

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 3, 2000

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2000-05 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):

Briefing on (1) Annexation Program/2000 Annexation Plan; (2) Emergency Services Districts; and (3) City of San Antonio and Elmendorf ETJ Boundary Exchange – City Council concurred to move forward with consideration of this item at the City Council meeting of February 10, 2000.

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

The "B" Session adjourned at 11:15 A.M.

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2000-05 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, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, and Peak. ABSENT: None.

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2000-05 Invocation - Reverend J. Keith Wyatt, St. Matthew's Methodist Church.

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2000-05 Pledge of Allegiance to the flag of the United States.

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2000-05 **KIDS' INVOLVEMENT NETWORK 10TH ANNIVERSARY PROCLAMATION**

Mayor Peak introduced Mr. Mark Little, President of the Kids' Involvement Network Advisory Council, present in the audience to accept a proclamation in observance of the

program's 10th anniversary. He then read the formal proclamation and presented it to Mr. Little and his delegation.

Mr. Little spoke on the background of the Network in North East Independent School District, and addressed its goal of providing a planned program of after-school care for middle school children. He thanked the Mayor and City Council for its monetary support of the program and presented Mayor Peak with the Badge of Honor.

The Mayor and City Council members then congratulated the group and spoke in support for the concept and the program.

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2000-05 **RESOLUTION OF APPRECIATION: MR. FRANK STROMBOE**

Mayor Peak read the following Resolution:

RESOLUTION

**EXPRESSING APPRECIATION TO FRANK
STROMBOE FOR HIS DEDICATED SERVICE TO
SAN ANTONIO.**

Whereas, Frank Stromboe has served the City of San Antonio with distinction and dedication in various capacities for over 37 years; since 1997 he has been Executive Director of Administrative Services, overseeing the operations of the information services, Purchasing, Asset Management, and Municipal Court Departments; and

Whereas, during his tenure, his expertise and leadership ability have proven invaluable to the City of San Antonio as he has been called upon to serve as Acting Director of the Aviation, Parks & Recreation, Alamodome and Municipal Court Departments until permanent directors were named; and

Whereas, under his leadership as Director of Information Services from 1987 – 1997, he transformed the information technology program into a service-oriented, customer-friendly resource of immense strategic value for all City operations; provided testimony to the state legislature resulting in the law allowing cost recovery through the selling of city-developed software; implemented the first automated financial management system for the entire City; oversaw the creation of the Community Relations Department and Community Link Program; and collaborated with the San Antonio Police Department to establish the public safety technology center—the first new City information technology facility since the 1960's; and

Whereas, as Acting Director of Aviation, he initiated or completed several significant projects, including the terminal renovations project and new long-term parking garage; as Acting Director of Parks & Recreation, he developed a cooperative program with the master naturalists that is now a statewide program and implemented a covert operations program in the Park Ranger Division; as Acting Director of the Alamodome, he developed financial management systems and improved its business relationships; and as Acting Director of Municipal Courts, he forged an agreement among court administration, the judiciary and the legal staff which established procedures and policies in the judicial process and enhanced efficiency within the Court by greater utilization of technology; and

WHEREAS, the City Council recognizes that Frank's distinguished service, professional acumen, expertise, and deep sense of commitment have greatly benefited the City of San Antonio; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

THAT the City Council hereby commends Frank Stromboe for his outstanding record of excellence, for his long and devoted service to San Antonio and its citizens, and presents this Resolution as a token of its appreciation.

PASSED AND APPROVED this 3rd day of February, 2000.

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Mr. Bannwolf made a motion to approve the Resolution of Appreciation. Ms. Guerrero seconded the motion.

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

Mr. Alexander E. Briseño, City Manager, amplified upon the text of the Resolution of Appreciation, outlining Mr. Stromboe's distinguished City career and his value to the City of San Antonio over the years.

Mayor Peak and other members of City Council congratulated Mr. Stromboe for his years of valuable service, and addressed personal remembrances of their work together.

Mr. Stromboe thanked all those with whom he has worked during his tenure with the City.

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2000-05 PFEIFFER ELEMENTARY SCHOOL STUDENT COUNCIL

Mr. Salas recognized the presence in the audience of a group of third, fourth, and fifth grade students from Pfeiffer Elementary School, all members of the Student Council, their sponsors and their teachers were present. He welcomed them to the City Council meeting.

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2000-05 CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Consent Agenda item and amplified upon a number of those items.

Mr. Jack Finger, P.O. Box 12048, asked Council members who have received political contributions from the principals involved in Agenda Items 9 and 13 to abstain from voting on those items.

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2000-05 CONSENT AGENDA

Ms. Guerrero made a motion to approve Agenda Items 7 through 22a, constituting the Consent 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, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

AN ORDINANCE 91211

AUTHORIZING THE ACQUISITION OF PHARMACEUTICALS AND VACCINES FROM VARIOUS CONTRACT VENDORS FOR AN ESTIMATED TOTAL OF \$204,000.00, UNDER THE TEXAS COOPERATION PURCHASING PROGRAM.

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AN ORDINANCE 91212

SELECTING HNTB CORPORATION TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE BRIAR GLENN DRAINAGE STUDY AT BEITEL CREEK LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$61,089.00; AUTHORIZING MISCELLANEOUS ENGINEERING CONTINGENCY FUNDS IN THE AMOUNT OF \$6,109.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91213

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH BEATY SAUNDERS ARCHITECTS, INC. AND AUTHORIZING ADDITIONAL 1999 G. O. BOND FUNDS IN AN AMOUNT NOT TO EXCEED \$262,500.00 IN CONNECTION WITH THE PRESA STREET LINKAGE AT THE SAN ANTONIO RIVER PROJECT LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING MISCELLANEOUS CONTINGENCY FUNDS IN THE AMOUNT OF \$20,000.00; AUTHORIZING ADDITIONAL PROFESSIONAL SERVICES FEES FOR GEO-TECHNICAL TRAFFIC CONSULTATION AND COST ESTIMATING IN THE AMOUNT OF \$28,700.00, AUTHORIZING REIMBURSABLE EXPENSES IN THE AMOUNT OF \$8,000.00; AUTHORIZING ADVERTISING EXPENSES IN THE AMOUNT OF \$800.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91214

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$19,570.00 FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL SYSTEM AT THE INTERSECTION OF LOOP 353 (NOGALITOS/NEW LAREDO HIGHWAY) AT ZARZAMORA AND AT LOOP 353 (NOGALITOS) AT DIVISION LOCATED IN COUNCIL DISTRICT 4.

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AN ORDINANCE 91215

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL BY A MUNICIPALITY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$9,021.00 FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL SYSTEM AT THE INTERSECTION OF EVERS ROAD AND WURZBACH ROAD LOCATED IN COUNCIL DISTRICT 8.

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AN ORDINANCE 91216

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$9,871.00 FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL SYSTEM AT THE INTERSECTION OF BLANCO AND HILDEBRAND LOCATED IN COUNCIL DISTRICT 1.

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AN ORDINANCE 91217

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,074.73 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$471.80) AND THE BABCOCK ROAD - DE ZAVALA ROAD TO HAUSMAN ROAD PROJECT (\$602.93); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91218

AUTHORIZING PAYMENT OF THE AMOUNT OF \$10,377.62 TO TICOR TITLE AGENCY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE MARTINEZ CREEK FLOOD AREA PROJECT (\$5,498.18), ZARZAMORA CREEK FLOOD AREA PROJECT (\$3,245.96), PLUMNEAR FLOOD AREA PROJECT

(\$808.74) AND THE WHEATLEY HEIGHTS FLOOD AREA PROJECT (\$824.74); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91219

AUTHORIZING THE EXECUTION OF A MUTUAL TERMINATION OF SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT NO. 122127 WITH FLIGHT SAFETY INTERNATIONAL, INC. AND THE EXECUTION OF A TWENTY YEAR LEASE AGREEMENT WITH FLIGHT SAFETY TEXAS, INC. FOR 68,918 SQUARE FEET OF GROUND SPACE ON TRACT A AND 40,267 SQUARE FEET OF GROUND SPACE ON TRACT B AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$69,845.38.

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AN ORDINANCE 91220

APPROVING THE PRICE, TERMS, AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF THREE PARCELS OF REAL PROPERTY LOCATED WITH THE WESTEND NEIGHBORHOOD SELECT HOUSING TARGET AREA (SHTA) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT AREA FOR A TOTAL AMOUNT OF \$17,215.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91221

AUTHORIZING THE EXECUTION OF A JOINT APPOINTMENT AGREEMENT NOT TO EXCEED \$15,381.00 BETWEEN THE CITY OF SAN ANTONIO AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO FOR A NURSE PRACTITIONER TO PROVIDE CLINICAL AND CONSULTATIVE SERVICES TO THE NURSING DIVISION OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD FEBRUARY 7, 2000 THROUGH AUGUST 31, 2000; AND APPROVING PAYMENTS TO THE CONTRACTOR FOR THE SERVICES PROVIDED.

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AN ORDINANCE 91222

RATIFYING THE ACCEPTANCE OF A GRANT AWARD OF \$300,000.00 FROM THE U. S. DEPARTMENT OF JUSTICE FOR THE PURCHASE OF PERSONAL PROTECTIVE CLOTHING AND DETECTION AND COMMUNICATIONS EQUIPMENT TO ENHANCE THE RESPONSE CAPABILITIES OF THE SAN ANTONIO WEAPONS OF MASS DESTRUCTION STRIKE TEAM (SAWMDST).

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AN ORDINANCE 91223

AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR ITS ANNUAL CONTRIBUTION OF \$30,000.00 TO THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT.

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AN ORDINANCE 91224

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF THE STREETS INDICATED BELOW IN CONNECTION WITH THE UNIVERSITY OF THE INCARNATE WORD RUN FOR BRAINPOWER TO BE HELD ON SATURDAY, MARCH 25, 2000 FROM 7:00 A. M. UNTIL 12:30 P. M.: BROADWAY, FROM THE UNIVERSITY OF THE INCARNATE WORD, JUST NORTH OF HILDEBRAND, TO TULETA, TULETA FROM BROADWAY TO AVENUE B, AVENUE B FROM TULETA TO MULBERRY, MULBERRY FROM AVENUE B TO ST. MARY'S, ST. MARY'S TO KOEHLER PAVILLION, MULBERRY FROM AVENUE B TO WILDERNESS, WILDERNESS FROM MULBERRY TO TULETA, TO DISBAND AT THE DRIVEWAY OF THE UNIVERSITY FOR SAID EVENT.

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AN ORDINANCE 91225

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE MARCH OF DIMES WALK AMERICA BEING HELD ON SATURDAY, MARCH 25, 2000 FROM 7:00 A.M. UNTIL 12:00 P.M.

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AN ORDINANCE 91226

APPOINTING CONNIE SONNEN (DISTRICT 4) TO THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2000.

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2000-05 The Clerk read the following Ordinance:

AN ORDINANCE 91227

ACCEPTING THE FIVE POINTS NEIGHBORHOOD PLAN AS AN ADDENDUM TO THE NEIGHBORHOOD PLANNING COMPONENT OF THE MASTER PLAN ADOPTED MAY 29, 1997.

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

Mr. Emil Moncivais, Director of Planning, narrated a video presentation on the Five Points Neighborhood Plan, a copy of which presentation is made a part of the papers of this meeting.

Mr. Perez thanked City staff and the neighborhood association for working closely together in development of this plan.

Mr. Garza stated that the plan is well done.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated that having a Master Plan for the City is a good idea. He spoke to the need for additional parks and more natatoriums.

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Mayor Peak thanked all involved in the plan's preparation.

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

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2000-05 Agenda Item 24, being a proposed ordinance approving the recommendation of the ad hoc Housing Programs Performance Review Oversight Committee regarding the selection of the primary consultant firm of Arthur Andersen LLP, along with subcontractors of J-Quad and Associates, LTD, Sandra Gonzalez and Charles Perkins, to conduct an independent review of housing programs of the City of San Antonio, and authorizing a professional consultant contract with Arthur Andersen LLP for an amount not to exceed \$498,000.00, was earlier removed from consideration by the City Manager.

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2000-05 Agenda Item 25, being the proposed consideration of the following Amendments to Ordinance No. 88874 that adopted the Ethics Code of the City of San Antonio, effective January 1, 1999, as follows, were earlier removed from consideration by the City Manager.

- A) Amending Part A, Section 2, the definition of “Gifts”, to require consideration in substantiated measurable terms; amending Part A, Section 2, the definition of “knowingly”, to provide for violation of the Code regardless of the individual’s intent; amending Part B, Section 3, to prohibit the acceptance of gifts by City Officers and employees from those doing business with the City with exceptions; amending Part E, Section 2, by adding the definition of “knowingly” to the part of the Code addressing lobbyists; amending Part E, Section 7, limiting the amount of gifts a lobbyist may bestow on a City Officer or City employee; and amending Part H, Section 8, requiring City Council to dispose of Ethics Review Board recommendations within 90 days of receipt.
- B) Amending Part E, Section 7, prohibiting lobbying of City Council, City Boards and/or Commissions by individuals and business entities doing business with the City as requested by Councilman Rick Vásquez.
- C) Amending Part H, Section 7, disallowing the use of media reports during deliberations by the Ethics Review Board as requested by Councilman Mario Salas.

All of the above sections of Agenda Item 25 were earlier removed from consideration by the City Manager.

2000-05 The City Clerk read a proposed Ordinance authorizing the expenditure of \$100.00 from the District 5 Contingency Account to assist the Department of Texas Veterans of Foreign Wars, District 20, with the cost involved with the "VFW memorial Day 2000 Celebration", scheduled for May 29, 2000, and to support the various community programs provided through the VFW; as requested by Councilman Rick Vásquez.

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

During discussion, both Mayor Peak and Councilman Perez asked to include \$100.00 from each of their respective Contingency Accounts to this purpose.

Mr. Perez offered an amendment to add \$100.00 from his Council District 1 Contingency Account and \$100.00 from the Mayor's Contingency Account to this purpose. Mr. Vásquez seconded the motion.

After consideration, the amendment prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. NAYS: None. ABSENT: None.

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

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AN ORDINANCE 91228

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT AND FUNDS FROM VARIOUS COUNCIL CONTINGENCY ACCOUNTS TO ASSIST THE DEPARTMENT OF TEXAS VETERANS OF FOREIGN WARS DISTRICT 20 WITH THE COST INVOLVED WITH THE "VFW MEMORIAL DAY 2000 CELEBRATION," SCHEDULED FOR MAY 29, 2000 AND TO SUPPORT THE VARIOUS COMMUNITY PROGRAMS PROVIDED THROUGH THE VFW; AS REQUESTED BY COUNCILMAN RICK VÁSQUEZ.

2000-05

The Clerk read the following Ordinance:

AN ORDINANCE 91230

AUTHORIZING THE EXPENDITURE OF \$230.00 FROM THE DISTRICT 1 BUDGET ACCOUNT TO ASSIST THE SAN ANTONIO CONSERVATION SOCIETY WITH THE COST OF THE REHABILITATION OF 509 MARSHALL ST., AS A ONE-TIME PUBLIC SERVICE PROJECT, DEMONSTRATING HOW TO REHABILITATE A HOUSE WITH SEVERE STRUCTURAL PROBLEMS; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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Mr. Perez made a motion to approve the proposed Ordinance. 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, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-05

CITY MANAGER'S REPORT

1999 UNIFORM CRIME REPORT: CRIME DATA AUDIT AND STATISTICS

Police Chief Al A. Philippus narrated a video presentation on the report, a copy of which presentation is made a part of the papers of this meeting. He spoke to certain changes in the definitions of "aggravated assault" as a result of the refusal in 1998 by the Federal Bureau of Investigation and the Texas Department of Public Safety of the City of San Antonio's mid-year crime report and statistics for UCR Aggravated Assault. He stated that the City currently is correcting the problem. He also addressed the UCR Sexual Assault reporting problems, noting that they have a much narrower definition of "sexual assault" than does the City of San Antonio, resulting in the City over-reporting these statistics. He then spoke to problems with the UCR Motor Vehicle Theft reporting, for which these two other agencies have a much narrower definition of "Motor Vehicle Theft" than does the City, again resulting in an over-reporting of statistics.

Finally, Chief Philippus noted that, for 1999, overall crime in San Antonio was down some three per cent, as outlined in his memorandum to the City Council, a copy of which is made a part of the papers of this meeting.

Discussion then took place concerning the statistics and how the City of San Antonio compared to other cities.

Mayor Peak and other members of City Council thanked Chief Philippus for the report.

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2000-05 **PUBLIC HEARING AND ORDINANCE: PACIFICARE REINVESTMENT ZONE.**

Mayor Peak declared the Public Hearing to be open.

Mr. Manuel Longoria, Acting Director of Economic Development Department, narrated a video presentation on the proposed PacifiCare Reinvestment Zone and Tax Phase-In Agreement, a copy of which presentation is made a part of the papers of this meeting. He spoke to a brief background on the company and its economic impact upon the City of San Antonio, and spoke to details of the construction of a new Service Center here for the firms' southwest region. He spoke to the firm's eligibility for such designation and six-year tax phase-in, in return for its \$20.7 million investment, which includes some 202 new jobs. He then spoke to a cost/benefit analysis of the proposal.

The following citizen(s) appeared to speak:

Mr. Mario Hernandez, President, Economic Development Foundation, noted that his organization recruited this firm to come to San Antonio in 1996, and it brought some 467 jobs in a targeted industry. He spoke to the need to send the firm a signal that it is a valued firm in San Antonio.

Ms. Ellen Vonderhahr, Vice President-Customer Service, PacifiCare, stated that her firm is pleased with San Antonio, and needs to expand into a new combined facility to service its southwest region. She thanked the City for consideration of the tax phase-in, and reiterated the movement of some 202 new jobs from the Dallas area, as a result.

(At this point, Mayor Peak was obliged to leave the meeting. Mr. Carpenter presided.)

Mr. Faris Hodge, Jr., 140 Dora, stated that one Bexar County commissioner has expressed concern with granting a tax phase-in to PacifiCare because the firm competes with a San Antonio-based firm in the same business, University Health Systems. He spoke against granting the tax phase-in.

(At this point, Mayor Peak returned to the meeting to preside.)

Mr. Faris Hodge, Jr., 140 Dora, spoke to his desire to have the state outlaw all tax phase-ins.

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Mayor Peak noted that the firm still will be paying taxes, and he cited the figures involved.

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Mr. Jack Finger, P.O. Box 12048, questioned the tax phase-in and data on which other cities are competing for the firm's expansion. He asked that Councilmembers who have received political contributions from the firm to abstain from this vote.

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

In response to a question by Mayor Peak, Mr. Longoria clarified the amount of the proposed tax abatement, and outlined the total investment, noting that some \$15.2 million in taxes would be abated over a period of six years, but noted that the firm will continue to pay taxes on its existing properties.

Mayor Peak then amplified upon the amount of the tax abatement and the taxes to be realized, and spoke to the need to keep good jobs in San Antonio, and to attract new ones.

In response to a question by Mr. Barrera, Ms. Vonderhahr addressed the types of new jobs to be created here and the experience needed for those jobs. She noted that many of the jobs are entry-level jobs, for which there will be on-the-job training available.

Mr. Perez thanked all concerned with this issue, and expressed his concern with misinformation about tax abatements, speaking to the advantages of the program.

Mr. Salas spoke in favor of creation of good-paying jobs.

Ms. Conner addressed the need to create new job opportunities.

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

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

AN ORDINANCE 91231

DESIGNATING THE PACIFICARE REINVESTMENT ZONE DESCRIBED AS 52.015 ACRES OF LAND LOCATED NEAR THE INTERSECTION OF FARINON DRIVE AND NORTHWEST PARKWAY AT THE UNIVERSITY BUSINESS PARK IN SAN ANTONIO, BEXAR COUNTY, TEXAS.

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2000-05 The Clerk read the following Ordinance:

AN ORDINANCE 91232

APPROVING A TAX PHASE-IN AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH PACIFICARE HEALTH SYSTEMS, INCORPORATED AND OPUS SOUTH CORPORATION TO EXEMPT SPECIFIED NEW REAL PROPERTY IMPROVEMENTS FROM AD VALOREM TAXATION.

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

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

2000-05 **PUBLIC HEARING AND ORDINANCE: CLOSING PORTION OF OLD BITTERS ROAD.**

Mayor Peak declared the Public Hearing to be open.

Mr. Oscar Serrano, Asset Management Department, narrated a video presentation on the proposed closure of a portion of Old Bitters Road, a copy of which presentation is made a part of the papers of this meeting. He described the property involved and spoke to the need to close the old roadway in order to facilitate the development of the nearby Walker Ranch subdivision. He spoke to the advantages of closing the roadway, noting that it will be maintained as a right-of-way.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for the closure, noting that the subdivision development will bring more taxes into the City.

Mr. Jack Finger, P.O. Box 12048, also spoke in support, and noted that one Council member had received political contributions from a principal of the firm seeking the street closure.

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

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

Mr. Bannwolf thanked Mr. Serrano and his staff for its work with the developers and the neighborhood association on this matter.

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

AN ORDINANCE 91233

TO CLOSE, VACATE AND ABANDON THE SOUTHERN PORTION OF OLD BITTERS ROAD, LOCATED BETWEEN BITTERS AND BLANCO ROADS, AS PETITIONED BY LYY WALKER RANCH PARCELS A, B AND D, LTD., A TEXAS LIMITED PARTNERSHIP, AND BRUNDAGE MORRISON INVESTMENTS, LTD., A TEXAS LIMITED PARTNERSHIP, FOR THE CONSIDERATION OF \$101,663.00, TO BE PAID BY PETITIONER THROUGH A COMBINATION OF \$10,521.00 IN CASH AND IMPROVEMENTS TOTALING NO LESS THAN \$120,000.00, UPON PUBLIC RIGHT OF WAY TO THE NORTHERN PORTION OF OLD BITTERS ROAD WHICH WILL BE RETAINED BY THE CITY OF SAN ANTONIO.

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2000-05 The Clerk read the following Ordinance:

AN ORDINANCE 91234

RESOLVING AN APPEAL OF NATCO, INC. OF A DECISION OF THE CHIEF OF POLICE REGARDING A HUMAN DISPLAY ESTABLISHMENT PERMIT.

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City Attorney Frank Garza narrated a video presentation on the appeal of Natco, Inc., a copy of which presentation is made a part of the papers of this meeting. He spoke to a history of the case and recommendations of the Chief of Police, and spoke to an analysis of the case. He also noted that Council approval of the appeal and issuing a Human Display Permit in this case would constitute a violation of the zoning regulations of the City.

The following citizen(s) appeared to speak:

Mr. Michael De La Paz, attorney representing Natco, Inc., spoke to the sequence of events leading up to the Chief of Police's denial of the request for a Human Display Permit for Georgio's. He stated his belief that the denial does not fit within the six reasons cited for denial of such permits, and denied that Natco, Inc. had ever received the Certified Letter sent by the City, setting a time and date for the required interview with the Police Department, as well as the requested production of certain documents. He spoke to various segments of the Unified Development Code allegedly in support of his appeal.

Mr. Jack Finger, P.O. Box 12048, spoke to the concerns raised by private citizens and representatives of the nearby church concerning the operations of Georgio's, and asked the City Council to deny the appeal.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the adverse impact of lounges on young people, and stated that the law forbids having a Human Display establishment close to a church or school. He spoke against nudity and immorality.

Pastor Narciso V. Mendoza, 714 Petaluma, spoke to certain evidence gathered by the Police Department relative to Georgio's and taken before the Texas Alcoholic Beverage Commission. He asked the City Council to deny the appeal, addressing his concern for prostitution and other offenses.

Mr. Ino Badillo, 7287 Enchanted Flame, former Deputy Sheriff and Probation Officer, stated that his daughter attends the church school nearby, and he addressed statistics that show that some 156 registered sex offenders live within the four zip codes including and surrounding Georgio's. He asked that the appeal be denied.

Ms. Mary Jane Fox, 4633 Manitou Drive, a member of the nearby church, noted that many businesses in the area have complained about Georgio's and certain activities that have taken place outside it, and voiced her concern for the children of the nearby church school. She also asked that the appeal be denied.

Mr. James Ellis, 2233 S.E. Military Drive, Apt. 1608, noted that pornography is a progressive thing, and spoke to his previous involvement in it. He also asked that the appeal be denied.

Father Patrick J. Ragsdale, representing St. Luke's Catholic Church, 4603 Manitou Drive, thanked Councilman Garza for his support in the church's fight against Georgio's, and spoke in support for Police Chief Al A. Philippus' denial of the request for a Human Display Permit for Georgio's. He read from certain City regulations applying to this case, and stated his belief that the club promotes illegal activities.

Ms. Vera T. Billingsley, 338 Oak Knoll, asked that the appeal be denied, and a better use be found for the building occupied by Georgio's.

Ms. Maria Estella Fries, 6827 Buckley Drive, commended the Police Department for denying the request for a Human Display Permit for the club.

Mr. Carl Raba, 6827 Buckley Drive, provided the City Council with a letter from himself and his wife, asking that the City Council support the Chief of Police's denial of the request for a Human Display Permit. He stated his belief that this type of establishment should not be allowed at all, for the good of children and families.

In response to a question by Councilman Garza, Mr. Steven Arronge, Assistant City Attorney, refuted certain contentions of the attorney for Natco, Inc. regarding denial of the Human Display Permit. He noted that the Chief of Police had no choice but to deny the request, since Natco, Inc. did not respond in a timely manner with the necessary data. He also noted that it would be a violation of the zoning regulations to grant such a permit for Georgio's

Councilman Garza spoke to the current status of actions against Georgio's, and spoke in support for the denial by the Chief of Police for the Human Display Permit. He also spoke to his support for community concerns in this matter.

Mr. Garza made a motion to deny the appeal of Natco, Inc. Mr. Bannwolf seconded the motion.

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

The case was denied.

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2000-05 City Council recessed its regular session at 4:27 P.M., reconvening at 5:00 P.O. for Citizens to be Heard.

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2000-05 **CITIZENS TO BE HEARD**

Mayor Pro Tem Carpenter reconvened the City Council meeting at 5:00 p.m. in the absence of Mayor Peak and called on the Citizens who were signed up for Citizens to Be Heard.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, asked that the Ethics Commission consider other amendments such as suspension of Council members who miss a certain number of Council meetings. He also spoke about his concern with contributions to Council members from people doing business with the City. He then spoke about other subjects such as the Hazmat Route. He then commended the City staff who worked on the Walker Ranch item and the closure of Old Bitters Road item on today's agenda.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, LULAC #4383, spoke of his concerns with "justice" not being served here in San Antonio and alleged that innocent people are being targeted by the police.

2000-05 There being no further business to come before the City Council, the meeting was adjourned at 5:15 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk