

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, OCTOBER 26, 2000.

* * * *

2000-40 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 Capital Projects Budget and the Debt Management Plan including: a review of the six year capital budget; implementation of the Proposition 3, Aquifer and Linear Parks Program; and the City's proposed Financial Management System. Presented by Octavio Pena, Finance Director; Terry Brechtel, Executive Director Administrative and Financial Services; Lou Lendman, Acting Director of Budget & Performance Assessment; Susan Crane, Proposition 3 Coordinator; Joe Chapa, ISD.**

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

The "B" Session adjourned at 11:04 A.M.

— — —

2000-40 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Perez, Salas, Prado, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. ABSENT: Guerrero.

— — —

2000-40 Invocation – Dr. Daniel J. Mueller, Pastor, Shepherd of the Hills Lutheran Church

— — —

2000-40 Pledge of Allegiance to the flag of the United States.

— — —

2000-40 **CITATION FOR CHURCHILL HIGH SCHOOL**

Mayor Peak introduced Mr. Joe Reasons, the principal of Churchill High School who was present to receive a Citation on behalf of the school, for their accomplishment in receiving the Lone Star Cup, a prestigious statewide award presented at the annual Texas High School Coaches Association Convention. Churchill High School was one of only five schools across the state to receive this award. Mr. Reasons then introduced fellow members of the faculty and thanked the City Council for the recognition.

Members of the City Council commended the school faculty and the coaching staff for the recognition and contributions to the community.

— — —

2000-40 **PROCLAMATION FOR CHILDREN'S BOOK WEEK**

Mayor Peak read the Proclamation and presented it to Ms. Laura Isenstein, Library Director. Ms. Isenstein then spoke on the various activities taking place in observance of "Children's Book Week" during November 13 – 19, 2000.

Ms. Conner commended Ms. Isenstein and the Library staff for their participation in this observance, and stressed the importance of reading for children at very early ages.

— — —

2000-40 **CONSENT AGENDA-CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to various items on the agenda. He expressed concern on a particular agenda item being included on the Consent Agenda rather than the Individual Agenda items.

Mr. Jack Finger, P.O. Box 12048, spoke to the amount of money associated with the lawsuit on Item 34. He stated that proper back-up material should be available to the public. He also spoke to certain Council members receiving campaign contributions and requesting that they abstain from voting on certain items.

* * * *

2000-40 CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 7 through 43E, constituting the Consent Agenda, with Item 34 being pulled for individual consideration and Items 24 and 43A being pulled from the agenda. Mr. Bannwolf seconded the motion.

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

AN ORDINANCE 92754

ACCEPTING THE BID FROM DME CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH RUNWAY END IDENTIFIER LIGHTS FOR A TOTAL OF \$91,585.00.

* * * *

AN ORDINANCE 92755

ACCEPTING THE BID FROM NEW BEDFORD PANORAMEX CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A PRECISION APPROACH PATH INDICATOR FOR A TOTAL OF \$119,196.63.

* * * *

AN ORDINANCE 92756

ACCEPTING THE LOW BID BY BRASADA FORD LIMITED D/B/A NORTHSIDE FORD TO PROVIDE THE CITY OF SAN ANTONIO POLICE AND FIRE DEPARTMENTS WITH 286 SEDANS FOR A TOTAL OF \$5,867,055.57.

* * * *

AN ORDINANCE 92757

AUTHORIZING THE TRANSFER OF \$227,800.00 FROM THE FY 00/01 FACILITY IMPROVEMENT AND MAINTENANCE PROGRAM (FIMP) FUND TO DO ARCHITECTURAL AND STRUCTURAL WORK ON THE CLAUDE BLACK

CENTER, BARBARA JORDAN CENTER, FRANK GARRETT CENTER, WILLIE VELASQUEZ CENTER AND ALBERT BENAVIDES CENTER; AND ESTABLISHING A PROJECT BUDGET TO AUTHORIZE EXPENDITURES TO SAID PROJECTS.

* * * *

AN ORDINANCE 92758

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FISHER HECK, INC. ARCHITECTS TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE GAZEBO RESTORATION AND BLOCKHOUSE REPAIRS PORTION OF THE CITY'S SAN PEDRO PARK 1999 PARK GENERAL OBLIGATION BOND ISSUE PROJECT; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$36,490.00 FOR SAID SERVICES; ESTABLISHING A \$7,310.00 ARCHITECTURAL CONTINGENCY; PROVIDING \$1,200.00 FOR BID ADVERTISING AND PRINTING FEES; REVISING THE SAN PEDRO PARK REHABILITATION PROJECT BUDGET; AUTHORIZING THE TRANSFER OF 1999 PARK GO BOND FUNDS INTO THE PROJECTS BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92759

ACCEPTING THE PROPOSAL OF SWCA ENVIRONMENTAL CONSULTANTS FOR \$14,100.00 IN ARCHAEOLOGICAL SURVEY SERVICES FOR BRACKENRIDGE PARK; PROVIDING \$3,525.00 FOR ARCHAEOLOGICAL SURVEY SERVICES CONTINGENCIES; REVISING THE BRACKENRIDGE PARK REHABILITATION 1994 PARK BOND ISSUE PROJECT BUDGET; TRANSFERRING BOND FUNDS INTO THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92760

APPROVING SAWS FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$41,411.70 PAYABLE TO SERVICE STATION CONSTRUCTORS & FUEL SYSTEMS, INC. (WBE) IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT 58H,

I AND J, PHASE III, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING AN INCREASE TO THE SAWS ACCOUNT RECEIVABLE IN THE AMOUNT OF\$41,411.70; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 90417, SEPTEMBER 2, 1999.)

* * * *

AN ORDINANCE 92761

APPROVING FIELD ALTERATION NO. 8 PAYABLE TO WINTERS CONSTRUCTION, INC. IN THE AMOUNT OF \$169,706.00 TO ADD ACCESSIBLE RESTROOMS AND ADDITIONAL FEATURES, AUTHORIZING \$16,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES AS PART OF THE RIVERWALK PARK PROJECT, LOCATED IN COUNCIL DISTRICT 1, AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 90080, DATED JULY 22, 1999.)

* * * *

AN ORDINANCE 92762

SELECTING BROWN ENGINEERING COMPANY TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SOUTHCROSS – ZARZAMORA TO SHELBY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 23RD YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$24,600.00; AUTHORIZING \$2,460.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92763

AUTHORIZING EXPENDITURE OF THE SUM OF \$82,650.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR 327.1/ 1604 PROPERTY JOINT VENTURE FOR FEE SIMPLE TITLE TO AN 8.2645 ACRES OF LAND OUT OF THE 327.10 ACRE TRACT OF LAND OUT OF THE SAN ANTONIO DITCH CO. SURVEY NO. 64, ABSTRACT NO. 871, COUNTY BLOCK 4335, BEXAR COUNTY, TEXAS AND SAID 327.10 ACRE TRACT BEING THE SAME

TRACT OF LAND DESCRIBED IN VOLUME 8431, PAGE 1654 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, IN CONNECTION WITH PUBLIC SAFETY RADIO AND COMMUNICATIONS TOWER; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92764

AUTHORIZING PAYMENT IN THE AMOUNT OF \$24,964.11 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE MISSION TRAILS PARKWAY, PACKAGE II METROPOLITAN PLANNING ORGANIZATION PROJECT (\$6,735.87), DOWNTOWN PARKING GARAGE PROJECT (\$12,874.95), THE HOUSTON - BOWIE TO PINE PROJECT (\$746.40), W. W. WHITE ROAD - RIGSBY TO LORD ROAD PROJECT (\$1,179.40); ALAMO STREET - DURANGO TO CEDAR METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,298.85), FIRE STATION NO. 7 PROJECT (\$1,342.24) AND THE MISSION TRAILS PARKWAY, PACKAGE IV METROPOLITAN PLANNING ORGANIZATION PROJECT (\$786.40); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92765

AUTHORIZING PAYMENT OF THE AMOUNT OF \$2,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2000-ED-0025, CITY OF SAN ANTONIO VS. CARLOS G. MERCADO, ET. AL., FOR FEE SIMPLE TITLE TO A 0.001 ACRE TRACT OF LAND OUT OF LOT 10, KNOWN AS ARBITRARY LOT A, NEW CITY BLOCK 903, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND PAYMENT OF THE AMOUNT OF \$904.00 FOR COURT COSTS, IN CONNECTION WITH THE ALAMO STREET - DURANGO TO CEDAR METROPOLITAN PLANNING ORGANIZATION PROJECT; FOR THE TOTAL SUM OF \$2,904.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE 91463, DATED MARCH 23, 2000.)

* * * *

AN ORDINANCE 92766

AUTHORIZING PAYMENT OF THE AMOUNT OF \$4,800.00 TO RAMON ESQUIVEL FOR APPRAISAL SERVICES IN CONNECTION WITH THE S. FLORES – MALONE TO OCTAVIA METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92767

AUTHORIZING PAYMENT OF THE AMOUNT OF \$10,147.50 TO ECKMANN, GROLL & RUNYAN, INC. FOR THE BITTERS ROAD – WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$6,150.00), PUBLIC SAFETY RADIO TOWER SITES PROJECT (\$1,550.00), MISSION TRAILS PARKWAY, PACKAGE II METROPOLITAN PLANNING ORGANIZATION PROJECT (\$400.00), ESCALON DRAINAGE PROJECT #1008 (\$1,072.50) AND THE ALAMO STREET – DURANGO TO CEDAR METROPOLITAN PLANNING ORGANIZATION PROJECT (\$975.00); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92768

AUTHORIZING PAYMENT OF THE AMOUNT OF \$12,821.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR PETROFLEET AUTOMATED FUELING, INC. FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT; THE AMOUNT OF \$2,620.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE MISSION TRAILS PARKWAY, PACKAGE II PROJECT; THE AMOUNT OF \$1,800.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR RUBEN LUNA, JR. FOR A TEMPORARY EASEMENT AND THE AMOUNT OF \$100.00 PAYABLE TO RUBEN LUNA, JR., FOR A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE ESCALON DRAINAGE PROJECT #1008; AND THE AMOUNT OF \$27,282.00 TO THE SAN ANTONIO WATER SYSTEM FOR A TRANSFER OF CONTROL OF PROPERTY AGREEMENT IN CONNECTION WITH THE EVERS ROAD AT WURZBACH ROAD PROJECT; FOR

A TOTAL SUM OF \$44,623.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92769

AUTHORIZING PAYMENT IN THE AMOUNT OF \$6,309.00 TO STEWART TITLE COMPANY AS ESCROW AGENT FOR AMERICAN OPPORTUNITY FOR HOUSING VILLAS, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT OF THE AMOUNT OF \$100.00 TO AMERICAN OPPORTUNITY FOR HOUSING VILLAS, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, FOR A RIGHT OF ENTRY AGREEMENT, IN CONNECTION WITH THE BLANCO ROAD AT JACKSON-KELLER ROAD METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92770

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,954.00 TO RUBIOLA CONSTRUCTION CO. FOR RECONSTRUCTION OF AN ENCROACHING HISTORICAL CANOPY, IN CONNECTION WITH THE HOUSTON STREET – BOWIE TO PINE METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 92771

AUTHORIZING THE TERMS AND CONDITIONS AND EXECUTION OF A FOURTH TEN (10) YEAR INTEREXCHANGE POINT-TO-POINT LICENSE AGREEMENT TO ALLOW WILLIAMS COMMUNICATIONS, (D/B/A VYVX INC. IN TEXAS), A DELAWARE CORPORATION, TO LOCATE APPROXIMATELY 18,666 LINEAR FEET (3.54 MILES) OF FIBER OPTIC CABLE WITHIN, UNDER, AND ACROSS PUBLIC RIGHTS-OF-WAY BEGINNING AT 1203 N. FRIO STREET AND PROCEEDING SOUTHEASTERLY TO 105 AUDITORIUM CIRCLE, THEN RETURNING NORTHWESTERLY TO 1203 N. FRIO, IN ORDER TO OPERATE A

LONG DISTANCE TELECOMMUNICATIONS SYSTEM, FOR A TOTAL CONSIDERATION OF \$379,221.30 TO BE RECEIVED BY THE CITY.

* * * *

AN ORDINANCE 92772

AUTHORIZING THE EXECUTION OF A TWO YEAR RENEWAL AND EXTENSION OF A LEASE AGREEMENT, ORIGINALLY APPROVED BY ORDINANCE NO. 86833 ON OCTOBER 23, 1997, WITH WASHINGTON PLACE JOINT VENTURE, D/B/A WASHINGTON PLACE, AS LANDLORD, FOR THE RENTAL OF 6,050 SQUARE FEET OF OFFICE SPACE AT 215 SOUTH SAN SABA FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT, WITH THE RENEWAL TERM COMMENCING NOVEMBER 1, 2000, AT AN ANNUAL RENT OF \$62,436.00 (\$10.32 PER SQUARE FOOT) IN THE FIRST YEAR AND \$65,340.00 (\$10.80 PER SQUARE FOOT) IN THE SECOND YEAR, SUBJECT TO BOTH STATE OF TEXAS GRANT FUNDING AND ANNUAL APPROPRIATION OF FUNDS AFTER AUGUST 31, 2001. (AMENDS ORDINANCE 86833, DATED OCTOBER 23, 1997.)

* * * *

AN ORDINANCE 92773

AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO CONSENT TO THE LIMITED ASSIGNMENT OR TRANSFER OF CERTAIN FUTURE CONTRACTUAL PERFORMANCE OBLIGATIONS OF MAXIM TECHNOLOGIES, INC. (MAXIM) TO HVJ ASSOCIATES, INC., FOR ENVIRONMENTAL ENGINEERING AND CONSULTING SERVICES NECESSARY TO REGULATORY COMPLIANCE, REMEDIATION, AND CLOSURE MANAGEMENT FOR LANDFILLS AND CITY PROJECTS HAVING TO COMPLY WITH ENVIRONMENTAL REGULATIONS. (AMENDS ORDINANCE 87291, JANUARY 29, 1998; ORDINANCE 89099, JANUARY 21, 1999; ORDINANCE 91281, FEBRUARY 17, 2000.)

* * * *

AN ORDINANCE 92774

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY INITIATIVES TO REVIEW MONTHLY REQUESTS FOR FY 2000-2001 SENIOR SERVICE ALLOCATION FUNDS AND TO APPROVE EXPENDITURES FROM SUCH FUNDS TO ALL ELIGIBLE SENIOR CITIZENS AGENCIES; ESTABLISHING GUIDELINES FOR SUCH EXPENDITURES; AUTHORIZING THE EXECUTION OF AGREEMENTS TO PERFORM SUCH TRANSACTIONS; AND ESTABLISHING ACCOUNT FUNDS.

* * * *

AN ORDINANCE 92775

APPROVING THE FISCAL YEAR 2000-01 PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION (W.A.R.M.) PLAN, WHICH IS PROJECTED TO PROVIDE APPROXIMATELY \$630,000.00 IN UTILITY ASSISTANCE TO ELIGIBLE CITY PUBLIC SERVICE RATEPAYERS IN THE SAN ANTONIO AREA; AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY AND CITY PUBLIC SERVICE (CPS) TO IMPLEMENT SUCH PLAN; AND AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH BEXAR COUNTY HOUSING AND HUMAN SERVICES IN THE AMOUNT OF \$20,000.00; CATHOLIC CHARITIES IN THE AMOUNT OF \$25,000.00; DAUGHTERS OF CHARITY IN THE AMOUNT OF \$8,000.00; ELLA AUSTIN COMMUNITY CENTER IN THE AMOUNT OF \$4,000.00; GREATER RANDOLPH AREA SERVICE PROGRAM IN THE AMOUNT OF \$5,000.00; HARLANDALE INDEPENDENT SCHOOL DISTRICT IN THE AMOUNT OF \$9,000.00; METHODIST HEALTH CARE MINISTRY IN THE AMOUNT OF \$6,000.00 ; PROJECT QUEST IN THE AMOUNT OF \$50,000.00; SAN ANTONIO AIDS FOUNDATION IN THE AMOUNT OF \$6,000.00; WESLEY COMMUNITY CENTER IN THE AMOUNT OF \$7,000.00 AND CITY PUBLIC SERVICE IN THE AMOUNT OF \$6,000.00.

* * * *

AN ORDINANCE 92776

AUTHORIZING THE ACCEPTANCE OF \$630,304.00 LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE (BJA), U.S. DEPARTMENT OF JUSTICE; ESTABLISHING A

BUDGET AND APPROPRIATING AND AUTHORIZING EXPENDITURE OF ALL PROJECT ACCRUED INTEREST.

* * * *

AN ORDINANCE 92777

AMENDING ORDINANCE NO. 92073, DATED JUNE 29, 2000, WHICH ACCEPTED A \$79,759.00 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD), BY INCLUDING NEW LANGUAGE AS REQUIRED BY THE TEXAS ADMINISTRATIVE CODE, SUBCHAPTER D, SECTION 3.2021.

* * * *

AN ORDINANCE 92778

AUTHORIZING THE EXECUTION OF A MAMMOGRAPHY SERVICES AGREEMENT WITH SOUTHWEST GENERAL HOSPITAL TO PROVIDE SCREENING AND DIAGNOSTIC MAMMOGRAPHY SERVICES TO WOMEN ELIGIBLE FOR SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S BREAST CANCER DETECTION PROGRAMS DURING THE PERIOD NOVEMBER 1, 2000 THROUGH OCTOBER 31, 2001; AND AUTHORIZING PAYMENTS FOR SERVICES TO SOUTHWEST GENERAL HOSPITAL.

* * * *

AN ORDINANCE 92779

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$10,770.00 IN CASH FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT FUNDING OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S AIDS PREVENTION AND SURVEILLANCE PROJECT THROUGH DECEMBER 31, 2000; AUTHORIZING THE ACCEPTANCE OF \$28,500.00 IN CASH FROM THE TEXAS DEPARTMENT OF HEALTH FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONDUCT A HEPATITIS C SCREENING/INTERVENTION PROJECT DURING THE PERIOD SEPTEMBER 1, 2000 THROUGH AUGUST 31, 2001; AUTHORIZING THE ACCEPTANCE OF \$50,000.00 IN CASH TO CONTINUE THE WOMEN, INFANTS & CHILDREN NUTRITION PROGRAM OUTREACH PROJECT OF THE SAN ANTONIO

METROPOLITAN HEALTH DISTRICT THROUGH SEPTEMBER 30, 2001; APPROVING THE EXECUTION OF CHANGE 11 TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2000/2001 ESTABLISHED IN ORDINANCE 91021, PASSED AND APPROVED DECEMBER 16, 1999; AND APPROVING THE PERSONNEL COMPLEMENT FOR THE ACTIVITIES FUNDED.

* * * *

AN ORDINANCE 92780

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL LEAGUE (TML) IN THE AMOUNT OF \$38,476.00 FOR THE PERIOD BEGINNING AUGUST 1, 2000 THROUGH JULY 31, 2001.

* * * *

AN ORDINANCE 92781

AUTHORIZING PAYMENT TO THE NATIONAL LEAGUE OF CITIES FOR MEMBERSHIP DUES IN AN AMOUNT OF \$20,784.00 FOR THE PERIOD BEGINNING OCTOBER 1, 2000 THROUGH SEPTEMBER 30, 2001.

* * * *

AN ORDINANCE 92782

AMENDING ORDINANCE NO. 92256, PASSED AND APPROVED ON AUGUST 31, 2000 ADOPTING POLLING SITES FOR THE NOVEMBER 7, 2000, SPECIAL ELECTION, BY CHANGING THE POLLING SITE FROM 2920 E. SOUTHCROSS (ALBERTSON'S) TO THE NEW LOCATION AT LUTHERAN CHURCH OF GOOD SHEPERD, LOCATED AT 1630 GOLIAD ROAD.

* * * *

AN ORDINANCE 92783

AUTHORIZING THE TEMPORARY CLOSURE OF PRUITT STREET, BETWEEN EDWARDS STREET AND LIPLAN STREET ON TUESDAY, OCTOBER 31, 2000 BEGINNING AT 6:00 P.M. UNTIL 9:00 P.M., IN ORDER FOR THE FILADELFIA BAPTIST CHURCH TO HOLD A BLOCK PARTY FOR THE COMMUNITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

AN ORDINANCE 92784

AUTHORIZING THE TEMPORARY CLOSURE OF WOODRIDGE DRIVE BETWEEN LARKWOOD DRIVE AND OAKLEAF DRIVE ON SATURDAY, OCTOBER 28, 2000 BEGINNING AT 3:00 P.M. UNTIL 6:00 P.M. IN ORDER FOR THE WOODRIDGE ELEMENTARY SCHOOL TO HOLD ITS HALLOWEEN CARNIVAL AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

AN ORDINANCE 92785

AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF PRESA STREET, BETWEEN THE SAN ANTONIO RIVER ON THE NORTH TO THE ENTRANCE OF PLAZA JUAREZ IN LA VILLITA ON THE SOUTH FROM 2:00 P.M. ON JUNE 24, 2001 UNTIL 1:00 P.M. ON JUNE 26, 2001 IN CONNECTION WITH THE ROTARY INTERNATIONAL CONVENTION EVENT IN THE VILLITA ASSEMBLY BUILDING.

* * * *

AN ORDINANCE 92786

AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO STREET BETWEEN HOUSTON AND COMMERCE, FROM 5:00 P.M. UNTIL 8:00 P.M. ON FRIDAY, NOVEMBER 24, 2000, SO THAT THE CITY OF SAN ANTONIO AND HEB MAY

CONDUCT THE ANNUAL CHRISTMAS TREE LIGHTING CEREMONY IN ALAMO PLAZA.

* * * *

AN ORDINANCE 92787

PROHIBITING "LIQUID STRING", SILLY STRING, SUPER STRING, SNAPPERS, THROWDOWNS, POPPING MATCH STICKS, POP POPS AND GLASS BEVERAGE CONTAINERS IN LA VILLITA, HEMISFAIR PARK, AND ON CERTAIN DOWNTOWN STREETS NEAR THE HEMISFAIR PARK AREA IN CONNECTION WITH THE CITY'S NEW YEAR'S EVE CELEBRATION TO BE HELD IN HEMISFAIR PARK ON DECEMBER 31, 2000; PROVIDING PENALTIES FOR THE VIOLATION OF THIS PROVISION; AND AUTHORIZING THE TEMPORARY CLOSURE OF SUCH DOWNTOWN STREETS IN CONNECTION WITH SAID EVENT.

* * * *

AN ORDINANCE 92788

RE-APPOINTING CAROLE ABITZ (DISTRICT 4) TO THE OPEN SPACE ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 29, 2002.

* * * *

AN ORDINANCE 92789

RE-APPOINTING CONNIE REYES (DISTRICT 2) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2001.

* * * *

AN ORDINANCE 92790

RE-APPOINTING VEATRICE WILLIAMS (DISTRICT 2) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2002.

* * * *

AN ORDINANCE 92791

RE-APPOINTING DR. EDWARD ALLEN BENSON (DISTRICT 9) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2002.

— — —

2000-40 Agenda Item No. 24, being a proposed ordinance approving the assignment of two (2) ground lease agreements, the Guadalupe Medical Complex Ground Lease (Medical Complex Lease) and the Guadalupe Medical Complex Parking Ground Lease (Parking Ground Lease) from Bernard Lifshutz to Davila Pharmacy, Inc.; and amending the use clause (Section 4.1) of the Medical Complex Lease to “a medical and professional office complex with at least six medical or professional office units and one pharmacy unit” and the term (Section 2.1) of each Lease to provide two five-year renewal options with rents based on market value and subject to City Council approval, was pulled from consideration by the City Manager.

— — —

2000-40 The Clerk read the proposed Ordinance authorizing the City to pay the settlement in Cause No. 98-CI-10602 styled *Arlene Otto, et al, v. City of San Antonio, Lorenzo Alvarez and Fernando Arellano*, in the total amount of \$150,000.00.

Mayor Peak commented on misinformation being disseminated by previous speakers, and requested more information on the issue from the City Attorney.

Frank Garza, City Attorney spoke on the proposed settlement and the investigation initiated by Mr. Ron Smudy, Assistant Director of Parks and Recreation. He detailed the background information, the procedural history and the proposed settlement for the case.

Mr. Garza also commented on the steps being taken by staff to hold more educational and preventive measures to avoid such future problems.

Mr. Bannwolf stated he had pulled this item for the purpose of accountability and to share with the public the activities of this case and the City's performance review to assure this type of problem does not reoccur.

Councilman Garza then made a motion to approve the proposed ordinance. There being no second to the motion, the motion to approve died for lack of a second.

No further action taken on the proposed ordinance.

— — —

2000-40 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 48 noting the amounts proposed for each of the projects. He then cited campaign contributions to certain members of the Council and recommended that these Council members abstain from voting on the contract for Pape-Dawson.

— — —

2000-40 ZONING HEARINGS – CITIZEN COMMENTS

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

* * * *

2000-40 ZONING HEARINGS

3A) CASE NO. #Z20216 - The request of Ignacio & Patricia Villarreal, Applicant, for Ignacio and Patricia Villarreal, Owner(s), for a change in zoning from "B" Residence District to "B-2NA" Business District, Non-Alcoholic Sales on North 132.5 feet of Lots 12 & 13, Block 64, NCB 7194, 1105 and 1109 Fresno. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 1).

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

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

AN ORDINANCE 92792

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 THE NORTH 132.5 FEET OF LOTS 12 & 13, BLOCK 64, NCB 7194, 1105 AND 1109 FRESNO, FROM "B" RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

* * * *

— * * * * —

3B.) 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.

Ms. Guerrero made a motion to continue this zoning case until the City Council meeting of November 9, 2000. Mr. Carpenter seconded the motion.

After consideration, the motion to continue this case until November 9, 2000, prevailed by the following vote: **AYES:** Perez, Salas, Prado, Garcia, Barrera, Garza, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Conner, Bannwolf.

Zoning Case Z20139 SUP was continued to the Council meeting of November 9, 2000.

* * * *

3C.) CASE NO. #Z20224 - The request of Seda Consulting Engineers, Inc., Applicant, for HLH Development (Harry Hausman), Owner(s), for a change in zoning from Temporary "R-1" Single Family Residence District to "R-7" Small Lot Residence District on Lots 9 through 28, Block 45, NCB 17525, Lots 5 through 21, Block 67, NCB 17547, Lots 54 through 108, Block 46, NCB 17526 and Lots 15 through 73, Block 68, NCB 17548, Bowsprit Drive, Emerald Port Drive, Balboa Port Drive, Port Shire Drive and Boston Harbor 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.

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

AN ORDINANCE 92793

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 9 THROUGH 28, BLOCK 45, NCB 17525, LOTS 5 THROUGH 21, BLOCK 67, NCB 17547, LOTS 54 THROUGH 108, BLOCK 46, NCB 17526 AND LOTS 15 THROUGH 73, BLOCK 68, NCB 17548, BOWSPRIT DRIVE, EMERALD PORT DRIVE, BALBOA PORT DRIVE, PORT SHIRE DRIVE AND BOSTON HARBOR DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT RESIDENCE DISTRICT.

* * * *

3D.) CASE NO. #Z20220 - The request of Busick Properties, Inc., Applicant, for Grant Memorial AME Church, Owner(s), for a change in zoning from "B-3" Business District to "B-2" Business District on Lot 5, Block 29, NCB 18076, save and except the east 150 feet, 3320 Timber View Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 6).

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

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

AN ORDINANCE 92794

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 5, BLOCK 29, NCB 18076, SAVE AND EXCEPT THE EAST 150 FEET, 3320 TIMBER VIEW DRIVE, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

3E.) CASE NO. #Z20196 SUP - The request of International Bible College, Applicant, for International Bible College, Owner(s), for a change in zoning from "A" Single-Family Residence District to "R-1 SUP" Single-Family Residence District with a Special Use Permit for a theological college and campus (non-state accredited) on Lot TR-A except the northeast irregular 181 feet of the south 391 feet of NCB 11506 (8.11 acres) and Lot 1, Block 3, NCB 11506 (1.82 acres), 2369 Benrus Blvd. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 7).

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

The following citizens appeared to speak:

Mr. Richard Reese, 2369 Benrus, proponent, spoke in support of the zoning change.

Mr. Roy Rivero, resident adjacent to the property, spoke in opposition to the wall being erected and stated that this would only hurt the value of the area property.

Mr. Garza made a motion to approve the zoning case with the R-1 Single-Family Residence zoning. 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, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Bannwolf.

AN ORDINANCE 92795

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 ALL OF LOT TR-A EXCEPT THE NORTHEAST IRREGULAR 181 FEET OF THE SOUTH 391 FEET OF NCB 11506 (8.11 ACRES) AND LOT 1, BLOCK 3, NCB 11506 (1.82 ACRES), 2369 BENRUS BLVD., FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1 SUP" SINGLE-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR A THEOLOGICAL COLLEGE AND CAMPUS (NON-STATE ACCREDITED).

* * * *

— — —
2000-40 Item 3F being a proposed ordinance for Zoning Case No. Z20206: The request of Medallion, Ltd., Applicant, for Medallion, Ltd., Owner(s), for a change in zoning from "B-2" Business District to "(P-1) R-6" Planned Unit Development Townhouse Residence District on 1.003 acre tract of land out of NCB 18910, Wurzbach Parkway, was removed from consideration by the City Manager.
— — —

3G.) CASE NO. #Z20236 - The request of City of San Antonio, Applicant, for Harry C. Schumacher, et. al, Owner(s), for a change in zoning from "R-5" Single-Family Residence District to "R-5 SUP" Single-Family Residence District with a Special Use Permit for 45 foot minimum width lots on 14.0526 acres out of County Block 4530 and 4766, now known as NCB 15824, 7700 block of Prue Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 8).

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

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

AN ORDINANCE 92796

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 14.0526 ACRES OUT OF COUNTY BLOCK 4530 AND 4766, NOW KNOWN AS NCB 15824, 7700 BLOCK OF PRUE ROAD, FROM "R-5" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-5 SUP" SINGLE-FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR 45 FOOT MINIMUM WIDTH LOTS.

* * * *

3H.) CASE NO. #Z20193 - The request of Big Springs, Ltd., Applicant, for Big Springs, Ltd., Owner(s), for a change in zoning from "(P-1) R-1 ERZD" Planned Unit Development Single-Family Residential Edwards Recharge Zone District to "B-2 ERZD" Business Edwards Recharge Zone District on 14.15 acres out of NCB 19219, 2000 Block of Evans Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Carpenter 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, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Garza.

AN ORDINANCE 92797

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 14.15 ACRES OUT OF FORMER COUNTY BLOCK 4924, NOW NCB 19219, 2000 BLOCK OF EVANS ROAD, FROM "(P-1) R-1 ERZD" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT TO "B-2 ERZD" BUSINESS EDWARDS RECHARGE ZONE DISTRICT.

* * * *

— * * * * —

3I.) CASE NO. #Z20219 - The request of Kaufman & Associates, Inc., Applicant, for Three Lee Properties Ltd., Owner(s), for a change in zoning from "B-3NA" Business District, Non-Alcoholic Sales to "B-3R" Restrictive Business District on Lot 50 and the west 105.99 feet of 51 & 49A, NCB 11883, 456 West Sunset Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 9).

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

Mr. Garza made a motion to approve the proposed zoning with deed restrictions that were previously filed prohibiting any establishments with topless dancing. 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, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado.

AN ORDINANCE 92798

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 49A AND LOT 50 AND THE WEST 105.99 FEET OF 51 & 49A, NCB 11883, 456 WEST SUNSET ROAD, FROM "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

3J.) CASE NO. #Z99200 SUP - The request of Jerry Arredondo, Applicant, for John A. Hanesworth, Owner(s), for a change in zoning from Historic "B (H)" Residence District to Historic "R-2 SUP (H)" Two Family Residence District with a Special Use Permit for the six (6) existing dwelling units on Lot 13 and the east 25 feet of Lot 12, NCB 1701, 146 E. Agarita Street. Staff's recommendation was for approval.

Zoning Commission has recommended denial of the original request for "R-3" Multiple Family Residence District (Council District 9).

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

Mr. Bannwolf made a motion to approve the proposed rezoning as R-2 SUP, Two-Family Residence District with a Special Use Permit for the six dwelling units. 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, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Guerrero, Prado, Conner.

AN ORDINANCE 92799

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 AND THE EAST 25 FEET OF LOT 12, NCB 1701, 146 E. AGARITA STREET, FROM HISTORIC "B (H)" RESIDENCE DISTRICT TO HISTORIC "R-2 SUP (H)" TWO FAMILY RESIDENCE DISTRICT WITH A SPECIAL USE PERMIT FOR THE SIX (6) EXISTING DWELLING UNITS.

* * * *

— * * * * —

3K.) CASE NO. #Z20069 - The request of Dr. Jose Rosillo, Applicant, for James and Faye Todd, Owner(s), for a change in zoning from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District on 0.15 acres out of Lot 31, NCB 12167, 2633 Austin Highway. Staff's recommendation was for approval.

Zoning Commission has recommended approval (Council District 10).

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

Mr. Carpenter made a motion to reject the recommendation of the Zoning Commission, and deny the rezoning request. Mr. Bannwolf seconded the motion.

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

Zoning Case Z20069 was denied.

* * * *

The Clerk read the following Ordinance:

AN ORDINANCE 92800

AUTHORIZING THE CITY OF SAN ANTONIO TO TAKE POSSESSION AND CONTROL OF ST. ELMO LODGE NO. 25, KNIGHTS OF PYTHIAS CEMETERY, BEACON LIGHT MASONIC LODGE NO. 50 CEMETERY, UNITED BROTHERS OF FRIENDSHIP CEMETERY, GRAND UNITED ORDER OF ODD FELLOWS CEMETERY AND SAN ANTONIO LODGE NO. 1 CEMETERY, ALL LOCATED ON A PORTION OF NCB 1391 ADJACENT TO CITY CEMETERY NO. 3 IN CITY COUNCIL DISTRICT 2, ON BEHALF OF THE PUBLIC TO PROTECT THE PUBLIC HEALTH, SAFETY, COMFORT AND WELFARE OF THE RESIDENTS OF SAN ANTONIO.

* * * *

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the cemeteries being proposed to be maintained by the City, a copy of which presentation is made a part of the papers of this meeting. He cited each of the cemetery sites, and detailed the procedures required for this process, and the financial impact.

Mr. Salas spoke to the historical significance of the cemeteries and that it had been long overdue. He stated while the volunteers do a good job in the clean-up, he is very supportive of the City's participation to maintain the cemeteries. He further commended them for their efforts on this project.

Mayor Peak recognized the need for this formalized process in order to maintain the cemeteries.

Mr. Matthews stated that these cemeteries were going to be a state landmark.

Mr. Garcia further commended staff for their initiative on this effort.

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92801

SELECTING PAPE-DAWSON ENGINEERS, INC. TO PROVIDE FOR THE DEVELOPMENT OF PLANNING AND DESIGN GUIDELINES FOR CREEK-BASED LINEAR PARKS; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THESE SERVICES; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Malcolm Matthews, Director of Parks and Recreation, stated that these monies were necessary to acquire the services of Pape-Dawson for the development of the planning and design guidelines of creeks and greenways for the creek-based linear parks, and briefly outlined the services to be provided.

Mayor Peak commended the Parks staff and stated he was in support of the creek-based linear parks to be incorporated into the parks projects.

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92802

ESTABLISHING PROJECT BUDGETS AND APPROPRIATING FUNDS FOR THE EDWARDS AQUIFER PARK LAND ACQUISITION PROJECT, LINEAR PARKS (LEON CREEK PROJECT AND SALADO CREEK PROJECT) AND EDWARDS AQUIFER PARK LAND O & M FUND; AND AMENDING ORDINANCE NO. 92511, PASSED AND APPROVED SEPTEMBER 14, 2000 BY REVISING THE GENERAL FUND PARKS & RECREATION DEPARTMENT FY 2001 PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 92511, SEPTEMBER 14, 2000.)

* * * *

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

Ms. Susan Crane, Proposition 3 Project Officer, narrated a slide presentation, on the Edwards Aquifer Park Land Project, a copy of which presentation is made a part of the papers of this meeting. She detailed the land acquisition considerations, the Land Acquisition Team charged with the process management, the project budget and the land acquisition.

Mr. Malcolm Matthews, spoke on the \$1 million in improvements of the Plan, the Management Plan and the Linear Parks Project outlining the creation of linear parks along Leon and Salado Creek.

Mayor Peak commended the staff for the accelerated pace of the project.

Ms. Conner commended Mayor Peak for his vision and work of this project in efforts to save the land for the Edwards Aquifer Recharge Zone, and further recognized numerous citizens for their work and efforts to this project.

The following citizens appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, expressed concern to the lack of adequate numbers of Park Rangers to secure these areas. He also stated that the City should annex the property before purchasing it.

Mr. Bob Wandrisco, member of the Planning Commission, urged the Council to approach a methodology to acquire the land over the Aquifer in order to obtain the best price for the City.

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92803

AUTHORIZING CHANGES TO THE SCHOOL ZONE FLASHING BEACONS POLICY.

* * * *

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

Mr. Andy Ballard, City Engineer, made a slide presentation on the flashing beacons for school zones, outlining the current criteria for the establishment of school zones, the problems at schools without school zones, and the proposed solution and policy issues, a copy of which presentation is made a part of the papers of this meeting.

Mr. Barrera expressed concern on the number of streets without appropriate signals for the safety of children.

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.

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92804

APPROPRIATING \$12,000.00 FROM 1999/2000 NEIGHBORHOOD ACCESSIBILITY AND MOBILITY PROGRAM (NAMP) FUNDS FOR DISTRICT 6 FOR THE INSTALLATION OF SCHOOL FLASHING BEACONS ON PINN ROAD

AT J.B. PASSMORE ELEMENTARY SCHOOL AND AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO INSTALL THE FLASHING BEACONS.

* * * *

Mr. Barrera 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.

— — —

2000-40 PUBLIC HEARING AND ORDINANCE: 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

Mr. Oscar Serrano, Real Estate Manager, requested for a two-week continuance to November 9, 2000 at 3:30 P.M.

Mr. Perez made a motion to continue for two weeks. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Mr. Ramon Esquivel, spoke to the property being considered and stated he had property rights in the alley. He presented documentation to the City Council, a copy of which has been made a part of the papers of this meeting.

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92806

AN ORDINANCE AUTHORIZING THE ONE-TIME EXPENDITURE OF FUNDS IN THE AMOUNT OF \$4,400,000.00 IN CONNECTION WITH CERTAIN PUBLIC PROJECTS DESIGNATED BY THE MAYOR AND BY CITY COUNCILMEMBERS; AND AMENDING ORDINANCE NO. 92511, PASSED AND APPROVED ON SEPTEMBER 14, 2000, IN ACCORDANCE THEREWITH, AND FURTHER AUTHORIZING THE TRANSFER AND EXPENDITURE BY CONTRACT OF \$100,000 IN COUNCIL DISTRICT 4 PROGRAM BALANCES IN THE COMMUNITY INITIATIVES DEPARTMENT BUDGET AND THE FY 2001 ONE-TIME PROJECTS BUDGET FOR DISTRICT 4 EMERGENCY HOUSE REPAIRS TO BE ADMINISTERED BY THE SAN ANTONIO DEVELOPMENT AGENCY.

* * * *

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92807

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 4 CONTINGENCY BUDGET ACCOUNT TO ASSIST THE NEIL ARMSTRONG PTA TO PROVIDE THANKSGIVING MEALS FOR 35 NEEDY FAMILIES; AS REQUESTED BY COUNCILMAN RAUL PRADO.

* * * *

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92808

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 5 CONTINGENCY BUDGET ACCOUNT TO THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR THE RENTAL OF THE SHOWMOBILE BY ST. STEPHEN CATHOLIC CHURCH TO BE USED FOR THEIR ANNUAL FALL FESTIVAL ON SUNDAY, NOVEMBER 5, 2000; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

* * * *

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

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

— — —
2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92809

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 9 BUDGET ACCOUNT IN THE AMOUNT OF \$13,570.00 TO COUNCILMAN TIM BANNWOLF FOR ADMINISTRATIVE SERVICES CONTRACTS WITH GLENNELL S. BRIVIC (\$6,600.00); HEATHER J. MCKINNEY (\$6,170.00) AND WILLIAM J. TRUJILLO

(\$800.00) FROM OCTOBER 1, 2000, THROUGH NOVEMBER 30, 2000; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

* * * *

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

— — —

2000-40 The Clerk read the following Ordinance:

AN ORDINANCE 92810

AUTHORIZING THE TEMPORARY CLOSURE OF HOUSTON STREET FROM CAMARON TO LAREDO STREETS ON SATURDAY, NOVEMBER 4, 2000 BEGINNING AT 7:00 A.M. UNTIL 4:00 P.M. AT THE REQUEST OF THE ALAMEDA FOR THE RE-OPENING CELEBRATION OF THE CASA DE MEXICO INTERNATIONAL BUILDING; AS REQUESTED BY COUNCILMAN BOBBY PEREZ; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

— — —

2000-40 APPEAL OF JANET AHMAD REGARDING THE DECISION OF THE ELECTRICAL EXAMINING AND SUPERVISING BOARD ON THE INSTALLATION OF WATER HEATERS IN THE RETURN AIR OF THE HEATING AND AIR CONDION SYSTEMS IN DWELLINGS

Mr. Gene Camargo, Director of Building Inspections narrated a slide presentation on the background of the Electrical Board's interpretation of Section 300-22 of the National Electrical Code, a copy of which presentation is made a part of the papers of this meeting. He cited certain sections of the code specifically noting the section as it pertains to the installation of water heaters and AC units, Section 90-2 where it provides for the authority having jurisdiction to make interpretations of the code, and Section 10-67 of the City Code where authorization is given to the Board to alter, amend or revoke decisions of the Director or Chief Electrical Inspector regarding code interpretations.

Mr. Patrick Poloskey, Chief Electrical Inspector, clarified Section 300-22 of the National Electrical Code as it applies to Wiring in Ducts, Plenums, and other air-handling spaces. He further presented statistical information on the Fire Incident Reports involving electrical water heaters and central heating units.

The following citizen(s) appeared to speak:

Mr. Mark Eberwine, 5714 Oolootera, refuted statements made by Building Inspections staff on the number of incidents related to water heaters. He spoke to Section 300-22 on the issue of plenums.

Ms. Janet Ahmad, 18 Silver Horn, stated that Mr. Carl Mixon, County Fire Marshall would state this is unsafe, and she reiterated on the dangers of the water heaters. She read excerpts from a letter where she expressed concern on the problem with water heaters installed beneath the air condition systems in the return air plenum in homes, a copy of which is made a part of the papers of this meeting.

Mr. Jack Finger, P.O. Box 12048, commented on the issues and concerns raised by the citizens regarding the safety of water heaters.

Mr. Faris Hodge, Jr., 140 Dora, stated that it was time to upgrade the Code and also expressed concern on the dangers of the electrical water heaters.

Mr. Robert Wandrisco, 4754 Shavano Oak, spoke in support of the decision of the Electrical Board and urged City Council to deny the appeal.

Mr. Aaron Semon, Kaufman & Broad, Director of Government Affairs, spoke in support of the present standards in the Electrical Code. He stated that the homes being built by Kaufman & Broad were in compliance with the Code and urged Council to uphold the decision of the Electrical Board.

Mr. Gregory Preis, 124 Country Place, spoke in support of the decision of the Electrical Board.

Ms. Emilia Reinhard, 8019 Swindow Circle, Converse, Texas, cited problems in her home and was opposed to the Electrical Board's recommendation.

Mr. Larry Meads, Chairman of the Electrical Board, cited his years of experience as an electrician, and stated that the City's interpretation is correct. He stated he was in support of the recommendation, noting certain sections of the Code.

Mr. Robert Shannon, Calhoun Electric Co., spoke in support of the Electrical Code.

Ms. Ahmad, reiterated her concerns and safety of the Code. She urged the City Council to correct these deficiencies of the Code.

* * * *

The City Clerk read a proposed Resolution considering the appeal of Janet Ahmad regarding the decision of the Electrical Examining Supervising Board on the installation of water heaters in the return air of the heating and air condition systems in dwellings.

In response to Ms. Conner regarding the costs of installing the water heaters and air condition system, Mr. Polosky stated that there was not a difference in price by placing the unit in the garage.

Ms. Conner noted that the City was following the National Electrical Code with amendments.

Mr. Camargo spoke to the qualifications of the Board, noting their vast experience.

In response to Mr. Salas, Mr. Camargo stated that each builder utilized a different configuration.

Mr. Salas stated that if there is no specific requirement on the placement, he would move to address this issue and direct staff to report on the safer of the two conditions, reflect

configuration, and define plenum and use of electrical device. Mr. Carpenter seconded the motion.

Mr. Perez stated that safety is the overriding issue and will support Mr. Salas recommendation.

In response to Mr. Perez, Mr. Polosky spoke to the number of accidents involving electrical waters and air condition units.

Mr. Perez commented that if there was a history of problems, measures should be taken to correct them, and reiterated on the issue of safety being very important.

Mr. Polosky reiterated on the damages being minimal.

Mr. Eberwine again cited the number of deaths and the safety issue. He urged City Council to make the adjustment necessary as an added safeguard.

Mr. Salas spoke to the issue of plenum, and requested that staff investigate how to address the safety issue and report back to City Council.

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

There was no action taken on the Resolution.

Mayor Peak urged the Electrical Board to work with City staff to resolve this issue.

— — —

2000-40 CITY MANAGER'S REPORT

Mr. Rolando Bono, spoke on the storm of October 23, 2000 and reported on the damages incurred to the building and vehicles at the Northwest Service Center.

Mr. Alexander E. Briseño reported on the Executive Team Road Rally being postponed to December 1, 2000.

NATIVE AMERICAN COALITION

The following individuals appeared to speak and presented to the Mayor and City Council written information and requests regarding their issues and petitions regarding Native Americans' concerns:

Mr. Romero Castro, Jr.
Marcelino Martinez
Dr. Jonathan B. Hook

They asked the City Council to designate a liaison to hear their concerns. A copy of this information is on file with the papers of this meeting.

Mayor Peak advised the group that he would be contacting them at the address provided in the sign up sheet.

Councilman Salas indicated that he would be providing them with a \$1,000 donation to assist them in one of their cultural programs.

Councilman Perez stated that he would also be providing a donation.

* * * *

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the City Council about his opinions on the Fluoride issue; objected to the Archbishop and the COPS/METRO ALLIANCE supporting the fluoride proposition on the ballot. He also spoke with concern about the Kelly AFB environmental issue.

* * * *

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke with reference to VIA and their bench ad contract; asked that the City staff be given proper sexual harassment training; stated that City

appointees to VIA will not be supporting the allocation for the City's street maintenance program because of unspent monies in that account by the City.

* * * *

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, took issue with the Archbishop Flores and the COPS/METRO ALLIANCE supporting fluoride and stated that religion and politics don't mix.

— — —
2000-40 There being no further business to come before the City Council, the meeting was adjourned at 7:20 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk