENCE REMOVAL AND RELOCATION FEES IN CONNECTION WITH THE CALLAGHAN ROAD - OLD HWY. 90 TO COMMERCE METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93449

AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT AUTHORIZING BILL STONER GOLF TO RETRIEVE GOLF BALLS FROM THE WATER HAZARDS AT THE CITY'S MUNICIPAL GOLF COURSES AND DRIVING RANGES IN RETURN FOR THIRTY-FIVE PERCENT (35%) OF THE GOLF BALLS RECOVERED TO BE PROVIDED TO THE GOLF OPERATION DIVISION FOR RESALE IN THE CITY'S PRO SHOPS.

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AN ORDINANCE 93450

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD FROM THE TEXAS DEPARTMENT OF HEALTH IN THE AMOUNT OF \$116,872.00 TO CONTINUE FUNDING THE ONGOING FEDERAL REFUGEE HEALTH SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2000 THROUGH SEPTEMBER 30, 2001; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE NOTICE TO THE TEXAS DEPARTMENT OF HEALTH CONTRACT IN SUPPORT OF SAID AWARD; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT

PROJECT 2000/2001 ESTABLISHED IN ORDINANCE NO. 91021, PASSED AND APPROVED ON DECEMBER 16, 1999; APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF SUBCONTRACTS TO SUPPORT GRANT ACTIVITIES; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 91021, DECEMBER 16, 1999.)

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AN ORDINANCE 93451

AUTHORIZING THE EXECUTION OF AN AGREEMENT IN AN AMOUNT UP TO \$18,000.00 BETWEEN THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO AND THE CITY OF SAN ANTONIO, THROUGH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT, FOR THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO TO ORGANIZE AND CONDUCT A LOCAL PROFESSIONAL EDUCATION CONFERENCE ON PRE-EMPLOYMENT PSYCHOLOGICAL TESTING OF POLICE OFFICER AND FIREFIGHTER APPLICANTS AND AUTHORIZING PAYMENTS IN CONNECTION THEREWITH DURING THE PERIOD FEBRUARY 1, 2001 THROUGH MAY 31, 2001.

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AN ORDINANCE 93452

AMENDING THE PROFESSIONAL SERVICES CONTRACTS WITH TRE ARENZ, CLARICE DREYER, BRIAN GOGGIN, AND RIES NIEMI, RESPECTIVELY, TO DESIGN, FABRICATE AND INSTALL AESTHETIC ENHANCEMENTS TO THE CONVENTION CENTER EXPANSION PROJECT; AND APPROPRIATING FUNDS IN THE AMOUNT OF \$10,000.00 (\$2,500.00 EACH) FOR THE INCREASED SERVICES PERFORMED. (AMENDS ORDINANCE NO. 87992, JUNE 25, 1998.)

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AN ORDINANCE 93453

AUTHORIZING THE SUBMITTAL OF A \$79,759.00 GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR

THE CRISIS ASSISTANCE TEAM ADMINISTRATION (CATA) OF THE VICTIMS
ADVOCACY SECTION.

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AN ORDINANCE 93454

RATIFYING THE SUBMISSION OF AN APPLICATION AND AUTHORIZING THE
ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$147,813.00 FROM THE
LOCAL BOARD OF THE EMERGENCY FOOD & SHELTER NATIONAL BOARD
PROGRAM BY THE DEPARTMENT OF COMMUNITY INITIATIVES,
COMMUNITY ACTION DIVISION FOR THE PROVISION OF RENTAL
ASSISTANCE TO FAMILIES AND FOR HOMELESS FAMILIES TRANSITIONING
FROM EMERGENCY SHELTERS TO PERMANENT HOUSING FOR THE PERIOD
OF OCTOBER 1, 2000 TO SEPTEMBER 30, 2001; APPROVING A BUDGET AND
PERSONNEL COMPLIMENT.

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AN ORDINANCE 93455

AMENDING THE COMMISSARY SYSTEM CONTRACT WITH MARTIN'S
UNIFORMS, A DIVISION OF SUPERIOR UNIFORM GROUP, INC., APPROVED
THROUGH ORDINANCE NO. 92303 ON AUGUST 10, 2000, BY AUTHORIZING
THE ADDITION OF A SUBCONTRACTOR, ALLOWING CERTAIN
ADMINISTRATIVE CHANGES, AND AUTHORIZING CERTAIN CHARGES
RELATED TO CAPS AND UNIFORMS. (AMENDS ORDINANCE NO. 92303,
AUGUST 10, 2000.)

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AN ORDINANCE 93456

AUTHORIZING THE TEMPORARY CLOSURE OF HEIMAN AND SYCAMORE
ON SUNDAY, FEBRUARY 25, 2001 BEGINNING AT 8:00 A.M. UNTIL 12:00
MIDNIGHT IN ORDER FOR THE SUNSET STATION GROUP L.L.C. TO HOLD ITS
KISS CHILI BOWL.

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AN ORDINANCE 93457

AUTHORIZING THE TEMPORARY CLOSURE OF W. ALAMO PLAZA ON SATURDAY, FEBRUARY 24, 2001 FROM 7:00 A.M. TO 10:00 P.M. IN ORDER FOR THE SAN ANTONIO LIVING HISTORY ASSOCIATION TO HOLD ITS "BRAVO AT THE ALAMO."

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AN ORDINANCE 93458

APPOINTING YOLANDA VERA (DISTRICT 7) AND RE-APPOINTING KEVIN MESSENGER (DISTRICT 1) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 30, 2002.

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AN ORDINANCE 93459

RE-APPOINTING MARY BETH DUERLER (DISTRICT 7) AND RACHEL ZEPEDA (DISTRICT 6) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON APRIL 3, 2003.

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AN ORDINANCE 93460

RE-APPOINTING FRANK BENAVIDES (DISTRICT 6) TO THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 2003.

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AN ORDINANCE 93461

RE-APPOINTING BENJAMIN ORNELAS (DISTRICT 3) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2002.

2001-07 The Clerk read a proposed resolution urging Browning Ferris Industries, Inc. (BFI) to exercise due diligence in complying with the Company's solid waste disposal facility permit at the Tessman Road Landfill; encouraging BFI to expeditiously abate nuisance odors for which the State of Texas may notice the Company; and further urging BFI to voluntarily limit the maximum height of the landfill consistent with BFI's regulatory and contractual obligations; as requested by Councilman Mario Salas.

Mr. Salas made a motion to approve the proposed Resolution. Ms. Guerrero seconded the motion.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated his concerns with the BFI landfill.

Mayor Dennis Dunk, City of China Grove, spoke regarding the problems his City has had with BFI and some of the current rulings China Grove has had, urging San Antonio to use whatever municipal powers they have to be triumphant in this issue. He read aloud letters from the Cities of Converse, Craig, Martinez and from the Mayor of a coalition which includes various neighborhood associations. He stated that the Mayor of the City of Kirby is also in support of all the resolutions against BFI.

Mr. Don McKenzie, Martinez Environmental Group, spoke in support of the Resolution.

Mr. John Vrzalik, City of China Grove, informed City Council members that since they have allowed TNRCC to regulate this landfill, numerous complaints have been filed. He stated that most complaints that have been filed have also gone unanswered. He then spoke to his concerns with BFI and the responsibility of the City Council. He expressed his feelings on City Council members raising the standards of the landfill with BFI based on the current contract. He further expressed other concerns with the current contract with BFI.

Mr. Stephen Brewski, St. Jeromes Parish, spoke in support of the Resolution and recognized the City Council's concern and willingness to assist with the citizens in this area.

Mr. Frank Burney, 300 Convent #2500, relinquished his time to the General Manager of BFI, Mr. Bill Davis. Mr. Davis spoke regarding the three accomplishments BFI has completed in the past year.

Mr. Davis then informed City Council members that there are now two subsequent individuals working directly on odor control. Visitations by these individuals noted

violations issued to other parties. He then denied that BFI landfill was the source of the smell, and informed Council that they were working daily on odor controls.

Mr. Frank Burney submitted resolutions from the City of San Antonio, copies of which are attached to the papers of this meeting.

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Mr. Salas spoke in support of today's proposed Resolution, urging BFI to exercise due diligence in complying with the company's solid waste disposal facility permit, stating that citizens should look at contracts with BFI.

In response to a question posed by Mayor Peak, Mr. Steve Arronge, Assistant City Attorney, stated that the Resolution in the packet is correct. He stated that the City Attorney's Office, in working with Public Works and the information provided, feels the numbers referencing landfill height are correct.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Barrera, Garza, Bannwolf, Peak. **ABSTAIN:** Perez. **NAYS:** None. **ABSENT:** Garcia, Conner, Carpenter.

A RESOLUTION
NO. 2001-07-09

URGING BROWNING FERRIS INDUSTRIES, INC., (BFI) TO EXERCISE DUE DILIGENCE IN COMPLYING WITH THE COMPANY'S SOLID WASTE DISPOSAL FACILITY PERMIT AT THE TESSMAN ROAD LANDFILL; ENCOURAGING BFI TO EXPEDITIOUSLY ABATE NUISANCE ODORS FOR WHICH THE STATE OF TEXAS MAY NOTICE THE COMPANY; AND FURTHER URGING BFI TO VOLUNTARILY LIMIT THE MAXIMUM HEIGHT OF THE LANDFILL CONSISTENT WITH BFI'S REGULATORY AND CONTRACTUAL OBLIGATIONS.

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2001-07 PUBLIC HEARING REPROGRAMMING OF THE COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM FY 1995-2001

Mayor Peak declared the Public Hearing open at 2:15 p.m.

The City Council then convened in Executive Session for Attorney/Client consultation regarding consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security).

The Mayor then reconvened the Regular meeting of the City Council at 3:28 p.m., and stated that the Council had been briefed but no action was taken during Executive Session.

Mr. Drew Cameron, Director of Housing and Community Development (H&CD), gave a power point presentation on the CDBG/Home Reprogramming, a copy of which is on file with the papers of this meeting. The presentation addressed the following issues: Housing reorganization approved by Council on November 30, 2000, reallocation of funds from the District 2 Neighborhoods Acting Together Project, Reallocation of funds from the District 10 Senior Housing Project, and detailed amounts.

Mr. George Pedraza, Assistant City Manager, explained the accomplishments of the reorganization which expanded the scope of the Neighborhood Action Department (NAD) to include programs previously administered by San Antonio Development Agency (SADA) and Housing & Community Development.

Mr. Pedraza explained that the Ordinance would cancel all CDBG contracts between the City of San Antonio and San Antonio Development Agency from Fiscal Year (FY) 1995-FY 2001 and all HOME contracts from FY 1993-FY 2001. It will also authorize the transfer of all encumbered and unencumbered balances from any and all contracts between COSA and SADA to the NAD.

The Ordinance authorizations, transition, fiscal implications and next steps were detailed.

The following citizen(s) appeared to speak:

Mr. Manuel Macias, Jr., San Antonio Development Agency, spoke in support of this Ordinance and working directly with COSA and NAD. He also spoke to the fine-tuning of SADA and its objectives. He explained his concern regarding the budgets, health insurance, increase in costs, termination penalties, consultants, line item accounting system upgrade, and other issues, etc. Such issues caused SADA a shortfall of \$100,000.00 stating that City Council should be made aware of this in the instance SADA should need future additional funding.

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding his concerns for CDBG funds going to housing, bus shelters in the downtown area and the need of more SAMM shelters and Salvation Army facilities.

Ms. Christina Castro, St. Henry's, COPS/Metro, spoke to the transition from SADA to the City. She explained her concern with the cancellation of some projects and asked for an explanation on the status of other projects.

Mr. Ralph Zendejas, SADA staff, explained he was pleased with the transition from SADA to COSA up till the point of November 20, 2000. He asked at this time that the issues discussed today be revisited and further discussed for agreement.

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There being no further citizens to speak, the Mayor declared the hearing closed.

Mayor Peak stated that the City is currently working on enhancing effectiveness and efficiency in services. He explained that the Housing Performance Review is one step in the right direction.

Discussion occurred regarding the transition.

In response to Mr. Garza, Mr. Pedraza responded regarding the City's current status on the transition. Mr. Pedraza also informed City Council that many meetings were held and then asked Mr. Cameron to answer questions regarding leave for SADA employees.

Mr. Cameron explained that employee leave would not be transferable from SADA to the City. Therefore, individuals from SADA have been using their leave. Though City employees are required to take the leave at the time which it is approved, SADA employees have been allowed to acquire time over the years. The City can not buy their employee leave back at this point, so that is why they are taking the residual accrued leave now. However, when they become City employees, they will not bring any time over with them, and newly accrued annual leave is required to be taken within one year of hiring.

Mr. Cameron further explained that the Housing Task Force receives an update of each transition at their meetings, and spoke to the need to continue discussion in good faith by both the City of San Antonio and the San Antonio Development Agency.

Discussion occurred regarding budget issues, and the fact that all SADA employees transitioning to NAD will be under a six-month probation, as are most City employees. It was also explained that Municipal Service credit would be allowed, giving these SADA employees option of accruing more time than that of a regular beginning employee.

Mr. Prado asked if any interruption had occurred in delivery and if any steps were missed, or have any citizens not been given the services they were promised.

In response, to these questions, Mr. Pedraza explained that there was some interruption in service due to the seventeen employees taking their residual leave at this time. However, he stated that these employees would be moving to the City on February 26, 2001 to become City employees. At that point they will come with no leave, and are not allowed to accrue leave until after the six-month probation.

Mr. Prado thanked Mr. Pedraza, and City Council as well as the citizens who were promised that there would be no interruption in service. Mr. Prado stated that all measures should be taken to follow through with what was promised.

In response to a question posed by Mr. Prado, Mr. Pedraza stated that if some employees do not come to the City, some of the case by case information might be unrecoverable because they have worked directly with these cases.

Mr. J. Rolando Bono, Assistant City Manager, explained that in an attempt to cover all the conceivable issues, some were unforeseen. However, in the future, no leave without prior approval will be allowed for SADA employees. Also no leave will be taken when they are COSA employees with the understanding that they are required to work after 4:30 and on weekends.

Mr. Pedraza informed City Council that fifteen employees have accepted to come to work for the City and two have declined. The two that declined were in the reconstruction department and explained that COSA has many of the same specialists to do these jobs.

Mr. Prado stated that what he hoped for was a seamless change that would not have affected citizens' home rehabilitation. He is looking for results, solutions, and plans that will fulfill the expectations of the members of City Council and the citizens.

In response to a question by Mr. Prado, Mr. Macias spoke to the issue of SADA employee leave.

Mr. Prado explained that the problem arose within the last two months, which follow a lack of management. However the citizens are a tremendous responsibility and our top priority. This issue needs to be resolved because it is affecting the end results, which are the citizens.

Mr. Garcia stated that he echoes the concern of Mr. Prado and the issue must be fixed. In response to Mr. Garcia, Mr. Macias stated that the reprogramming put a stop to new cases and the list of citizens currently being assisted is in transition, and further stated that there are approximately twenty-five (25) homes being rehabilitated and ten (10) others under construction.

Mr. Pedraza explained that SADA is funded through the end of the month and was never instructed to stop working, stop taking calls or to say that such files were being transferred to the City.

Mr. Garcia called on Ms. Christina Castro, COPS/Metro and asked her to bring forward a list of homes and instructed her to work hand in hand with Mr. Pedraza to work with the individuals on the list.

Mr. Salas explained his concern for the people that are currently suffering and asked that these two departments keep the important issues at the forefront.

Mayor Peak concluded by stating that last fall City Council took a historic step regarding housing to be more effective and more efficient. He also stated that it is naïve to think that something that is not working the way it should could be moved with a smooth transition and now work so easily.

Mr. Briseño stated that the City will make a concerted effort for this to get done and expressed the commitment to this project. A ninety-day time period is a short time transition, but the situation will continue to be improved.

Ms. Guerrero stated that SADA has been having problems for a long time and was surprised at the attempt to make a complete transition within ninety days. She then asked for clarification on the two different ideas from COSA and SADA and asked for clarification on these.

In response to Ms. Guerrero, Mr. Pedraza stated that although there are differences, the City is moving forward and will continue to work together to identify those issues to help the citizens.

Mr. Garza concluded that it is clear that the transition is almost completed. It is also clear that goals will be addressed and the number one goal is the citizens of San Antonio. He spoke to looking forward to the first transition report.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Peak. **NAYS:** None. **ABSENT:** Carpenter.

AN ORDINANCE 93462

AUTHORIZING THE REPROGRAMMING OF \$4,359,856.93 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AVAILABLE FROM FY 1995-2001 CDBG CONTRACTS BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO DEVELOPMENT AGENCY (SADA), AND \$5,318,530.87 IN HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS AVAILABLE FROM FY 1993-2001 HOME CONTRACTS BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO DEVELOPMENT AGENCY (SADA); AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND THE CREATION OF APPROPRIATE PROJECTS AND PROJECT BUDGETS; AUTHORIZING THE TRANSFER OF ALL ENCUMBERED AND UNENCUMBERED FUNDS FROM ANY AND ALL CONTRACTS BETWEEN THE CITY OF SAN ANTONIO AND SADA TO THE CITY OF SAN ANTONIO NEIGHBORHOOD ACTION DEPARTMENT; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; DESIGNATING AND APPROPRIATING 24TH YEAR CDBG FUNDS IN THE AMOUNT OF \$122,697.24 FROM DISTRICT 2 NEIGHBORHOODS ACTING TOGETHER TO THE COMMUNITY ECONOMIC REVITALIZATION AGENCY AND 26TH YEAR CDBG FUNDS IN THE TOTAL AMOUNT OF \$65,000.00 FROM DISTRICT 10 SAN ANTONIO HOUSING AUTHORITY (SAHA) SENIOR HOUSING PROGRAM TO THE SAMM SHELTER FACILITY IMPROVEMENTS IN THE AMOUNT OF \$10,000.00 AND TO THE NORTHWEST YMCA FACILITY IMPROVEMENTS IN THE AMOUNT OF \$55,000.00; AUTHORIZING THE ALLOCATION OF SAID FUNDS; REVISING THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND AUTHORIZING PAYMENT.

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2001-07 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Jack Finger, P.O. Box 12048, spoke to Items 30 and 31, specifically noting the contract for the vending machines.

2001-07 ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 93463

AUTHORIZING THE ASSIGNMENT OF THE CITY'S CURRENT BRACKENRIDGE PARK MINIATURE TRAIN AGREEMENT AND THE SOUVENIR AGREEMENT WITH SAN ANTONIO BRACKENRIDGE EAGLE, INC., AND THE FOOD AND BEVERAGE CONCESSION AGREEMENT WITH ALAMO CONCESSION SUPPLY, INC., TO THE SAN ANTONIO ZOOLOGICAL SOCIETY, INC.; AUTHORIZING A NEW SINGLE MINIATURE TRAIN AMUSEMENT RIDE, SOUVENIR AND FOOD AND BEVERAGE INDEPENDENT CONTRACTOR CONCESSIONS AGREEMENT WITH THE SAN ANTONIO ZOOLOGICAL SOCIETY, INC. FOR THE PERIOD ENDING MAY 9, 2023 FOR THE CONSIDERATION OF TWENTY PERCENT (20%) OF GROSS RECEIPTS AND A GUARANTEED MINIMUM ANNUAL PAYMENT OF \$120,000.00; AUTHORIZING THE ESTABLISHMENT OF A CAPITAL REPAIR AND IMPROVEMENT TRUST FUND; PROVIDING FOR REIMBURSEMENT TO SAN ANTONIO ZOOLOGICAL SOCIETY, INC. FOR EXPENDITURES AUTHORIZING ACCORDING TO THE TERMS OF THE MINIATURE TRAIN AMUSEMENT RIDE, SOUVENIR, AND FOOD AND BEVERAGE INDEPENDENT CONTRACTOR CONCESSIONS AGREEMENT.

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Mr. Malcolm Mathew, Director of Parks and Recreation, gave a presentation on the San Antonio Zoo's Operation of the Brackenridge Park Miniature Train, Food and Beverage, and Souvenir Concessions, a copy of which presentation is made a part of the papers of this meeting.

He detailed the history, explained the Zoo's Management, the purchase agreement, interest to City and major issues. He then detailed the Ordinance summary, which discussed agreement highlights, sky ride removal, sky ride roundhouse buildings, schedule and coordination. Staff recommends passage of this Ordinance.

The following citizen(s) appeared to speak:

Mr. Ray W. Basham, 1326 Bayou, spoke regarding his marriage on the train and is glad that this is currently being fixed and will once again be working. He also spoke to agenda item #28 and thanked Parks and Recreation and the staff in District 4 for their assistance on the Duck Pond.

Mayor Peak thanked Parks and Recreation for this great project. He stated that the Brackenridge Park is a popular facility and that he was glad that the City was working on improvements that they will benefit from since concession money will be turned back over to the park.

Various members of the City Council spoke to the plans to be implemented and expressed their excitement on this project, and stated that they were looking forward to the changes.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garcia, Garza.

— — —
2001-07 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-07-10

ACCEPTING THE REGIONAL FLOOD MITIGATION PLAN AND AUTHORIZING THE SUBMITTAL OF THE REGIONAL FLOOD MITIGATION PLAN TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) THROUGH THE TEXAS WATER DEVELOPMENT BOARD (TWDB).

* * * *

Mr. Salas made a motion to approve the proposed Resolution. Mr. Carpenter seconded the motion.

Mr. Tom Wendorf, Director of Public Works, gave a power point presentation, on the Regional Flood Mitigation Plan, a copy of which is made a part of the papers of this meeting. He detailed background, purpose of the Flood Mitigation Assistance (FMA) Grant, Regional Flood Plan purpose, goals, plan table of contents. Staff recommends approval of this Resolution.

Mayor Peak stated that this puts the City in a position to acquire additional funds and thanked Mr. Wendorf for his work on this. This type of need will always outweigh the resources but the City is doing a great job.

Mr. Wendorf briefly discussed pre-disaster money versus post disaster maintenance in response to a question posed by Mr. Salas.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza.

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2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93464

APPROVING THE SELECTION OF A. G. EDWARDS AND SONS, INC. AS SENIOR MANAGING UNDERWRITER AND SAMUEL A. RAMIREZ & CO., INC. AS CO-MANAGER FOR THE POTENTIAL UNDERWRITING AND SALE OF LEASE REVENUE BONDS FOR THE CONSTRUCTION OF A ONE STOP DEVELOPMENT SERVICES CENTER.

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

Mr. Milo Nitschke, Acting Director of Finance, gave a power point presentation on Selection of Financial Underwriters Syndicate, a copy of which is made a part of the papers of this meeting. He explained the underwriter syndicate selection, evaluation, criteria, proposed underwriter selection staff and recommends approval.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93465

AUTHORIZING THE ACCEPTANCE OF GIFT DEEDS FROM THE HERITAGE ASSOCIATION, INC. IN CONNECTION WITH THE HERITAGE PARK "DUCK POND" PROJECT AND FROM KAUFMAN AND BROAD OF TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP IN CONNECTION WITH THE NORTHAMPTON PARK PROJECT.

* * * *

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

The following citizen(s) appeared to speak:

Ms. Nancy Englebert, 10486 Pine Glade, thanked City Council for the Duck Pond and expressed her feelings that it will be a true enhancement to the area.

Mr. Salas, thanked Malcolm Mathews and Parks and Recreation for their work. District 2 has gone from having no parks, to now having four or five. He expressed he is hopeful that at some point in the future funds will be available for renovation of some of these parks.

Mr. Prado asked members of the Heritage Neighborhood Association to come forward to thank them for their efforts and share this successful moment with them.

Mr. Bannwolf also congratulated them for their pursuit of this goal.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner.

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2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93466

AUTHORIZING ADJUSTMENTS TO DISTRICT 5'S ONE-TIME PROJECTS BUDGET AS FOLLOWS: A) REDUCE FUNDS SET ASIDE IN THE FY 2000 DISTRICT 5 ONE TIME PROJECTS BUDGET FOR THE INMAN CHRISTIAN CENTER CORRIDOR REVITALIZATION FROM \$181,782.95 TO \$176,782.95; B) CONTRIBUTE \$5,000.00 TO INNER CITY DEVELOPMENT, INC. TO HELP OFFSET THE COSTS ASSOCIATED WITH REPAIRING AND REPAINTING THE OUTDOOR BASKETBALL COURT LOCATED AT 1500 VERA CRUZ; AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH INNER CITY DEVELOPMENT, INC. CONCERNING THE EXPENDITURE OF FUNDS; AS REQUESTED BY COUNCILMAN DAVID GARCIA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner

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2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93467

AUTHORIZING THE REIMBURSEMENT OF \$4,200.00 FROM THE DISTRICT 7 BUDGET ACCOUNT TO COUNCILMAN ED GARZA FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH CINDY MARTINEZ (\$1,200.00 PER MONTH) FROM FEBRUARY 2001 THROUGH MAY 31, 2001; AS REQUESTED BY COUNCILMAN ED GARZA.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner

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2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93468

ADJUSTING DISTRICT 2'S FY 2001 ONE-TIME PROJECTS BUDGET AS FOLLOWS: THE \$80,000.00 ECONOMIC GROWTH GENERATION PROJECT, AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE COMMUNITY ECONOMIC REVITALIZATION AGENCY (CERA) IN CONJUNCTION WITH TEXAS A&M UNIVERSITY FOR OVERSIGHT OF THE CREATION OF A SMALL BUSINESS INCUBATOR AT THE FRIEDRICH BUILDING; AS REQUESTED BY COUNCILMAN MARIO SALAS.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner.

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2001-07 The Clerk read the following Ordinance:

AN ORDINANCE 93469

AUTHORIZING THE REIMBURSEMENT OF THE ADDITIONAL AMOUNT OF \$12,200.00 FROM THE DISTRICT 8 BUDGET ACCOUNT TO COUNCILWOMAN BONNIE CONNER FOR INCREASES TO THE ADMINISTRATIVE SERVICES CONTRACTS WITH WALTER AGUE (\$5,600.00 FOR FEBRUARY 2001 THROUGH MAY 2001); JANICE SMITH (\$1,200.00 FOR FEBRUARY 2001 THROUGH MAY 2001) AND A NEW CONTRACT WITH JAYMIE BALBOA (\$5,400.00) FOR

MARCH 2001 THROUGH MAY 2001; AS REQUESTED BY COUNCILWOMAN BONNIE CONNER.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner.

2001-07 **CITY MANAGER'S REPORT**

Mr. Dennis Campa, Director of Community Initiatives (DCI), gave a power point presentation on Project Warm Update, a copy of which presentation is made a part of the papers of this meeting. He gave background information, discussed the implementation plan, and targeted outreach, and expanded operations, fiscal and services impact. He briefly discussed the funds remaining.

Mr. Prado stated that the DCI is providing a very important service and is pleased as to what he has seen so far. In response, Mr. Campa explained that the City is fortunate to have the group of individuals he has working on this project. Mr. Campa thanked the City Council for their comments.

Mr. Prado applauded DCI staff of informing citizens of this project and assisting them in both English and Spanish. In response to a question posed, Mr. Campa explained that in the past two weeks they had serviced 1,000 people. In response to a request, Mr. Campa informed City Council that he would work with City Public Service immediately and come back to brief City Council on these issues.

2001-07 **CITIZENS TO BE HEARD**

MS. RUTH MAHL

Ms. Ruth Mahl, Founder and Executive Director of Helping Hands Lifeline Foundation, spoke to this volunteer organization. She informed City Council which Council Districts

the organization exists in and also informed them that it needs assistance due to the fact that the base will be turned over to the Greater Kelly Development Authority. She stated that this organization would like to remain in existence.

Mr. Prado asked Ms. Mahl, who he stated has received endorsements from Texas Senators Madla, and Vandeputte, Congressman Rodriguez and Congressman Gonzales, and stated that they need to look at assisting this organization.

Mr. Prado also explained that because the City of San Antonio has a relationship with GKDA, COSA should try to assist this organization that is now being asked to leave Kelly after twenty-nine years. He further stated that we could not redevelop Kelly without the help of the elected officials who are supporting her organization and recommends that the Greater Kelly Development Authority support the organization.

Mayor Peak asked Mr. Dennis Campa to work in assisting her. Mr. Prado asked Ms. Mahl to come back to City Council if she has not reached an agreement that meets with her approval.

Mr. Barrera asked about insurance maintenance and utilities and suggested various options be worked out with GKDA and a possible transitional contract be considered.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding an March 3, 1998 article speaking to current money from CPS that could have been used to assist other individuals. He then spoke regarding Kelly and his concerns with racism.

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MS. JULIE IRIS OLDHAM

Ms. Julie Iris Oldham, P.O. Box 40263, Citizen Advisory Council, gave a valentine to the City of San Antonio and spoke regarding City Council's commitments. She then spoke regarding her concerns involving various organizations.

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MR. NAZARITE RUBEN PEREZ FLORES

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke regarding his concerns with Kelly Air Force Base, Randolph Air Force Base and also spoke on Items #25, and #29.

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MR. MANUEL MAMUSCIA

Mr. Manuel Mamuscia, spoke regarding soft drinks in schools and computers in school libraries. He informed City Council that he would like to have the soda pop taken out of schools due to the fact that many children have acquired and are acquiring type two diabetes. He also stated he would like a system in place with alternative doctors as opposed to prescriptions.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, L.U.L.A.C. #4383 spoke regarding parking enforcement. He asked that the City Council address the most pressing issues.

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2001-07 EXECUTIVE SESSION

The City Council recessed its regular session at 6:14 P.M. in order to convene in Executive Session for the purpose of:

A) Executive Session: Consultation concerning attorney/client matters (real estate, litigation, contracts, personnel and security) may be discussed. Discussion with the consulting firm of Bob Murray & Associates regarding candidates for the City Manager's position.

B) Attorney/Client consultation regarding recovery of costs due to Change Orders resulting from architectural errors and omissions on the Convention Center Expansion Project.

The City Council adjourned the Executive Session at 6:22 P.M. and reconvened in regular session, at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2001-07 There being no further business to come before City Council, the meeting was adjourned at 6:25 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk