

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

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2001-01 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: Perez, Salas, Prado, Garcia, Barrera, Garza, Bannwolf, Carpenter and Peak. **ABSENT:** Guerrero.

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2001-01 Invocation – Reverend Dan Daniels, Community Church of the Nazarene.

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2001-01 Pledge of Allegiance to the flag of the United States.

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2001-01 Mayor Peak requested that a moment of silence be observed for the City's Finance Director, Octavio Pena who passed away on December 27, 2000.

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2001-01 Minutes of the Regular City Council Meetings of October 5th and October 12th, 2000 were approved.

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2001-01 City Clerk Norma Rodriguez administered Oath of Office for Mayor Pro-Tem to Councilman Ed Garza for a term beginning on January 4, 2001 through March 18, 2001.

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2001-01 CONSENT AGENDA – CITIZENS COMMENTS

Mr. Wayne Barth, 30391 Saratoga Lane, spoke in opposition to Item 30 regarding the proposed site to be acquired by City Public Service for the construction and operation of the Electric Transmission and Distribution lines. He stated that Site 5 is within Boerne ETJ and not centrally located to support future growth, and noted that Site 6 would be a better location. He pointed out several advantages to selecting Site 6 rather than Site 5, and urged City Council to table this ordinance.

Mr. Charles Urban, 310 FM 33515, Boerne, Tx., spoke in opposition to the proposed site acquisition, and requested that City Council delay the decision until such time that proper evaluation is completed.

Mr. Steve Cichowski, 700 N. St. Mary's, expressed concern on the amount of monies being spent for this land acquisition, and urged City Council to delay the project.

Mr. Lloyd Swartz, 1756 Sparkman Dr, Boerne, Tx., expressed concern on public safety issues with the proposed site. He noted that the proposed area was in a dead zone, and cited the car accidents, and location of the poles that would present another health hazard. He also stated the City Public Service had not been responsive to the citizens.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the cost increase of utilities, specifically gas prices, and cited the utility lines which should be underground.

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to Item 30 regarding the acquisition of property, and also cited certain members of the City Council who received campaign contributions.

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2001-01 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 5 through 43, constituting the Consent Agenda except for item 34, which was pulled from consideration. Mr. Perez seconded the motion.

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

AN ORDINANCE 93140

ACCEPTING THE BID FROM JOHNSON CONTROLS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH ACCESS CONTROL SYSTEM ENHANCEMENTS FOR A TOTAL OF \$28,731.00.

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AN ORDINANCE 93141

ACCEPTING THE BID FROM JOHNSON CONTROLS, INC. TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT (515 S. FRIO) WITH A DIGITAL BADGING AND ACCESS CONTROL SYSTEM, PHASE 2 FOR A TOTAL OF \$29,787.00.

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AN ORDINANCE 93142

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY COMMONWEALTH COMPUTER COMPANY, (MBE); AMERICA'S COMPUTER COMPANY (WBE); GTSI CORP. (WBE); COMPUTER SOLUTIONS (WBE); COMPUTER EXPRESS (MBE); SOFTWARE HOUSE INTERNATIONAL GOVERNMENT SOLUTIONS (WBE/MBE); TRIO INDUSTRIES (WBE); AMHERST COMPUTER PRODUCTS SW, L.P.; AND M & A TECHNOLOGY (MBE) TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH PERSONAL COMPUTER HARDWARE FOR AN ESTIMATED TOTAL OF \$3,000,000.00.

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AN ORDINANCE 93143

ACCEPTING THE LOW BIDS OF COMMONWEALTH COMPUTER CO., AN MBE, AND SOFTWARE HOUSE INTERNATIONAL, A WBE/MBE, TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH PERSONAL COMPUTER SOFTWARE FOR AN ESTIMATED TOTAL OF \$100,000.00.

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AN ORDINANCE 93144

ACCEPTING THE QUALIFIED BIDS OF JONES & COOK STATIONERS; CORPORATE EXPRESS INC.; MARSHALL CLEGG ASSOCIATES, INC.; OFFICESOURCE, LTD, A WBE; BODY BILT, INC.; BROUSSARD OFFICE SERVICES, A WBE; KRUEGER INTERNATIONAL; TEXAS WILSON OFFICE PRODUCTS, L.P. D/B/A TEXAS WILSON FURNITURE & SERVICES; AND WITTIGS OFFICE INTERIORS, LTD., TO PROVIDE THE CITY OF SAN ANTONIO WITH OFFICE FURNITURE FOR AN ESTIMATED TOTAL OF \$251,000.00.

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AN ORDINANCE 93145

ACCEPTING THE LOW BIDS SUBMITTED BY SOUTHWAY FORD, INC., ITEMS 1A AND 2; ANCIRA WINTON CHEVROLET, INC., BID #1 ITEMS 1B AND 2, BID #2 ITEM 2, BID #3 ITEM 2; HEART OF TEXAS DODGE, INC., BID #2, ITEM 2; PARK PLACE PONTIAC GMC TRUCK SUZUKI, ITEM 2 TO PROVIDE VARIOUS CITY OF SAN ANTONIO DEPARTMENTS WITH SEDANS FOR A TOTAL OF \$3,566,762.64.

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AN ORDINANCE 93146

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 2000-2001 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$408,110.00.

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AN ORDINANCE 93147

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 8, FOR THE ADDITIONAL AMOUNT OF \$82,704.00, IN CONNECTION WITH THE CONTRACT WITH YANTIS COMPANY FOR THE RECONSTRUCTION OF TAXIWAY "H" AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE

BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 89641, APRIL 22, 1999.)

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AN ORDINANCE 93148

AUTHORIZING THE TRANSFER OF \$115,364.00 FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) GRANT 3-48-0192-38 TO THE AIRPORT IMPROVEMENT AND CONTINGENCY FUND 51-013078 IN SUPPORT OF THE RESIDENTIAL ACOUSTICAL TREATMENT PILOT PROGRAM. (AMENDS ORDINANCE 92001, JUNE 22, 2000.)

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AN ORDINANCE 93149

RATIFYING THE ACTIONS TAKEN BY CITY STAFF RELATING TO UTILITY RELOCATION ALONG SOUTH TERMINAL DRIVE IN SUPPORT OF THE 281/AIRPORT CONNECTOR PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING PAYMENT TO CITY PUBLIC SERVICE (CPS) IN AN AMOUNT OF \$101,716.99; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 85679, FEBRUARY 27, 1997.)

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AN ORDINANCE 93150

AUTHORIZING THE TRANSFER OF AN ADDITIONAL \$183,500.00 IN 1994 PARK GENERAL OBLIGATED (GO) BOND FUNDS INTO THE PARK CONSTRUCTION CREW 1994 BOND PROJECT'S BUDGET; AUTHORIZING A TOTAL OF \$183,500.00 FOR THE COSTS ASSOCIATED WITH SIX ADDITIONAL 1994 PARK CONSTRUCTION CREW PROJECTS; AUTHORIZING CITY STAFF TO ALLOCATE FUNDS WITHIN THE PROJECT BUDGET; AND ENCUMBERING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93151

AUTHORIZING THE ALLOCATION OF AN ADDITIONAL \$39,500.00 IN PROFESSIONAL FEES FOR BEATY & PARTNERS ARCHITECTS TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE PARKING ADDITION PORTION OF THE CITY'S SAN PEDRO PARK 1999 PARK GENERAL OBLIGATION BOND ISSUE PROJECT; ESTABLISHING A \$7,900.00 ARCHITECTURAL CONTINGENCY; PROVIDING \$10,000.00 FOR PROJECT RELATED ARCHAEOLOGICAL SERVICES; PROVIDING \$1,200.00 FOR BID ADVERTISING AND PRINTING FEES; REVISING THE SAN PEDRO PARK REHABILITATION PROJECT BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GO BOND FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 78074, JUNE 10, 1993.)

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AN ORDINANCE 93152

ACCEPTING THE LOW, QUALIFIED BASE BID OF DONSAN CONSTRUCTION, LLC IN THE AMOUNT OF \$176,998.00 FOR CAPITAL IMPROVEMENTS TO THE CITY'S BUCKEYE AND MADISON SQUARE PARKS IN CITY COUNCIL DISTRICT 1; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET; TRANSFERRING \$100,000.00 IN FY 98/99 GENERAL FUND ONE TIME CAPITAL PROJECT FUNDS, \$98,000.00 IN 1994 PARK GENERAL OBLIGATION BOND ISSUES FUNDS, AND \$15,000.00 IN 25TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS INTO THE PROJECT'S BUDGET; AUTHORIZING \$14,790.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$300.00 FOR REGIONAL STORMWATER FEES; AUTHORIZING AN ADDITIONAL \$800.00 FOR ARCHITECT FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93153

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH HNTB CORPORATION IN AN AMOUNT NOT TO EXCEED \$30,525.00 FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE ST. MARY'S - S. ALAMO TO PEREIDA AND S. ALAMO - DURANGO TO CEDAR PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$3,052.00 IN

MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 92426, AUGUST 1, 2000.)

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AN ORDINANCE 93154

RATIFYING SERVICES AND APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$27,861.86 PAYABLE TO TEXAS STERLING CONSTRUCTION, INC. FOR SERVICES PERFORMED IN CONNECTION WITH THE ESCALON DRAINAGE #1008 PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE TRANSFER OF \$27,861.86 FROM THE PROJECT'S CONSTRUCTION CONTINGENCY ACCOUNT TO THE PRIMARY CONSTRUCTION ACCOUNT; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 92127, JULY 27, 2000.)

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AN ORDINANCE 93155

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$129,527.53 IN CONNECTION WITH THE FLEMING - MAYFIELD TO NEW LAREDO HIGHWAY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$12,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93156

SELECTING RABA-KISTNER CONSULTANTS, INC. (WBE) TO PROVIDE ADDITIONAL ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH THE S. FLORES - MALONE TO OCTAVIA PROJECT, LOCATED IN COUNCIL DISTRICTS 3 AND 5; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$11,580.00;

AUTHORIZING \$1,158.00 IN MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93157

AUTHORIZING THE APPROPRIATION OF PROGRAM FUNDS IN THE AMOUNT OF \$11,250.00 FOR 26TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS AND \$25,500.00 FOR THE 1999 STREETS AND DRAINAGE G.O. BOND PROJECTS; AUTHORIZING THE ALLOCATION OF PROGRAM FUNDS TO PROJECTS; REVISING PROJECT BUDGETS; AUTHORIZING EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH AND AUTHORIZING PAYMENT.

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AN ORDINANCE 93158

APPROVING FIELD ALTERATION NO. 3 IN THE DECREASED AMOUNT OF \$30,431.56 IN CONNECTION WITH THE N. FLORES/BREEDEN/BEACON DRAINAGE OUTFALL - PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 1. (AMENDS ORDINANCE 88950, DECEMBER 18, 1998.)

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AN ORDINANCE 93159

AMENDING A PROFESSIONAL SERVICES AND ENGINEERING CONTRACT WITH THE SAN ANTONIO RIVER AUTHORITY IN AN AMOUNT NOT TO EXCEED \$8,000.00 IN CONNECTION WITH THE HISTORIC CIVIC CENTER RIVER LINK PROJECT. (AMENDS ORDINANCE 90639, OCTOBER 7, 1999.)

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AN ORDINANCE 93160

AUTHORIZING THE EXECUTION OF TWO AGREEMENTS, THE FIRST WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR IMPROVEMENTS TO FREDRICKSBURG ROAD (LOOP 345) AT CINNAMON CREEK AND AT USAA BLVD. IN AN ESTIMATED AMOUNT OF \$304,587.00; AND THE SECOND WITH UNITED SERVICES AUTOMOBILE ASSOCIATION FOR THE PAYMENT OF THESE SERVICES PLUS 5 PERCENT (\$15,229.00) AS A RESERVE FUND FOR THE WORK TO BE PERFORMED UNDER THE TXDOT CONTRACT.

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AN ORDINANCE 93161

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH ATC ASSOCIATES, INC. TO PERFORM ENVIRONMENTAL AND GEOTECHNICAL TESTING SERVICES FOR THE CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS IN THE AMOUNT OF \$17,576.00 FOR ADDITIONAL SERVICES PERFORMED; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 83778, JANUARY 14, 1996.)

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AN ORDINANCE 93162

AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH RABA KISTNER CONSULTANTS, INC., IN AN AMOUNT NOT TO EXCEED \$10,000.00 TO PROVIDE CONSTRUCTION MATERIALS TESTING SERVICES FOR THE MEXICAN CULTURAL INSTITUTE RENOVATION PHASE OF THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 87235, JANUARY 15, 1998.)

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AN ORDINANCE 93163

AMENDING THE DISPUTE RESOLUTION BUDGET LINE ITEM WITHIN THE OVERALL CONVENTION CENTER EXPANSION PROJECT BUDGET IN AN

AMOUNT NOT TO EXCEED \$20,000.00 FOR LEGAL COUNSEL SERVICES DISTRIBUTED BETWEEN CITY'S REPRESENTATIVE, LLOYD, GOSSELINK, BLEVINS, ROCHELLE, BALDWIN & TOWNSEND AND A NEUTRAL THIRD PARTY ADMINISTRATOR, JOHNSTON, RALPH, REED & WATT FOR SERVICES ASSOCIATED WITH THE DISPUTED RESOLUTION PROCESS FOR THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT. (AMENDS ORDINANCE NO. 87636, APRIL 9, 1998 AND ORDINANCE NO. 90221, AUGUST 5, 1999.)

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AN ORDINANCE 93164

AUTHORIZING PAYMENT OF THE AMOUNT OF \$20,000.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR VIRGINIA MCKINNEY, A FEME SOLE, FOR FEE SIMPLE TITLE TO ONE PARCEL (\$20,000.00) IN CONNECTION WITH THE MARTINEZ CREEK FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93165

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF ONE (1) PERMANENT ELECTRIC TRANSMISSION AND DISTRIBUTION LINES EASEMENTS AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS OVER, ACROSS, UPON, AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY, AND (2) FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY FOR THE VAN RAUB ELECTRIC AND TRANSMISSION AND DISTRIBUTION LINES AND SUBSTATION PROJECT; SUCH EASEMENTS, FEE SIMPLE PROPERTY AND OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS BEING LOCATED IN THE FOLLOWING AREAS OF BEXAR, COMAL AND KENDALL COUNTIES, TEXAS:

BEXAR COUNTY: MARIA DE LA LUZ GUERRA SURVEY NO. 172,
 ABSTRACT NO. 257, COUNTY BLOCK 4741;

COMAL COUNTY: MARIA DE LA LUZ GUERRA SURVEY NO. 172,
 ABSTRACT NO. 173; GEORGE STEVENS SURVEY NO.
 218, ABSTRACT NO. 517;

KENDALL COUNTY: GEORGE STEVENS SURVEY NO. 218, ABSTRACT NO. 442; HENRY S. STOUFFER SURVEY NO. 219, ABSTRACT NO. 468;

FOR THE PUBLIC PURPOSES OF THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE VAN RAUB ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, NECESSARY OR DESIRABLE APPURTENANCES, A SUBSTATION AND A COMMUNICATION SYSTEM FOR THE CITY OF SAN ANTONIO ELECTRIC AND GAS SYSTEM; AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH NEEDED PERMANENT EASEMENTS, FEE SIMPLE TITLE TO PROPERTY, APPURTENANCES, AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; AND RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES ACTING FOR THE CITY OF SAN ANTONIO, BY AND THROUGH THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO, TO ACQUIRE SUCH EASEMENTS, FEE SIMPLE TITLE TO PROPERTY, APPURTENANCES AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE NECESSARY PROPERTY RIGHTS; AND DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 93166

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LICENSE AGREEMENT WITH THE SAINT LUKE'S EPISCOPAL SCHOOL FOR THEIR DESIGNATION AS AN ANNUAL SCHEDULED USER OF BASEBALL FIELD NO. 3 AND THE ADJACENT FOOTBALL FIELD IN OLMOS BASIN PARK IN CITY COUNCIL DISTRICT 9 FOR THEIR SCHOOL BASED ATHLETIC PROGRAM IN

CONSIDERATION FOR THEIR PAYMENT OF ALL ESTABLISHED RESERVATION FEES AND CLEAN-UP OF SAID FIELDS AFTER THEIR USE.

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AN ORDINANCE 93167

APPROVING A RENEWAL AND EXTENSION OF THE OFFICE LEASE AGREEMENT WITH FREE TRADE ALLIANCE, AS TENANT, ORIGINALLY APPROVED BY ORDINANCE NO. 87410 ON FEBRUARY 26, 1998, FOR A THREE YEAR TERM COMMENCING JANUARY 16, 2001 FOR THE USE OF 2,521 SQUARE FEET OF RENTABLE AREA IN THE INTERNATIONAL CENTER AT 203 SOUTH ST. MARY'S STREET AT AN ANNUAL RENTAL OF \$13.20 PER SQUARE FOOT PER YEAR FOR 2,251 SQUARE FEET AND AN ANNUAL RATE OF \$6.60 PER SQUARE FOOT PER YEAR FOR 270 SQUARE FEET FOR A TOTAL RENTAL PAYMENT OF \$94,485.60, PLUS COMMON AREA MAINTENANCE CHARGES AT A RATE OF \$2.52 PER SQUARE FOOT PER YEAR (SUBJECT TO ANNUAL ADJUSTMENT) FOR A TOTAL PAYMENT OF APPROXIMATELY \$19,058.76 FOR THE TERM OF THE LEASE; AND AUTHORIZING A LIMIT ON THE INCREASE IN THE ADJUSTMENT FOR TENANT'S COMMON AREA MAINTENANCE CHARGES OF NOT MORE THAN 15% PER YEAR.

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AN ORDINANCE 93168

APPROVING A RENEWAL AND EXTENSION OF THE LEASE AGREEMENT WITH SOCIEDAD CANARIA DE FOMENTO ECONOMICO, S.A. (SOFEAS), AS TENANT, ORIGINALLY APPROVED BY ORDINANCE NO. 89070 ON JANUARY 14, 1999, FOR A TWO YEAR TERM COMMENCING JANUARY 4, 2001 FOR THE USE OF 1,131 SQUARE FEET IN THE INTERNATIONAL CENTER AT 203 SOUTH ST. MARY'S STREET FOR CANARY ISLANDS OFFICE SPACE USE AT AN ANNUAL RENTAL RATE OF \$13.20 PER SQUARE FOOT PER YEAR FOR A TOTAL RENTAL PAYMENT OF \$29,858.40, PLUS COMMON AREA MAINTENANCE CHARGES AT A RATE OF \$1.98 PER SQUARE FOOT PER YEAR SUBJECT TO ANNUAL ADJUSTMENT, FOR A TOTAL PAYMENT OF APPROXIMATELY \$4,478.76 FOR THE TERM OF THE LEASE.

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AN ORDINANCE 93169

AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT WITH UNGERBOECK SYSTEMS, INC. IN THE AMOUNT OF \$57,160.73, INCLUDING THE RATIFICATION OF SERVICES IN THE AMOUNT OF \$12,160.73, FOR THE PURCHASE OF ADDITIONAL SERVICE PACKETS, ENHANCED CUSTOMIZATION, AND TRAINING ASSOCIATED TO A SALES, MARKETING, AND BOOKING MANAGEMENT SOFTWARE PACKAGE FOR THE CONVENTION FACILITIES DEPARTMENT AND THE CONVENTION AND VISITORS BUREAU; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90078, JULY 22, 1999.)

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AN ORDINANCE 93170

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH SELZER & COMPANY IN THE AMOUNT OF \$33,300.00 FOR THE PURPOSE OF CONDUCTING A LIBRARY CUSTOMER SURVEY TO BE USED AS PART OF THE LIBRARY'S MASTER PLANNING PROCESS; APPROVING A BUDGET AND AUTHORIZING PAYMENT.

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AN ORDINANCE 93171

AUTHORIZING TOWER FOODS, INC. TO DECREASE THEIR MONTHLY CONCESSION PAYMENTS FOR THE FOOD AND BEVERAGE CONCESSION IN THE CITY'S TOWER OF THE AMERICAS BY \$11,547.21 PER MONTH FOR A TWELVE (12) MONTH PERIOD FOR A TOTAL OF \$138,566.52 TO RECOVER THE VALUE OF THEIR REPLACEMENT OF A PORTION OF THE CITY'S AIR CONDITIONING SYSTEM IN THIS FACILITY; AND AUTHORIZING TOWER FOODS, INC. CONTINUED ACCESS TO THE TOWER AND UTILIZATION OF THE CITY'S HEMISFAIR PARKING STRUCTURE ADJACENT TO THE TOWER OF THE AMERICAS FOR THEIR DINING PATRONS.

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AN ORDINANCE 93172

AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF \$26,363.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN CONNECTION WITH THE CITY OF SAN ANTONIO FAIR HOUSING PROGRAM FOR THE PERIOD OF OCTOBER 1, 2000 TO SEPTEMBER 30, 2001; AUTHORIZING THE EXECUTION OF A GRANT ACCEPTANCE CONTRACT; AUTHORIZING THE EXECUTION OF A GRANT ACCEPTANCE CONTRACT; ESTABLISHING A FUND; APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 93173

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$57,111.00 IN CASH FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT FUNDING OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S INNER-CITY SCHOOL IMMUNIZATION PROJECT THROUGH AUGUST 31, 2001; APPROVING THE EXECUTION OF CHANGE 15 TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2000/2001 ESTABLISHED IN ORDINANCE 91021, PASSED AND APPROVED DECEMBER 16, 1999; AND REVISING THE PERSONNEL COMPLEMENT FOR THE INNER-CITY SCHOOL IMMUNIZATION PROJECT. (AMENDS ORDINANCE 92471, SEPTEMBER 7, 2000.)

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AN ORDINANCE 93174

AUTHORIZING THE ACCEPTANCE OF AN INITIAL AWARD TOTALING \$639,040.00 IN CASH ASSISTANCE FROM THE TEXAS DEPARTMENT OF HEALTH TO SUPPORT ONGOING PROGRAMS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE USE OF SAID SUPPORT AS FOLLOWS: HIV/AIDS PREVENTION PROJECT \$369,770.00, SEXUALLY TRANSMITTED DISEASE STAFF SUPPORT PROJECT \$187,576.00, AND AIDS SURVEILLANCE PROJECT \$81,694.00; AUTHORIZING EXECUTION OF THE CONTRACT WITH TEXAS DEPARTMENT OF HEALTH; ESTABLISHING A FUND; ADOPTING A BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT

PROJECT 2001/2002-FEDERAL; APPROVING A PERSONNEL COMPLEMENT;
AND AUTHORIZING LEASE PAYMENTS IN CONNECTION THEREWITH.

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AN ORDINANCE 93175

ACCEPTING A GRANT OF \$1,363,195.00 IN CASH, \$3,102,126.00 OF IN-KIND VACCINE SUPPORT AND \$72,155.00 OF IN-KIND PERSONNEL SUPPORT FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2001 THROUGH DECEMBER 31, 2001; ESTABLISHING A FUND; ADOPTING A BUDGET AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 93176

AUTHORIZING THE TRANSFER OF \$61,800.00 FROM THE FACILITY IMPROVEMENT AND MAINTENANCE PROGRAM FUND FOR THE INSTALLATION OF A PIPE HANDRAIL AND FOR THE REDESIGN AND REPLACEMENT OF AN EXISTING GATE AT THE ANIMAL CARE SERVICES FACILITY IN COUNCIL DISTRICT 9; FOR OVERLAY OF THE PARKING LOTS AT SOUTH FLORES CLINIC IN COUNCIL DISTRICT 3, ZARZAMORA CLINIC IN COUNCIL DISTRICT 5 AND KENWOOD CLINIC IN COUNCIL DISTRICT 9; REVISING THE BUDGET AND APPROPRIATING SAID FUNDS.

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AN ORDINANCE 93177

APPOINTING JAMES (JIM) R. MCADEN (DISTRICT 9) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2002.

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AN ORDINANCE 93178

APPOINTING CYNTHIA LAQUE (DISTRICT 4) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2002.

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AN ORDINANCE 93179

APPOINTING MADA CALK (DISTRICT 8) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2003.

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AN ORDINANCE 93180

APPOINTING PERRY L. BEYER, JR. (DISTRICT 1) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2003.

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2001-01
COMMENTS

ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN

Mr. Jack Finger, P.O. Box 12048, spoke to several items including the lack of back-up material to certain items, and the travel authorization which was being approved after the fact.

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2001-01

ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 93181

RATIFYING THE APPOINTMENT OF SIX (6) NEW MEMBERS: JOY CHITTIM, FREDERICK KIRKSEY, DENVER MCCLENDON, GILBERT PERALES, SIMON

SALAS, AND GARY ZINTGRAFF; AND THE RE-APPOINTMENT OF SIX (6) MEMBERS: ANNE BOSWELL, MICHAEL CAIN, FERMIN GONZALES, CAROLYN LIMON, VICKI SPILLMAN, AND LINDA PARKER TO THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR A THREE YEAR TERM BEGINNING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2003; AND APPROVING THE REPLACEMENT OF ONE MEMBER, JOSE CONTRERAS, FOR A ONE YEAR TERM BEGINNING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2001.

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

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the members being appointed to the Alamo Workforce Development Board

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the appointments, and requested that photos of the respective appointees be televised. He also stated that the City needed higher paying jobs, and commented on the literacy problem being high in San Antonio.

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Mr. Bannwolf cited the monies dedicated to job training by the Alamo Workforce Development Board, and the importance of investment in human capital. He commended Council colleagues for the detailed selection process and urged City Council to continue with the job training.

Mayor Peak stated this would bring community awareness to the hard work, time and dedication of the Alamo Workforce Development Board for the community.

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

— — —
2001-01 The Clerk read the following Ordinance:

2001-01
January 4, 2001
yl/vaj

AN ORDINANCE 93182

AUTHORIZING \$425,000.00 FOR PROFESSIONAL SERVICES WITH OPEN SYSTEMS GROUP, INC. TO DEVELOP PROPRIETARY SOFTWARE; AUTHORIZING \$513,272.00 FOR COMPUTER SOFTWARE AND \$2,102,000.00 FOR COMPUTER HARDWARE; FOR A TOTAL OF \$3,040,272.00 FROM 1999 GENERAL OBLIGATION PUBLIC SAFETY IMPROVEMENTS BONDS AUTHORIZATION TO FUND THE PUBLIC SAFETY INTEGRATED TECHNOLOGY (PSIT) SYSTEM FOR FY 2000-2001.

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

Deputy Chief Albert Ortiz, narrated a slide presentation outlining the Public Safety Integrated Technology System, and how it would improve the efficiency and the operation of the police reports enhancing the supervisory and management oversight of investigations, a copy of which presentation is made a part of the papers of this meeting. He further noted the expenditures for FY 2001 and the Field Entry Report System Status.

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

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2001-01 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-01-01

SUPPORTING AND APPROVING THE \$3.00 PASSENGER FACILITY CHARGE APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR FUNDING CONSIDERATION OF CERTAIN FUTURE CAPITAL IMPROVEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT.

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

Mr. Kevin Dolliole, Director of Aviation, narrated a slide presentation on the proposed facility charged as a funding source for certain Airport Capital Improvements, a copy of which presentation is made a part of the papers of this meeting. He outlined the background, the Master Plan implementation through 2009, the Capital Improvement Funding Requirements, the CIP funding options, and the projected facility charge revenue.

Mr. Garza noted that this was an excellent opportunity investment for the Airport, which would provide a competitive edge and make the airport more user friendly.

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

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2001-01 **TRAVEL AUTHORIZATION – Granted:**

Travel Authorization for Mayor Howard Peak to travel to attend various meetings in Austin in conjunction with Mayoral duties from March, 2000 to September, 2000: TML Board of Directors meeting; Amtrak Press Event; TNRCC Meeting; Meeting with Barry McBee; House Committee meetings and Luncheon with Lt. Governor.

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

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

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2001-01 The Clerk read the following Ordinance:

AN ORDINANCE 93183

AUTHORIZING A REDUCTION IN THE AMOUNT OF THE ADMINISTRATIVE SERVICES CONTRACT BETWEEN MAYOR HOWARD W. PEAK AND CHARLES MAZUCA FOR JANUARY-MAY, 2001, FROM \$3,250.00 PER MONTH TO \$1,625.00 PER MONTH; AS REQUESTED BY MAYOR HOWARD W. PEAK.

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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 Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Bannwolf.

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2001-01 The Clerk read the following Ordinance:

AN ORDINANCE 93184

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$600.00 TO COUNCILMAN DAVID A. GARCIA FOR ONE (1) PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH CHRISTOPHER L. CASTILLO (\$600.00) FROM DECEMBER 21, 2000 THROUGH JANUARY 12, 2001; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

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

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

2001-01 The Clerk read the following Ordinance:

AN ORDINANCE 93185

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$10,425.00 TO COUNCILMAN DAVID A. GARCIA FOR ONE (1) PART-TIME ADMINISTRATIVE SERVICES CONTRACT WITH ERNIE C. MACDONALD (\$10,425.00) FROM JANUARY 1, 2001, THROUGH MAY 31, 2001; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

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

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

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2001-01 The Clerk read the following Ordinance:

AN ORDINANCE 93186

AUTHORIZING THE EXPENDITURE OF \$2,000.00 TO THE VALENCIA HOMEOWNERS ASSOCIATION TO MAKE NECESSARY REPAIRS AND NEEDED IMPROVEMENTS TO THE CLUBHOUSE, WHICH IS USED BY MANY GROUPS ON A WEEKLY BASIS FOR VARIOUS COMMUNITY FUNCTIONS; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

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Mr. Carpenter 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, Prado, Garcia, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero, Bannwolf.

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2000-01 **CITY MANAGER'S REPORT**

City Manager Alexander E. Briseño acknowledged Frances Gonzalez, Assistant to the City Manager who was serving as Chair of the Hispanic Conference. He requested that Ms. Gonzalez present highlights of the Conference.

Ms. Frances Gonzalez, Assistant to the City Manager, highlighted the various events of the Hispanic Conference and detailed the agenda of the Conference. She also extended an invitation to the City Council to attend the events.

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2001-01 **EXECUTIVE SESSION**

The City Council recessed its regular session at 2:15 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney-Client consultation regarding Manuel F. Robles, et. al. vs. the City of San Antonio, et. al., Case #98-CI-13907.

The City Council adjourned the Executive Session at 3:32 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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2000-01 **CITIZENS TO BE HEARD**

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr, 140 Dora, spoke to the City Council about various issues including his request that City Public Service be audited concerns about high utility bills during this winter season; and garbage pick up.

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MR. MARTIN VICTOR

Mr. Martin Victor, 7042 Valmont Drive, spoke to the City Council about a particular experience he had at a downtown parking lot and a citation he had received for failure to pay for parking his car, although he stated he had.

Mayor Pro Tem Garza stated that this lot is a private lot and the parking citation was not issued by a City of San Antonio police officer. He asked Mr. Victor to speak to a Police Officer present in the audience about this issue to clarify the process.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, LULAC #4383, spoke to the City Council about the accidental death of Mr. Frank Stewart whom he had tried to help to no avail.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke regarding several items including Item 31 on today's agenda, Medina AFB, untimely death of Mr. Octavio Pena; and an article in the Express News on the San Antonio Police Department's use of force. (Copies of newspaper articles regarding Medina AFB issue; Mr. Pena and the Police Department were turned in for the record and are part of the records of this meeting.)

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MR. GRADY HORNSBY

Mr. Grady Hornsby, speaking on behalf of the Winners' Club, a 501 C 3 organization, spoke of the mission of this organization and their years of service in trying to help alcoholics and their families. He asked the City Council for assistance in securing individuals and/or corporations to assist them with funding.

Mayor Pro Tem Garza advised Mr. Hornsby to visit with Mr. Dennis Campa, Director of Community Initiatives, so that he can be apprised of granting opportunities to assist them with their needs.

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MS. JULIE IRIS OLDHAM

Ms. Julie Iris Oldham, P.O. Box 40263, spoke on several issues including the death of Mr. Octavio Pena; her suit against City Public Service, Code Compliance issues and a police report on an automobile accident she alleges placed blame on her rather than the other party.

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2001-01 There being no further business to come before City Council, the meeting was adjourned at 5:30 P.M.

A P P R O V E D


HOWARD W. PEAK
M A Y O R

Attest:


NORMA S. RODRIGUEZ, CMC/AAE
City Clerk