

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, NOVEMBER 9, 2000.

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2000-42 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) **Presentation of the Non-Binding Agreement between the United States Air Force and City of San Antonio for a proposed City Base Project at Brooks Air Force Base, Texas.** Presented by Ramiro Cavazos, Director of Economic Development.

- B) **Presentation of the request for Proposal Process for an Independent Review of Better Jobs Programs provided by the City of San Antonio, Alamo Workforce Development and selected outside agencies.** Presented by Terry Brechtel, Exec. Director, Administrative & Financial Services.

The Council members present were: Perez, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: Salas and Garcia.

The "B" Session adjourned at 11:50 A.M.

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2000-42 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. **ABSENT:** None.

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2000-42 Invocation – Reverend Ilene Dunn, Madison Square Presbyterian Church.

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2000-42 Pledge of Allegiance to the flag of the United States.

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2000-42 **PROCLAMATION FOR 1st ANNUAL VETERANS' PARADE**

Mayor Peak introduced the delegation in the audience to receive the Proclamation for the 1st Annual Veterans Day Parade. He then read the Proclamation and presented it to Ms. Delia Guajardo, the Parade's Chairperson.

Ms. Delia Guajardo accepted the Proclamation. She introduced members of the Steering Committee and detailed the activities associated with the Parade. After the introductions, the veterans in the audience stood at attention and saluted the Alamo Silver Wings Honor Guard as Ms. Anna Elise Rodriguez, runner-up in the Mayor's "Our Part of Town" contest sang America The Beautiful.

Mayor and members of the City Council commended Ms. Guajardo and members of the committee for their organizing efforts of the parade, and further acknowledged the veterans for their sacrifices to our country.

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2000-42 **PRESENTATION OF ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD**

Mayor Peak introduced Ms. Janie Cantu, Director of Purchasing Department, who detailed the purpose of the Achievement in Excellence in Procurement Award, which was presented to the Purchasing Department by the National Purchasing Institute. She specifically noted that this represented the third year of the City's Purchasing Department receiving the award. She further commended the staff's teamwork and dedication, which attributed to the recognition.

Mayor Peak commended the staff for their efficiency and dedication.

City Manager, Alexander E. Briseño especially noted that the City of San Antonio's Purchasing Department was one of forty-eight organizations that achieved this national award, and San Antonio was one of only seventeen to have received the award at least three times. He further commended Ms. Cantu for her leadership and the staff for their continued commitment.

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 92843

ACCEPTING THE \$40,357.00 CONTRACT PROPOSAL FROM THE TURNER ROOFING COMPANY FOR THE EMERGENCY REPAIR OF THE ROOF AT THE CITY'S GILBERT GARZA GYM IN CITY COUNCIL DISTRICT 6; REVISING THE 1994 PARK GO BOND ISSUE GILBERT GARZA COMMUNITY IMPROVEMENTS PROJECT'S BUDGET; AUTHORIZING THE TRANSFER OF \$40,357.00 IN 1994 PARK GENERAL OBLIGATION BOND ISSUES FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92844

ACCEPTING THE LOW QUALIFIED BID OF PAR CONSTRUCTION INC. IN THE AMOUNT OF \$655,000.00 TO REMODEL SELECTED CONCESSION AREAS IN CONJUNCTION WITH THE TERMINAL IMPROVEMENT PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$65,500.00 FOR CONSTRUCTION CONTINGENCIES; APPROPRIATING FUNDS AND; PROVIDING FOR PAYMENT.

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AN ORDINANCE 92845

AUTHORIZING PAYMENT IN THE AMOUNT OF \$307,557.31 FROM 1999 G.O. BOND FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZES \$30,755.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES FOR A METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT ON CALLAGHAN ROAD - HEMPHILL TO CULEBRA LOCATED IN COUNCIL DISTRICT 6.

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AN ORDINANCE 92846

AUTHORIZING PAYMENT IN THE AMOUNT OF \$489,306.65 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE

METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT ON SOUTH CROSS BLVD. - W.W. WHITE TO I.H. 410 LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$48,931.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92847

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CIVIL DESIGN SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$24,284.27 IN CONNECTION WITH THE NAVAJO AREA STREETS PROJECT, LOCATED IN COUNCIL DISTRICT 4 FOR ADDITIONAL ENGINEERING SERVICES; AUTHORIZING \$2,428.00 IN MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 81786, MARCH 9, 1995.)

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AN ORDINANCE 92848

AUTHORIZING ADDITIONAL PAYMENT IN THE AMOUNT OF \$249,418.43 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECT ON SOUTH FLORES - DURANGO TO FRANCISCAN, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; AUTHORIZING \$24,941.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92849

AUTHORIZING THE CITY OF SAN ANTONIO TO PROVIDE SUPPLEMENTAL FUNDING IN THE AMOUNT OF \$25,000.00, WHICH MUNICIPAL INCREASE WILL BE MATCHED BY THE FEDERAL NATURAL RESOURCE CONSERVATION SERVICE IN THE SUM OF \$75,000.00, YIELDING A TOTAL FEDERAL CONTRIBUTION OF \$578,845.00 TO THE GRANT TO MITIGATE HAZARDS AND DAMAGES CAUSED BY THE TEXAS FLOODS IN OCTOBER 1998 IN THE LEON AND SALADO CREEK WATERSHEDS.

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AN ORDINANCE 92850

AUTHORIZING THE EXECUTION OF AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) IN CONNECTION WITH THE INSTALLATION OF TRAFFIC SIGNAL EQUIPMENT AT FM 2536 (PEARSALL ROAD) FROM LOOP 13 (SW MILITARY DR.) TO IH 410 AT THE FOLLOWING INTERSECTIONS: LOOP 13 (S.W MILITARY DR.), RAY ELLISON BLVD., FIVE PALMS, AND OLD SKY HARBOR AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$34,460.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92851

APPROVING THE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH BIGA INTERNATIONAL, L.P., A TEXAS LIMITED PARTNERSHIP, ("TENANT"), TO INCREASE THE PERCENTAGE RECEIVED FROM THE FIRST \$1,000,000 IN ANNUAL GROSS SALES OF THE BANQUET SPACE FROM 8.25% TO 9% FROM THE EFFECTIVE DATE OF NOVEMBER 1, 2000, IN CONSIDERATION OF THE CITY ALLOWING SUSPENSION OF LUNCH BUSINESS BY TENANT, AS REQUIRED UNDER THE ORIGINAL LEASE, WHICH INCREASED RATE WILL APPLY ONLY DURING PERIODS WHEN LUNCH BUSINESS IS NOT CONDUCTED IN THE SAME MANNER AS REQUIRED UNDER SECTION 2.2 OF THE ORIGINAL LEASE. (AMENDS ORDINANCE 89913, JUNE 13, 1999; ORDINANCE 90924, DECEMBER 9, 1999; ORDINANCE 92062, JUNE 29, 2000.)

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AN ORDINANCE 92852

CONSENTING TO THE SELL BY THE BEXAR COUNTY COMMISSIONERS' COURT, AS TRUSTEE, OF A TAX FORECLOSED PROPERTY LEGALLY DESCRIBED AS PARCEL 8, COUNTY BLOCK 5197, LOCATED NEAR THE INTERSECTION OF U.S. HIGHWAY 90 AND PUE ROAD IN BEXAR COUNTY, TEXAS FOR ITS APPRAISED VALUE PURSUANT TO SECTION 34.05 OF THE TEXAS TAX CODE.

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AN ORDINANCE 92853

AUTHORIZING PAYMENT OF THE AMOUNT OF \$6,285.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR FRANK MARIN, JR. AND WIFE, ANGELITA MARIN, FOR A PERMANENT EASEMENT IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III AND V; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92854

AUTHORIZING PAYMENT OF THE AMOUNT OF \$6,500.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR NORTH CENTRAL BAPTIST CHAPEL FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT; THE AMOUNT OF \$15,350.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR CHARLES A. HEUBAUM FOR FEE SIMPLE TITLE TO TWO PARCELS AND PAYMENT OF THE AMOUNT OF \$200.00 TO CHARLES A. HEUBAUM FOR TWO RIGHT OF ENTRY AGREEMENTS, IN CONNECTION WITH THE SOUTHCROSS – W.W. WHITE ROAD TO I.H. 410 PROJECT; THE AMOUNT OF \$10,789.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR DELLCREST CHURCH OF CHRIST FOR FEE SIMPLE TITLE TO TWO PARCELS (\$1,931.00) AND THREE TEMPORARY EASEMENTS (\$8,858.00) IN CONNECTION WITH THE W.W. WHITE ROAD –RIGSBY TO LORD ROAD PROJECT; AND THE AMOUNT OF \$5,755.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR GEORGE M. LEE, TRUSTEE OF THE SHAVER & HARRIS TRUST, FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE SOUTHCROSS – NEW BRAUNFELS TO S. PRESA PROJECT; FOR A TOTAL SUM OF \$38,594.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 92855

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A 0.0112 ACRE TRACT OF LAND OUT OF AND A PART OF LOT 11, NEW CITY BLOCK 8090, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE SOUTHCROSS BLVD. – NEW BRAUNFELS TO S. PRESA

METROPOLITAN PLANNING ORGANIZATION PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 92856

APPROPRIATING THE SUM OF \$275,000.00 FOR FEE SIMPLE TITLE AND/OR EASEMENT INTEREST TO CERTAIN PRIVATELY OWNED REAL PROPERTY AND OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH THE CULEBRA DRAINAGE PROJECT #58F.

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AN ORDINANCE 92857

DECLARING AS SURPLUS AND SELLING A 2.412 ACRE TRACT OF LAND OUT OF NEW CITY BLOCKS 7665 AND 8616, LOCATED ADJACENT TO GILBERT ELEMENTARY SCHOOL IN THE GENERAL NORTHEAST CORNER OF EAST SOUTHCROSS BOULEVARD AND MISSION ROAD TO PETITIONER HARLANDALE INDEPENDENT SCHOOL DISTRICT FOR THE CONSIDERATION OF \$78,785.00.

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AN ORDINANCE 92858

AUTHORIZING THE CITY OF SAN ANTONIO TO ENTER INTO AGREEMENTS WITH METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD., D/B/A METHODIST SPECIALTY AND TRANSPLANT HOSPITAL, THE ALAMO CHILDREN'S ADVOCACY CENTER (ACAC), AND CHRISTUS SANTA ROSA HEALTH CARE TO PROVIDE SPECIALIZED SEXUAL ASSAULT/ABUSE EXAMINATIONS FOR THE PERIOD BEGINNING OCTOBER 1, 2000, AND ENDING SEPTEMBER 30, 2003, FOR AN AMOUNT NOT TO EXCEED \$261,325.00 PER YEAR.

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AN ORDINANCE 92859

AMENDING ORDINANCE NO. 84795, WHICH RELATES TO LIBRARY DEPARTMENT FEES, BY REDUCING THE MAXIMUM PENALTY FOR

OVERDUE VIDEOCASSETTES FROM \$20.00 TO \$5.00 FOR EACH OCCURRENCE.

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AN ORDINANCE 92860

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS COMMISSION ON THE ARTS (TCA) IN THE AMOUNT OF \$9,078.00 TO ENGAGE PERFORMANCE ARTISTS AND MUSICIANS TO PROVIDE EDUCATIONAL PROGRAMS AND ENTERTAINMENT AT THE HERTZBERG CIRCUS MUSEUM FOR SCHOOL CHILDREN, FAMILIES AND VISITORS TO SAN ANTONIO AND FOR THE PROVISION OF COSTUMES, EQUIPMENT AND ADVERTISEMENT.

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AN ORDINANCE 92861

AUTHORIZING PAYMENT TO THE U.S. CONFERENCE OF MAYORS FOR MEMBERSHIP DUES IN THE AMOUNT OF \$14,777.00 FOR THE PERIOD BEGINNING JULY 1, 2000 THROUGH JUNE 30, 2001.

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AN ORDINANCE 92862

AUTHORIZING THE EXECUTION OF STANDARD CITY DELEGATE AGENCY CONTRACTS WITH THE BETHEL METHODIST CHILD CARE CENTER, THE MADONNA NEIGHBORHOOD CENTER, POSITIVE BEGINNINGS INCORPORATED AND THE YMCA OF SAN ANTONIO AND THE HILL COUNTRY FOR THE OPERATION OF A TOTAL OF TEN (10) PROGRAM SITES UNDER THE DEPARTMENT OF PARKS AND RECREATION'S AFTER SCHOOL CHALLENGE PROGRAM AT A TOTAL ANNUAL COST OF \$124,850.00; AND AUTHORIZING REIMBURSEMENTS FOR PROGRAM CONTRACTORS.

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AN ORDINANCE 92863

AUTHORIZING THE ACCEPTANCE OF UP TO \$152,321.00 IN CASH FROM SMITHKLINE BEECHAM PHARMACEUTICALS FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE DURING THE PERIOD NOVEMBER 1, 2000 THROUGH JANUARY 14, 2003 IN A VACCINE STUDY FOR

THE PREVENTION OF HUMAN PAPILLOMAVIRUS (HPV) INFECTION IN WOMEN; AUTHORIZING THE EXECUTION OF AN INVESTIGATOR AGREEMENT WITH SMITHKLINE BEECHAM PHARMACEUTICALS; ESTABLISHING A FUND; ADOPTING A BUDGET, APPROVING THE PERSONNEL COMPLEMENT; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 92864

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD IN THE AMOUNT OF \$278,737.00 FROM THE PATRICIAN MOVEMENT FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO ADMINISTER THE ONGOING SAN ANTONIO REGIONAL DETOXIFICATION PROGRAM DURING THE PERIOD SEPTEMBER 1, 2000 THROUGH AUGUST 31, 2001; APPROVING THE EXECUTION OF A CONTRACT WITH THE PATRICIAN MOVEMENT; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 92865

AUTHORIZING THE EXECUTION OF A PRIMARY PHYSICIAN SERVICE AGREEMENT WITH UNIVERSITY PHYSICIANS GROUP FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE PREVENTIVE CARE AND IMMUNIZATIONS TO ENROLLEES OF THE HEALTH MAINTENANCE ORGANIZATIONS AND HEALTH PLANS CONTRACTED WITH THE UNIVERSITY PHYSICIANS GROUP INCLUDING THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM DURING THE PERIOD NOVEMBER 1, 2000 THROUGH OCTOBER 31, 2001; AND PROVIDING FOR SUCCESSIVE ONE-YEAR AUTOMATIC RENEWALS UNLESS MUTUALLY TERMINATED BY EITHER PARTY.

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AN ORDINANCE 92866

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$34,5000.00 FROM THE HOGG FOUNDATION TO SUPPORT THE OPERATION OF THE ONGOING HEALTHY STEPS FOR YOUNG CHILDREN PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2000 THROUGH MAY 31, 2001; AUTHORIZING THE EXECUTION

OF AN AGREEMENT WITH THE SOUTH TEXAS CENTER FOR PEDIATRIC CARE IN THE AMOUNT OF \$8,190.00 FOR COORDINATION OF THE PROJECT; APPROVING PAYMENTS FOR CONTRACTUAL SERVICES; ESTABLISHING A FUND; ADOPTING A BUDGET; AND AUTHORIZING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 92867

AUTHORIZING THE ONE-YEAR EXTENSION OF A LETTER OF AGREEMENT DATED OCTOBER 27, 1999 WITH ELIGIO G. REYES TO PROVIDE CONTRACTUAL SERVICES RELATED TO TRAFFIC MANAGEMENT FUNCTIONS WITHIN THE ENGINEERING AND TRAFFIC DIVISION OF THE DEPARTMENT OF PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED \$49,920.00. (AMENDS ORDINANCE 90824, NOVEMBER 4, 1999.)

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AN ORDINANCE 92868

AUTHORIZING THE ACCEPTANCE OF TWO GRANTS FROM THE TEXAS COMMISSION ON THE ARTS (TCA); THE FIRST GRANT, IN THE AMOUNT OF \$122,369.00, FOR THE PURPOSE OF FUNDING VARIOUS LOCAL ARTS ORGANIZATIONS AND TO PROVIDE ADMINISTRATIVE SUPPORT TO OFFSET RELATED COSTS TO TCA'S DECENTRALIZATION PROGRAM; AND THE SECOND GRANT, IN THE AMOUNT OF \$5,436.00, TO SUPPORT MARKETING AND AUDIENCE DEVELOPMENT.

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AN ORDINANCE 92869

AUTHORIZING THE REPROGRAMMING OF \$19,151 FROM THE FY 99-00 BUDGET PREVIOUSLY ALLOCATED TO OPERA IN THE SCHOOLS (\$14,151) AND TO THE SUMMER PROJECT OF THE ILE BAHIA DE SAN ANTONIO (\$5,000) TO THE FY 00-01 BUDGET FOR ONE TIME PROJECT SUPPORT FOR EIGHT (8) LOCAL ARTS ORGANIZATIONS AND; AUTHORIZING THE EXECUTION OF ASSOCIATED AGENCY AGREEMENTS.

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AN ORDINANCE 92870

AUTHORIZING THE EXECUTION OF CULTURAL TOURISM PARTNERSHIP PROGRAM CONTRACTS WITH FIVE LOCAL ARTS ORGANIZATIONS, IN A TOTAL AMOUNT OF \$81,165.00, AS FOLLOWS: (1) ARTS SAN ANTONIO FOR \$20,000.00, (2) GEMINI INK FOR \$11,165.00, (3) GUADALUPE CULTURAL ARTS CENTER FOR \$20,000.00, (4) SAN ANTONIO MUSEUM OF ART FOR \$10,000.00, AND (5) SOUTHWEST SCHOOL OF ART AND CRAFT FOR \$20,000.00.

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AN ORDINANCE 92871

AUTHORIZING THE CONTINUED NEGOTIATIONS, FOR A PERIOD NOT TO EXCEED 70 DAYS, OF THE TERMS AND CONDITIONS OF AN AGREEMENT WITH EMBREY PARTNERS/H.B. ZACHRY COMPANY PERTAINING TO THE DEVELOPMENT AND ACQUISITION OF A ONE STOP DEVELOPMENT SERVICES CENTER; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW OFFICES OF GOODE, CASSEB, JONES, RIKLIN, CHOATE & WATSON FOR LEGAL SERVICES ASSOCIATED WITH THE NEGOTIATION AND DEVELOPMENT OF RELATED AGREEMENTS, IN AN AMOUNT NOT TO EXCEED \$20,000.00.

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AN ORDINANCE 92872

AMENDING ORDINANCE NO. 92436, PASSED AND APPROVED ON AUGUST 31, 2000, APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY THROUGH THE BEXAR COUNTY CLERK FOR THE SPECIAL ELECTION ON NOVEMBER 7, 2000, BY AUTHORIZING THE COUNTY TO CONDUCT THE CITY'S CANVASS.

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AN ORDINANCE 92873

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE DOWNTOWN AREA ON SATURDAY, DECEMBER 2, 2000 BEGINNING AT 7:30 A.M. UNTIL 1:00 P.M. IN CONNECTION WITH CHUY'S CHILDREN GIVING TO CHILDREN PARADE.

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AN ORDINANCE 92874

RE-APPOINTING IRMA F. REYES (DISTRICT 7) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

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AN ORDINANCE 92875

RE-APPOINTING ARTHUR N. MURANDA (DISTRICT 7) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2002.

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AN ORDINANCE 92876

RE-APPOINTING ELISABETH BENAVIDES MELSON (DISTRICT 7) TO THE ETHICS REVIEW BOARD FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 21, 2002.

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AN ORDINANCE 92877

RE-APPOINTING THERESA L. LEAL (DISTRICT 7) TO THE HIGHER EDUCATION AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2002.

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AN ORDINANCE 92878

APPOINTING ROOSEVELT TENNESSEE (DISTRICT 2) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, AS TRUSTEE AND DIRECTOR, FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2003, AS TRUSTEE, AND MAY 9, 2002, AS DIRECTOR.

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AN ORDINANCE 92879

RE-APPOINTING JANE VELASQUEZ (DISTRICT 7) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2002.

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AN ORDINANCE 92880

RE-APPOINTING RIGDON MORRISON WOODS (DISTRICT 7) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2002.

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2000-42 Item C being a proposed Ordinance re-appointing Mr. Paul K. Davila (District 7) to the Electrical Examining and Supervising Board for a term of office to expire on July 31, 2002, was pulled from consideration by Councilman Ed Garza.

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2000-42 **ZONING HEARINGS – CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to each of the zoning cases on the agenda.

Ms. Julie Oldham, P.O. Box 40263, commented on numerous zoning cases, noting how manufactured homes would affect the surrounding property values.

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2000-42 **ZONING HEARINGS**

4A.) CASE NO. #Z20202 SUP - The request of CSA Consulting Engineers, Applicant, for Penske Truck Leasing, Owner(s), for a change in zoning from "B-3" Business District to "B-3 SUP" Sales Business District with a Special Use Permit for outside parking of trucks (Penske Trucking Facility) on 4.218 acre tract of land being out of NCB 10578, 3641 East Houston Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

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 November 30, 2000. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until November 30, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Carpenter. **NAYS:** None. **ABSENT:** Bannwolf, Peak.

Zoning Case Z20202 SUP was continued to the Council meeting of November 30, 2000.

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4B.) CASE NO. #Z20212 SUP - The request of Jacqueline Robertson, Applicant, for Jacqueline Robertson, Owner(s), for a change in zoning from "B" Residence District to "R-2 SUP" Two-Family Residence District with a Special Use Permit for a Construction Office Facility on Lots 25, 26, 27, and 28, NCB 6908, 2819 and 2823 E. Houston Street. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 2).

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

Ms. Guerrero made a motion to approve the proposed zoning with R-2 SUP for the 30 month duration. Mr. Perez seconded the motion.

Mr. Steve Arronge, Deputy City Attorney, stated that because it was a residential area, the City can impose the Special Use Permit for the 30 month duration.

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

AN ORDINANCE 92881

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 25, 26, 27, AND 28, NCB 6908, 2819 AND 2823 E. HOUSTON STREET, FROM "B" RESIDENCE DISTRICT TO "R-2 SUP" TWO-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR A CONSTRUCTION OFFICE FACILITY.

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4C.) CASE NO. #Z20226 SUP - The request of City of San Antonio, Applicant, for San Antonio Interstate 10, Limited Partnership, Owner(s), for a change in zoning from "B-3" Business District to "B-2 SUP" Business District with a Special Use Permit for a truck wash facility on 3.008 acres out of NCB 17978, 6000 Block IH 10 East. Staff's recommendation was for approval with the condition that landscaping be provided within the 25 foot front yard setback.

Zoning Commission has recommended approval with the condition that landscaping be provided within the 25 foot front yard setback (Council District 2).

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

Ms. Guerrero made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92882

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 3.008 ACRES OUT OF NCB 17978, 6000 BLOCK IH 10 EAST, FROM "B-3" BUSINESS DISTRICT TO "B-2 SUP" BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR A TRUCK WASH FACILITY.

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4D.) CASE NO. #Z20237 - The request of Jose L. Carmona (Macina, Bose, Copeland & Associates, Inc.), Applicant, for Sonic Development of Central Texas, a Texas Partnership, Owner(s), for a change in zoning from Temporary "A" Single-Family Residence District to "B-2" Business District on Lot 41, Block 14, NCB 13183, 5031 Rigsby Avenue (U.S. Highway 87). Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 2).

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

Ms. Guerrero made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92883

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 LOT 41, BLOCK 14, NCB 13183, 5031 RIGSBY AVENUE (U.S. HIGHWAY 87), FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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4E.) CASE NO. #Z20139 SUP - The request of Miguel Chavarro, Applicant, for Miguel Chavarro, Owner(s), for a change in zoning from "R-1" Single-Family Residence District to "B-2NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for a wholesale and retail plant nursery on Tract 6, NCB 11040, Between 2234 and 2322 Chavaneax Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 3).

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

Ms. Guerrero made a motion to approve the proposed rezoning. 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, Guerrero, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92884

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 TRACT 6, NCB 11040, BETWEEN 2234 AND 2322 CHAVANEAX ROAD, FROM "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR A WHOLESALE AND RETAIL PLANT NURSERY.

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4F.) CASE NO. #Z20217 SUP - The request of Ingram Readymix, Incorporated, Applicant, for Worth/Irvin Management Trust, Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for a concrete batching plant facility on A 9.38 acre tract of land out of Parcel 27B and Parcel 27C, NCB 10915, 9703 Highway 181 South. Staff's recommendation was for denial.

Zoning Commission has recommended approval with the condition a 75 foot front yard building setback along Highway 181 South (Council District 3).

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

Ms. Guerrero made a motion to approve the proposed rezoning. 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, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92885

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 A 9.38 ACRE TRACT OF LAND OUT OF PARCEL 27B AND PARCEL 27C, NCB 10915, 9703 HIGHWAY 181 SOUTH, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA SUP" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH A SPECIAL USE PERMIT FOR A CONCRETE BATCHING PLANT FACILITY.

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4G.) CASE NO. #Z20194 - The request of Pedro Flores, Applicant, for Pedro Flores, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "R-4" Manufactured Home Residence District on Lot 13, Block 2, NCB 15630, 5131 Gwenda Lea Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

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

Mr. Prado made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92886

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 LOT 13, BLOCK 2, NCB 15630, 5131 GWENDA LEA DRIVE, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT.

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4H.) CASE NO. #Z20214 - The request of Thomas Flores (Flores & Company Consulting Engineers), Applicant, for Clarence J. Trender, Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "B-3" Business District on 2.177 acres out of Parcel 11, NCB 15069, 9995 Highway 16 South (Palo Alto Road). Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 4).

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

Mr. Prado made a motion to approve the proposed rezoning. Mr. Garcia 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, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Peak.

AN ORDINANCE 92887

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 A 2.177 ACRES OUT OF PARCEL 11, NCB 15069, 9995 HIGHWAY 16 SOUTH (PALO ALTO ROAD), FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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4I.) CASE NO. #Z20054 - The request of Dario Chapa, Applicant, for Jose Gallegos, Jr., Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-3" Multiple-Family Residence District on Parcel 100 and 200, NCB 6995, 800 block of Culberson Avenue. Staff's recommendation was for denial.

Zoning Commission has recommended approval (Council District 5).

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

Mr. Garcia made a motion to continue this rezoning case until the City Council meeting of February 8, 2001. Mr. Bannwolf seconded the motion.

After consideration, the motion to continue this case until February 8, 2001, prevailed by the following vote: **AYES:** Perez, Salas, Garcia, Barrera, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza, Peak.

Zoning Case Z20054 was continued to the Council meeting of February 8, 2001.

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4J.) CASE NO. #Z20190 - The request of Seda Consulting Engineers, Inc., Applicant, for U.S. Home/N.U. Homes, Owner(s), for a change in zoning from "R-3" Multiple-Family Residence District to "(P-1) R-7" Planned Unit Development Small Lot Residence District on 12.965 acres being out and part of Lot 3, Block 1, NCB 13519, 1400 Block of Mira Vista. Staff's recommendation was for denial.

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 Ordinance with the written agreement as submitted for this rezoning case. 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, Garcia, Barrera, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza, Peak.

AN ORDINANCE 92888

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 A 12.965 ACRES BEING OUT AND PART OF LOT 3, BLOCK 1, NCB 13519, 1400 BLOCK OF MIRA VISTA, FROM "R-3" MULTIPLE-

FAMILY RESIDENCE DISTRICT TO "(P-1) R-7" PLANNED UNIT DEVELOPMENT
SMALL LOT RESIDENCE DISTRICT.

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4K.) CASE NO. #Z20221 SUP - The request of David N. Williamson Jr. and Chance Stout, Applicant, for Reoc Property Services, LLC, Owner(s), for a change in zoning from "B-2" Business District to "B-2 SUP" Business District, with a Special Use Permit for a tattoo, body piercing, tanning and aromatherapy shop on A 0.034 acre tract of land being out of Lot 2, Block 2, NCB 17417, 8725 Marbach Road, Suite 215. 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 continue this rezoning case until the City Council meeting of November 30, 2000. Mr. Perez seconded the motion.

After consideration, the motion to continue this case until November 30, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Garcia, Barrera, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza, Peak.

Zoning Case Z20054 was continued to the Council meeting of November 30, 2000.

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4L.) CASE NO. #Z20185 - The request of Kurt Wehner, Continental Homes, Applicant, for Bandera 80 Joint Venture, Owner(s), for a change in zoning from "B-2" Business District and "R-3" Multi-Family Residence District to "(P-1) R-5" Planned Unit Development Single-Family Residence District on 27.06 acres out of NCB 17973, 7000 block Westchase Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

Mr. Garza made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Peak.

AN ORDINANCE 92889

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 27.06 ACRES OUT OF NCB 17973, 7000 BLOCK WESTCHASE DRIVE, FROM "B-2" BUSINESS DISTRICT AND "R-3" MULTI-FAMILY RESIDENCE DISTRICT TO "(P-1) R-5" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENCE DISTRICT.

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4M.) CASE NO. #Z20228 SUP - The request of Mike Morris, Applicant, for Texas Home Improvement, Inc., Owner(s), for a change in zoning from "(P-1) B-2" Planned Unit Development Business District to "(P-1) B-2 SUP" Planned Unit Development Business District with a Special Use Permit for on-premise sale and consumption of alcoholic beverages on 0.140 acres out of Lot 4, Block 3, NCB 16633, 14541 Roadrunner Way. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

Ms. Conner made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza, Peak.

AN ORDINANCE 92890

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 0.140 ACRES OUT OF LOT 4, BLOCK 3, NCB 16633, 14541 ROADRUNNER WAY, FROM "(P-1) B-2" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT TO "(P-1) B-2 SUP" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR ON-PREMISE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

* * * *

4N.) CASE NO. #Z20232 - The request of Lincoln Heights Development Corporation, Applicant, for Lincoln Heights Development Corporation and The Quarry, Owner(s), for a change in zoning from "R-3 CC" Multiple-Family Residence District with Special City Council approval for a Golf Course and "B-3" Business District to "(P-1) R-5" Planned Unit Development Single-Family Residence District on 3.380 acres out of NCB 8702 and NCB 18200, Forestshire Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning. 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, Garcia, Barrera, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza, Peak.

AN ORDINANCE 92891

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 3.380 ACRES OUT OF NCB 8702 AND NCB 18200,

FORESTSHIRE DRIVE, FROM "R-3 CC" MULTIPLE-FAMILY RESIDENCE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A GOLF COURSE AND "B-3" BUSINESS DISTRICT TO "(P-1) R-5" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENCE DISTRICT.

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— — —
2000-42 Mayor Peak returned to the meeting and presided.

— — —
2000-42 ITEMS FOR INDIVIDUAL CONSIDERATION-CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to the VIA Board appointments, and urged the City Council not to reappoint those members nominated.

— — —
2000-42 ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 92892

RESCHEDULING THE CITY OF SAN ANTONIO COUNCIL MEETING OF DECEMBER 21, 2000 TO JANUARY 4, 2001.

* * * *

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

2000-42 The Clerk read a proposed ordinance appointing two (2) members to the Advisory Board of Health of San Antonio Metropolitan Health District for terms of office to expire on December 31, 2002 and 2003. Nominees: Dr. Roque Gonzales And Dr. Chris P. Johnson.

City Clerk, Norma S. Rodriguez briefly explained the proposed appointment.

Mr. Bannwolf made a motion to approve the proposed Ordinance with the nominees (Dr. Roque Gonzales and Dr. Chris P. Johnson) being brought forward from the work session. 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, Garcia, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza.

* * * *

AN ORDINANCE 92893

APPOINTING DR. ROQUE GONZALES AND DR. CHRIS P. JOHNSON TO THE ADVISORY BOARD OF HEALTH OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2002 AND 2003, RESPECTIVELY.

— — —
2000-42 The Clerk read a proposed ordinance appointing three (3) members to the Board of Adjustment for a term of office to expire on February 22, 2002. Nominees: James Zaccaria, Patrick John Filyk, and Henry Rodriguez.

City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Salas made a motion to approve the proposed Ordinance with the nominees (James Zaccaria, Patrick John Filyk, and Henry Rodriguez) being brought forward. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

AN ORDINANCE 92894

APPOINTING JAMES ZACCARIA, PATRICK JOHN FILYK, AND HENRY RODRIGUEZ TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2002.

— — —
2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92895

RE-APPOINTING WILLIAM B. JOHNSON (MAYOR) TO THE FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 19, 2003.

* * * *

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

— — —
2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92896

RE-APPOINTING ROBERT BRAUBACH (DISTRICT 1) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2002.

* * * *

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

— — —
2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92897

RE-APPOINTING PAMELA SOLITAIR (DISTRICT 1) TO THE MARKET SQUARE COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 11, 2002.

* * * *

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

— — —
2000-42 The Clerk read a proposed ordinance appointing three members to the Metropolitan Transit Authority for a term of office to expire on December 31, 2002. Nominees: Walter Serna, Dr. Miguel Vazquez, and Charles Shannon.

City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Perez made a motion to approve the proposed Ordinance with the nominees (Walter Serna, Dr. Miguel Vazquez, and Charles Shannon) being brought forward. Mr. Salas 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, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 92898

APPOINTING WALTER SERNA, DR. MIGUEL VAZQUEZ, AND CHARLES SHANNON TO THE METROPOLITAN TRANSIT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2002.

— — —
2000-42 The Clerk read a proposed ordinance appointing five (5) members to the Noise Abatement Advisory Committee for a term of office to expire on December 15, 2002. Nominees: Wendell Peters, Billy Self, Dr. Edward A. Benson, Philip Salemi, and Orline Kolm.

City Clerk Norma S. Rodriguez briefly explained the proposed appointments.

Mr. Carpenter made a motion to approve the proposed Ordinance with the nominees (Wendell Peters, Billy Self, Dr. Edward A. Benson, Philip Salemi, and Orline Kolm) being brought forward. 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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AN ORDINANCE 92899

APPOINTING FIVE (5) MEMBERS TO THE NOISE ABATEMENT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2002. (NOMINEES: WENDELL PETERS, BILLY SELF, DR. EDWARD A. BENSON, PHILIP SALEMI, AND ORLINE KOLM)

— — —
2000-42 The Clerk read a proposed ordinance re-appointing four (4) members to the San Antonio Development Agency.

Mr. Garza made a motion to postpone the appointments until such time that the reorganization is complete. Mr. Guerrero seconded the motion.

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

— — —
2000-42 The Clerk read the following Resolution:

A RESOLUTION
NO. 2000-42-36

GRANTING PERMISSION TO INCLUDE A PORTION OF THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO IN THE PROPOSED BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 1 UNDER CHAPTER 775, TEXAS HEALTH & SAFETY CODE.

* * * *

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

Mr. Jim Campbell, Director of Intergovernmental Relations, narrated a slide presentation on the creation of an Emergency Services Districts (ESDs) for residents near Converse and the use of the City's ETJ, a copy of which presentation is made a part of the papers of this meeting. He outlined the background, detailing the ESD Policy Guidelines and the status of the request

Mayor Peak commended the groups involved with the process for their contributions and efforts with the public safety issue.

In response to Mr. Salas, Mr. Campbell confirmed the allowed use of services by the City of Converse.

Ms. Conner commended Mr. Campbell and the people of Converse.

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

2000-42 Agenda Item 43 being a proposed ordinance accepting the low qualified base bid of Sandoval Construction Co., in the amount of \$2,330,000.00 for the Mexican Cultural Institute Renovation of the Henry B. Gonzalez Convention Center Expansion Project; authorizing the negotiation and execution of a construction contract; authorizing \$349,500.00 for construction contingency expenses; authorizing \$1,641.44 for bid advertising expenses; and providing for payment, was pulled from consideration.

2000-42 Item 44 being a proposed resolution in support of the development of City Public Service (CPS) lignite properties in Bastrop and Lee Counties, Texas in accordance with all applicable Local, State and Federal Regulations and the development of the related San Antonio Water System (SAWS) water rights on this property as a Water Supply Project under the 2050 Water Resource Plan, was pulled from consideration.

2000-42 Ordinance #92900 was made void.

2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92901

AN ORDINANCE AUTHORIZING ISSUANCE OF CITY OF SAN ANTONIO, TEXAS SALES TAX COMMERCIAL PAPER NOTES, SERIES A, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$35,000,000; PRESCRIBING THE TERMS AND CONDITIONS THEREOF; PROVIDING FOR THE PAYMENT THEREOF; APPROVING AND AUTHORIZING CERTAIN AUTHORIZED OFFICERS AND EMPLOYEES OF THE CITY TO ACT ON BEHALF OF THE CITY IN THE SELLING AND DELIVERY OF SUCH COMMERCIAL PAPER NOTES, WITHIN THE LIMITATIONS AND PROCEDURES SPECIFIED HEREIN; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, SECURITY AND DELIVERY OF SUCH COMMERCIAL PAPER NOTES, INCLUDING THE APPROVAL OF AN ISSUING AND PAYING AGENCY AGREEMENT, CREDIT AGREEMENT, AND DEALER AGREEMENT; APPROVING THE USE OF AN OFFERING MEMORANDUM IN CONNECTION WITH SUCH SALE; MAKING OTHER PROVISIONS REGARDING

SUCH COMMERCIAL PAPER NOTES AND MATTERS INCIDENT THERETO;
AND PROVIDING AN EFFECTIVE DATE.

* * * *

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

Mr. Octavio Pena, Director of Finance, spoke to the issuance of the Commercial Paper Notes, in accordance to the mandate of the City voters approving the parkland acquisition and improvements over the Edwards Aquifer for the construction of linear parks along the Salado and Leon Creeks. He noted that this action would allow the City to borrow funds on a short-term basis.

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

— — —
2000-41 Item 47, being a proposed ordinance approving the recommendations of the San Antonio International Airport's FAR Part 150 Noise Compatibility Study Update (Study) and forwarding such recommendations to the Federal Aviation Administration (FAA) for review and approval, was pulled from consideration.

— — —
2000-42 **FIRST READING AND CONSIDERATION OF ANNEXATION ORDINANCES**

The Clerk read the following Ordinance:

AN ORDINANCE 92902

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 2,290 ACRES OF LAND KNOWN AS THE "POTRANCO/FM 1604" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

Mr. Emil Moncivais presented the Annexation schedule, specifically noting each of the annexation areas being proposed.

- #1 Potranco Rd/FM 1604
- #2 Area West of I.H. 10
- #3 Redland Woods/Emerald Forest/Judson Road Area
- #4 Bulverde Rd/FM 1604
- #5 Foster Meadows Area
- #6 Culebra 1604 Area
- #7 Babcock North of FM 1604
- #8 SAWS Algae Removal Facility (75' Access Rd.)

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in opposition to the Foster Meadows area being annexed. He expressed concern on the lack of public safety personnel to cover the new annexed area.

Mr. Ken Brown, representing citizens in proposed annexation area, spoke to the issues regarding grandfathering rights, and nonconforming rights.

Mr. David Earl, Earl & Brown, representing citizens of Foster Meadows spoke in opposition to this area being annexed. (He presented a letter to the Council, a copy of which presentation is made a part of the papers of this meeting.)

In response to Mr. Bannwolf, City Attorney's Office representative, stated that the annexation procedure is in full compliance with state law, and recommended that City Council proceed with the annexation plan.

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.

2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92903

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 400 ACRES OF LAND KNOWN AS THE "AREA WEST OF IH-10" PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

— — —

2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92904

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,597 ACRES OF LAND KNOWN AS THE "REDLAND WOODS/EMERALD FOREST/JUDSON ROAD" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

— — —

2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92905

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 3,267 ACRES OF LAND KNOWN AS THE BULVERDE RD/FM 1604 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92906

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1,186 ACRES OF LAND KNOWN AS THE "FOSTER MEADOWS" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92907

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 311 ACRES OF LAND KNOWN AS THE "CULEBRA 1604" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92908

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 89 ACRES OF LAND KNOWN AS THE "BABCOCK NORTH OF FM 1604" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92909

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 4 ACRES OF LAND KNOWN AS THE "SAWS ALGEA REMOVAL FACILITY" AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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2000-42 Items 49A, being a proposed ordinance authorizing the reorganization of the City of San Antonio's Department of Neighborhood Action to acquire certain functions and programs currently managed by the San Antonio Development Agency and the City of San Antonio's Department of Housing and Community Development; authorizing the appropriate personnel complement, which are condition upon future City Council approval; revising the Community Development Block Grant (CDBG) budget to include position titles and activities for the additional 19 unfunded positions; and amending Ordinance No. 90830 to transfer the 5 Lead Based Paint Grant positions from the Department of Housing and Community Development to the Department of Neighborhood Action, was pulled by the City Manager..

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2000-42 Items 49B, being a proposed ordinance authorizing the reorganization of the City of San Antonio's Department of Housing and Community Development to include an Assistant Director position; and authorizing appropriate personnel complement, which is conditioned upon future City Council approval, was pulled by the City Manager.

2000-42 PUBLIC HEARING ON THE APPEAL OF JESSE PAEZ REGARDING THE DECISION OF THE ELECTRICAL EXAMINING AND SUPERVISING BOARD TO SUSPEND MASTER ELECTRICIAN FOR A PERIOD OF SIX MONTHS.

Mayor Peak declared the Public Hearing open.

Mr. Michael Clack, Assistant Director of Building Inspections, narrated a slide presentation on the appeal of Jesse Paez, and the sworn complaint filed by Ms. Yolanda Alvarez. He detailed the issues filed on the complaint, and the decision rendered by the Electrical Board.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the suspension of master electrician's license.

Ms. Julie Oldham, P.O. Box 40263, spoke to a similar situation she knew of where the individual had been paid before completing the job, and then failed to complete the work.

Mr. Larry Meads, Chairman of the Electrical Board, spoke to the decision of the Electrical being based on testimony of citizens. He stated that the ordinance had such safeguards to assist the citizens in these types of situations. He cited one citizen who testified and stated that Mr. Paez was in business to sell permits.

Ms. Theresa Berlanga, P.O. Box 12816, recommended that the Council require Mr. Paez to do the work again and compensate the complainant for the expenses incurred to get the work done, instead of suspending the license.

Ms. Yolanda Gonzalez Alvarez, 102 Marshall, stated that she had paid Mr. Paez \$10,000 for the work, and that he did not perform the job as required. She stated that she had tried to communicate with Mr. Paez on numerous occasions without success. She expressed concern on the safety of the building, and further noted that Mr. Paez should have his license removed rather than just suspended.

Mr. Adam Cardenas stated that opportunities had been given to Mr. Paez to pay for the work he failed to perform, and that he refused. He noted that Mr. Paez would not attend the called meetings and urged that the City Council uphold the decision of the Electrical Board.

Mr. James Myart, representing Mr. Paez, stated that there was a subcontractor. He acknowledged that there were some errors, however that the violations were overstated, and that the work performed under the contract was consistent with the code

requirements. He stated it was unfair for the Electrical Board to base the decision solely on complaints, and also noted there was no evidence on the sale of permits.

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

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In response to Mayor Peak on the timeline of multiple complaints and the seriousness of the complaints, Mr. Clack stated that it had been over a period of some years, and also noted that in 1980 the license had been suspended. He stated that Ms. Alvarez had filed the complaint, and that staff reviewed the errors. Mr. Clack clarified that no more permits would be allowed for six months, and that Mr. Paez would continue working under supervision on those permits already issued.

Mr. Clack stated the discovery occurred when the equipment malfunctioned and Ms. Alvarez filed the complaint. The Chief Electrical Inspector went to the site to inspect.

In response to Mr. Perez, Mr. Larry Meads, Chair of Electrical Board stated that the decision to suspend was based on the numerous complaints being filed.

In response to Mr. Perez on the severity of punishment, Steve Arronge, Deputy City Attorney, stated that the City Council could not exceed the Board's recommendation of the 6 months suspension. He stated that it could be a lesser degree but not more than the Board's recommendation.

In response to Mr. Garcia, Mr. Clack stated there was no substantiation on the sale of permits. He stated that some complaints may be unsubstantiated depending on the competence and who the individuals are working for. He stated that if an electrical contractor is working without a permit, the fees are doubled.

Discussion continued on the number of complaints being filed against Mr. Paez and the severity of his penalty.

In response to Mr. Perez, Mr. Alvarez stated that Mr. Paez should be required to complete the work correctly and also that he obtains the proper license to do so. He reiterated on Mr. Paez' failure to complete the job and to make amends to it.

Mr. Perez expressed concern on the posting of the agenda related to this issue, and moved to continue this item to November 30, 2000 in order to answer all questions brought forward. Mr. Salas seconded the motion.

Mayor Peak requested action be considered where latitude would be given to City Council, and urged staff to continue working on this issue.

After consideration, the motion to continue the case to November 30, 2000, 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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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92910

AMENDING THE CITY OF SAN ANTONIO'S LEGISLATIVE PROGRAM BY INCLUDING A PROPOSAL IN SUPPORT OF ENHANCEMENTS TO THE SAN ANTONIO FIRE AND POLICE PENSION FUND. (AMENDS RESOLUTION NO. 2000-37-31, OCTOBER 5, 2000.)

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

Mr. Octavio Pena, Director of Finance, narrated a slide presentation, regarding the proposed amendment of the San Antonio's legislative program in support of enhancements to the San Antonio Fire and Police Pension Fund, a copy of which presentation is made a part of the papers of this meeting.

Mr. Lou Lendman, Acting Director of Budget and Performance Assessment, detailed the background on the benefits, Financial Impact Fund, the Financial Impact to the City, and the Operational Impact to the City, and Fire and Police Operational Impacts.

Mr. Pena summarized the Pension Fund Impact outlining the net projected impact over programmed costs for FY 2001 and 2002 to the Police and Fire Departments.

The following citizen(s) appeared to speak:

Mr. Teddy Steward, San Antonio Fire and Police Pension Fund, thanked the City staff for the work and the City Council for its support.

Mr. Larry Reed, Executive Director of Fire and Police Pension Fund commended City staff for their efforts.

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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2000-42 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING AND ABANDONING A SMALL, PORTION OF AN ALLEY ADJACENT TO 505 W. QUINCY

Mr. Oscar Serrano, Real Estate Specialist, narrated a slide presentation detailing the proposed property closure, outlining the history of the property, a copy of which presentation is made a part of the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the property being considered for closure. He noted that citizens do not maintain the alleys adjacent to their properties. He stated that the alleys were too narrow, and that they should be shut down.

Mr. Ramon Esquivel, 939 N. Flores St., abutting property owner, spoke to his property rights, and stated that ingress and egress to alley should not be denied. He stated that he had 2 recorded deeds, and requested that the property not be fenced off.

Ms. Julie Oldham, P.O. Box 40263, spoke to the number of alleys not being maintained by adjacent property owners.

Pastor Jose Luis Gonzales, expressed concern for the safety of children, and stated that the Church always maintains the land located inside the property of Children's Church of God. He urged City Council to vote for approval and fence the property.

The Clerk read the following Ordinance:

AN ORDINANCE 92911

CLOSING, VACATING AND ABANDONING A SMALL, UNIMPROVED, IRREGULAR-SHAPED PORTION OF AN ALLEY LOCATED NORTHEASTERLY OF LOT 41, NEW CITY BLOCK 113, AT I.H. 35 NEAR THE 500 BLOCK OF W.

QUINCY STREET, TO THE PETITIONER, CHILDREN'S CHURCH OF GOD, BEING THE SAME AS THE CHILDREN'S CHURCH, INC., FOR THE CONSIDERATION OF \$423.00.

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

In response to Mr. Perez, Deputy City Attorney Steve Arronge stated that the owner is entitled to ingress and egress to the alley, however there is no document to give Mr. Esquivel the right to impede the City to modify the property.

A representative from the Traffic Engineer's Office stated that the fence would not impede ingress or egress into the alley.

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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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92912

AUTHORIZING THE TEMPORARY CLOSURE OF THE 100 BLOCK OF CROCKETT STREET BETWEEN NAVARRO AND PRESA STREETS ON SATURDAY, NOVEMBER 11, 2000 BEGINNING AT 2:00 P.M. UNTIL SUNDAY, NOVEMBER 12, 2000 AT 3:00 A.M. IN CONNECTION WITH THE WILD PIGS USA HARLEY MOTORCYCLE SHOW AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES; AS REQUESTED BY MAYOR HOWARD W. PEAK.

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

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92913

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING THE CITY'S DOWNTOWN SAN ANTONIO RIVER BOATS AND BARGES CONCESSION CONTRACT WITH YANAGUANA CRUISES, INC. (YCI) IN RESOLUTION OF THE AUDIT DISPUTE ARISEN IN CONNECTION WITH SAID CONTRACT AND OF THE CITY'S PENDING LITIGATION WITH YCI. (AMENDS ORDINANCE 86611, SEPTEMBER 11, 1997.)

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Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation.

City Attorney, Frank Garza narrated a slide presentation outlining the background, Yanaguana Audit Findings, the District Court timeline, the Mediation Team, the terms of the settlement, and the present value of the settlement, a copy of which presentation is made a part of the papers of this meeting. Mr. Garza further highlighted on the commission increase, and the scholarship program provided by Yanaguana Cruises, Inc.

Mayor Peak thanked the City Attorney for the presentation, and Councilman Barrera for participating on the team. He commended the efforts to avoid additional costs to the City, the straightforward contract in order to achieve the best benefits for the City.

Mr. Garcia thanked Mayor Peak and Councilman Barrera for their work. He expressed concern on the integrity of Yanaguana Cruises, Inc., and whether the City should continue business with Yanaguana Cruises. He stated he could not support the recommendation, and further noted that the City should disassociate business with Yanaguana Cruises, Inc.

Mr. Barrera commented on the process and the purpose of mediation. He stated that the City would not benefit through continued litigation, and that this was a good and fair settlement. He stated that the mediation would help to rebuild a trust and relationship with Yanaguana, and urged Council support.

Mr. Bannwolf commended Mayor Peak and Councilman Barrera for their efforts, and stated that he supported mediation and the value of reaching agreement where both parties are satisfied.

Mr. Perez stated that the settlement allows the City to determine the outcome, whereby a trial and jury would determine the outcome with no recovery as a possibility.

Mr. Salas commented that although the City made some mistakes, that this was a fair settlement, and that he would support the recommendation.

Ms. Guerrero thanked Council colleagues and stated she would support the settlement. She stated that the City has a fiduciary responsibility to the citizens, the costs outweighed benefits, and that the City needs to take advantage of the photography business. Although the settlement could be better, she noted that it was in the best interest of the community to support the recommendation.

Ms. Conner spoke in support of the recommendation, and commented that it was the best decision for the City.

Mr. Prado thanked the mediation team, stating this was a good business decision, and supported the funds going back to the taxpayers with the scholarship program.

Mr. Carpenter spoke in support of the settlement.

Mr. Garza stated that both sides worked in good faith, and approved the settlement.

In response to Mr. Prado on the scholarship program, City Attorney Garza stated that the scholarships were dedicated to those employees who wish to pursue tourist industry, and that the City would decide on limitations.

City Manager, Alexander E. Briseño commented on the possibility of working with Education Partnership.

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

Mr. Prado made a motion to amend the Ordinance by adding that the monies to be received by the City for scholarships be utilized for scholarships under the San Antonio Education Partnership Program and that the Council intends that the San Antonio Education Partnership Program be expanded to include all schools within the City of San Antonio. Ms. Guerrero seconded the motion.

Ms. Conner expressed concern on the monies not being for all schools.

Mr. Prado recommended that this be considered for the next budget cycle.

Mayor Peak noted there is a need to expand the program to all high schools, and recommended that this topic be included for next year's budget and to consider expanding the program to all schools.

The amendment as recommended by Mr. Prado, was approved by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** Garcia. **ABSENT:** None.

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

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2000-42 At 6:00 P.M., Mayor Peak was obliged to leave the meeting, leaving the Mayor Pro-Tem to preside over the meeting.

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2000-42 **REPORT ON MINIMUM HOUSING ENFORCEMENT**

Mr. J. Rolando Bono, Assistant City Manager, narrated a slide presentation on Minimum Housing Code, updating the City Council on the Rosenstein case, delineating the typical conditions of substandard housing, and the goals to create a systematic process to ensure compliance with minimum housing provisions, a copy of which presentation is made a part of the papers of this meeting.

Mr. Prado spoke to the Open Records request, and the need to cooperate with the media in order to expose the slumlords in the City.

In response to Mr. Prado, Assistant City Manager Bono, stated there were 8400 minimum housing violations, and that there was already some capability of identifying slumlords by generating a list of corporations or individuals who are in violation.

Mr. Prado encouraged the City Manager to make them available to the media.

In response to Mr. Prado, Mr. Rod Radle, citizen, responded to the specific downtown area of which he has control, and stated that he is working on improvements.

Mr. Bono stated that the City already has a framework and can meet the timetable identified.

Mr. Prado commended staff for the quick response on this issue.

Mr. Radle commended staff for their cooperation and efforts.

Mr. Perez stated that it was imperative to acquire the information, and was in favor of the timeline.

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2000-42 **TRAVEL AUTHORIZATION:**

Travel Authorizations for Mayor Howard W. Peak, Councilmen Enrique M. Barrera and David Carpenter to travel to New York City, New York on Saturday, November 11, 2000 through Tuesday, November 14, 2000 for the City of San Antonio's Bond rating presentation to Fitch, Moody's Investors Service, Inc. and Standard & Poor's.

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

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92914

INCREASING THE AMOUNT AUTHORIZED FOR THE DEMOLITION OF THE SUPER "S" BUILDING PROJECT (FY 2001 DISTRICT 2 ONE-TIME PROJECT) FROM \$30,000 TO \$46,000 AND REDUCING THE FUNDS SET ASIDE FOR HOUSTON STREET/ARENA ECONOMIC DEVELOPMENT PROJECTS (FY 2000

DISTRICT 2 ONE-TIME PROJECT) FROM \$16,241 TO \$241, AS REQUESTED BY COUNCILMAN MARIO SALAS. (AMENDS ORDINANCE 90831, NOVEMBER 4, 1999; ORDINANCE 90485, SEPTEMBER 16, 1999; ORDINANCE 92511, SEPTEMBER 14, 2000; ORDINANCE 92806, OCTOBER 26, 2000.)

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92915

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$8,680.00 TO COUNCILMAN DAVID A. GARCIA FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH ERNIE C. MACDONALD (\$1,000.00 PER MONTH) FROM OCTOBER 1, 2000, THROUGH MAY 31, 2001; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92916

AUTHORIZING REIMBURSEMENT OF THE ADDITIONAL AMOUNT OF \$4,200.00 FROM THE DISTRICT 8 BUDGET ACCOUNT TO COUNCILWOMAN BONNIE J. CONNER FOR AN AMENDMENT TO THE ADMINISTRATIVE SERVICES CONTRACT WITH WALTER AGUE FOR THE PERIOD OF NOVEMBER 1, 2000, THROUGH MAY 31, 2001; AS REQUESTED BY COUNCILWOMAN BONNIE J. CONNER. (AMENDS ORDINANCE 92718, OCTOBER 12, 2000.)

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

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2000-42 The Clerk read the following Ordinance:

AN ORDINANCE 92917

AUTHORIZING THE TRANSFER OF \$465.00 FROM THE DISTRICT 9 CONTINGENCY BUDGET ACCOUNT TO THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT FOR BARRICADE AND STREET CLOSING FEES IN CONNECTION WITH THE WOODRIDGE ELEMENTARY HALLOWEEN CARNIVAL SCHEDULED FOR OCTOBER 28, 2000; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

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

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2000-42 The Clerk read a proposed ordinance authorizing the expenditure of \$300 from the District 10 Contingency Budget Account to the North East Educational Foundation, Inc., a non-profit corporation, to help defray the costs associated with their annual fundraiser, of which proceeds will be utilized for the development and expansion of the program to provide educational enrichment opportunities for Northeast Independent School District students; as requested by Councilman David Carpenter.

Mr. Carpenter made a motion to approve the proposed Ordinance with the following changes in appropriations: District 1 - \$100.00; District 5 - \$100.00; District 2 - \$100.00; District 7 - \$100.00. Mr. Perez seconded the motion.

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

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The Clerk then read the following Ordinance:

AN ORDINANCE 92918

AUTHORIZING THE EXPENDITURE OF \$1,300.00 FROM THE VARIOUS COUNCIL DISTRICTS CONTINGENCY BUDGET ACCOUNTS PAYABLE TO THE NORTH EAST EDUCATIONAL FOUNDATION, INC., A NON-PROFIT CORPORATION, TO HELP DEFRAY THE COSTS ASSOCIATED WITH THEIR ANNUAL FUNDRAISER, OF WHICH PROCEEDS WILL BE UTILIZED FOR THE DEVELOPMENT AND EXPANSION OF THE PROGRAM TO PROVIDE EDUCATIONAL ENRICHMENT OPPORTUNITIES FOR NORTHEAST INDEPENDENT SCHOOL DISTRICT STUDENTS; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

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2000-42 The Clerk read a proposed Ordinance authorizing the expenditure of \$200.00 from the District 3 Contingency Account to assist CineSA (Cinema Network of San Antonio) with the costs of providing a workshop to San Antonio area high school and college students who are pursuing careers in the film/television production industry; as requested by Councilwoman Debra Guerrero.

Mr. Carpenter made a motion to approve the proposed Ordinance with the following changes in appropriations: District 5 - \$100.00; District 6 - \$100.00; District 7 - \$100.00; District 10 - \$100.00. Mr. Perez seconded the motion.

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

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AN ORDINANCE 92919

AUTHORIZING THE EXPENDITURE OF \$600.00 FROM VARIOUS COUNCIL DISTRICTS CONTIGENCY BUDGET ACCOUNTS TO ASSIST CINESA (CINEMA NETWORK OF SAN ANTONIO) WITH THE COSTS OF PROVIDING A WORKSHOP TO SAN ANTONIO AREA HIGH SCHOOL AND COLLEGE STUDENTS WHO ARE PURSUING CAREERS IN THE FILM/TELEVISION PRODUCTION INDUSTRY; AS REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

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2000-42 TRAVEL AUTHORIZATION - Granted:

Travel Authorizations for Mayor Howard W. Peak and Councilmembers Ed Garza and Debra Guerrero to travel to Austin, TX to attend the Texas Municipal League 2000 Conference from Wednesday, November 15, 2000 through Saturday, November 18, 2000.

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

the Fluoride Special Election. She stated that it is violating her civil rights. She also took issue with the position taken by Archbishop Flores in support of Fluoride

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NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke regarding several items including his stand against the fluoride election.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, LULAC #4383, spoke of his U.S. Military career and his later arrest by San Antonio Police.

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2000-42 There being no further business to come before the City Council, the meeting was adjourned at 7:04 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