

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, NOVEMBER 1, 2001.

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2001-41 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.) **Staff Presentation on the 2001 Street maintenance Program**, presented by Thomas Wendorf, Director of Public Works.

The "B" Session adjourned at 11:25 A.M.

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2001-41 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: AYES: Perez, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Sanders.

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2001-41 Invocation by Rev. Gerald Harvey, Oak Meadow United Methodist Church.

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2001-41 Pledge of Allegiance to the flag of the United States.

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2001-41 **PRESENTATION OF PROCLAMATION: TWELVE DAYS OF CHRISTMAS**

Mayor Garza presented the delegation of the Loving Dozen, a non-profit organization, with a Proclamation designating the Twelve Days of Christmas. Mr. Rudy Rodriguez, Chairman and founder of the Loving Dozen accepted the Proclamation and spoke of the numerous programs and awards of the organization in order to help children in need. He

thanked the City Council for the presentation and introduced members of the organization's board.

Members of the City Council commended Mr. Rodriguez for his leadership, and recognized the group for their continuing community efforts.

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2001-41 PRESENTATION OF PROCLAMATION: SAN ANTONIO NEW WORLD WINE AND FOOD FESTIVAL DAYS

Mayor Garza read a Proclamation designating San Antonio New World Wine and Food Festival Days and presented it to Mr. Henry Feldman, president of La Mansion del Rio Hotel. Mr. Steve Moore, Director of Convention & Visitor's Bureau, recognized Mr. Feldman and La Mansion for the diligence in bringing this project to fruition, and further noted the commitment of the Hotel/Motel Association and the San Antonio Restaurant Association.

Members of the City Council congratulated Mr. Feldman and members of the two Associations for their contributions to the community.

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2001-41 CERTIFICATE OF CONGRATULATIONS: SOUTHWEST AIRLINES

Mayor Garza read a Certificate of Congratulations to Southwest Airlines in recognition of the addition of two new non-stop service flights to San Diego, California and Raleigh Durham, North Carolina. He presented the Certificate to Ms. Christine Ortega and Rusty Arnold, Southwest Airlines representatives.

Members of the City Council further congratulated Ms. Ortega and Ms. Arnold, and noted the contributions of Southwest Airlines.

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2001-41 Minutes of the Regular City Council Meetings of September 27, 2001 were approved.

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2001-41 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke in support of the Veterans Parade and recognized the military personnel for their service to the country.

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2001-41 **CONSENT AGENDA**

Mr. Perez made a motion to approve Agenda Items 5 through 38B, constituting the Consent Agenda. Mr. Garcia seconded the motion.

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

AN ORDINANCE 94820

ACCEPTING THE BID FROM CAPCO COMMUNICATIONS UTILIZING THE TEXAS DEPARTMENT OF INFORMATION SYSTEMS "GO DIRECT" PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH NETWORK MAINTENANCE FOR A TOTAL SUM OF \$92,703.00.

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AN ORDINANCE 94821

ACCEPTING AND RATIFYING THE PROPOSAL FROM ROCHE DIAGNOSTICS, ROCHE MOLECULAR BIOCHEMICALS TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH AN EMERGENCY PURCHASE OF A ROCHE LIGHTCYCLER INSTRUMENT, CENTRIFUGE AND CHEMICALS FOR A TOTAL OF \$82,936.00.

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AN ORDINANCE 94822

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 2001-2002 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$136,563.00. (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.)

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AN ORDINANCE 94823

AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO RIVER AUTHORITY IN AN AMOUNT NOT TO EXCEED \$1,306,296.00 FOR THE CITY'S PORTION OF PRELIMINARY DESIGN SERVICES IN CONNECTION WITH THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT (INCLUDING \$786,053.00 FOR THE LONE STAR BOULEVARD TO ESPADA MISSION SECTION AND \$520,243.00 FOR THE HILDEBRAND AVENUE TO LEXINGTON AVENUE SECTION, INCLUDING THE BROOKLYN STREET DAM); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94824

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC. IN AN AMOUNT NOT TO EXCEED \$81,955.00 FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE HOUSTON STREET FROM PINE TO ONSLOW METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91811, MAY 18, 2000).

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AN ORDINANCE 94825

AUTHORIZING WORK UNDER AN EXISTING STANDBY PROFESSIONAL ENVIRONMENTAL SERVICES CONTRACT WITH HARTNETT ENGINEERED SOLUTIONS, INC., IN AN AMOUNT NOT TO EXCEED \$8,850.00 FOR PHASE II ENVIRONMENTAL SUBSURFACE INVESTIGATION SERVICES IN CONNECTION WITH THE SUNSET ROAD FROM JONES MALTSBERGER TO BROADWAY METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93347, FEBRUARY 1, 2001).

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AN ORDINANCE 94826

SELECTING BEATY & PARTNERS ARCHITECTS, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES CONTRACT IN CONNECTION WITH THE PARKING REVENUE BOND RENOVATION AND ENHANCEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$93,080.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94827

RATIFYING AND APPROVING FIELD ALTERATION NO. 5-FINAL IN AN AMOUNT NOT TO EXCEED \$65,316.40 PAYABLE TO SHANNON MONK, INC. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE BOBOLINK DRAINAGE NO. 96A PROJECT IN COUNCIL DISTRICT 1; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 88722, OCTOBER 22, 1998).

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AN ORDINANCE 94828

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED

\$22,305.00 FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE MISSION TRAILS PACKAGE III-IV PROJECT IN COUNCIL DISTRICTS 1 AND 3; AUTHORIZING \$20,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81976, MARCH 30, 1995).

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AN ORDINANCE 94829

ACCEPTING THE LOW BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$1,527,682.07 IN CONNECTION WITH THE ASPHALT RECYCLING AND OVERLAY-2001 STREET MAINTENANCE PROJECT; AUTHORIZING \$76,384.10 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94830

ACCEPTING THE LOW BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$1,241,614.70 IN CONNECTION WITH THE ASPHALT OVERLAY-2001 STREET MAINTENANCE PROJECT; AUTHORIZING \$62,080.74 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94831

ACCEPTING THE BID OF CLARK CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,410,243.40 IN CONNECTION WITH THE SINGLE COURSE BITUMINOUS SLURRY SEAL-2001 PACKAGE "A" STREET MAINTENANCE PROJECT; AUTHORIZING \$70,512.17 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING

EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES;
APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94832

ACCEPTING THE BID OF CLARK CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,389,138.30 IN CONNECTION WITH THE SINGLE COURSE BITUMINOUS SLURRY SEAL-2001 PACKAGE "B" STREET MAINTENANCE PROJECT; AUTHORIZING \$69,456.92 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94833

ACCEPTING THE BID OF CLARK CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,000,524.10 IN CONNECTION WITH THE SINGLE COURSE BITUMINOUS SLURRY SEAL-2001 PACKAGE "C" STREET MAINTENANCE PROJECT; AUTHORIZING \$50,026.21 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94834

ACCEPTING THE BID OF CLARK CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,382,837.75 IN CONNECTION WITH THE MICRO-SURFACE-2001 PACKAGE "A" STREET MAINTENANCE PROJECT; AUTHORIZING \$69,141.89 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR

PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94835

ACCEPTING THE BID OF CLARK CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$1,116,028.16 IN CONNECTION WITH THE MICRO-SURFACE-2001 PACKAGE "B" STREET MAINTENANCE PROJECT; AUTHORIZING \$55,801.41 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94836

ACCEPTING THE LOW BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$97,789.98 IN CONNECTION WITH THE BASE AND PAVEMENT FAILURE REPAIR-2001 STREET MAINTENANCE PROJECT; AUTHORIZING \$4,889.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94837

ACCEPTING THE LOW BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$1,894,473.66 IN CONNECTION WITH THE 2001 VIA LOCAL ASSISTANCE PROGRAM-STREET MAINTENANCE PROJECT; AUTHORIZING \$104,276.34 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94838

AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH EARTH TECH, INC. FOR AN AMOUNT NOT TO EXCEED \$30,000.00 IN CONNECTION WITH THE LOCKHILL SELMA FROM WHISPER PATH TO GEORGE ROAD METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 8; AUTHORIZING \$3,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90510, SEPTEMBER 23, 1999.)

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AN ORDINANCE 94839

ACCEPTING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT NOT TO EXCEED \$55,990.00 PAYABLE TO S.M. GALINDO ENGINEERS, INC. IN CONNECTION WITH THE EMMETT STREET FROM BLOCK #500 TO BLOCK #700 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT IN COUNCIL DISTRICT 3; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT; AUTHORIZING \$5,599.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94840

AUTHORIZING AND ACCEPTING PROFESSIONAL SPECIAL WASTE SERVICES RENDERED TO THE BENEFIT OF THE CITY AND HONORING PAYMENT DUE KMAC CONSTRUCTION SERVICES, INC., IN THE SUM OF \$20,383.70 FOR ASBESTOS ABATEMENT SERVICES PERFORMED, UNDER TERMS OF THE COMPLETED 1999/2000 ASBESTOS INDEFINITE DELIVERY CONTRACT, IN CONNECTION WITH THE CITY'S FLOOD BUYOUT PROGRAM, AND AUTHORIZING \$75,000.00 FOR ADDITIONAL ASBESTOS ABATEMENT

SERVICES UNDER A SHORT TERM DISCRETIONARY CONTRACT, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91003, DECEMBER 16, 1999.)

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AN ORDINANCE 94841

AMENDING THE PROFESSIONAL SERVICES AGREEMENT APPROVED BY ORDINANCE NO. 83704 ON FEBRUARY 5, 1998, WITH ROY F. WESTON, INC. TO PROVIDE CONSTRUCTION OVERSIGHT AND DOCUMENTATION RELATING TO THE SOIL REMEDIATION FOR THE FORMER FIRE TRAINING AREA AT SAN ANTONIO INTERNATIONAL AIRPORT BY AUTHORIZING ADDITIONAL SERVICES AND FEES NOT TO EXCEED \$52,310.00; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87304, FEBRUARY 5, 1998.)

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AN ORDINANCE 94842

DESIGNATING THE FIRM OF CDS/MUERY SERVICES TO PROVIDE ENGINEERING SERVICES FOR THE REMAIN OVER NIGHT APRON AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$264,293.00; AUTHORIZING \$26,000.00 FOR ENGINEERING CONTINGENCIES; ESTABLISHING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94843

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,400.00 TO LAWYERS TITLE COMPANY OF SAN ANTONIO AS ESCROW AGENT FOR TA ESCROW 97, INC., FOR FEE SIMPLE TITLE TO 0.072 ACRES OF LAND OUT OF THE SOUTHWEST PORTION OF LOT 8, BLOCK 12, NEW CITY BLOCK 10792 IN CONNECTION

WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III & V; FOR A TOTAL SUM OF \$9,400.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94844

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,800.15 TO HOGAN PROPERTIES COMPANY, INC. D/B/A REAL ESTATE SERVICES FOR SERVICES IN CONNECTION WITH THE BABCOCK ROAD – DEZAVALA ROAD TO HAUSMAN ROAD PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94845

AUTHORIZING PAYMENT IN THE AMOUNT OF \$600.00 TO LUZ CABRERA F/K/A LUCY FERNANDEZ, FOR FEE SIMPLE TITLE TO TWO PARCELS IN CONNECTION WITH THE ASHLEY ROAD – BASCUM TO SOUTH FLORES PROJECT; APPROPRIATING FUNDS, PROVIDING FOR PAYMENT, AND AMENDING ORDINANCE NO. 74275.

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AN ORDINANCE 94846

AUTHORIZING PAYMENT IN THE AMOUNT OF \$24,110.00 TO LAWYERS TITLE OF COMPANY OF SAN ANTONIO AS ESCROW AGENT FOR EFRAIN HINOJOSA AND WIFE, MINNIE D. HINOJOSA FOR A TEMPORARY CONSTRUCTION EASEMENT AND RELATED TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III & V PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94847

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,802.79 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD – DEZAVALA ROAD TO HAUSMAN ROAD PROJECT (\$4,783.55), BITTERS ROAD – WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,076.09), FIRE STATION NO. 7 PROJECT (\$45.00), FIRE STATION NO. 25 PROJECT (\$544.80), MISSION TRAILS PARKWAY, PHASE III METROPOLITAN PLANNING ORGANIZATION PROJECT (\$105.00), MISSION TRAILS PARKWAY, PHASE IV METROPOLITAN PLANNING ORGANIZATION PROJECT (\$10.25), PECAN VALLEY – I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$2,547.70), SALADO CREEK HIKE AND BIKE TRAIL PROJECT (\$571.40), SOUTHCROSS – NEW BRAUNFELS TO S. PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$35.00), W.W. WHITE ROAD – RIGSBY TO LORD ROAD PROJECT (\$84.00), FOR A TOTAL SUM OF \$9,802.79; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94848

AUTHORIZING THE ACCEPTANCE OF \$28,791.00 IN CASH FROM THE NATIONAL OPINION RESEARCH CENTER TO FUND THE UNITED STATES DEPARTMENT OF JUSTICE ARRESTEE DRUG ABUSE MONITORING PROGRAM CONDUCTED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT DURING THE PERIOD OCTOBER 1, 2001 THROUGH DECEMBER 31, 2001; AUTHORIZING EXECUTION OF THE SUBCONTRACT WITH THE NATIONAL OPINION RESEARCH CENTER; ESTABLISHING A FUND AND ADOPTING A PROGRAM BUDGET.

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AN ORDINANCE 94849

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO IN THE AMOUNT OF \$9,450.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO BE REIMBURSED FOR ITS CONTINUED PARTICIPATION IN THE SAN ANTONIO STOP ABUSE FOR

EVERYONE (S.A.F.E.) FAMILY COALITION COLLABORATION PROJECT
DURING THE PERIOD SEPTEMBER 30, 2001 THROUGH SEPTEMBER 29, 2002.

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AN ORDINANCE 94850

AUTHORIZING THE CITY MANAGER OR HER DESIGNATED REPRESENTATIVE TO ACCEPT A \$4,000.00 SUPPLEMENTAL GRANT FOR THE HIGH INTENSITY DRUG TRAFFICKING AREA DIRECTOR'S ADMINISTRATIVE SUPPORT ELEMENT FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) TO FUND TRAVEL AND COMPUTER SOFTWARE FOR THE GRANT PERIOD FROM JANUARY 1, 2001, TO DECEMBER 31, 2001.

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AN ORDINANCE 94851

AUTHORIZING THE CITY MANAGER OR HER DESIGNATED REPRESENTATIVE TO ACCEPT A \$102,232.00 SUPPLEMENTAL GRANT FOR THE SOUTH TEXAS HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) INTELLIGENCE CENTER FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) TO FUND A DEPARTMENT SYSTEMS SPECIALIST POSITION AND DEVELOP A WIDE AREA NETWORK (WAN) TO BETTER SHARE INFORMATION WITH OTHER HIDTA INTELLIGENCE CENTERS, FOR THE GRANT PERIOD FROM JANUARY 1, 2001, TO DECEMBER 31, 2001.

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AN ORDINANCE 94852

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN DOWNTOWN STREETS IN CONNECTION WITH THE 2001 U.S. MILITARY VETERANS PARADE BEING HELD ON SATURDAY, NOVEMBER 10, 2001 FROM 11:30 A.M. TO 3:00 P.M., SPONSORED BY THE U.S. MILITARY VETERANS PARADE ASSOCIATION.

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AN ORDINANCE 94853

APPOINTING DR. MANUEL BERRIOZABAL (ACADEMIC-DISTRICT 7) AND JIM GREENFIELD (COMMUNITY-DISTRICT 5) TO THE BROOKS DEVELOPMENT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 4, 2003 AND NOVEMBER 4, 2002.

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AN ORDINANCE 94854

APPOINTING JON GARY HERRERA (DISTRICT 10) TO THE SAN ANTONIO HOUSING AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2003.

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2001-41 ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman David Garcia recognized the new appointees to the Brooks Development Authority present in the office.

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2001-41 The Clerk read the following Ordinance:

AN ORDINANCE 94855

AMENDING SECTION 22-1 (B) OF THE CITY CODE OF THE CITY OF SAN ANTONIO TO INCLUDE GOLDEN PARK LOCATED IN CITY COUNCIL DISTRICT 4 TO THE LIST OF PUBLIC PARKS WHERE THE CONSUMPTION OF ALCOHOLIC BEVERAGES IS PROHIBITED; AND AMENDING SECTION 22-3 OF THE CITY CODE OF THE CITY OF SAN ANTONIO TO INCLUDE GOLDEN PARK TO THE LIST OF PUBLIC PARKS WHERE THE POSSESSION OF GLASS BEVERAGE CONTAINERS IS PROHIBITED. (AMENDS CITY CODE CHAPTER 21)

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the proposed alcohol and glass container restrictions, a copy of which presentation is on file with the papers of this meeting. He outlined the background noting that the park was being added to a list of parks where sale and consumption of alcohol was already prohibited, and further stated that each of the parks have been addressed individually. He delineated some considerations that Councilman Castro presented with regard to restricting alcohol at parks city-wide.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, expressed concern on the consumption of alcohol at the parks, and urged the City Council to ban consumption on all parks.

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Mr. Martin spoke in favor of the proposed Ordinance, noting that it was in the interest of public safety, and to avoid public nuisances such as trash and to make the parks more family-oriented.

Mr. Castro recommended that staff have continued review of public parks, and further urged staff to review policy where certain holidays and special events would be exempt from the alcohol restrictions.

Discussion continued on the alcohol restrictions of certain parks, and the issues regarding enforcement, permit use for non-profit groups that hold fund-raising events at these parks, and security measures to be provided during these events.

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

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2001-41 The Clerk read the following Ordinance:

AN ORDINANCE 94856

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXERCISE THE OPTION OF A ONE-YEAR RENEWAL CONTRACT WITH WHP HEALTH INITIATIVES, INC. D/B/A WALGREEN'S HEALTH INITIATIVES, INC., IN AN ESTIMATED BUDGETED AMOUNT OF \$7,899,450.00 TO PROVIDE PRESCRIPTION DRUG PROGRAM RETAIL AND MAIL-ORDER SERVICES FOR THE CITY'S SELF-FUNDED HEALTH BENEFITS PROGRAM FOR A TERM BEGINNING JANUARY 1, 2002, AND ENDING DECEMBER 31, 2002.

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

Ms. Elisa Bernal, Director of Human Resources, narrated a slide presentation on the prescription drug card program, a copy of which presentation is on file with the papers of this meeting. She outlined the background on the program, the fee structure, the program changes and program costs.

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

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2001-41 The Clerk read the following Ordinance:

AN ORDINANCE 94857

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$7,415,000.00 FROM SWINERTON BUILDERS FOR A CONSTRUCTION CONTRACT IN CONNECTION WITH THE NORTHEAST SERVICE CENTER PROJECT LOCATED AT 10416 PERRIN-BEITEL INCOUNCIL DISTRICT 10; AUTHORIZING \$414,800.00 FOR CONTINGENCY EXPENSES; AMENDING THE PROFESSIONAL ARCHITECTURAL SERVICES CONTRACT BY AUTHORIZING AN ADDITIONAL AMOUNT OF \$95,000.00 PAYABLE TO KINNISON AND ASSOCIATES, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS

ORDINANCE NOS. 90248, AUGUST 12, 1999; ORDINANCE NO. 92813, NOVEMBER 2, 2000.)

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

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation on the proposed contract with Swinerton Builders to construct the Northeast Service Center, a copy of which presentation is on file with the papers of this meeting. He spoke of the existing center and the primary benefits of the new facility, site location, citywide fleet operations, the costs associated with this contract and the impact upon customer service with the new facility.

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

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2001-41 **TRAVEL AUTHORIZATION: GRANTED**

Confirmation and approval of Travel Authorization for Mayor Edward Garza who traveled to Washington, D.C. to present the City's Federal Initiatives Program to Federal Administration and Congressional officials from Sunday, October 21, 2001 through Tuesday, October 23, 2001.

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

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

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2001-41 The Clerk read a proposed Ordinance authorizing the expenditure of \$500.00 from the Mayor's Contingency Account Fund, payable to Midtown on Blanco,

to be used to cover expenses incurred in connection with the "Classic Days" festival that was held on October 21, 2001; as requested by Mayor Edward D. Garza.

Mr. Perez made a motion to approve the proposed Ordinance and added \$500.00 from District 1. Mr. Carpenter seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 94858

AUTHORIZING THE TOTAL EXPENDITURE OF \$1,000.00 FROM THE MAYOR'S AND COUNCIL DISTRICT 1'S CONTINGENCY ACCOUNT FUNDS, PAYABLE TO MIDTOWN ON BLANCO, TO BE USED TO COVER EXPENSES INCURRED IN CONNECTION WITH THE "CLASSIC DAYS" FESTIVAL THAT WAS HELD ON OCTOBER 21, 2001; AS REQUESTED BY MAYOR EDWARD D. GARZA.

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2001-41 The Clerk read the following

AN ORDINANCE 94859

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE FENLEY-FLANDERS ELEMENTARY PTA, TO BE USED TO HELP DEFRAID COSTS ASSOCIATED WITH THE PTA'S HALLOWEEN CARNIVAL THAT WAS HELD ON OCTOBER 26, 2001; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

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

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

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2001-41 The Clerk read a proposed Ordinance Authorizing the expenditure of \$8,250.00 from the Mayor's and various City Council Contingency Account Funds, payable to the U.S. Military Veterans' Parade Association, to be used to defray the costs incurred from putting on the 2001 U.S. Military Veterans' Parade, to be held on Saturday, November 10, 2001; as requested by Councilman David Carpenter.

Mr. Martin made a motion to approve the proposed Ordinance with contributions from District 3 - \$250.00; and District 8 - \$500.00. Mr. Garcia seconded the motion.

The following citizen(s) appeared to speak:

Mr. Lawrence Romo, spoke in support of the proposed Ordinance and thanked the City Council for their support.

Ms. Delia Guajardo, President of the Veterans Parade, spoke in recognition of the veterans' sacrifices for their country, and the need to recognize veterans of all wars.

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Members of the City Council spoke of the honor of the service men and women, and the families who support them, and also further commended Ms. Guajardo and members of the Veterans Committee for their dedication and hard work.

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

The Clerk read the following Ordinance:

AN ORDINANCE 94860

AUTHORIZING THE EXPENDITURE OF \$9,000.00 FROM THE MAYOR'S AND VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE U.S. MILITARY VETERANS' PARADE ASSOCIATION, TO BE USED TO

DEFRAY COSTS ASSOCIATED WITH THE 2001 U.S. MILITARY VETERANS' PARADE, TO BE HELD ON SATURDAY, NOVEMBER 10, 2001; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

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2001-41 The Clerk read the following Ordinance:

AN ORDINANCE 94861

AUTHORIZING REIMBURSEMENT TO COUNCILWOMAN ANTONIETTE MOORHOUSE FROM THE DISTRICT 3 ADMINISTRATIVE ASSISTANT BUDGET FUND IN THE TOTAL AMOUNT OF \$2,185.00, FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH TIMOTHY SALAS, FROM OCTOBER 24, 2001, THROUGH NOVEMBER 30, 2001; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

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

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

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2001-41 **CITY MANAGER'S REPORT**

City Manager Terry M. Brechtel made the announcement to the City Council of the appointment of Mr. Milo Nitschke as Director of Finance. She spoke of his service as Acting Director to the City of San Antonio for the last 10 months, noting his vast experience and responsibilities.

Mr. Nitschke, thanked the City Manager and City Council for the opportunity to serve the City in this capacity.

Mayor and Members of the City Council extended their congratulations and best wishes to Mr. Nitschke.

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2001-41 APPOINTMENT OF DIRECTOR FOR THE OFFICE OF CULTURAL AFFAIRS

City Manager Terry M. Brechtel also announced the appointment of Mr. Felix Padron as Director of the Office of Cultural Affairs. She noted that Mr. Padron had served as Director of the Public Arts Program and Design Enhancement Program, and has been involved in a wide range of projects throughout his career with exhibits in New York, Los Angeles, and San Antonio.

The Mayor and members of the City Council congratulated Mr. Felix Padron on his appointment noting the importance of the arts in the community.

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2001-41 EXECUTIVE SESSION

The City Council recessed its regular session at 2:50 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-client consultation regarding the lawsuit styled Farmco Trust, Richard Schaeffer and John Schaeffer v. City of San Antonio, 2000-CI-04602, in the 288th District Court of Bexar County, Texas.

The City Council adjourned the Executive Session at 5:05 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2001-41 CITIZENS TO BE HEARD

MR. FRANK BARTLETT

Mr. Frank Bartlett, 999 Basse Road, Suite 180, spoke to the City Council about issues he considers critical such as economic development which will attract higher paying jobs to the City.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to Item 44 on today's agenda and spoke against the allocation of monies approved in this Ordinance.

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MR. FARIS HODGE, JR

Mr. Faris Hodge, Jr., 140 Dora, spoke to the City Council about his support of the Ordinance approved earlier which prohibited alcoholic beverages at Golden Park. He stated he would be in favor of eliminating alcohol in all City Parks.

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PROPOSITION 3 NOVEMBER 6 SPECIAL ELECTION

The following citizens appeared to speak against the inclusion of part time, temporary, and seasonal employees on Proposition 3 on the November 6 Ballot and urged that citizens vote against this Proposition:

Mr. Peter Monod, Office of Social Concerns, Archdiocese of San Antonio.

In response to Mr. Monod's statement that the ballot be changed to alter the ballot language, Mayor Garza stated that the election in terms of early voting has already taken place and therefore the ballot cannot be altered. He also stated that these groups of employees have never enjoyed civil service protection. The proposed charter amendment includes clarifying language to make it clear that under the Charter these classes of employees are not included within the classified civil service. Councilman Martin again reiterated the fact that the charter amendment does not take away any civil service rights from these employees but serves only to clarify the Civil Service provisions.

Also speaking against Proposition 3 were:

Ms. Karen A. Bahow

Mr. Bob Salvatore, AFL/CIO, took exception to the inclusion of the part time, temporary and seasonal employees in this Proposition. He stated that their understanding was that this was only for licensed professionals, such as doctors, engineers, lawyers, etc.

Alicia M. Garza, Communication Workers of America

Mayor Garza stated that the only individuals affected if Proposition 3 passes are licensed professionals. He is willing to look at the issue of part time employees at a later time and asked that the speakers present at today's meeting relay that message to their respective members.

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MS. TERESA BERLANGA

Theresa Berlanga, P.O. Box 12816, spoke to the City Council if there is a foundation, agency or any other entity to assist individuals to retain an attorney to represent them in rectifying what she sees as unfair decisions made in probate court regarding estates.

Mayor Pro Tem Castro stated that she can contact the San Antonio Bar Association who has an attorney referral line and may be willing to assist her.

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2001-41 There being no further business to come before the City Council, the meeting was adjourned at 5:40 P.M.

A P P R O V E D


EDWARD D. GARZA
M A Y O R

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