

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 3, 2001.

* * * *

2001-18 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) **A Briefing by the San Antonio Water System (SAWS) on the first Water Resources Quarterly Report for the period ending March 31, 2001 in accordance with the accountability procedures adopted in conjunction with the approval of the Water Supply Fee.** (Introduced by Thomas G. Wendorf, Director of Public Works; Presented by Eugene E. Habiger, General, USAF (Ret.), President/CEO, San Antonio Water System)

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

The "B" Session adjourned at 10:55 A.M.

— — —

2001-18 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.

— — —

2001-18 Invocation by Father Dennis Darilek, Our Lady of Good Counsel.

— — —

2001-18 Pledge of Allegiance to the flag of the United States.

2001-18 PROCLAMATION: KARATE KIDS JUST SAY NO TO DRUGS, ALCOHOL, AND GANGS MONTH

Mayor Peak recognized Mr. Eli Guerra who has been working with the Karate kids program for a number of years, and read a Proclamation declaring “Karate Kids Just Say No to Drugs, Alcohol, and Gangs Month.” Mr. Eli Guerra thanked the Mayor and City Council for their support and recognition. Mr. Guerra then recognized individually each of the winners of the “Write a Letter to a Friend” Contest.

Ms. Fay Hopkins of the North Central Optimist Club of San Antonio spoke of the Optimist support for the children, and then presented the plaque to Mayor Peak for his years of support. Ms. Hopkins also recognized Mrs. Mary Lou Rodriguez, Ceremonial Services Coordinator, for her work and support for the Karate Kids.

Chief Al Philippus congratulated Mr. Eli Guerra for the outstanding community work toward this endeavor.

Mayor Peak and members of the City Council spoke of the outstanding work and results of the program, and further recognized all individuals involved in the Karate Kids Program.

— — —

2001-18 PROCLAMATION FOR SAN ANTONIO POLICE OFFICERS MEMORIAL DAY

Mayor Peak read a Proclamation declaring “San Antonio Police Officers Memorial Day” and presented the Certificate to Chief Al Philippus.

Chief Philippus spoke of the overwhelming support from the community for the police officers, and of the tribute made to the sacrifices made by the police officers of San Antonio. He extended his appreciation to the Mayor and Council for the continuing support given to the officers throughout the years.

Mayor and members of the City Council congratulated Chief Philippus and all police officers for their dedication and service to the City.

— — —

2001-18 Minutes of the Regular City Council Meetings of March 22, 2001, were approved.

— — —

2001-18 CONSENT AGENDA – CITIZENS COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 18 regarding the amount of the contract that the Convention & Visitors Bureau has with Strasburger & Price LLP, an advertising agency.

Ms. Sheryl Prusley, 224 Post Ave. #1, spoke in support of Item 15, however also expressed concern on the levels of lead in the water, and urged that more extensive research be made.

Mr. Faris Hodge, Jr., 140 Dora, spoke to Item 18 and urged that local companies conduct the advertisement for the City and that more involvement from the local citizens be encouraged.

Ms. Julie Iris Oldham, P.O. Box 40263, expressed concern on a law firm being hired to handle the advertising contract instead of having City attorneys handle the work in-house.

— — —

2001-18 CONSENT AGENDA

Mr. Garcia a motion to approve Agenda Items 8 through 21C, constituting the Consent Agenda. Mr. Prado 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, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: Conner.

AN ORDINANCE 93859

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$45,880.00 PAYABLE TO E-Z BEL CONSTRUCTION CO., INC. IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT NO. 80, PHASE III AND V, LOCATED IN COUNCIL DISTRICT 3. (AMENDS ORDINANCE NO. 91371, MARCH 2, 2000.)

* * * *

AN ORDINANCE 93860

RATIFYING CITY STAFF'S ACTIONS IN PROVIDING FOR THE EMERGENCY RENTAL OF AIR CONDITIONING EQUIPMENT FOR THE CITY'S FARMER'S MARKET IN CITY COUNCIL DISTRICT 1; AND AUTHORIZING PAYMENT OF \$27,480.00 IN AIR CONDITIONING EQUIPMENT RENTAL PAYMENTS TO THE TRANE COMPANY.

* * * *

AN ORDINANCE 93861

ACCEPTING THE LOW QUALIFIED BASE BID, WITH ADDITIVE ALTERNATIVES 1 AND 5, OF LVA CONSTRUCTION CO. (SMWBE) IN THE TOTAL AMOUNT OF \$83,500.00 FOR CAPITAL IMPROVEMENTS TO THE CITY'S MONTICELLO PARK AND JEFFERSON POCKET PARKS IN CITY COUNCIL DISTRICT 7; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO PROJECT BUDGET; AUTHORIZING \$7,564.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 93862

ACCEPTING THE LOW QUALIFIED BASE BID, WITH ADDITIVE ALTERNATE 4, OF LVA CONSTRUCTION CO. (AN SMWBE) IN THE TOTAL AMOUNT OF \$225,000.00 FOR CAPITAL IMPROVEMENTS TO THE CITY'S NORMOYLE PARK IN CITY COUNCIL DISTRICT 5; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET; TRANSFERRING \$281,990.00 IN 1994 PARK GENERAL OBLIGATION (GO) BOND ISSUE FUNDS INTO THE PROJECT'S BUDGET; AUTHORIZING \$56,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$300.00 FOR REGIONAL STORMWATER FEES; AUTHORIZING \$690.00 FOR TDLR REVIEW FEES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 93863

ACCEPTING TWO PERMANENT EASEMENT DEDICATIONS FROM PATRICK F. FLORES, ARCHBISHOP OF SAN ANTONIO IN CONNECTION WITH THE HOLY TRINITY CATHOLIC CHURCH SIDEWALK EASEMENT PROJECT, A PERMANENT EASEMENT DEDICATION FROM THE NORTHEAST INDEPENDENT SCHOOL DISTRICT AND A PERMANENT EASEMENT DEDICATION FROM TBC REALTY CORPORATION, A TEXAS CORPORATION, IN CONNECTION WITH THE THOUSAND OAKS TRAFFIC SIGNALIZATION PROJECT AND A PERMANENT EASEMENT DEDICATION FROM SANTIAGO C. ROSAS AND WIFE, GLORIA R. ROSAS, IN CONNECTION WITH THE QUINTANA FIELD ALTERATION PROJECT.

* * * *

AN ORDINANCE 93864

AUTHORIZING PAYMENT IN THE AMOUNT OF \$300.00 TO MAHENDRA GOVIND AND WIFE, BHARTIBEN GOVIND FOR THREE RIGHT OF ENTRY AGREEMENTS IN CONNECTION WITH THE SOUTHCROSS -NEW BRAUNFELS TO S. PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT; AND THE AMOUNT OF \$300.00 FOR RIGHT OF ENTRY AGREEMENTS TO DANNY AND ANNETTE CERVANTES (\$100.00), ELVIRA VILLALPANDO BY HER AGENT AND ATTORNEY-IN-FACT, VENESSA H. BROTHERTON (\$100.00) AND ALEJANDRO AND OLGA D. GONZALEZ (\$100.00), IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III AND V; FOR A TOTAL SUM OF \$600.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 93865

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 10-YEAR LICENSE AGREEMENT WITH OAKMONT DOWNS HOMEOWNER ASSOCIATION, INC. TO USE PUBLIC RIGHT OF WAY LOCATED AT THE INTERSECTION OF DE ZAVALA ROAD AND STABLE TRAIL DRIVE, FOR THE AMOUNT OF \$2,500.00.

* * * *

AN ORDINANCE 93866

AUTHORIZING THE ACCEPTANCE OF CASH AND IN-KIND SUPPORT TOTALING \$45,642.00 FROM THE TEXAS DEPARTMENT OF HEALTH FOR PROGRAMS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE USE OF SAID SUPPORT FOR THE FOLLOWING PROJECTS: PUBLIC HEALTH STATE IN-KIND SUPPORT \$26,892.00 AND CHILDHOOD LEAD POISONING PREVENTION PROGRAM \$18,750.00; AUTHORIZING THE EXECUTION OF TWO CONTRACT CHANGE NOTICES WITH 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; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 91021, DECEMBER 16, 1999.)

* * * *

AN ORDINANCE 93867

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) FOR A \$1,565,328.00 GRANT TO AUGMENT THE SAN ANTONIO POLICE DEPARTMENT'S EFFORTS IN REDUCING AUTO THEFT.

* * * *

AN ORDINANCE 93868

AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FEDERAL ASSISTANCE PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$213,822.00 TO BE USED TOWARDS SALARIES AND ALL SUPPORT COSTS FOR THE OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER.

* * * *

AN ORDINANCE 93869

AUTHORIZING THE FIRST AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH STRASBURGER & PRICE L.L.P., WHICH WAS APPROVED BY ORDINANCE NO. 91974 ON JUNE 15, 2000, FOR THE PURPOSE OF

ASSISTING THE CITY IN THE DEVELOPMENT AND NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT WITH AN ADVERTISING AGENCY TO ASSIST THE CONVENTION AND VISITORS BUREAU IN ITS ADVERTISING, PUBLIC RELATIONS AND MARKETING PROGRAMS; RATIFYING SERVICES PERFORMED; AND AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$14,575.93 IN RELATION TO SAID AMENDMENT. (AMENDS ORDINANCE NO. 91974, JUNE 15, 2000.)

* * * *

AN ORDINANCE 93870

AUTHORIZING THE TEMPORARY CLOSURE OF BELKNAP BETWEEN COURTLAND AND ASHBY STREETS ON SUNDAY, MAY 20, 2001 FROM 8:00 A.M. UNTIL 2:00 P.M. IN ORDER FOR THE TEMPLE BETH-EL TO HOLD ITS GROUND BREAKING CEREMONY OF RENOVATION PROJECT.

* * * *

AN ORDINANCE 93871

APPROVING A PARADE PERMIT AND AUTHORIZING A TEMPORARY CLOSURE OF THE FOLLOWING STREETS FROM 7:30 A.M. UNTIL 11:00 A.M. ON SATURDAY, MAY 19, 2001, IN ORDER FOR THE HARLANDALE INDEPENDENT SCHOOL DISTRICT TO HOLD ITS 26TH ANNUAL CULTURAL ARTS PARADE: SAN JOSE FROM ROOSEVELT TO NAPIER; NAPIER FROM MISSION TO PADRE; PADRE FROM NAPIER TO MILITARY; ROOSEVELT FROM SAN JOSE TO 99TH STREETS AND 97TH, 98TH AND 99TH STREETS, BETWEEN ROOSEVELT AND THE BACK OF MEMORIAL STADIUM PROPERTY.

* * * *

AN ORDINANCE 93872

APPOINTING HERVEY DURON (DISTRICT 4) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2003:

* * * *

AN ORDINANCE 93873

APPOINTING ADRIANNA ELAINE MENDOZA (DISTRICT 9) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2003.

* * * *

AN ORDINANCE 93874

APPOINTING ARTHUR S. (PETE) SITTERLY (DISTRICT 2) TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2003.

— — —
2001-18 The Clerk read the following Ordinance:

AN ORDINANCE 93875

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR UP TO \$2,000,000.00 TO BE MATCHED WITH \$500,000.00 OF LOCAL MATCH FUNDS FROM THE PROPOSITION 3 SALES TAX FOR THE CONSTRUCTION OF A HIKE AND BIKE TRAIL AND RELATED INFRASTRUCTURE IMPROVEMENTS NECESSARY TO CONSTRUCT THE TRAIL LOCATED ADJACENT TO THE SALADO CREEK FLOODPLAIN BETWEEN FT. SAM HOUSTON AND WILLOW SPRINGS GOLF COURSE; AUTHORIZING THE NEGOTIATION OF AN INTERLOCAL AGREEMENT, IF NECESSARY, WITH BEXAR COUNTY; AND EXECUTING THE GRANT AGREEMENT WITH TXDOT, IF AWARDED.

* * * *

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

Mr. Tom Wendorf, Director of Public Works narrated a slide presentation on the TEA 21 Enhancement Program of the Salado Creek Hike/Bike Trail, a copy of which presentation is made a part of the papers of this meeting. He outlined the different phases of the project at Salado Creek.

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

— — —
2001-18 The Clerk read the following Ordinance:

AN ORDINANCE 93876

AFFIRMING THE CITY'S APPLICATION, AS THE NOMINATING ENTITY FOR FUNDING FROM THE TEXAS DEPARTMENT OF TRANSPORTATION'S STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM TO RESTORE AND RE-USE THE HAYS STREET BRIDGE AS THE HUB OF A HIKE AND BIKE LINK OVER THE RAILROAD TRACKS TO AN EASTSIDE HERITAGE TOUR ROUTE AND LINKING IT WITH THE SALADO CREEK HIKE AND BIKE TRAILS, AS WELL AS BIKE AND HIKE TRAILS THROUGHOUT THE DOWNTOWN AREA AND MISSION TRAILS.

* * * *

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the Hays Street Bridge Project Objectives, Item 22B, a copy of which presentation is made a part of the papers of this meeting. He outlined the history of the Hays St. Bridge, the proposed bicycle route, links to other bicycle projects and connection to the nearby museum and historic sites. He further explained the bridge rehabilitation, community involvement, the projected budget, and current match fund status.

The following citizen(s) appeared to speak:

Ms. Marlene Gordon, San Antonio Conservation Society, spoke in support of the renovation and preservation of the Hays St. Bridge. She noted that the bridge had been in decay for a number of years, and how this proposed rehabilitation would link the East side and downtown.

Mr. Doug Steadman, American Society of Civil Engineers, spoke in support of the restoration of the Hays St. Bridge and noted the pledge made by the engineering community, which totaled \$100,000 for the restoration of the bridge.

Ms. Nettie Patricia Hinton, 509 Burleson, spoke in support of the proposed project.

Mr. Faris Hodge, Jr., 140 Dora, spoke of the condition of the Hays St. Bridge, and the need for the link from the East side to downtown. He also noted that the Nolan Street area needed to be refurbished.

Ms. Kathleen Trenchard, MPO Bicycle Task Force, spoke in support of the bike trail, and also spoke of the history of the Hays St. Bridge and the timeline for the work on the project.

* * * *

Mayor Peak spoke of the two projects and thanked all individuals who committed so much work for both projects, specifically for the Hays St. Bridge. He noted how this would bring the East side and downtown closer together, and further commended the engineering community for their expertise in this effort.

Mr. Salas clarified that the Salado Creek was not related to CDBG funding and spoke in support of these two projects.

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

— — —

2001-18 PUBLIC HEARING AND ORDINANCE: CLOSING, VACATING AND ABANDONING AN IMPROVED PORTION OF BURLESON STREET BETWEEN NORTH GEVERS AND NORTH MITTIMAN STREETS FOR EXPANSION OF WHEATLEY MIDDLE SCHOOL.

Mayor Peak declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, explained the proposed closure of portion of Burleson Street. She outlined the process and purpose of the proposed closure and presented views of the subject area.

The Clerk read the following Ordinance:

AN ORDINANCE 93877

CLOSING, VACATING AND ABANDONING AN IMPROVED PORTION OF BURLESON STREET PUBLIC RIGHT-OF-WAY LOCATED BETWEEN NORTH GEVERS AND NORTH MITTMAN STREETS FOR THE EXPANSION OF SCHOOL FACILITIES FOR WHEATLEY MIDDLE SCHOOL AS PROVIDED BY THE BOND CONSTRUCTION PROGRAM, AS REQUESTED BY THE PETITIONER, SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR THE CONSIDERATION OF \$18,687.00.

* * * *

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

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

— — —

2001-18 PUBLIC HEARING AND ORDINANCE: CLOSING, VACATING AND ABANDONING AN PORTION OF CHULIE DRIVE ADJACENT TO U.S. HIGHWAY 281 NORTH.

Ms. Rebecca Waldman, Director of Asset Management, narrated a slide presentation on the proposed closure of portion of Chulie Dr., a copy of which is made a part of the papers of this meeting. She explained the purpose of the closure and presented views of the street.

The following citizen(s) appeared to speak:

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

* * * *

AN ORDINANCE 93878

CLOSING, VACATING AND ABANDONING AN IMPROVED PORTION OF CHULIE DRIVE RIGHT OF WAY DIRECTLY EAST AND ADJACENT TO U.S. HIGHWAY 281 NORTH, AS REQUESTED BY PETITIONER, JACK GUENTHER, FOR THE CONSIDERATION OF \$21,417.00.

* * * *

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, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

— — —

2001-18 PUBLIC HEARING AND ORDINANCE: CLOSING, VACATING AND A 20-FOOT WIDE ALLEY LOCATED BETWEEN SPRIGGS DALE AND GAY BOULEVARDS BEHIND NEW LIGHT VILLAGE APARTMENTS.

Ms. Rebecca Waldman requested that Item 22C being a proposed ordinance closing, vacating and abandoning a 20-foot wide unimproved alley located between Spriggsdale and Gay Boulevards behind the New Light Village Apartments, as requested by Petitioner, San Antonio Alternative Housing Corporation No. 11, a Texas non-profit Corporation; and authorizing waiver of the payment of \$10,170.00 to the City, in exchange for Petitioner's agreement to construct improvements to the alley and rehabilitate for low and moderate housing the adjacent apartments for an estimated cost of \$4.453 Million; and directing that the value of the amount waived be applied toward the City's HUD-home contribution, in accordance with federal regulations, be postponed to May 24, 2001 in order to allow the petitioner to obtain the quitclaim.

Mr. Carpenter made a motion to postpone the proposed ordinance as requested by the petitioner. Mr. Perez seconded the motion.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke against the proposed ordinance.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to the renovation need in the East Side.

* * * *

After consideration, the motion to postpone the proposed ordinance to May 24, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

— — —
2001-18 The Clerk read the following Ordinance:

AN ORDINANCE 93879

AUTHORIZING THE EXPENDITURE FROM VARIOUS COUNCIL CONTINGENCY BUDGET ACCOUNTS TO THE CITY OF SAN ANTONIO'S PARKS AND RECREATION DEPARTMENT TO UNDERWRITE THE COST OF AIRFARE, AT AN APPROXIMATE RATE OF \$2,500, TO FLY A PARKS DEPARTMENT STAFF MEMBER TO JAPAN TO LEARN THE TECHNIQUES OF CONSTRUCTION AND MAINTENANCE OF OUR JAPANESE GARDEN AT THE SAN ANTONIO BOTANICAL CENTER; AS REQUESTED BY MAYOR HOWARD W. PEAK. [Mayor - \$500.00; District 2 - \$500.00; District 6 - \$500.00; District 8 - \$500.00; District 10 - \$500.00]

* * * *

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

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the proposed funding.

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, Carpenter, Peak. **NAYS:** None. **ABSENT:** Conner, Bannwolf.

OF NOT MORE THAN \$2,000.00 FOR VIOLATION OF ITS PROVISIONS AND PROVIDING FOR PUBLICATION.

* * * *

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the proposed Unified Development Code (UDC), a copy of which presentation is made a part of the papers of this meeting. He outlined the primary provisions of the UDC, new tasks, implementation, staffing levels required in the respective areas, the training, the UDC Technical Advisory Committee and the recommended members and role of the committee.

The following citizen(s) appeared to speak:

Mr. Rob Finney, representing the Greater San Antonio Chamber of Commerce, spoke in support of the staff and the neighborhood's recommendation, and urged the City Council not to approve the impact fee on to the developers.

Mr. Faris Hodge, Jr., 140 Dora, stated he was not in support on half of the UDC recommendations, specifically noting the historic designation requirements imposed upon the citizens.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke to the zoning requirements.

Ms. Loyce Ince, President of San Antonio Conservation Society, urged City Council to support the proposed recommendations. She commented on the dedication of the many stakeholders who have dedicated many hours to this effort. She also urged the City Council not to approve any amendments, which had not been recommended by the full Oversight Committee.

Ms. Kathleen Trenchard, MPO Bicycle Task Force, spoke in support of the UDC revisions, however she expressed concern on the implementation of the plan and enforcement of the Code.

Mr. Frank Burney, Representing the San Antonio Conservation Society, urged City Council to approve the recommendations as made.

Mr. Bob Wandrisco, Chair of the Planning Commission, spoke in support of the UDC as presented and urged the City Council to carefully choose the UDC Technical Advisory Committee.

Mr. Ernani Falcone, Chair/Northwest Neighborhood Alliance, commended the City Council and members of the Committee for the work expended on this project, and noted that the document being approved would require more work and revisions in the future.

* * * *

Mayor Peak thanked all community members, Council colleagues, stakeholders, Oversight Committee and City staff involved in this effort, specifically noting the quality of the document produced by Mr. Mark White. He added that the Unified Development Code had its roots in the Master Plan initiated by the City's Planning Commission. He stated that while the process was tedious, it was critical, especially acknowledging the amount of consensus achieved through the process. He stated that the document was including safeguards for the City and its citizens, it provided a means to preserve the quality of life in San Antonio. He further noted that continued participation of the community was important, adding that the implementation schedule will include phasing of the project. He further acknowledged that affordability was an important issue which still needed to be addressed, and urged the Housing Task Force to continue with this effort.

Mr. Garza spoke of the significant policy change with its long-term impact. He commended Mayor Peak and Council colleagues for the work and leadership on this effort in order to assure consensus of the document. He stated this would help assure a better future for San Antonio, its neighborhoods, and business community while affording flexibility to support future planning initiatives.

Mayor Peak and members of the Council further recognized and congratulated all participants of this effort.

After consideration, the motion with Amendment A as presented on Attachment II, 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.

— — —
2001-18 The Clerk read the following Ordinance:

AN ORDINANCE 93882

ESTABLISHING A UNIFIED DEVELOPMENT CODE TECHNICAL ADVISORY COMMITTEE TO ASSIST IN THE MONITORING, REVIEW, AND AMENDMENT OF THE REVISED UNIFIED DEVELOPMENT CODE.

* * * *

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

Mr. Carpenter made a motion to amend by sending Amendments C and D to Technical Advisory Committee for further discussion, and to bring back a recommendation to City Council within 60 days; and changed membership on the Committee substituting Mr. Richard Ellis in place of Ernani Falcone, and including Jody Sherrill and Doug Lipscomb. Mr. Bannwolf seconded the motion.

The amendment to the motion as presented by Councilman Carpenter was approved by the following roll call vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

The main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following roll call vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

— — —

2001-18 PUBLIC HEARING AND ORDINANCE: ADOPTION OF MAXIMUM FEE CALCULATION OF WATER, WATER SUPPLY, AND SANITARY SEWER SYSTEMS, AND RELATED 2000-2009 CAPITAL IMPROVEMENTS PLAN (CIP).

Mr. Tom Wendorf introduced Mr. Eugene Habiger, President/CEO San Antonio Water System who then introduced Mr. William Hoagland-Fuchs, Chair of the Capital Improvements Advisory Committee.

Mr. William Hoagland-Fuchs, presented an overview of the Committee, its role and purpose. He spoke to the Land Use Assumptions Plan, water, sewer, and water supply noting the uniqueness of the geography and geology of San Antonio. He acknowledged the work of the Committee.

Ms. Kelly Neuman, San Antonio Water System, Infrastructure Planning, narrated a slide presentation on the impact fees, water impact fees, the pressure zones and comparisons of proposed and existing water impact fees, a copy of which presentation is made a part of the papers of this meeting. She further outlined issues on the water supply impact fee, the wastewater impact fee, the local benefit impact fee and the affordability/economic development program.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, expressed concern on the fees being imposed.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke on the issue of water run-off and customer service.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, stated that there was a continued need for stormwater management.

* * * *

Mayor Peak commended members of the committee and City staff for their work and continuing efforts to accommodate planned growth.

Mr. Prado cited some areas where homes did not have water services, and requested impact fees be waived for these area homes.

Mr. Gorzell stated that any impact area declared a health hazard would have the fees waived, and for any activity that met CRAG guidelines, the Housing Task Force would approve impact fees.

Mr. Prado requested that staff look into those areas he had cited to assure that water services would be provided.

Mr. Garcia expressed concern with areas in District 5 that did not have water and sewer service.

Mr. George Pedraza, Assistant to City Manager, spoke of the application process and assured Council that staff would follow up with reviews for qualifying those affected citizens.

Mr. Perez commended members of the committee and staff for their work.

Mr. Salas also spoke to particular areas that were eligible for the waiving of fees.

Mr. Pedraza further amplified the application process and stated that staff would have a mechanism in place to identify and then notify those affected individuals.

Mr. Gorzell reiterated on the area that would be approved by the Housing Task Force to have the fees waived, and also stated that those areas where there was a significant public health risk would have the fees waived.

Mr. Prado stated that the areas he had cited, may not fall into the CRAG criteria.

Ms. Neuman, stated that those areas were not serviced by SAWS but rather the San Antonio River Authority.

Mayor Peak asked that all efforts be made to rectify these issues in order to identify those areas and see how goals can be achieved.

The Clerk read the following Ordinance:

AN ORDINANCE 93883

ADOPTING THE 1999-2009 CAPITAL IMPROVEMENTS PLAN AND MAXIMUM IMPACT FEE CALCULATIONS FOR WATER, WATER SUPPLY AND SANITARY SEWER SYSTEMS. (AMENDS ORDINANCES NO. 71726 & 71728, JUNE 14, 1990; ORDINANCE NO. 75686, APRIL 30, 1992; ORDINANCES NO. 78946 & 78947, OCTOBER 21, 1993; ORDINANCE NO. 85572, FEBRUARY 6, 1997; ORDINANCE NO. 93692, MARCH 29, 2001.)

* * * *

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

2001-18

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke on various issues affecting the community.

* * * *

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to numerous issues, specifically citing street repairs in District 1, waiving of fees, the City Council pay rate and term limits.

— — —
2001-18 There being no further business to come before the City Council, the meeting was adjourned at 5:22 P.M.

A P P R O V E D


HOWARD W. PEAK
M A Y O R

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