

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

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2001-11 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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2001-11 Invocation by Cantor David Silverstein, Agudas Achim Congregation.

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2001-11 Pledge of Allegiance to the flag of the United States.

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2001-11 **RESOLUTION OF RESPECT – MARY NAN WEST**

Mayor Peak spoke on the loss of Ms. Mary Nan West, a prominent citizen of San Antonio, noting her numerous contributions to the community. He then read the Resolution of Respect and presented it to members of the family.

A RESOLUTION  
NO. 2001-11-14

**RESOLUTION OF RESPECT  
MARY NAN WEST**

**Whereas,** On January 1, 2001, death brought to a close the life of Mary Nan West;  
and

**Whereas,** a lifelong resident of Zavala County, Texas, Mrs. West was born in San Antonio, attended Batesville Elementary and Saint Mary's Hall in our

City, the University of Colorado at boulder, and the University of Arizona at Tucson; and

**Whereas,** at the age of nineteen, Mrs. West assumed the operation of the Rafter R. Ranch, the family home, and devoted her life to promoting agriculture and agribusiness in Texas and Mexico; and

**Whereas,** Mary Nan West was very active in San Antonio through her involvement in the San Antonio Livestock Exposition, Inc.—she served as the Exposition's Director, President, and Chairman of the Board and was the guiding force in establishing the Exposition's scholarship program that has awarded millions of dollars in scholarships and grants to deserving students and learning institutions; and

**Whereas,** her service on the boards of directors of civic organizations and educational institutes was extensive and she received numerous well-deserved awards and recognition's over the years; and

**Whereas,** Mary Nan West was much respected in San Antonio; she positively touched the lives of all those who knew her and managed to merge her love of family, friends, City and Church 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 Mary Nan West, the City of San Antonio has lost a valuable asset to its past, present, and future.

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

**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 her family as a token of our deepest sympathy.

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

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

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2001-11 Minutes of the Regular City Council Meeting of January 11, 2001 were approved.

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2001-11 Clerk Norma S. Rodriguez administered the Oath of Office to Councilman Tim Bannwolf who will serve as Mayor Pro-Tem from March 19, 2001 through May 31, 2001.

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2001-11 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, commended members of the City Council and also addressed various items on the consent agenda, specifically noting his opposition to Item 6.

Mr. Jack M. Finger, P.O. Box 12048, spoke to campaign contributions received by various members of the City Council.

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2001-11 **CONSENT AGENDA**

Mr. Carpenter made a motion to approve Agenda Items 6 through 15A, constituting the Consent Agenda, except for Item 7, which was pulled, for individual consideration. Mr. 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, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93575

ACCEPTING THE BID FROM THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES IN ACCORDANCE WITH THE STATE OF TEXAS COOPERATIVE PURCHASING PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO LIBRARY DEPARTMENT WITH APPROXIMATELY SEVENTY-THREE (73) PERSONAL DESKTOP COMPUTERS FOR A TOTAL OF \$90,009.00.

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AN ORDINANCE 93576

ACCEPTING AND RATIFYING THE PROPOSAL FROM TIMBERLINE TECHNOLOGIES, L.L.C. AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$28,374.72 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH THE RENTAL OF HYDRO-AXE WITH OPERATOR FOR THE EMERGENCY CLEARING OF A DRAINAGE CHANNEL.

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AN ORDINANCE 93577

ACCEPTING THE LOW, QUALIFIED BID FROM XEROX CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH A 72 MONTH DOCUMENT PUBLISHING SYSTEM LEASE FOR AN ESTIMATED ANNUAL TOTAL OF \$159,924.00 OR \$959,544.00 OVER A 6 YEAR PERIOD.

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AN ORDINANCE 93578

ACCEPTING THE LOW QUALIFIED BID OF VITAL LINK, INC., IN THE AMOUNT OF \$1,876,543.00 TO CONSTRUCT PHASE 2 OF THE GROUND RUN UP ENCLOSURE AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$93,827.00 FOR CONSTRUCTION CONTINGENCIES; DESIGNATING THE FIRM OF DRASH CONSULTING ENGINEERS, INC. TO PROVIDE TESTING SERVICES AND AUTHORIZING NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT

NOT TO EXCEED \$25,550.00; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93579

AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 1, AMENDING REIMBURSEMENT AND USE AGREEMENT #57-6395-0-073, EXECUTED PURSUANT TO ORDINANCE NO. 92576, DATED SEPTEMBER 28, 2000 WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL & PLANT HEALTH INSPECTION SERVICE, AND PLANT PROTECTION AND QUARANTINE FOR FACILITY MODIFICATION OF THE FEDERAL INSPECTION SERVICES SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT; INCREASING THE REIMBURSEMENT TO THE CITY FROM \$100,000.00 TO \$113,000.00 AND ADDING A CONTINGENCY OF \$12,000.00. (AMENDS ORDINANCE NO. 92576, SEPTEMBER 28, 2000.)

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AN ORDINANCE 93580

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT IN THE AMOUNT OF \$304,770.00 FROM THE TEXAS DEPARTMENT OF HEALTH TO CONTINUE FUNDING THROUGH AUGUST 31, 2001 THE ONGOING RYAN WHITE TITLE II AIDS/HIV PROGRAM ADMINISTERED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE NOTICE 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 ON DECEMBER 16, 1999; APPROVING THE PERSONNEL COMPLEMENT FOR THE RYAN WHITE TITLE II PROJECT; AUTHORIZING THE EXECUTION OF STANDARD CITY OPERATING AGENCY GRANT FUND CONTRACTS TOTALING \$256,018.00 WITH AIDS/HIV SERVICE PROVIDERS IN CONNECTION WITH THE PROJECT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 91021, DECEMBER 16, 1999.)

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AN ORDINANCE 93581

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO TOURISM COUNCIL FOR THE CONTINUED PROVISION OF RESOURCES IN SUPPORT OF THE LITERACY FOR LIFE PROGRAM AT THE MARGARITA HUANTES, ST. PHILIP'S, COLUMBIA HEIGHTS AND, SUPPORT OF PROJECT TRIAD (TEACHING RESOURCES TO INDIVIDUALS ADVOCATING DEVELOPMENT) AT ST. MARY'S LEARNING AND LEADERSHIP DEVELOPMENT CENTERS FOR THE PERIOD OF JANUARY 1, 2001 AND ENDING DECEMBER 31, 2001.

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AN ORDINANCE 93582

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE TEXAS DEPARTMENT OF HUMAN SERVICES CONTRACT WITH THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION, CLIENT MANAGED PROGRAM, AUTHORIZED BY ORDINANCE NO. 92433, PASSED ON AUGUST 31, 2000, CHANGING THE EXPIRATION DATE TO FEBRUARY 28, 2001, AND ESTABLISHING A NEW AGREEMENT IN THE AMOUNT OF \$960,025.00 FOR THE CONSUMER MANAGED PERSONAL ASSISTANCE SERVICES PROGRAM (CMPAS), BEGINNING MARCH 1, 2001 THROUGH AUGUST 31, 2001; AUTHORIZING A BUDGET AND A PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 92433, AUGUST 31, 2000.)

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AN ORDINANCE 93583

APPOINTING DAVID G. BALMER (DISTRICT 1) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

— — —  
2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93584

ACCEPTING THE PROPOSAL FROM BANK OF AMERICA TO PROVIDE THE CITY OF SAN ANTONIO WITH A PURCHASING CARD PROGRAM, IN ACCORDANCE WITH THE STATE OF TEXAS COOPERATIVE PURCHASING AGREEMENT ADOPTED BY THE CITY OF SAN ANTONIO, FOR AN ESTIMATED COST OF \$5,000.00.

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

— — —  
2001-11 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Ms. Nancy Englebert, 10486 Pine Glade, spoke in support of the appointment of Terry Brechtel as the new City Manager and also addressed the issue of tax abatements for hotels coming into San Antonio.

Mr. Jack M. Finger, P.O. Box 12048, spoke in support of the appointment of Ms. Brechtel as the new City Manager and also spoke to several items on the agenda.

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2001-11 ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 93585

APPOINTING TERRY M. BRECHTEL AS CITY MANAGER DESIGNEE OF THE CITY OF SAN ANTONIO, EFFECTIVE MARCH 15, 2001, AND ESTABLISHING AN EFFECTIVE DATE OF APRIL 1, 2001 TO ASSUME THE OFFICE OF CITY

MANAGER; FURTHER APPROVING A MANAGEMENT MEMORANDUM AGREEMENT OF EMPLOYMENT WITH TERRY M. BRECHTEL SETTING OUT HER BENEFITS AND DUTIES AS CITY MANAGER.

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

Mayor Peak and members of the City Council welcomed Ms. Brechtel to the new position as City Manager, and further extended their congratulations, noting her service to the City of San Antonio and her exemplary qualifications.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, congratulated Ms. Brechtel on her appointment and also addressed the evaluation process. He also spoke to the need for more police bike patrols.

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.

— — —  
2001-11 The Clerk read a proposed Ordinance appointing one member to the VIA Metropolitan Board of Trustees for a term of office to expire on December 31, 2002.

City Clerk Norma Rodriguez stated that the nominations had been brought forward from last week's "B" Session.

Mr. Garcia nominated Ms. Janie Isabel Gonzalez-Martinez. Ms. Guerrero seconded the motion.

Ms. Conner nominated Ms. Mary Anne Oehler. Mr. Garza seconded the motion

Ms. Janie Isabel Gonzalez-Martinez received the majority of the votes. After the vote, Mr. Salas made a motion to approve the proposed Ordinance with Ms. Martinez as the appointee. Mr. Garcia 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, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93586

APPOINTING JANIE ISABEL GONZALEZ-MARTINEZ TO THE VIA METROPOLITAN BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

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2001-11 The Clerk read a proposed Ordinance appointing two members to the South Fort Sam Houston Development Advisory Board for a term of office to expire on January 28, 2003.

City Clerk Norma S. Rodriguez stated that there were two nominations submitted for the two slots and had been brought forward from last week's "B" Session.

Mr. Perez made a motion to approve the Ordinance with the two nominations of Mr. Thomas Leverett and Tom A. Whitley as the appointees. 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, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93587

APPOINTING THOMAS LEVERETT AND TOM A WHITLEY TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2001.

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2001-11 The Clerk read a proposed Ordinance appointing one new alternate member to the Board of Adjustment for a term of office to expire on February 23, 2003.

City Clerk Norma S. Rodriguez stated that there was one nomination submitted for the one slot and had been brought forward from last week's "B" Session.

Mr. Bannwolf made a motion to approve the Ordinance with the nomination of Mr. Paul Klein as the appointee. Mr. Perez 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, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 93588

APPOINTING PAUL KLEIN AS AN ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 23, 2003.

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93589

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF PROJECT DOCUMENTS RELATED TO THE CONVENTION HEADQUARTERS HOTEL PROJECT, TO INCLUDE A PROJECT AGREEMENT, GROUND LEASE, AND ROOM BLOCKING AGREEMENT WITH SHEARTON RIVERWALK, L.P.; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE BINDING AMENDMENTS TO SAID DOCUMENTS AND OTHER RELATED PLANS OR AGREEMENTS WHICH ARE REQUIRED UNDER THE PROJECT DOCUMENTS.

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

Mr. Chris Brady, Assistant City Manager, narrated a slide presentation on the Convention Headquarters Hotel project, outlining an overview of the incentive package, analysis of net City benefits, all project documents, lease conditions, a copy of which presentation is made a part of the papers of this meeting. He elaborated on the project agreement, the project timeline, declaration of restrictive covenant and by-laws.

City Attorney Frank Garza spoke on the legal fees, and further outlined the background, selection criteria for the RFQ process, and the legal budget.

The following citizen(s) appeared to speak:

Ms. Ninfa Cantu, COPS/METRO, spoke in opposition to the tax abatement and the millions of dollars it represented. She stated that San Antonio was subsidizing low wage jobs and was contradictory to the City's commitment to paying a living wage.

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Mayor Peak recognized City staff members who have been working on this project for a number of years, and stated that the San Antonio taxpayers would reap benefits as a result of this project. He noted this project was an integral component of the Convention Center and how this represented an excellent market strategy to bring people to San Antonio.

Mr. Garcia stated that while he was in favor of the hotel, he was also concerned that the negotiation result would not be enough for the City's benefit.

Mr. Perez spoke in support of the hotel project, and stated that the project was a tremendous investment for San Antonio. He noted the millions of dollars for construction, and the jobs that would be provided would result in long term benefits for the City. He further added that the wages and benefits did present a challenge, however encouraged that all involved continue to work for better incentives.

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93590

AUTHORIZING PAYMENT IN THE ADDITIONAL AMOUNT OF \$125,000.00 FOR SERVICES PROVIDED BY BRACEWELL & PATTERSON; L.L.P. IN CONNECTION WITH THE PREPARATION AND NEGOTIATION OF A PROJECT AGREEMENT AND A GROUND LEASE WITH STARWOOD HOTELS & RESORTS WORLDWIDE, INC. AND THE RELATED LODGING GROUP IN CONNECTION WITH THE CONVENTION HEADQUARTERS HOTEL PROJECT AND AUTHORIZING ADDITIONAL SERVICES BY BRACEWELL & PATTERSON; L.L.P. IN CONNECTION WITH THE PREPARATION AND NEGOTIATION OF ADDITIONAL MISCELLANEOUS DOCUMENTS RELATED TO THE PROJECT FOR AN AMOUNT NOT TO EXCEED \$125,000.00 FOR TOTAL AUTHORIZATION OF \$250,000.00 IN ADDITIONAL FUNDS.

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93591

AMENDING CHAPTER 35 OF THE CITY CODE BY ENACTING SECTIONS 35-4143 THROUGH 35-3150 TO ESTABLISH A ZONING OVERLAY CLASSIFICATION "NEIGHBORHOOD CONSERVATION DISTRICT" TO ADDRESS APPROPRIATENESS OF NEW CONSTRUCTION FOR RESIDENTIAL NEIGHBORHOODS AND COMMERCIAL DISTRICTS; IDENTIFYING NCD CRITERIA, PROCESS FOR INITIATION AND DESIGNATION OF NEIGHBORHOODS, AND GENERAL DESIGN STANDARDS; RECODIFYING SUBDIVISION NUMBERS TO ACCOMMODATE THE NEW SECTIONS AND SUBDIVISION HEADING.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the proposed Neighborhood Conservation Districts, a copy of which presentation is made a part of the papers of this meeting. He outlined the master plan goals, the purpose of the conservation districts, the designation criteria, the steps necessary for initiation of the neighborhood conservation district plan, and design standards and adoption schedule.

The following citizen(s) appeared to speak:

Ms. Barbara Johnson, 107 King William, spoke in support of the Ordinance, and stated that this was an excellent tool to maintain unique characteristics of the neighborhoods.

Mr. Fred Chavez, Alta Vista N.A., spoke in support of the Ordinance, and also noted that revitalization efforts were already underway. He urged the City Council to support the Ordinance, which would help to retain the individual character and features of the neighborhoods.

Mr. Larry D'Martino, River Road N.A., stated that the inner city neighborhoods would be strengthened through adoption of this Ordinance. He added that high quality development is already taking place, and that many affordable homes were being built. He urged City Council to adopt the neighborhood conservation district.

Mr. Ralph Bishop, 315 Reguid, spoke in support of the Ordinance.

Ms. Penny Boyer, urged City Council to support the Ordinance which would serve to protect the neighborhoods.

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Mayor Peak stated that this effort had been in the works for a number of years, and noted how this Ordinance would provide a measure of protection for the neighborhoods.

Mr. Garza emphasized the importance of this Ordinance and how it would protect the integrity of the neighborhoods and older communities, providing a balanced growth, and also provide a legal means for protection.

Mr. Perez commended all those in support of the Ordinance and urged continuance of their work and efforts to further enhance the program.

Ms. Conner congratulated all individuals for their work in developing this Ordinance.

Ms. Guerrero commended all individuals involved, and stated the conservation district was an excellent means to protect the neighborhoods and assure that new homes being build would comply with the regulations.

Mr. Salas spoke in support of the Ordinance, which would allow flexibility for the residents to determine what they wanted protected.

Mr. Prado also emphasized the importance of the neighborhood conservation districts.

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.

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93592

AMENDING SECTION 35-3258 (ENTITLED "SPECIAL USE PERMIT") OF THE UNIFIED DEVELOPMENT CODE (UDC) TO PROVIDE FOR THE GRANTING OF QD (QUARRY DISTRICT) AS A SPECIAL USE WITHIN CERTAIN BUSINESS USE ZONING DISTRICTS ON AN INDIVIDUAL CASE BASIS, AND PROVIDING FOR CIVIL ENFORCEMENT FOR VIOLATION OF SUCH SPECIAL USE PERMITS AS WELL AS CRIMINAL ENFORCEMENT BY A FINE OF NOT MORE THAN \$2,000.00 UPON CONVICTION.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the revision to the special use permit of the UDC, a copy of which presentation is made a part of the papers of this meeting. He spoke to the background, history of the special use permit, the current use of it, and the proposed amendment with regard to the use for a quarry district.

Mayor Peak stated this was an effort to help protect the neighborhoods in the vicinity of the quarry, and commended those individuals whose efforts enhanced the ability to reach an agreement of a higher level of restrictions in order to protect the area.

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93593

AUTHORIZING PAYMENT TO TICOR TITLE COMPANY AS ESCROW AGENT FOR FEE SIMPLE PURCHASE OF 207.79 ACRE TRACT OF LAND SITUATED ALONG LUSKEY ROAD SOUTH OF HUEREMAN ROAD; AUTHORIZING PAYMENT TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR FEE SIMPLE PURCHASE OF A 592.9 ACRES TRACT OF LAND SITUATED ALONG THE EASTERN SIDE OF GOVERNMENT CANYON STATE NATURAL AREA; AUTHORIZING PAYMENT OF \$47,307.15 TO THE TRUST FOR PUBLIC LAND FOR ITS SERVICES IN NEGOTIATING, INVESTIGATING AND PURCHASING SAID PROPERTY; AUTHORIZING THE EXECUTION OF A REAL ESTATE PURCHASE CONTRACTS TO ACCOMPLISH SAID PURCHASES UNDER THE AUSPICES OF THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT; AUTHORIZING PAYMENT OF \$450.00 EACH TO TICOR TITLE COMPANY AND ALAMO TITLE COMPNAY FOR TITLE POLICY AND CLOSING COSTS.

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

Ms. Susan Crane, Special Projects Manager, narrated a slide presentation on the Crownridge and Iron Horse Canyon Acquisitions, a copy of which presentation is made a part of the papers of this meeting. She highlighted the features, aerial views of the properties, target acreage, project costs, the funding sources and the program totals.

Mayor Peak spoke to the valuable property being protected, its relation to Government Canyon, and emphasized the need to continue efforts to find suitable properties for contiguous open spaces.

Members of the City Council commended staff for the work expended on this project, the benefits it would provide by protecting the water, wildlife, plant life, and open space which would also provide recreational areas for families in the years to come.

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93594

AUTHORIZING THE CITY OF SAN ANTONIO TO ACQUIRE TITLE TO FOUR (4) RESIDENTIALLY-ZONED PROPERTIES (NCB 843, BLOCK 2, LOT B-1; NCB 843, BLOCK 2, LOT B-2 AND B-3; NCB 844, BLOCK 4, LOT 3; NCB 843, BLOCK 2, WEST 47.5 FEET OF NORTH IRREGULAR 170 FEET OF 2 OR B-5) FROM THE METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO FOR \$40,000.00 (FORTY THOUSAND DOLLARS) FOR THE PUBLIC PURPOSE OF NEIGHBORHOOD REVITALIZATION AND PROVIDING AFFORDABLE HOUSING IN THE COMMUNITY; AUTHORIZING THE EXPENDITURE OF AN ESTIMATED \$5,000.00 FOR TITLE AND TRANSACTION COSTS; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS IN CONNECTION THEREWITH.

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

Mr. George Pedraza, Assistant to the City Manager, narrated a slide presentation on the Housing Asset Recovery Program, a copy of which presentation is made a part of the papers of this meeting. He delineated the objectives of the program, the program design, financing, the acquisition of the properties with a view of each of the proposed properties and the timelines of the program.

Mayor Peak spoke to the City's initiative to coordinate all efforts to meet the housing needs of the community as well as solve other housing problems such as flooding, and noted that these homes will be put to good use and provide nice homes for the citizens of San Antonio.

Mr. Garza spoke to the overall housing goals, and stated that the homes being relocated were structurally sound with some refurbishing required and would ultimately serve to meet the housing needs of the City.

Mr. Garcia stated this was a good effort to begin addressing housing needs as quickly as possible.

Mr. Perez spoke to the continuing concern of residents regarding properties boarded up in the Martinez Creek area, and urged to continue maintaining those areas in order to prevent those properties from becoming eyesores.

Ms. Conner commended the creative initiatives to resolve housing needs for the City.

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93595

AUTHORIZING THE CITY OF SAN ANTONIO TO ACQUIRE TITLE TO TEN (10) RESIDENTIALLY-ZONED PROPERTIES (NCB 1207, BLOCK 8, LOT 9; NCB 9535, BLOCK 1, LOT WEST 56 FEET OF 1; NCB 1482, BLOCK 31, LOT 23; NCB 1433, BLOCK 12, LOT E 33 FEET OF 21; NCB 7620, BLOCK 18, LOT 5 AND WEST 25 FEET OF 6; NCB 9173, BLOCK 15, LOT EAST 20 FEET OF 14 AND WEST 30 FEET OF 15; NCB 1519, BLOCK 3, LOT 7, NCB 1519, BLOCK 3, LOT 10, NCB 1522, BLOCK 6, LOT EAST 30.5 FEET OF 14 AND WEST 12 FEET OF 15; NCB 9552, BLOCK 2, LOT 24A) FROM THE SAN ANTONIO HOUSING FINANCE CORPORATION, THE SAN ANTONIO HOMEOWNERSHIP OPPORTUNITIES CORPORATION, AND THE SAN ANTONIO HOUSING AUTHORITY FOR THE PUBLIC PURPOSE OF NEIGHBORHOOD REVITALIZATION AND PROVIDING AFFORDABLE HOUSING IN THE COMMUNITY; AUTHORIZING THE EXPENDITURE OF AN ESTIMATED \$5,000.00 FOR TRANSPORTATION AND

TITLE COSTS; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS IN CONNECTION THEREWITH.

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

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

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2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93596

AUTHORIZING THE TEMPORARY CLOSURE OF CIBOLO BETWEEN BUENA VISTA AND COMMERCE ON SATURDAY, MARCH 24, BEGINNING AT 10:00 A.M. UNTIL 11:00 P.M. IN ORDER FOR THE VICTORY TEMPLE TO HOLD IT'S ANNUAL FAMILY DAY EVENT; AS REQUESTED BY COUNCILMAN DAVID GARCIA.

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

— — —  
2001-11 The Clerk read the following Ordinance:

AN ORDINANCE 93597

AUTHORIZING THE EXECUTION OF AN INTERJURISDICTIONAL AGREEMENT WITH THE SAN ANTONIO WATER SYSTEM IN THE AMOUNT OF \$244,305.00 TO THE CITY FOR THE IMPLEMENTATION OF THE SAN ANTONIO WATER SYSTEM WATER METER DISCOUNT PROGRAM THROUGH THE DEPARTMENT OF COMMUNITY INITIATIVES (DCI) COMMUNITY ACTION DIVISION; AND ESTABLISHING A BUDGET AND APPROVING A PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the Water Meter Discount Affordability Program, a copy of which presentation is made a part of the papers of this meeting. He outlined the purpose of the Ordinance, background, Phase I which detailed the research of existing databases for eligible clients, Phase II for the health and human services databases, and the continuing targeted outreach campaign. He further delineated the Interjurisdictional Agreement of the City of San Antonio and SAWS, programs for Bexar Met, detailing the affordability and conservation programs for Bexar Met and SAWS, the costs for implementation and the proposed action to enhance the programs.

Mayor Peak spoke to the outreach programs and the ability to utilize the databases for other social service needs in San Antonio, and urged the continuing coordinated efforts to identify those citizens in need.

Mr. Prado commended the excellent efforts and work of all staff to meet the requests of the Council, and urged that it be taken to the next level by increasing the percentages of those eligible customers.

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

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(At this point at 3:45 P.M., Mayor Peak was obliged to leave the meeting, and Mr. Carpenter presided in his absence.)

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**2001-11 BRIEFING REGARDING THE PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION (WARM) PROGRAM.**

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on Project Warm outlining the eligibility criteria, the income guidelines, fiscal and service impact, the outreach for seniors, activities of CPS for Project Warm, a copy of which presentation is made a part of the papers of this meeting. He further noted the partnerships of the City and Bexar County, the implementation costs, the disconnection prevention for vulnerable populations, the immediate reconnection process, and legal analysis of Project WARM, the legal application, possible revenue sources for Project WARM and proposed changes to the administration of Project WARM.

In response to Mr. Prado regarding legal interpretation, City Attorney Frank Garza stated that legal staff was working with bond counsel on this issue.

In response to Mr. Prado regarding the eligible clients, Mr. Campa stated there were over 2100 clients identified through the additional outreach efforts. He stated that the clients were provided assistance in order to free up monies for other needs, and that a process had been implemented to immediately reconnect clients who had been disconnected.

Mr. Campa also commented on the immediate referral of clients to Community Initiatives if and when a disconnect would occur, and that the problem would be rectified immediately.

Ms. Nadine Knaus, Sr. Vice President of Customer Service, CPS, stated that the staff was working with customers to provide extensions and that the number of disconnects had been low.

Mr. Prado expressed concern on the number of customers who have not been identified yet, specifically noting the senior citizens who will just be recovering from the winter crisis, and then immediately face the summer months ahead. He requested that Council members be kept abreast of all issues with regard to customer service and the outreach programs.

In response to Mr. Garcia, Ms. Knaus identified the number of disconnects from September 2000 through January 1, 2001.

Discussion continued on the number of disconnects, outreach and identification efforts for those citizens still requiring the assistance.

Mr. Garza emphasized the importance of working with the community to address needs for those unable to meet the payments. He stressed the issue of long term programs to resolve gas supply crisis, the need to provide short-term relief programs, noting there would be more challenges and problems and how the City and CPS need to be more aggressive with outreach programs.

Ms. Knaus elaborated on the policy with regard to disconnects, and noted that some of these occurred when citizens moved out of their respective residence and there was no notification to CPS. She stated that more staff had been added to assist customers and reduce the wait time for customers on the phone.

In response to Mr. Salas regarding the trust, Mr. Campa stated that the City would determine who is eligible for assistance and would also certify them, while CPS then would give the customers the appropriate credit on their accounts. He noted that the staff would conduct home visits for those citizens unable to go out of their homes.

Mayor Peak emphasized the importance of cooperation among all entities and also stated that Project WARM had been given to CPS at the direction of City Council. He also stated that Project WARM could evolve into a non-profit, accept donations and grow. He added that a more effective way to manage this program should be initialized, noting that the amount of money to continue providing assistance to those customers was an enormous amount. He ascertained that weatherization and structural improvements were paid through the investments by CPS.

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**2001-11 PUBLIC HEARING ON CITY OF SAN ANTONIO'S DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S FISCAL YEAR 2001-2002 ANNUAL CONSOLIDATED PLAN/BUDGET.**

Mayor Peak declared the Public Hearing to be open.

The following citizen(s) appeared to speak regarding their respective needs:

Mr. T.C. Calvert who then introduced members of the Neighborhood First Alliance  
Ms. Mary Emerson  
Mr. Victor Wright  
Mr. Jordon Casey

Mr. Rey Hood  
Rev. J.L. Saunders  
Rev. C.J. Barnes

Mr. William Owens, Urban Ministries  
Ms. Mary Cantu, Project Learn to Read  
Ms. Dorothy Castro, Respite Care  
Ms. Sabrina Rodriguez, Respite Care  
Representative for Project Destiny

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COPS/METRO

Ms. Ninafa Cantu, Sacred Heart Church  
Mr. Timothy Brown, Co-Chair Metro Alliance  
Ms. Christina Castro  
Ms. Virginia Carrillo, St. Leo's COPS  
Ms. Alicia Tallavas, St. Joseph's, COPS  
Ms. Gabriela Guerra, St. Henry's COPS  
Ms. Rene Joy McGee, Project Quest

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AV/BH/FP Neighborhood Assistance, representatives spoke in favor of Universal  
Unitarian Housing Assistance Corp.  
Mr. Hector Cardenas, Alta Vista N.A.  
Mr. John Braxton, Beacon Hill N.A.  
Mr. Pete Pina, Five Points Association  
Rev. Paul Wilkinson, CCSA (Community of Churches for Social Action)

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Mr. Jack M. Finger, P.O. Box 12048, spoke against funding for these organizations.

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Mr. David Ewell, Executive Director, S.A. AIDS Foundation

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Mr. Faris Hodge, Jr., 140 Dora, spoke to Code Compliance issues and the additional funding for the AIDS organization, and the need for another shelter for the homeless.

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Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the funding.

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Barrio Comprehensive and Family Health representatives:

Ms. Carol Chamerlain, Exec. Director

Mr. Albert De La Torre

Ms. Rachel Escobedo, Patient and Board Member

Ms. Rosemary Saenz, Patient and Board member

Ms. Guadalupe Davila

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Mr. Manuel Macias, Executive Director of SADA

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Ms. Amy Campbell, YWCA

Mr. Mike Zavala, Program Manager of YWCA

Ms. Enriqueta Balderrama

Mr. Rudy Hernandez, Director of Operations, YWCA

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Ms. Martina Tijerina, Grants for Education

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Rev. H.L. Bracy, 6130 Elm Valley

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Ms. Pauline Malone Buckley, 7750 Culebra Rd., Urban Ministries

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Ms. Maria Espinoza, Western Park N.A.

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Ms. Eva Rios, Loma Terrace N.A.

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Mr. Bruce MacDougal, Project Renew

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Mr. Rod Radle, San Antonio Alternative Housing

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Ms. Jennifer Holmes, STEP program for JOVEN

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Ms. Cynthia R. Ortiz, Downtown Youth Center

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Ms. Jean Watson, Boys & Girls Club

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

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2001-11      CITY MANAGER'S REPORT

Police Chief Al Philippus presented the Uniform Crime Report for 2000 to the City Council, a copy of which presentation is made a part of papers of this meeting.

The Mayor and City Council commended Chief Philippus for the report and expressed concern on certain increases in some crime statistics and asked for more frequent reports to the City Council on the crime statistics.

In response to a question by Mayor Peak, Chief Philippus spoke about some of the reasons for the decline in property crime due to the decreasing number of the youth population.

In response to Mr. Garza, Chief Philippus spoke to a general increase in crime throughout the country, especially for automobile thefts.

In response to Mr. Bannwolf, Chief Philippos, spoke to the reasons why they eliminated the reporting of aggravated assaults for this past year, but added that after a better refinement of the criteria used to define aggravated assaults they will be reported at a later date.

After discussion, Council members reiterated their request to see more frequent reports on crime statistics.

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#### HOUSING SUMMIT CONFERENCE SCHEDULE

Mr. George Pedraza, Assistant to the City Manager presented a schedule for the upcoming Housing Summit to be held in San Antonio during March 23 and 24, 2001. A copy of which presentation is on file with the papers of this meeting.

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#### CITY SHOWCASE

Mr. Tony Bosmans, Director of Community Relations, announced the City's Showcase scheduled for 2001. The first one to take place at South Park Mall this coming Saturday, March 2001.

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2001-11      CITIZENS TO BE HEARD

#### MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the City Council about the census under counts here in San Antonio, and the fact that he was never counted and that he had never received a census form. He then spoke about the need for more police patrols in the downtown area.

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**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke about his concern with violations of his freedom of speech.

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**2001-11 EXECUTIVE SESSION**

The City Council recessed its regular session at 7:35 P.M. in order to convene in Executive Session for the purpose of:

- A) 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 9:13 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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**2001-11** There being no further business to come before the City Council, the meeting was adjourned at 9:14 P.M.

**A P P R O V E D**



**HOWARD W. PEAK  
M A Y O R**

Attest:   
**NORMA S. RODRIGUEZ, CMC/AEE**  
City Clerk