

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JANUARY 24, 2002.

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2002-03 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

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2002-03 Invocation by Reverend Enda McKenna, St. Leo's Catholic Church.

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2002-03 **PRESENTATION FOR PROJECT REDIRECTORY**

Mayor Pro Tem Enrique Martin introduced representatives from SBC who were in attendance to speak on the Project ReDirectory annual event. Mr. Bill Dykeman, President of Keep San Antonio Beautiful, Inc. outlined details of the program, noting that a total of 38 schools had participated in the collection drive. The schools collected 212,215 directories and the ten top schools were awarded \$6,000 in prize money with one school being the top winner, St. John Berchman's Elementary School. Mr. Dykeman then introduced the corporate members who supported this effort.

Members of the City Council congratulated members of St. John Berchman Elementary, and all participants of the program, highlighting the corporate sponsors in this project.

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2002-03 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to various items on the agenda, noting that several Council members had received campaign contributions.

Mr. Steven Riddle, Northwest Neighborhood Association, spoke in support of renaming the Park in honor of Officer Perez.

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2002-03 CONSENT AGENDA

Ms. Conner made a motion to approve Agenda Items 5 through 19C constituting the Consent Agenda, except for Item 7 which was pulled from consideration, and Item 15 which was pulled for individual consideration. Mr. Barrera seconded the motion.

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

AN ORDINANCE 95193

ACCEPTING THE LOW BIDS SUBMITTED BY RIVER CITY MARKETING D/B/A MISSION GOLF CARS, BID NO. 1, ITEMS 2-7B, 9; AND ALAMO MACHINERY COMPANY INDUSTRIES, ITEM 8, TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME, PARKS AND RECREATION DEPARTMENT AND THE POLICE DEPARTMENT WITH TEN (10) UTILITY VEHICLES FOR A TOTAL SUM OF \$99,871.45.

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AN ORDINANCE 95194

ACCEPTING THE LOW BIDS SUBMITTED BY COMMONWEALTH TRADING COMPANY D/B/A COMMONWEALTH COMPUTER COMPANY, AN MBE/AABE COMPANY, ITEMS 1, 7, 8A, 8C, 10, 12, 15, 16, 18 AND 22; SOFTWARE HOUSE INTERNATIONAL - GOVERNMENT SOLUTIONS, A WBE/MBE COMPANY, ITEMS 2B, 2D, 5A, 6A, 9A, 11A AND 11C; IPI GRAMMTECH, A WBE COMPANY, ITEMS 17A AND 17C; AND MICROTECHNOLOGIES, INC. D/B/A COMPUTER EXPRESS, AN MBE COMPANY, ITEM 19, TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH PERSONAL COMPUTER SOFTWARE FOR AN ESTIMATED COST OF \$428,132.36.

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AN ORDINANCE 95195

AMENDING THE PROFESSIONAL SERVICES CONTRACT APPROVED BY ORDINANCE NO. 88831 ON NOVEMBER 19, 1998 WITH PAPE DAWSON ENGINEERS, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES IN SUPPORT OF LEASEHOLD PARKING AND RAMP IMPROVEMENTS AND APRON TAXILANE EXTENSION FOR THE EAST AIR CARGO FACILITY AT SAN ANTONIO INTERNATIONAL AIRPORT BY AUTHORIZING ADDITIONAL SERVICES AND FEES NOT TO EXCEED \$123,310.57; AUTHORIZING \$11,584.05 FOR ENGINEERING CONTINGENCIES; AUTHORIZING \$8,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDING ORDINANCE NO. 88831, NOVEMBER 19, 1998.)

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AN ORDINANCE 95196

ACCEPTING THE LOW BID FROM INNOVATIVE CONCRETE CONSTRUCTION, INC. IN THE AMOUNT OF \$67,858.81, FROM GENERAL OBLIGATION BONDS, IN CONNECTION WITH THE PEDESTRIAN BRIDGE @ HIDDEN COVE ELEMENTARY PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$6,785.88 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$2,000.00 PAYABLE TO CADY AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92228, AUGUST 3, 2000.)

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AN ORDINANCE 95197

ENABLING HARTNETT ENGINEERED SOLUTIONS, INC., TO PROVIDE ENVIRONMENTAL REMEDIATION OF CERTAIN AREAS WITHIN THE CULEBRA #58F DRAINAGE PROJECT, LOCATED IN COUNCIL DISTRICTS 6 AND 7, TO BE FUNDED BY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND 1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BONDS, IN AN AMOUNT NOT TO EXCEED \$800,000.00 UNDER AN EXISTING CONTRACT APPROVED BY ORDINANCE NO. 93347 DATED FEBRUARY 1, 2001; REVISING THE PROJECT BUDGET; APPROPRIATING

FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93347, FEBRUARY 1, 2001.)

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AN ORDINANCE 95198

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,828.60 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO DEZAVALA PROJECT (\$1,990.85), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$496.16), FIRE STATION NO. 25 PROJECT (\$179.37), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$90.00), AND THE PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$2,072.22), FOR THE TOTAL SUM OF \$4,828.60; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95199

AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,663.32 TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES PROJECT (\$1,330.75), BASSE ROAD AND SAN PEDRO INTERSECTION MPO PROJECT (\$257.45), BITTERS ROAD - WEST AVENUE TO HEIMER MPO PROJECT (\$15,360.70), ESCALON STREET #1008 DRAINAGE PROJECT (\$45.98), FIRE STATION NO. 7 PROJECT (\$198.00), FIRE STATION NO. 25 PROJECT (\$1,389.66), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$685.50), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN MPO PROJECT (\$361.98), PEARSALL ROAD LANDFILL REDEVELOPMENT PROJECT (\$39.00), PECAN VALLEY - I.H. 10 TO J STREET MPO PROJECT (\$3,904.51), AND THE PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD MPO PROJECT (\$2,089.79), FOR THE TOTAL SUM OF \$25,663.32; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95200

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD TOTALING \$493,025.00 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 AND SURVEILLANCE PROJECT \$369,770.00 AND AIDS SURVEILLANCE PROJECT \$123,255.00; AUTHORIZING EXECUTION OF THE CONTRACT CHANGE WITH TEXAS DEPARTMENT OF HEALTH; ESTABLISHING A FUND; ADOPTING A BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2002/2003; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 94306, AUGUST 9, 2001.)

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AN ORDINANCE 95201

AUTHORIZING THE ACCEPTANCE OF UP TO \$89,620.00 IN CASH FROM SMITHKLINE BEECHAM PHARMACEUTICALS, D/B/A GLAXOSMITHKLINE, FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE DURING THE PERIOD FEBRUARY 4, 2002 THROUGH MAY 15, 2003 IN A CLINICAL RESEARCH STUDY TO EVALUATE THE SAFETY AND EFFECTIVENESS OF GLAXOSMITHKLINE'S COMBINATION VACCINE FOR PROTECTION AGAINST CHILDHOOD DISEASES AS COMPARED TO THE SEPARATE ADMINISTRATION OF OTHER COMBINATION CHILDHOOD VACCINES; AUTHORIZING THE EXECUTION OF AN INVESTIGATOR AGREEMENT WITH GLAXOSMITHKLINE; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 95202

NAMING THREE UNDEVELOPED TRACTS OF PARKLAND AT CULEBRA ROAD, INDIVIDUALLY REFERRED TO AS ACME GRAVEL TRACT (27.08

ACRES), UPON THE ROCK TRACT (12.35 ACRES), AND HUNTER TRACT (14.31 ACRES), AS THE CATHEDRAL ROCK NATURE PARK.

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AN ORDINANCE 95203

AUTHORIZING THE PAYMENT OF \$27,166.00 TO THE AIRPORTS COUNCIL INTERNATIONAL-NORTH AMERICA FOR 2002 MEMBERSHIP DUES.

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AN ORDINANCE 95204

AUTHORIZING THE CITY MANAGER OR HER DESIGNATED REPRESENTATIVE TO SUBMIT A \$456,000.00 GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF SEVENTY-SIX (76) DIGITAL VIDEO-RECORDING DEVICES THAT WILL BE USED TO BRING THE POLICE DEPARTMENT INTO COMPLIANCE WITH THE TEXAS LEGISLATURE'S REQUIREMENT FOR ALL LAW ENFORCEMENT AGENCIES TO IMPLEMENT RACIAL-PROFILING POLICIES.

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AN ORDINANCE 95205

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CITY'S MERCHANT BANKING SERVICES CONTRACT TO INCLUDE NETWORK CONNECTIVITY COSTS REQUIRED TO PROCESS CREDIT CARD PAYMENTS UTILIZING THE AVIATION DEPARTMENT'S NEW PARKING REVENUE CONTROL SYSTEM AND INTERNET GATEWAY COSTS REQUIRED BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT TO PROCESS CREDIT CARD PAYMENTS OVER THE INTERNET. (AMENDS ORDINANCE NO. 92328, AUGUST 17, 2000.)

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AN ORDINANCE 95206

APPOINTING EDUARDO A. FLORES (MAYOR) TO THE CLEAN UP CITY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 2004.

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AN ORDINANCE 95207

APPOINTING KRISTINE KARAM (DISTRICT 8) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2002.

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AN ORDINANCE 95208

REAPPOINTING YOLANDA ARELLANO (DISTRICT 7) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2004.

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2002-03 Item 7, being a proposed ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services on an annual contract basis for the 2001-2002 Fiscal Year for a total of approximately \$138,350.00, was pulled from the agenda.

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2002-03 The Clerk read the following Ordinance:

AN ORDINANCE 95209

NAMING ONE UNDEVELOPED 17.02 ACRE TRACT OF PARKLAND AT TIMBER PATH AND MEADOW TRACE AS THE OSCAR PEREZ MEMORIAL PARK.

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

Mr. Malcolm Matthews, Director of Parks and Recreation, outlined details of the process in order to name the parkland at Timber Path and Meadow Trade, a copy of which is on file with the papers of this meeting.

Mr. Barrera spoke in support of the naming of the Park, especially the tribute to honor slain Police Officer Oscar Perez.

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

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2002-03 **INDIVIDUAL ITEMS-CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to several items, specifically noting Item 20, the contract amount, and the Council members who had received campaign contributions.

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2002-03 **ITEMS FOR INDIVIDUAL CONSIDERATION:**

The Clerk read the following Ordinance:

AN ORDINANCE 95210

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE LAW FIRM OF LOEFFLER, JONAS & TUGGEY, L.L.P. FOR THE PROVISION OF FEDERAL LEGISLATIVE SERVICES, FOR A ONE (1) YEAR PERIOD COMMENCING FEBRUARY 1, 2002, WITH TWO (1) YEAR OPTION PERIODS, AND A FEE OF \$15,000.00 PER MONTH INCLUSIVE OF EXPENSES, SUBJECT TO ANNUAL APPROPRIATIONS BY CITY COUNCIL BEYOND THE CURRENT FISCAL YEAR; AND PROVIDING FOR PAYMENT.

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

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation on the Federal Government affairs representation, a copy of which presentation is on file with the papers of this meeting. He delineated the background, the request for proposal process, highlights of the recommended firm, scope of services, and contract terms.

Members of the City Council spoke in support of the proposed firm, noting that it was based in San Antonio and that it represented the City of San Antonio very well.

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

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2002-03 The Clerk read the following Ordinance:

AN ORDINANCE 95211

APPROVING THE CITY OF SAN ANTONIO'S FEDERAL INITIATIVES PROGRAM FOR THE 2ND SESSION OF THE 107TH CONGRESS.

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

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation on the City's Federal Legislative program, a copy of which presentation is on file with the papers of this meeting. He outlined the process in formulating the proposed initiatives, criteria to place an item as an initiative, and expounded on each of the proposed initiatives.

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

AN ORDINANCE 95213

AUTHORIZING THE EXPENDITURE OF \$300.00, FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND AND \$300.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, FOR A TOTAL SUM OF \$600.00, PAYABLE TO THE NORTH EAST EDUCATION FOUNDATION, INC., TO BE USED FOR EXPENSES FOR THEIR ANNUAL FUNDRAISER GALA, TO BE HELD ON MARCH 1, 2002, AT THE HYATT REGENCY SAN ANTONIO-RIVERWALK; AS REQUESTED BY COUNCILMEN CARROLL W. SCHUBERT, DISTRICT 9, AND DAVID CARPENTER, DISTRICT 10.

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Mr. Carpenter 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, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garza.

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2002-03

ZONING HEARINGS

3A.) CASE NUMBER #Z2001168 - The request of Arturo Melendez, Applicant, for Arturo Melendez, Owner(s), for a change in zoning from "B-3NA" Business, Non-alcoholic Sales and "B-2NA" Business, Non-alcoholic Sales to "C-1" Commercial District on Lots 96, 97, 98, 99, Block 9, NCB 11102, 151 Moursund Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Ms. Moorhouse made a motion to approve the proposed rezoning. 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, Sanders, Moorhouse, Martin, Garcia, Barrera, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Castro, Garza.

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AN ORDINANCE 95214

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 96, 97, 98, 99, BLOCK 9, NCB 11102, 151 MOURSUND ROAD, FROM "B-3NA" BUSINESS, NON-ALCOHOLIC SALES AND "B-2NA" BUSINESS, NON-ALCOHOLIC SALES TO "C-1" COMMERCIAL DISTRICT.

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3B.) CASE NUMBER #Z2001222 - The request of German Ballesteros, Applicant, for German Ballesteros, Owner(s), for a change in zoning from "B-2" Business District and "B-2 NA" Non-Alcoholic Sales Business District to "R-5" Residential Single-Family District on Lots 17 thru 22, Block 1, NCB 11998, 103 Tellez St. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 6)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Barrera made a motion to approve the proposed rezoning. 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, Sanders, Moorhouse, Martin, Garcia, Barrera, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Castro, Garza.

AN ORDINANCE 95215

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 17 THRU 22, BLOCK 1, NCB 11998, 103 TELLEZ ST., FROM "B-2" BUSINESS DISTRICT AND "B-2 NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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3C.) CASE NUMBER #Z2001181 - The request of Benjamin & Nancy Pena, Applicant, for Benjamin & Nancy Pena, Owner(s), for a change in zoning from: "R-1" Single Family Residence District to "C-2NA" Commercial, Non Alcoholic Sales District on Lot 14, Block 1, NCB 14947, 118 Weidner. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 10)

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

Mr. Carpenter made a motion to continue this rezoning case until the City Council meeting of February 14, 2002, and to reconsider "R-6" C single family residence district with a specific use for a restaurant with a condition of no alcoholic beverage sales. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until February 14, 2002, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Garza.

Zoning Case Z2001181 was continued to the Council meeting of February 14, 2002.

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2002-03

CITIZENS TO BE HEARD

MS. NANCY ENGLEBERT

Ms. Nancy Englebert, 10486 Pine Glade, spoke on the Cellular on Patrol in the Heritage Neighborhood Association, and the need to add more police officers.

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MS. THERESA BERLANGA

Ms. Theresa Berlanga, P.O. Box 12816, addressed the closing of catholic schools, and Levi-Strauss, a long time community company, noting the number of factories closed in the nation. She asked what the City was doing to assist Levi-Strauss.

Mr. Schubert, noted that the family she was referring to was headquartered in San Francisco, and was not related to the local family company.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, presented a photo print of a bible excerpt, and cited various scripture readings.

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2001-44 There being no further business to come before the City Council, the meeting was adjourned at 5:08 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk