

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 18, 1999.

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99-07 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):

Presentation of the Annual Youth Report - presented by Mr. Malcolm Matthews, Director of Parks & Recreation.

The Council members present were: Flores, Prado, Vásquez, Menéndez, Garza, Webster and Peak. **ABSENT:** Salas, Guerrero, Marbut, Bannwolf.

The "B" Session adjourned at 11:10 A.M.

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99-07 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: Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster and Peak. Absent: Bannwolf.

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99-07 Invocation - Rev. Jim Grant, Beacon Hill Baptist Church.

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99-07 Pledge of Allegiance to the flag of the United States.

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99-07 Minutes of the Regular City Council Meeting for November 12, 1998 and November 19, 1998 were approved.

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CEREMONIAL ITEMS

CONGRESSMAN CHARLES GONZALEZ

Mayor Peak introduced Congressman Charles Gonzalez and welcomed him to City Hall. He spoke of the congressman's background as an attorney and judge in Bexar County before succeeding his retiring father, Congressman Henry B. Gonzalez. Mayor Peak then presented the congressman with a San Antonio tie.

Congressman Gonzalez spoke to the impact of congressional legislation on San Antonio, and stressed the need for the nation to obtain an accurate census in the year 2000. He expressed his belief that the 1990 census undercounted citizens of the state of Texas by about 500,000, and addressed the impact of an undercount on federal funds coming to San Antonio.

Individual City Council members congratulated Congressman Gonzalez on his first term in office and for articulating issues of importance for the City of San Antonio, including the matter of an accurate census count.

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ALCALDES FOR MOTION PICTURE EXECUTIVES

Mayor Peak noted that San Antonio has been chosen as the site for the filming of a new motion picture, and he introduced Ms. Esther Shapiro, Producer and Writer; Mr. Jack Mayesh, Executive Producer; and Ms. Lynne Ewing, Writer. He then read the proclamations making each an Alcalde of la Villita and presented them.

Ms. Shapiro spoke to the background story for the motion picture, and her own personal background. She stated that she is heavily involved in promoting women in business, and spoke to the use of San Antonio scenes and local talent in the production.

Ms. Ewing thanked the Mayor and Council for the honor and addressed the background of her book, on which the motion picture is based.

Mr. Mayesh also spoke to his personal background, and his enjoyment in using San Antonio as a workplace.

Individual City Council members congratulated the group and welcomed them to San Antonio and to the Council meeting.

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CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, thanked the City for purchasing flooded homes, and addressed other Consent Agenda items, including his belief that additional monies will be needed for repairs to the Riverwalk.

Mr. Jack Finger, P.O. Box 12048, asked Council members who have received financial contributions from officials of firms involved in three Consent Agenda items to abstain from voting on those items.

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CONSENT AGENDA

Mr. Vásquez made a motion to approve Agenda Items 5 through 26, constituting the Consent Agenda. Ms. Guerrero seconded the motion.

After consideration, the motion, carrying with it the passage of the following ordinances, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

AN ORDINANCE 89271

ACCEPTING THE LOW BID FROM BUMPER OUTLET (WBE/MBE), TO PROVIDE THE CITY OF SAN ANTONIO PURCHASING & GENERAL SERVICES DEPARTMENT AUTOMOTIVE OPERATIONS WITH A BUMPER RECONDITIONING SERVICE ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$35,000.00.

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AN ORDINANCE 89272

ACCEPTING THE LOW, QUALIFIED INFORMAL BID OF WINTERS CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$6,800.00 FOR IMPROVEMENTS TO THE SAN ANTONIO RIVER WALK, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING A CONSTRUCTION CONTRACT; ESTABLISHING THE RIVER WALK SIDEWALK PAVER RENOVATION PROJECT BUDGET; AUTHORIZING THE TRANSFER OF FY 97/98 FIMP FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89273

AUTHORIZING THE CITY MANAGER TO EXECUTE A "PROJECT AGREEMENT SURFACE TRANSPORTATION PROGRAMS - METROPOLITAN MOBILITY REHABILITATION AMENDMENT #2" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) REFUNDING \$32,234.00 TO THE CITY OF SAN ANTONIO IN CONNECTION WITH THE MISSION ROAD FROM SAN ANTONIO RIVER TO MISSION PARKWAY PROJECT; AND THE LOOP 13 S. E. MILITARY DRIVE PROJECT.

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AN ORDINANCE 89274

AUTHORIZING PAYMENT IN THE AMOUNT OF \$46,250.00 TO THE EDWARDS AQUIFER AUTHORITY (EAA) FOR COSTS ASSOCIATED WITH THE 1999 AQUIFER MANAGEMENT FEE FOR THE CITY OF SAN ANTONIO OWNED MUNICIPAL WELLS.

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AN ORDINANCE 89275

SELECTING GROVES & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE "G" STREET-PECAN VALLEY DRIVE TO DEAD END COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 24TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$23,475.00; AUTHORIZING \$2,347.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89276

RATIFYING SERVICES AND ACCEPTING A MPO/CITY FUNDED PROPOSAL FROM KEI CONSULTANTS, INC. TO PROVIDE AN ENVIRONMENTAL INVESTIGATION, AS REQUIRED, IN CONNECTION WITH THE PLEASANTON ROAD PROJECT FROM SOUTHCROSS TO MAYFIELD IN AN AMOUNT NOT TO EXCEED \$16,515.00.

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AN ORDINANCE 89277

SELECTING HNTB FOR AN AMOUNT NOT TO EXCEED \$128,194.00 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PLEASANTON ROAD FROM MOURSAND TO GILLETTE PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION OF A CONTRACT; AUTHORIZING \$12,819.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89278

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL MPO/CITY MATCH FUNDS IN AN AMOUNT NOT TO EXCEED \$20,165.00 TO CHIANG, PATEL & YERBY, INC. (MBE) FOR ENVIRONMENTAL TESTING (\$12,959.00); PAVEMENT DESIGN (\$4,606.00); AND PLAN MODIFICATIONS (\$2,600.00) IN ASSOCIATION WITH THE WETMORE AT BROADWAY INTERSECTION IMPROVEMENTS PROJECT. (AMENDS ORDINANCE NO. 85883 DATED APRIL 17, 1997.)

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AN ORDINANCE 89279

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL MPO/CITY MATCH FUNDS IN AN AMOUNT NOT TO EXCEED \$10,278.00 TO CIVIL ENGINEERING CONSULTANTS, FOR ENVIRONMENTAL TESTING AND EVALUATION IN ASSOCIATION WITH THE MITCHELL FROM

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PROBANDT TO ROOSEVELT PROJECT. (AMENDS ORDINANCE NO. 85624 DATED FEBRUARY 22, 1996.)

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AN ORDINANCE 89280

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$37,526.36 PAYABLE TO CUTLER REPAVING, INC. IN CONNECTION WITH THE HOT INSITU ASPHALT RECYCLING OVERLAY 1997 PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86998 DATED NOV. 20, 1997.)

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AN ORDINANCE 89281

RATIFYING FIELD ALTERATION NO. 3 - FINAL IN THE AMOUNT OF \$81,917.21 PAYABLE TO CLARK CONSTRUCTION CO. INC. IN CONNECTION WITH THE SLURRY SEAL - 1997 PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86284 DATED AUG. 7, 1997.)

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AN ORDINANCE 89282

ACCEPTING THE LOW BID AND AWARDING A 1996 CERTIFICATES OF OBLIGATION FUNDED CONSTRUCTION CONTRACT IN THE AMOUNT OF \$73,693.75 TO SACC, INC. (MBE); AUTHORIZING \$7,369.38 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND AN ADDITIONAL \$600.00 FOR ADVERTISING EXPENSES IN CONNECTION WITH THE FENCE RELOCATION CONTRACT 1999 PROJECT LOCATED CITYWIDE.

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AN ORDINANCE 89283

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A GENERAL OBLIGATION (G.O.) STREET BOND PROGRAM CONSTRUCTION CONTRACT IN THE AMOUNT OF \$961,594.66 TO SAN ANTONIO CONSTRUCTORS, INC.; AUTHORIZING \$45,095.27 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$14,500.00 PAYABLE TO GAYTAN ENGINEERING, INC. FOR ENGINEERING EXPENSES, AND \$560.50 FOR ADVERTISING EXPENSES, IN CONNECTION WITH THE 34TH STREET FROM HIGHWAY 90 TO CASTROVILLE ROAD PROJECT; AND PROVIDING FOR PAYMENT.(AMENDS ORDINANCE NO. 81900 DATED MARCH 23, 1995.)

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AN ORDINANCE 89284

SELECTING PAPE DAWSON CONSULTING ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE RICE ROAD FROM W. W. WHITE TO SEMLINGER PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$154,187.00; AUTHORIZING \$15,419.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89285

SELECTING POZNECKI, CAMARILLO AND ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE DEMYA FROM IH 10 TO HUNT LANE PROJECT; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$78,175.00; AUTHORIZING \$7,818.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89286

AUTHORIZING THE EXECUTION OF AN AGREEMENT CONSENTING TO THE AMENDMENT OF STINSON MUNICIPAL AIRPORT LEASE AGREEMENT NO. 222002 WITH 99TH STREET, INCORPORATED FOR LEASE OF AN ADDITIONAL 37,500 SQUARE FEET OF GROUND SPACE, AND 10,570 SQUARE FEET OF BUILDING SPACE TO BE USED AS A FULL SERVICE AIRCRAFT PARTS AND ACCESSORY BUSINESS AT STINSON MUNICIPAL AIRPORT, FOR A MONTH-TO-MONTH TERM ENDING NO LATER THAN FEBRUARY 29, 2004, FOR A TOTAL ANNUAL RENTAL INCREASE OF \$11,916.50. (AMENDS ORDINANCE NO. 86666 DATED SEP. 25, 1997.)

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AN ORDINANCE 89287

AUTHORIZING THE EXECUTION OF A TWELVE (12) YEAR LEASE AGREEMENT WITH CHECK SIX AVIATION, INC., ("CHECK-SIX") FOR 14,910 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT, FOR A TERM COMMENCING ON MARCH 1, 1999, AND ENDING ON MAY 31, 2011 FOR A TOTAL ANNUAL RENTAL OF \$745.00.

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AN ORDINANCE 89288

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE TWO (2) JOINT USE AGREEMENTS WITH THE SAN ANTONIO RIVER AUTHORITY IN CONNECTION WITH STORM DRAINS AT KENTUCKY STREET, AND ALAZAN CREEK, AND LEAL AT EAST BANK OF MARTINEZ CREEK.

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AN ORDINANCE 89289

AUTHORIZING PAYMENT IN THE AMOUNT OF \$6,340.05 TO STRASBURGER & PRICE, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80 (\$571.50); SOUTH FLORES DRAINAGE PROJECT #70-70A (\$30.00); WURZBACH PARKWAY PROJECT (\$54.80); BLANCO ROAD AT JACKSON-KELLER PROJECT (\$1,644.00); BASSE ROAD AT SAN PEDRO INTERSECTION PROJECT (\$1,749.19); CALLAGHAN ROAD - OLD U.S. HWY. 90

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TO COMMERCE PROJECT (\$212.25); AND THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT (\$2,078.31); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89290

AMENDING ORDINANCE NO. 89153 PASSED AND APPROVED JANUARY 28, 1999 TO REVISE THE APPROPRIATION TO MAKE A PORTION (\$5,250.00) OF THE TOTAL SUM PAYABLE TO ECKMANN, GROLL, RUNYAN & WATERS, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT.

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AN ORDINANCE 89291

APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE CITY ATTORNEY'S OFFICE TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR FUNDS IN THE AMOUNT OF \$178,736.00 AND \$182,662.00 FOR EACH OF TWO CONSECUTIVE YEARS AVAILABLE UNDER THE VIOLENCE AGAINST WOMEN ACT FOR THE EARLY INTERVENTION FOR WOMEN LIVING IN DOMESTIC VIOLENCE PROGRAM FOR THE PERIOD OF DECEMBER 1, 1999, THROUGH NOVEMBER 30, 2001.

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AN ORDINANCE 89292

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD FROM THE TEXAS DEPARTMENT OF HEALTH IN THE AMOUNT OF \$2,499.00 TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO DEVELOP A CITY EMPLOYEES' WORK SITE WELLNESS PROGRAM FOR THE PERIOD JANUARY 1, 1999 TO AUGUST 31, 1999; ESTABLISHING A FUND; AND APPROVING A PROJECT BUDGET.

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99-07 The Clerk read a proposed ordinance: Authorizing the temporary closure of designated streets from February 27, 1999 through March 19, 1999, for the filming of an independent feature movie by Rich/Es productions; waiving the associated street closure fees in an amount not to exceed \$1,755.00; and providing for an immediate effective date upon passage of eight (8) affirmative votes.

Mr. Salas made a motion to approve a proposed ordinance authorizing the temporary closure of designated streets from February 27, 1999 through March 19, 1999, for the filming of an independent feature movie by Rich/Es Productions; waiving the associated street closure fees in an amount not to exceed \$1,755.00; and providing for an immediate effective date upon passage of eight (8) affirmative votes. Mr. Flores seconded the motion.

Mr. Steve Moore, Director of the Convention & Visitors Bureau, briefly explained the proposed closures.

Mr. Flores then offered an amendment to delete from the proposed street closures S. Flores between E. Fest & W. La Chapelle from 3:00 PM - 6:00 AM on March 1, 1999; S. Hamilton between Jean & Angela from 6:00AM - 6:00 PM on March 13-14, 1999; Laredo between Elmendorf & S. Picoso from 6:00 AM- 6:00AM March 13-14, 1999; Loma Vista between Picoso & Laredo from 6:00 AM to 6:00 AM on March 13-14, 1999; and W. Travis between Trinity & N. Nueces from 3:00 PM - 6:00 AM on March 11-13, 1999. Mr. Salas seconded the amended motion.

After discussion and consideration, the amendment was approved by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Webster, Peak. **NAYS:** None. **ABSENT:** Marbut, Bannwolf.

The main motion, as amended, carrying with it the passage of the following Ordinance, then prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Webster, Peak. **NAYS:** None. **ABSENT:** Marbut, Bannwolf.

AN ORDINANCE 89294

AUTHORIZING THE TEMPORARY CLOSURE OF DESIGNATED STREETS FROM FEBRUARY 27, 1999 THROUGH MARCH 19, 1999, FOR THE FILMING OF AN INDEPENDENT FEATURE MOVIE BY RICH/ES PRODUCTIONS; WAIVING THE ASSOCIATED STREET CLOSURE FEES IN AN AMOUNT NOT TO EXCEED

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\$1,755.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89295

AMENDING ORDINANCE NO. 89159, PASSED AND APPROVED ON JANUARY 28, 1999, ORDERING THE REGULAR MUNICIPAL ELECTION TO BE HELD ON THE 1ST DAY OF MAY, 1999, TO RELOCATE ONE EARLY VOTING SITE IN DISTRICT 8.

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City Clerk Norma S. Rodriguez briefly explained the necessity of moving an Early Voting site in District 8, for the May 1999 municipal and bond election.

Mr. Webster 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:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Webster, Peak; **NAYS:** None; **ABSENT:** Marbut, Bannwolf.

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99-07 On a point of personal privilege, Mr. Salas took the opportunity to thank the City staff for its implementation of several east side projects, notably those involved in Agenda Items 9, 18, and 27 on today's Council agenda.

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The Clerk read the following Ordinance:

AN ORDINANCE 89296

AUTHORIZING ACQUISITION OF FEE SIMPLE TITLE TO TWELVE (12) PARCELS OF LAND FOR THE SUM OF \$624,725.00 PAYABLE TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR MARIA JANNETHE A. RAMIREZ (\$58,300.00); HENRY W. GARRISON AND WIFE, HELEN MARIE GARRISON (\$36,000.00); THELMA MICKEY TYRON A/K/A THELMA MICKEY AND HUSBAND, JERRY TYRONE (\$30,000.00); RICHARD LOPEZ AND WIFE, DIANA LOPEZ (\$57,350.00); SYLVIA VIRGINIA GRACE AND HUSBAND, GABRIEL GRACE, JOYCE MARIE WILLIAMS, JULIA ANN LEWIS, KATHLEEN IRENE WASHINGTON, RENA NADINE WILLIAMS, TONI MICHELLE GIBBONS AND HUSBAND, RANDY L. GIBBONS (\$59,400.00); ANTONIO Z. VÁSQUEZ AND WIFE, ANGELES O. VÁSQUEZ (\$29,000.00); JOSE PAREDEZ AND WIFE, CONCEPCION PAREDEZ (\$41,800.00); MARIE ROBERTS (\$35,000.00); EDDIE H. CHILDS, SR. AND WIFE, LORETTA CHILDS (\$55,000.00); GENEVA HOLMES LUDDINGTON (\$48,875.00); EARLIE S. BANKS, DELORES BANKS, JOHNNY W. BANKS, KENNETH BANKS, DANNY MINOR AND WIFE, LOIS MINOR, ORIETHEA MINOR SUGGS AND SHARON JEAN MINOR GASKIN (\$33,000.00) AND RAUL R. GARZA (\$141,000.00), ALL IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT.

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

Mr. John German, Director of Public Works, narrated a video presentation of the series of property acquisitions in the Wheatley Heights flood area project, a copy of which presentation is made a part of the papers of this meeting. He also summarized the property acquisition to date in the flooded areas of the city.

Ms. Frances Gonzalez, Director, Neighborhood Action Department, spoke to the progress made in counseling residents of the Wheatley Heights area relative to housing relocation options.

Mayor Peak and City Council members thanked City staff for its efforts in assisting the affected residents.

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Discussion then took place concerning plans to avoid future flooding in the Briarglen area and the time-lines involved in addressing certain matters relating to the flooding in that area.

Mr. Salas noted that the Council's Housing Task Force is asking the Department of Housing and Urban Development for a waiver of its guidelines in order to help some flood victims find relief.

Mr. German noted that the Federal Emergency Management Agency is saying that it will favorably consider the City's requests for reimbursement for flood-area buyout costs.

Mayor Peak expressed his hope that some of the flood-stricken homes can be salvaged for re-use elsewhere, if FEMA will allow it.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Menéndez, Bannwolf.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89297

ACCEPTING THE ANNUAL GOVERNOR'S REPORT FOR THE ALAMO WORKFORCE DEVELOPMENT AREA (AWDA), SUBMITTED BY THE ALAMO WORKFORCE DEVELOPMENT COUNCIL, INC. FOR THE YEAR ENDING JUNE 30, 1998; AND AUTHORIZING THE MAYOR, AS THE CHIEF ELECTED OFFICIAL FOR THE CITY OF SAN ANTONIO, TO SIGN THE "STATEMENT OF REVIEW" FOR SAID REPORT.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a video presentation, a copy of which is made a part of the papers of this meeting.

Ms. Jennifer Jacobs, Alamo Workforce Development Area, also narrated a video presentation, a copy of which is made a part of the papers of this meeting. She presented the Program Year 97 report.

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Mayor Peak noted that this is a good report, and that only two areas fell short of their goals.

In response to a question by Mr. Menéndez, Ms. Jacobs explained the progress made in the training of Kelly Air Force Base workers, noting that AWDA is working with the U.S. Air Force to provide re-training of the remaining workers at Kelly.

Mr. Prado noted that some 4,000 Kelly workers already have received their reduction-in-force notices.

Ms. Jacobs spoke to her organization's efforts to assist those RIF'd workers.

In response to a question by Mr. Menéndez, Ms. Jacobs discussed the current status of youth work and training programs.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Bannwolf.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89298

APPROVING THE APPOINTMENT OF RALPH C. BENDER, M.P. GARZA, TONY VILLANUEVA AND ALVIN LOEWENBERG TO THE BUSINESS SECTOR AND CAROLYN LIMON TO THE LABOR SECTOR OF THE ALAMO WORKFORCE DEVELOPMENT BOARD (AWDB) FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2001 AND DECEMBER 31, 2000, RESPECTIVELY.

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Mr. Webster 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:** Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Bannwolf.

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a video presentation on the reprogramming action, a copy of which presentation is made a part of the papers of this meeting. He briefly outlined the proposed reprogramming to agencies who also are involved in housing efforts for senior citizens, and the reasons why Habitat For Humanity is relinquishing the funding.

Several Council members spoke to the needs being met in this area.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Bannwolf.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89301

AMENDING SECTION 33-026(A) OF THE CITY CODE, ENTITLED "TRANSFER OF OPERATING PERMIT," TO AMEND THE FOUR-YEAR TAXICAB OPERATOR PERMIT TRANSFER LIMITATION CONTAINED IN SAID PROVISION.

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Deputy Police Chief Jerry Pittman narrated a video presentation of the proposed amendments to the City Code section on Transfer of Operating Permit for taxicabs, explaining the proposed changes to the current regulations on transfer of taxicab permits. He spoke to a brief history of the regulation of permits, and spoke to an explanation of the purposes of the permitting process. He then addressed the three available options and compared them, noting that City staff recommends reducing the transfer requirement for permits from four years to two years.

The following citizen(s) appeared to speak:

Mr. Henry Ridgeway, representing Taxi Express and Advanced Century Transit, stated his opinion that taxicab permits should go to companies that will use them, not re-sell them for profit. He narrated a brief video presentation in support of his stance. He also spoke against a 60-day delay in this matter, and spoke in support of staff's recommendation for two years. He also asked for inclusion of a requirement to make

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new permit-holders actually use the permits, and distributed a written statement in support of that proposition.

Mr. Cruz Chavira, representing San Antonio Taxi Drivers Association, addressed a background of the proposal and a court ruling which established the City's ownership rights on taxicab permits. He spoke to reports of future taxicab service serving only certain segments of the community. He noted that City Council has control of this issue, to force a level playing-field. He discussed taxicab permit leases in both Austin and Houston, and their costs to drivers, versus costs in San Antonio.

Mr. Robert Gonzalez, representing National Cab Company, spoke against changing the regulations involved, noting that if the costs for taxicab permits rise in the future, then taxicab rates also must rise. He spoke in support for the existing four-year rule and expressed his fears for monopolization of taxicab service in San Antonio by a firm from Houston.

Mr. Jaime Martinez spoke to the need to focus upon local taxicab drivers, not large cab companies from out of town. He spoke against a possible taxicab industry takeover by an out-of-town group.

Ms. Rosa Rosales, League of United Latin-American Citizens, asked the Council to be fair and just with the city's taxicab drivers.

Ms. Angie Garcia, also representing LULAC, spoke in support for small businesspeople driving taxicabs.

Mr. Vernon E. Morris, 539 McCarty Drive, spoke in support for the proposed changes. He addressed the improvements made to the taxicab market in Austin when Coach USA entered that market, and compared taxicab rates in Austin and San Antonio.

Mr. Michael Khadem, representing Luxury Cab Company, spoke against issuing permits that are then re-sold.

Mr. Faris Hodge, Jr., 140 Dora, spoke in favor of competition and free enterprise, and addressed the advantages of Coach USA.

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Mayor Peak discussed the staff recommendations, and spoke to the importance of providing equal opportunity for all to compete for taxicab permits. He stated his belief that the two-year period will encourage the taxicab industry stability, and prevent speculation with taxicab permits.

In response to a question by Mayor Peak, Deputy Chief Pittman stated that the applicant in question favors allowing transfer of taxicab permits if the holders so desire, and noted that the proposed change does not force anyone to sell his taxicab permits. He noted that the applicant in question has expressed a desire to service residential neighborhoods of the city, not necessarily only the airport, where there exists a 30-taxicab limitation. He also stated his belief that there is no current need for a taxicab rate increase.

Mr. Webster spoke in support for profits for small businesses, including taxicabs, and noted that the current regulations create a 'cap' that prohibits growth. He stated his belief that the opposition to the proposed change is coming from fear of competition, and he spoke in support for elimination of the 'cap' on taxicab permits. He spoke in favor of a competitive environment in this industry.

Mr. Webster then made a motion to approve City staff recommendations and provide staff direction to analyze and development recommendations on dropping the 'cap' on the number of taxicab permits, and have City staff come back to City Council with its recommendations. Mr. Vásquez seconded the motion.

Mr. Prado noted that San Antonio needs better destination service by its taxicabs, and addressed certain problems with taxicab timeliness and reliability. He stated his belief that the proposed change will not harm the local taxicab service, and spoke in support for plans by Coach USA and addressed its advantages.

Mr. Flores spoke to the need for a level playing-field for all.

In response to a question by Mr. Flores, Deputy Chief Pittman spoke to Austin's 'cap' of allowing one taxicab for every 1,700 persons in population.

Mr. Flores spoke in support for issuing the available taxicab permits to drivers next week.

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Mr. Flores then offered an amended motion that any additional taxicab service vehicle permits distributed to a taxicab service by the Director in accordance with the provisions of Chapter 33 of the City Code during the calendar year 1999 must be surrendered to the City in the event said service's operating permit is transferred prior to April 1, 2000. Ms. Guerrero seconded the motion.

In response to a question by Ms. Guerrero, Deputy Chief Pittman spoke to a comparison of several cities relative to their 'caps' on taxicab permits, noting that San Antonio also has a 'cap' based on population.

Ms. Guerrero spoke against adversely impacting small businesses, and stated her desire to see a taxicab permitting process that allows small taxicab owners to compete. She spoke in support for both the main motion and the proposed amendment.

Discussion then took place concerning a possible delay in the process due to the difficulty in finding a qualified assessment committee.

In response to a question by Mr. Salas, Mr. Rudolph Bruhns, Executive Vice President, Yellow/Checker Cab Company, Houston and Austin, spoke to the maximum allowable age of taxicabs by his firm and guidelines for drivers. He noted that each such driver is an independent contractor, and he spoke to the fee structures. He then spoke to various scenarios involving his firm's taxicab permits.

The City Clerk restated both the main motion and the proposed amendment.

After discussion and consideration, the amendment prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

The main motion, as amended, carrying with it the passage of the Ordinance, then prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak. **NAYS:** None. **ABSENT:** Bannwolf.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89302

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 8 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$5,400.00 TO COUNCILMAN ROBERT MARBUT FOR ADMINISTRATIVE SERVICES CONTRACTS WITH DEBORAH GRAY (\$2,500.00); REBECCA J. VIAGRAN (\$1,800.00) AND ELIZABETH GONZALEZ (\$1,100.00) BEGINNING FEBRUARY 1, 1999 TO FEBRUARY 28, 1999; AS REQUESTED BY COUNCILMAN ROBERT MARBUT.

* * * *

Mr. Marbut 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:** Salas, Guerrero, Prado, Vásquez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Menéndez, Bannwolf.

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99-07 The Clerk read the following Ordinance:

AN ORDINANCE 89303

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 9 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$600.00 TO COUNCILMAN TIM BANNWOLF FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH RICHARD RHODES III FROM JANUARY 2, 1999 TO FEBRUARY 28, 1999; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

* * * *

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:** Salas, Guerrero, Prado, Vásquez, Garza, Marbut, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Menéndez, Bannwolf.

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CITIZENS TO BE HEARD

MR. JOHN GONZALEZ

Mr. John Gonzalez, representing Amex International, spoke to his firm's successes in finding a cure for cancer, and spoke to a special presentation to be made Monday on the subject.

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for competition in the taxicab industry; a missing street sign and street light; problems with gangs rocking VIA buses; and San Antonio Water system's insurance charge on broken sewer lines underneath City streets.

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed a body-piercing bill now before the state legislature.

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MR. ALAN PARKER

Mr. Alan Parker addressed City Public Service and electrical deregulation, stating that he will be addressing this matter to the CPS board at its meeting next Monday.

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99-07 There being no further business to come before the Council, the meeting was adjourned at 5:10 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