

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, OCTOBER 4, 2001.

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2001-37 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) **Boards & Commission Worksession.** Presented by Norma S. Rodriguez, City Clerk; Travis Bishop, Assistant City Manager.

The Council members present were: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

The "B" Session adjourned at 11:00 A.M.

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2001-37 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

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2001-37 Invocation by Rev. Luchy Littlejohn, Santa Fe Episcopal Church and Pledge of Allegiance.

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2001-37 **PROCLAMATION FOR ANNUAL SAN FERNANDO HEALTH AND SAFETY FAIR**

Mayor Garza invited members of the delegation to come forward for the presentation. He read a Proclamation in honor of the Annual San Fernando Health and Safety Fair. Dr. Daniel Juarez thanked the City Council for the presentation and their support, and spoke of the services to be provided to the community at the Fair. Father David Garcia spoke of the projects ongoing in the community, and commended the City Council for their continued support.

Members of the San Fernando Health Care Committee presented T-shirts in honor of the occasion to members of the City Council.

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2001-37 **PROCLAMATION FOR DISABILITY AWARENESS MONTH**

Mayor Garza read a Proclamation in recognition of "Disability Awareness Month." He presented the certificate to Ms. Joann Higgins, who then spoke of the activities taking place during the month long observance.

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2001-37 **PROCLAMATION FOR FIRE PREVENTION WEEK AND PRESENTATION OF CERTIFICATES TO THE TASK FORCE TEAM**

Mayor Garza spoke of the overwhelming support from firefighters in the City of San Antonio and throughout the nation who answered the call to duty during the tragedy in New York on September 11, 2001.

He then read a Proclamation in recognition of Fire Prevention Week and presented it to Fire Chief Robert Ojeda, and representatives of the Texas Force 1. Chief Ojeda spoke of the history of Fire Prevention Week, which was initiated after the Chicago Fire 130 years ago, which caused human life and tremendous property damage. He then addressed the tragic event in New York, and the work of the firefighters who sacrificed their own lives in order to protect fellow citizens. He encouraged that all citizens recognize the need to exercise due diligence for fire safety.

Mayor Garza recognized the Task Force members who participated in the search and recovery efforts in New York for their role in helping out fellow Americans in need. He read a Certificate of Heroism and presented it to each of the members of the Task Force.

Lt. Nim Kidd presented a flag to the Mayor and City Council in honor of those men and women who worked diligently to help those citizens in need.

Members of the City Council recognized and commended the exemplary service and commitment of the firefighters.

City Manager Terry Bechtel, congratulated members of the Task Force Team for their exemplary service to assist the victims in New York. She also commented on the observance of Fire Prevention Week and the need to encourage all citizens to exercise fire safety measures in their daily lives.

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2001-37 Approval of the minutes of the Regular Council Meeting of September 13, 2001.

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2001-37 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mr. Perez spoke on the upcoming wedding of Mayor Edward D. Garza, and extended his congratulations and best wishes.

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2001-37 **CONSENT AGENDA - CITIZENS COMMENTS:**

Mr. Faris Hodge, Jr., 140 Dora, spoke of the drug testing for City officials, and the support of the purchase of portable radios for the police and firefighters.

Mr. Jack M. Finger, P.O. Box 12048, spoke on item 19 with regard to the type of testing being conducted by the Health Department, and against the appointment of Dr. Morris Spector to the S.A. Metropolitan Health District Advisory Board.

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2001-37 **CONSENT AGENDA**

Mr. Carpenter made a motion to approve Agenda Items 5 through 22F constituting the Consent Agenda, except for Item 13, which was pulled from consideration. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Sanders, Conner, Moorhouse, Martin, Garcia, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 94654

ACCEPTING THE BID FROM ANALYTICAL COMPUTER SERVICES UTILIZING THE TEXAS DEPARTMENT OF INFORMATION SERVICES "GO DIRECT" PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY

INITIATIVES DEPARTMENT WITH COMPUTER SERVER AND COMPUTER COMPONENTS FOR A TOTAL SUM OF \$17,113.00.

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AN ORDINANCE 94655

ACCEPTING THE LOW BID SUBMITTED BY SOUTHWEST PUBLIC SAFETY, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE AND FIRE DEPARTMENTS WITH HAND HELD TYPE II PORTABLE RADIOS AND CONVERTA-COM UNITS FOR A TOTAL SUM OF \$20,620.00.

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AN ORDINANCE 94656

ACCEPTING THE LOW, QUALIFIED BID SUBMITTED BY SURVIVAL AIR SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FULL CONTAINMENT FILL STATIONS FOR A TOTAL SUM OF \$38,264.00.

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AN ORDINANCE 94657

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 2001-2002 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$383,049.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 94658

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$10,338.00 PAYABLE TO SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION WITH THE THORAIN FROM BUCKEYE TO SOUTHERN PACIFIC RAILROAD

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91670, APRIL 27, 2000.)

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AN ORDINANCE 94659

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$20,108.00 PAYABLE TO AZTEC FENCE & HOME IMPROVEMENTS, AN MBE COMPANY, FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE FENCE RELOCATION CONTRACT 2000 PROJECT. (AMENDS ORDINANCE NO. 91666, APRIL 27, 2001.)

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AN ORDINANCE 94660

ACCEPTING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT NOT TO EXCEED \$26,400.00 PAYABLE TO CHESNEY-MORALES & ASSOCIATES, INC. IN CONNECTION WITH THE BRANCH LIBRARY AUTOMATED DOOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT-CITY WIDE ADA MODIFICATIONS; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT; AUTHORIZING \$3,600.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94661

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$26,972.00 PAYABLE TO WYNHART CONSTRUCTION, INC. AN M/WBE FIRM, FOR ADDITIONAL CONSTRUCTION EXPENSES IN CONNECTION WITH THE RE-ROOFING OF FIRE STATION NO. 6 LOCATED AT 503 W. RUSSELL; AND AUTHORIZING \$3,000.00 FOR CONTINGENCY EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92220, AUGUST 3, 2000.)

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AN ORDINANCE 94662

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE SAN ANTONIO AIDS FOUNDATION FOR APPROXIMATELY 782 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 818 E. GRAYSON STREET FOR THE RYAN WHITE DENTAL CLINIC OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD AUGUST 1, 2001 THROUGH FEBRUARY 28, 2002 AT A RENTAL RATE OF \$750.00 PER MONTH; AND APPROVING PAYMENTS TO THE SAN ANTONIO AIDS FOUNDATION (LESSOR) IN CONNECTION THEREWITH.

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AN ORDINANCE 94663

ACCEPTING A \$15,000.00 GRANT FROM THE TEXAS FOREST SERVICE FOR AN URBAN FORESTY PARTNERSHIP GRANT PROJECT FOR SAN ANTONIO; AND ESTABLISHING A FUND AND BUDGET COMPLEMENT FOR THE PROJECT IN THE DEPARTMENT OF PARKS AND RECREATION.

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AN ORDINANCE 94664

AUTHORIZING THE EXECUTION OF SEVEN CONTRACTS WITH ARTISTS OR ARTIST MANAGEMENT ENTITIES FOR A TOTAL AMOUNT NOT TO EXCEED \$205,500.00 FOR PERFORMANCES RELATED TO THE CARVER COMMUNITY CULTURAL CENTER'S 2001-2002 SEASON OF EVENTS; AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS FOR RELATED TECHNICAL SERVICES, AND THEATRE RENTALS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF CONTRACTS WITH COMPARABLE CONTRACTORS IN THE EVENT OF CONTRACT CANCELLATION; AUTHORIZING THE EXECUTION OF LETTERS OF INTENT TO RESERVE, SUBJECT TO CITY COUNCIL APPROVAL, PERFORMANCES FOR THE 2002-2003 SEASON; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94665

AUTHORIZING PAYMENT OF PLAINTIFF'S JUDGMENT IN THE SUIT ENTITLED JAMES BAER, ET AL, VS. CITY OF SAN ANTONIO, ET. AL, CAUSE NUMBER 98-CI-17885 AND APPELLANT CAUSE NUMBER 04-00-855CV FOR THE AMOUNT NOT TO EXCEED A TOTAL OF \$183,711.24.

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AN ORDINANCE 94666

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO PURCHASE COMMERCIAL CRIME INSURANCE FOR THE CITY OF SAN ANTONIO FROM GREAT AMERICAN INSURANCE COMPANY THROUGH MCGRIFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A THREE-YEAR PERIOD BEGINNING OCTOBER 1, 2001 THROUGH OCTOBER 1, 2004 FOR THE TOTAL SUM OF \$21,119.00.

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AN ORDINANCE 94667

AUTHORIZING THE EXECUTION OF A LABORATORY SERVICES AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE BEXAR COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY HEALTH SYSTEM WHICH WILL ALLOW THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE LABORATORY SERVICES FOR THE HEALTH SYSTEM FAMILY PLANNING PROGRAM DURING THE PERIOD SEPTEMBER 1, 2001 THROUGH AUGUST 31, 2002; AND AUTHORIZING THE CITY'S ACCEPTANCE OF REIMBURSEMENT IN AN AMOUNT UP TO \$8,000.00 FROM UNIVERSITY HEALTH SYSTEM.

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AN ORDINANCE 94668

AUTHORIZING THE EXECUTION OF AN AGREEMENT IN THE AMOUNT OF \$65,872.00 WITH COMMUNITY CLINIC, INC. TO SUPPORT THE ONGOING PROGRAM ENTITLED "PROJECT SAVE," A COMPONENT OF THE HIV/AIDS PREVENTION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2001 THROUGH AUGUST 31, 2002;

AUTHORIZING THE USE OF \$4,000.00 FROM THE CITY GENERAL FUND TO PROVIDE THE MATCH REQUIRED FOR THE GRANT; ESTABLISHING A PROJECT FUND; ADOPTING A BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 94669

AUTHORIZING THE TEMPORARY CLOSURE OF SAN SABA STREET, BETWEEN WEST COMMERCE AND DOLOROSA STREET FOR ONE ADDITIONAL SPECIAL EVENT IN MARKET SQUARE ON OCTOBER 12, 2001 FROM 7:00 A.M. TO 6:00 P.M. AS REQUESTED BY THE PARKS AND RECREATION DEPARTMENT.

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AN ORDINANCE 94670

APPOINTING RICHARD MENDOZA (DISTRICT 4) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2003.

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AN ORDINANCE 94671

APPOINTING CHRISTOPHER MARTINEZ (DISTRICT 6) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003.

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AN ORDINANCE 94672

APPOINTING ARTHUR L. BEATTY (MAYOR) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2003.

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AN ORDINANCE 94673

REAPPOINTING LEO G. RAMOS, JR. (DISTRICT 10) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003.

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AN ORDINANCE 94674

APPOINTING MARTHA CLIFTON MCNEEL (DISTRICT 3) TO THE HISTORIC & DESIGN REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2003.

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AN ORDINANCE 94675

APPOINTING ROLAND C. RAMIREZ (DISTRICT 5) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2003.

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2001-37 The Clerk read the following Ordinance:

AN ORDINANCE 94676

DESIGNATING THE AUSTIN HIGHWAY REVITALIZATION PARTNERSHIP ORGANIZATION AS A REVITALIZATION PROJECT AND A GRANTEE OF THE NEIGHBORHOOD COMMERCIAL REVITALIZATION (NCR) PROGRAM'S 2001 SELECTION ROUND; AUTHORIZING THE EXECUTION OF A CONTRACT WITH SAID ORGANIZATION IN THE AMOUNT OF \$370,000.00 SUBJECT TO FUNDING AVAILABILITY BEGINNING OCTOBER 1, 2001 AND ENDING SEPTEMBER 30, 2007 AND PROVIDING FOR PAYMENT; DESIGNATING THE ST. PAUL SQUARE ASSOCIATION, INC. ORGANIZATION AS A PARTNERSHIP PROJECT AND A GRANTEE; AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH SAID ORGANIZATION IN THE AMOUNT OF \$5,000.00 SUBJECT TO FUNDING AVAILABILITY BEGINNING OCTOBER 1, 2001 AND ENDING SEPTEMBER 30, 2004 AND PROVIDING FOR PAYMENT.

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

Mr. David Garcia, Director of Neighborhood Action, narrated a slide presentation on the Neighborhood Commercial Revitalization (NCR) Program, a copy of which presentation is on file with the papers of this meeting. He outlined the background, the various NCR projects, the 2001 application process, evaluation committee, the evaluation process, and selection criteria for the revitalization project. He further elaborated on the Austin Highway Revitalization Project, its mission and goals, scope of work, background on the St. Paul Square Project area as well including, its mission and goals, scope of work and staff recommendations.

In response to Mr. Schubert's question regarding the areas to be included, Mr. Garcia stated that it included residents from Wilshire Terrace and Terrell Heights. He added that the businesses they wish to create should be neighborhood friendly. He also noted that the board members were being aggressive in enlisting participation by the area residents and including them in the strategic plan.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 24 designating the Austin Highway Revitalization Partnership; and on Item 25 regarding the waiving of fees for sidewalk closures.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-37 The Clerk read the following Ordinance:

AN ORDINANCE 94677

AUTHORIZING WAIVER OF SIDEWALK CLOSURE FEES IN THE AMOUNT OF \$9,105.60, RELATED TO THE REDEVELOPMENT, FROM SEPTEMBER 22 THROUGH OCTOBER 19, 2001, OF A LOCATION BOUNDED BY BROADWAY, W. TRAVIS, W. PECAN AND JEFFERSON STREETS, WHICH WILL PROVIDE A PARKING LOT FOR DOWNTOWN BUSINESSES, ALONG WITH NEW

AMERICANS WITH DISABILITIES ACT MODIFICATIONS TO SURROUNDING
SIDEWALKS; AS REQUESTED BY COUNCILMAN BOBBY PEREZ, COUNCIL
DISTRICT 1.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-37 The Clerk read the following Ordinance:

AN ORDINANCE 94678

AUTHORIZING A TRANSFER OF \$896.00 FROM THE DISTRICT 1
CONTINGENCY BUDGET TO THE PARKS AND RECREATION GOLF FUND
TO PROMOTE PUBLIC INTEREST AND PARTICIPATION IN CITY-RUN GOLF
COURSES; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-37 The Clerk read the following Ordinance:

AN ORDINANCE 94679

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO ST. MARY MAGDALEN CHURCH, TO HELP DEFRAY COST ASSOCIATED WITH A COMMUNITY FESTIVAL PROMOTING CHILDREN'S EDUCATION AND ST. MARY MAGDALEN'S SENIOR NUTRITION CENTER, TO BE HELD ON SUNDAY, OCTOBER 7, 2001; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

2001-37 EXECUTIVE SESSION

The City Council recessed its regular session at 2:02 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-client consultation regarding collective bargaining negotiations with the International Association of Firefighters, Local 624.
- B.) Attorney-client consultation regarding the Administrative Services Contract and related issues.
- C.) Attorney-client consultation regarding the terms and conditions of an amendment to the current Professional Services Contract with Kell Munoz to provide additional architectural services on the Henry B. Gonzalez Convention Center Expansion Project.

The City Council adjourned the Executive Session at 4:12 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

Representatives from Communication Workers of America appeared to speak regarding the closure by A T & T of the City View Customer Sales and Service Center in San Antonio and its subsequent economic impact to the community in general and urged that City Council to request that the executives of AT & T maintain jobs in San Antonio. Those speakers present were:

Mr. Ralph Cortez, President of Communication Workers of America (CWA), Local 143.
Ms. Alicia M. Garza, CWA
Ms. La Fonda Griffin, CWA
Ms. Peter Nunod, Archdiocese of San Antonio
Mr. Joe Gunn, CWA
Mr. Clarence King, CWA/AT & T
Ms. Clarissa Davila, CWA/A T & T

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REV. TIM BROWN

Rev. Tim Brown, San Antonio Ministries, representing COPS/Metro Alliance, also spoke on behalf of the more than 600 jobs that will be lost if AT & T moves this Center from San Antonio.

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MR. PAUL VASQUEZ

Mr. Paul Vasquez, National Field Director for the AFL-CIO, read a letter from Ms. Linda Chavez-Thompson, Executive Vice President of the American Federation of Labor and Congress of Industrial Organizations, a copy of which is on file with the papers of this meeting

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MR. BOB SALVATORE

Mr. Bob Salvatore, San Antonio AFL-CIO, urged the City Council to contact the highest levels of AT & T and address the issue of these jobs and the need to keep them in San Antonio.

(Mayor Garza returned to the Meeting and presided.)

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MR. RALPH MALLY

Mr. Ralph Mally, VP for Communications Workers of America, representing 700,000 workers nationwide and 6,000 employees in San Antonio, urged the support of the City Council to approve a Resolution urging AT & T not to close its City View Customer Sales and Service Center in San Antonio.

Mayor Garza spoke to the need to send a strong statement to AT & T and his support of the speakers' concerns to retain these jobs in San Antonio. He stated he is committed to contact Mr. C. Michael Armstrong, the CEO of AT & T about the presence and importance of these jobs in San Antonio. He also indicated that the members of the City Council are supportive of such action and such a statement will be communicated to Mr. Armstrong.

Members of the Council also expressed concern and support of the decision brought forward to keep these jobs in San Antonio.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, also spoke to the City Council about the loss of these jobs.

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2001-37 There being no further business to come before City Council, the meeting was adjourned at 5:58 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest.



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk