



Mayor Peak thanked all of the educators and spoke to his own affiliation with Trinity University.

Mr. Bannwolf thanked Mr. Moore for his leadership in his field. He also spoke to his role of serving on the selection committee and to the great accomplishments of the teachers chosen.

Mr. Salas congratulated the teachers for their hard work and commended Mr. Moore and spoke to his own teaching experience.

Mr. Menendez congratulated all of the educators present and then he took a moment to individually recognize Ms. Gloria Ramirez from Edgewood High School.

Mr. Garza credited his own family, community and especially the teachers who contributed to his educational background. He also commended Mr. Moore and Trinity University for recognizing local educators.

\* \* \* \*

### **MARTIN LUTHER KING SCHOLARSHIP AWARDS PRESENTATION**

Mayor Peak introduced Mr. Langston Williams, Chairman of the Martin Luther King Scholarship committee, and Ms. Nancy Bohman, Co-Chair, who were present to recognize the 1998 Martin Luther King Scholars before the City Council.

Mr. Williams spoke to the committee's work in seeking out the recipients of the award. He explained that all the applicants submitted an essay and were individually interviewed. He thanked Ms. Arlene Washington and the rest of the committee members who were present in the chambers.

Ms. Nancy Bohman then called each scholarship recipient's name as they came forward to receive their Martin Luther King Medals.

Mr. Salas thanked the committee members, Mr. Williams, Ms. Bohman and the scholarship recipients. He then spoke to the accomplishments of Mr. King with regard to race relations and the ultimate sacrifice he paid to enable minorities to have the opportunities they have today.

Ms. Bowman thanked the many contributors and sponsors of the scholarship.

98-20  
May 21, 1998  
lmr

Mr. Menendez congratulated all the recipients and their parents. He individually recognized two students who received the award in Council District 6.

Mr. Bannwolf spoke to the achievements of the students and to their future achievements in college. He spoke to a luncheon he had with students from Nimitz Academy, who offered their suggestions for restoring San Pedro Park. One of the students then came forward to briefly explain their ideas for the park, which included placing a fence around the park.

Mr. Bannwolf thanked the students for their input.

Mayor Peak commended the students for their presentation.

Mr. Menendez thanked the students for their opinions and expressed his desire to see the students continue with their enthusiastic attitude.

\* \* \* \*

Mayor Peak recognized Mr. Troy Belky who was an assistant for a day in the Mayor's office. Mayor Peak explained that Troy is a member of the Unicorn Program's Intern Coalition.

Mr. Belky then came forward, addressed the Council and spoke to the experience he is gaining, which will help him get a job.

— — —  
98-20 On a point of personal privilege, Mr. Flores requested that Council move to consider Item #30 at this time.

The Clerk read the following Resolution.

A RESOLUTION  
NO 98-20-18

REQUESTING PARAGON COMMUNICATIONS TO ALLOW CTSA/CATHOLIC TELEVISION TO REMAIN ON CHANNEL 22 AND DIRECTING STAFF TO EXAMINE METHODS WHICH WOULD LEGALLY REQUIRE PARAGON COMMUNICATIONS TO KEEP CTSA ON CHANNEL 22

\* \* \* \*

98-20  
May 21, 1998  
lmr

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

The following citizen(s) appeared to speak:

Mr. Robert Gutierrez, President of Hispanic Television Network, spoke to the future developments of his station as a full service non-profit business which provides Latino families an opportunity to view programs in Spanish. He further read from a prepared statement expressing his desire for CTSA to remain on Channel 22 to afford the over 600,000 Hispanic families in San Antonio access to the programming

Archbishop Patrick Flores pleaded with Paragon to let CTSA remain on its current channel. He spoke to letters received in support of the station among the city's poor and elderly

Mr. Pat Rogers, Director of Media Development of the Archdiocese, read from a prepared statement outlining key points of the contract with Paragon.(A copy of his statement is on file with the papers of this meeting.)

Father Virgil Elizondo, Archdiocese of San Antonio, spoke to the description of CTSA viewers and to the founding of the station

Reverend Kenneth Thompson, SA Community Of Churches, spoke to Paragon's decision to move the channel location to the upper tier He pleaded to Paragon to come up with other solutions to the problem.

Mr. Pat Kennedy, Jr., Board of Directors for CTSA, spoke to the legalities of the contract between Paragon and CTSA.

Ms. Martha Brinkmann, Today's Catholic newspaper, spoke to her job as host of a CTSA program and to the elderly population's dependence on the station

Reverend Buckner Fanning, Trinity Baptist Church, spoke to San Antonio being an ecumenical society, in which the accessibility of CTSA programming is vital to the citizenry.

Mr Juan Solis, State Representative-elect, spoke on behalf of Council District 5 and the 134<sup>th</sup> Congressional District in support of CTSA and noted the absence of Mr Navarra

98-20

May 21, 1998

lmr

Williams, Paragon's CEO, at the meeting. Mr Solis suggested having more than one cable company available to San Antonio.

Mr. Joe Alderete, former Councilman, spoke to the appearance of Archbishop Flores to plead for CTSA to remain at its current position in the basic tier cable package. He also spoke to the insensitivity Paragon has shown toward the Archdiocese

Mr. Robert Raines, 130 Melrose Place, reiterated Mr Alderete's sentiments and offered his support for CTSA's current channel position to remain the same. He also apologized to Mr. Marbut for comments he made at a previous meeting.

Mr. Robert B. Hibbs, Episcopal Diocese of West Texas, spoke in support of CTSA and to the Episcopal viewers of the station. He also spoke to CTSA's decency in programming and to its continued availability to all citizens on the basic tier.

Mr. Betty L. Gudat spoke to an ad that will appear in the Express News written by The Defenders of the Magisteria stating their support of CTSA.

Mr. Bob Comeax, 702 W. French Pl., spoke to his experience with shut-in elderly citizens who live on fixed incomes and can only afford basic cable. He offered his support of the resolution and suggested that the public subscribe to satellite companies.

Ms. Mary Ester Bernal spoke in support of the non-exclusivity rights of Paragon in hopes of acquiring another cable competitor for the city.

Ms. Mary Wisniewski, Archdiocese of San Antonio, and producer of a CTSA show, spoke on behalf of the staff who help produce the show on a volunteer basis to promote missionary work.

Mr. Nick Cozoncit, 66 Brees, spoke in support of the Archdiocese and cited examples of T. J. Connolly's attitude toward various producers of CTSA programs.

Mr. Jesse Gonzalez, Trinity Baptist Church, submitted a petition in support of CTSA remaining at its current channel position. A copy of his petition is on file with the papers of this meeting.

Ms. Ronnie Perez spoke as a representative of CTSA employees who will be greatly affected by the impending channel move. She also spoke to the dedication of the employees who provide positive TV programming.

98-20

May 21, 1998

lmr

Mr. Faris Hodge, Jr., 140 Dora, spoke to alleged censorship of citizens who wish to speak. He then addressed cable rates and his desire to have the City Clerk take verbatim notes of citizen comments

Mr. Jack M. Finger, P O. Box 12048, spoke to Paragon's bad portrayal of a corporate citizen.

\* \* \* \*

In response to questions from Mayor Peak, Mr Octavio Peña, Acting Director of Finance, briefed the Council on several points relating to legalities of the channel move; the taping of "Our Part of Town" talent shows; potential violations of the franchise agreement; review of files of unauthorized connections; and the status of City-wide fiber-optic upgrades. A copy of this memo is made part of the papers of this meeting

Mr. Frank Garza, City Attorney, addressed the "must-carry" regulations mandated by the Federal Communications Commission and outlined the procedures for petitioning the FCC to become a must-carry station. He further explained that CTSA is not eligible to apply or petition because it is not available without cable hook-ups. He also explained that he has reviewed the City's contract with Paragon and as far as providing service in an equitable manner, they are doing so, but there is concern over the approach to fiber-optic upgrades. Mr. Garza explained that municipalities have limited authority over cable companies, whereby the city can only suggest alternatives, not mandate them

Mr. T. J. Connolly, Vice President of Public Affairs, Paragon Cable, further explained the legalities regarding must-carry stations. He cited examples of stations who have submitted appeals and explained that expanding the basic tier will not be cost-effective.

Mayor Peak suggested to Mr. Connolly that a one-on-one investigation must be conducted to rectify the situation before having to go to the Federal courts. Mayor Peak spoke to issues regarding the cancellation of the taping of the City talent shows and his desire to see CTSA remain at its present location on the dial

In response to Mayor Peak's comments, Mr. Connolly pledged to keep the lines of communication open to explore other options open to CTSA and the City

(At this time Mayor Peak was obliged to leave the meeting. Mr. Webster presided in the temporary absence of Mayor Pro Tem Vásquez.)

98-20  
May 21, 1998  
lmr

Mr. Marbut thanked the ecumenical society representatives and other religious sects who have shown their support for the resolution. He also suggested that the station located on channel 15 be moved up to a higher tier to allow for CTSA to remain at its current location. He then spoke to a map of areas which are currently fiber-optic ready, which are primarily on the north side of town. Mr. Marbut then cited excerpts from the contract in which it addresses fiber being installed in an equitable manner, although the map illustrates, in his opinion, clear inequities.

Mr. Pat Rogers, Archdiocese of San Antonio, spoke to the areas that are provided for and to the 55% of their ministry which resides south of the areas which are fiber-ready.

Mr. Marbut called for a default judgement to be made against Paragon due to the inequities illustrated by the map.

Mr. Vásquez presented a census tract which highlighted the income level of the areas in fiber-optic ready areas

In response to a question from Mr. Marbut, Mr. Frank Garza explained that the file on must-carry stations previously requested from Time Warner is not yet available.

Mr. Webster spoke to the viability of various ideas Mr. Marbut suggested and also to the renewal date of the contract with the station on channel 15

Mr. Connolly explained that the details of the contracts with other stations is confidential

Mr. Menendez thanked Mr. Marbut and Mr. Vásquez for their work and spoke to his disappointment that a solution has not been achieved by the parties involved

Mr. Connolly stated that his staff will contact the contract holder of the Preview station currently on channel 15 to request that they give their channel placement to CTSA

In response to a question from Mr. Menendez, Mr. Peña stated that an audit would be conducted within the following week

Mr. Vásquez spoke to a meeting with Archbishop Flores and directed staff to explore possibilities of bringing another cable franchisee into the City. He also suggested the possibility of entering into a public/private venture with City Public Service to transform cable service into a public utility

Council discussion ensued concerning the Paragon/CTSA issue and the role the City must play in order to mediate the situation.

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

Mr. Salas noted that the contract with Paragon stipulates a provision for two mobile units, but only has provided one. He also gave direction to staff to compile a list of cable operators who may be interested in doing business in San Antonio and suggested that Paragon subscribers boycott the company and its services in protest of their recent actions

Mr. Peña stated that he is currently working with another local cable provider who may be able to offer services to the city

Mr. Prado commended Paragon for their decision to continue taping and airing the "Our Part of Town" talent shows. He then spoke to the Convention Center Expansion Project which will be including a \$10 million contract for a telecommunications system. He noted that only two companies have responded to bid requests and stated that Paragon should not attempt to lobby him for his support.

Mr. Bannwolf spoke to his desire for the lines of communication to remain open between the City, Paragon, and CTSA to explore other options for keeping CTSA on channel 22. He suggested combining the Preview Channel with 21 CHIC, the City's own information channel, to free up one channel for CTSA to utilize until fiber-optics is available city-wide.

Mayor Peak stated that he will continue to work with Paragon to create a solution

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

— — —  
98-20                    CONSENT AGENDA-CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, read the captions for various items on the Consent Agenda.

Mr. Jack M. Finger, P.O. Box 12048, spoke to alleged conflicts of interest regarding various campaign contributions received by Councilmembers from firms involved in contracts with the City which are scheduled for Council consideration

98-20  
May 21, 1998  
lmr

Mr. Michael Idrogo, 317 Rosewood, spoke to a petition he filed calling for Mr. Flores' immediate resignation from Council

— — —  
98-20            CONSENT AGENDA

Mr. Bannwolf made a motion to approve Agenda Items 7 through 25f, constituting the Consent Agenda, with items 7 and 22 having been previously removed from consideration by the City Manager. 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, Menendez, Garza, Bannwolf, Webster, Peak, **NAYS:** None; **ABSENT:** Marbut

AN ORDINANCE 87825

ACCEPTING THE LOW BID OF SELRICO SERVICES, INC TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH A SUMMER FOOD PROGRAM, FOR A TOTAL OF APPROXIMATELY \$419,960.00

\* \* \* \* \*

AN ORDINANCE 87826

ACCEPTING THE LOW BID OF SAFE TIRE DISPOSAL TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH DISPOSAL OF WASTE TIRES FOR A TOTAL OF \$4,600 00 MONTHLY

\* \* \* \*

AN ORDINANCE 87827

RATIFYING SERVICES AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$154,800.00 PAYABLE TO FORD ENGINEERING, INC , FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE W.W WHITE ROAD: RIGSBY TO LORD ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 2, AUTHORIZING \$30,000 00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, AND PROVIDING FOR PAYMENT (AMENDS ORD NO. 81871 DATED MARCH 16, 1995)

\* \* \* \*

AN ORDINANCE 87828

AUTHORIZING AN ADDITIONAL \$25,867.00 PAYABLE TO W F CASTELLA & ASSOCIATES FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE APPLE VALLEY - HAVEN VALLEY TO RAY ELLISON DRIVE PROJECT, LOCATED IN COUNCIL DISTRICT 4, AND PROVIDING FOR PAYMENT (AMENDS ORD NO 81918, DATED MARCH 23, 1995)

\* \* \* \*

AN ORDINANCE 87829

RATIFYING SERVICES AND AUTHORIZING AN ADDITIONAL \$62,950.00 PAYABLE TO LOCKWOOD, ANDREWS & NEWNAM, INC FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE WEST AVENUE INTERSECTIONS PROJECT, LOCATED IN COUNCIL DISTRICT 9, AND PROVIDING FOR PAYMENT. (AMENDS ORD NO 81895, DATED MARCH 23, 1995 )

\* \* \* \*

98-20  
May 21, 1998  
lmr

AN ORDINANCE 87830

RATIFYING SERVICES AND AUTHORIZING ADDITIONAL MPO/CITY MATCHED FUNDS IN THE AMOUNT OF \$11,000.00 AND SAN ANTONIO WATER SYSTEMS (SAWS) FUNDS IN THE AMOUNT OF \$185,500.00 PAYABLE TO LOCKWOOD, ANDREWS & NEWNAM, INC. FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE SOUTH FLORES: DURANGO BOULEVARD - FRANCISCAN AVENUE PROJECT, LOCATED IN COUNCIL DISTRICTS 1 & 5; AND PROVIDING FOR PAYMENT. (AMENDS ORD NO. 85383, DATED JANUARY 9, 1997)

\* \* \* \*

AN ORDINANCE 87831

RATIFYING SERVICES AND AUTHORIZING AN ADDITIONAL \$13,500.00 PAYABLE TO STEPHEN J. CANTY & ASSOCIATES FOR PROVIDING PROFESSIONAL SERVICES IN CONNECTION WITH THE HOLLYHOCK AND WHITBY AT HUEBNER CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING \$1,050.00 FOR MISCELLANEOUS CONTINGENCY ENGINEERING EXPENSES, AND PROVIDING FOR PAYMENT (AMENDS ORD NO 82029, DATED APRIL 13, 1995)

\* \* \* \*

AN ORDINANCE 87832

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATES 1, 2 & 3, OF INNOVATIVE BUILDERS CORP. IN THE TOTAL AMOUNT OF \$298,763.00 FOR IMPROVEMENTS TO NORMOYLE PARK, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING A CONSTRUCTION CONTRACT, ESTABLISHING THE NORMOYLE PARK & COMMUNITY CENTER PROJECT BUDGET; AUTHORIZING THE ALLOCATION OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS INTO THIS PROJECT BUDGET, AUTHORIZING THE TRANSFER OF FY 1996/97 FIMP FUNDS INTO THE PROJECT'S BUDGET, AUTHORIZING \$23,940.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$7,090.00 IN ADDITIONAL ARCHITECTURAL SERVICES FOR THE PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

98-20  
May 21, 1998  
lmr

AN ORDINANCE 87833

AUTHORIZING THREE (3) YEAR LICENSE AGREEMENTS WITH THE TOWN & COUNTRY OPTIMIST LITTLE LEAGUE, INC. FOR THEIR CONTINUED USE OF APPROXIMATELY 9 160 ACRES OF PUBLIC PROPERTY IN OLMOS PARK, AND THE SOUTH CENTRAL COUGARS POP WARNER FOOTBALL, INC. FOR THEIR CONTINUED USE OF APPROXIMATELY 8 16 ACRES IN STINSON PARK FOR YOUTH RECREATION PROGRAMS

\* \* \* \*

AN ORDINANCE 87834

AUTHORIZING THE EXPENDITURE OF \$200.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE CHICO/KNOX/MARGIL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5; REVISING THE PROJECT BUDGET, AND PROVIDING FOR PAYMENT

\* \* \* \*

AN ORDINANCE 87835

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,965 00 FOR LEGAL SERVICES IN CONNECTION WITH THE BROADWAY MINIMUM CLEARANCE WIDTH ACCESS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT AND \$2,490.05 FOR LEGAL SERVICES IN CONNECTION WITH THE JOE BLANKS STREET DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; FOR A TOTAL SUM OF \$4,455 05 PAYABLE TO DAVIDSON & TROILO, P.C., REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT

\* \* \* \*

AN ORDINANCE 87836

AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE WITH AUSTIN EXPRESS, INC FOR A TOTAL OF 307 SQUARE FEET OF OFFICE SPACE IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL

98-20  
May 21, 1998  
lmr

ANNUAL RENT OF \$13,673.78 FOR USE BY THE TENANT FOR THE PROVISION OF SCHEDULED AIR SERVICE.

\* \* \* \*

AN ORDINANCE 87837

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A REVISED CONTRACT WITH THE TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE TO INCREASE FUNDING FROM \$595,879.00 TO \$669,879.00 FOR THE ONGOING SAN ANTONIO REGIONAL DETOXIFICATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 1997 THROUGH AUGUST 31, 1998; REVISING THE PROJECT BUDGET ESTABLISHED IN ORDINANCE NO 87026, PASSED AND APPROVED DECEMBER 1, 1997, AND AMENDING THE SUBCONTRACT WITH THE PATRICIAN MOVEMENT IN CONNECTION WITH THE PROJECT

\* \* \* \*

AN ORDINANCE 87838

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A CHANGE IN THE 1997/98 CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE AN ADDITIONAL \$322,773.00 TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO AUGMENT THE FUNDING OF THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) PROJECT, REVISING THE PROJECT BUDGET ESTABLISHED IN ORDINANCE NO 85857, PASSED AND APPROVED APRIL 10, 1997, AND APPROVING TEN (10) NEW PERSONNEL POSITIONS

\* \* \* \*

AN ORDINANCE 87839

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF DEFENSE (DOD) BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO PARTICIPATE IN THE PROCUREMENT TECHNICAL ASSISTANCE PROGRAM COMPETITIVE SOLICITATION FOR COOPERATIVE AGREEMENT APPLICATION (SCAA), AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$149,750.00, CONTINGENT UPON AWARD OF SAID GRANT BY THE DOD, AND AUTHORIZING A BUDGET AND

98-20  
May 21, 1998  
lmr

PERSONNEL COMPLEMENT FOR THE PROGRAM PERIOD BEGINNING JANUARY 1, 1999 THROUGH DECEMBER 31, 1999, SUBJECT TO CITY COUNCIL APPROVAL OF THE FY 1998-99 PROGRAM BUDGET.

\* \* \* \*

AN ORDINANCE 87840

AUTHORIZING THE TEMPORARY CLOSURE OF CASTLE RIDGE STREET BETWEEN PINN ROAD AND MILITARY DRIVE WEST BEGINNING AT 7:00 A.M. UNTIL 12:00 MIDNIGHT ON SUNDAY, JUNE 7, 1998 IN CONNECTION WITH A CHURCH FESTIVAL, SPONSORED BY RESURRECTION OF THE LORD CATHOLIC CHURCH, LOCATED IN COUNCIL DISTRICT 6

\* \* \* \*

AN ORDINANCE 87841

APPOINTING PATRICIA MCGRATH (DISTRICT 2) AND REAPPOINTING DR. JOHN HERBOLD (DISTRICT 10) AND DR FERNANDO GUERRA (MAYOR) TO THE ANIMAL CONTROL ADVISORY BOARD

\* \* \* \*

AN ORDINANCE 87842

REAPPOINTING DAVID CARPENTER (MAYOR) TO THE CLEAN-UP CITY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 2000.

\* \* \* \*

AN ORDINANCE 87843

REAPPOINTING JOSE ARZOLA (DISTRICT 3), OLIVIA THERIOT (DISTRICT 6) AND ELIZABETH M KERLEY (DISTRICT 10) AND APPOINTING BENNIE WILSON (DISTRICT 9) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES

\* \* \* \*

98-20  
May 21, 1998  
lmr

AN ORDINANCE 87844

APPOINTING RIGDON MORRISON WOODS (DISTRICT 7) TO THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 2000.

\* \* \* \*

AN ORDINANCE 87845

APPOINTING JOSE MACIAS (DISTRICT 6) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2000.

\* \* \* \*

AN ORDINANCE 87846

APPOINTING JOSEPH C LONDON (DISTRICT 4) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 1999

\* \* \* \*

— — —  
98-20 The City Manager announced that he was removing from consideration Item #4, a Presentation of the Five-Year Financial Forecast, and postponing the item for one week.

— — —  
98-20 **PUBLIC HEARING CDBG REPROGRAMMING**

(Note. Although the CDBG reprogramming Ordinance was approved during this consideration, it later in the meeting was brought back for reconsideration to allow for certain amendments to be made to the original version enacted by City Council at this time. See Page 24 for the final Ordinance.)

Mayor Peak declared the Public Hearing to be open

Mr Andrew Cameron, Director of Housing and Community Development, explained the Community Development Block Grant (CDBG) Reprogramming A copy of the presentation is made part of the papers of this meeting

98-20  
May 21, 1998  
lmr

Councilmembers, by district, made their allocations as reflected in the attachment included in the papers of this meeting

Mr. Prado requested that any balance left in his district's account go directly into the Public Works account.

In response to a question from Mr. Menendez, Mr. Cameron clarified that funds can be allocated for the school flasher program.

The following citizen(s) appeared to speak:

Mr. Rene Neira, Kingsborough Ridge Neighborhood Association, requested that a portion of the CDBG funds be allocated for lighting in the Kingsborough Park.

Ms. Guerrero explained that \$15,000 was included as part of her amendments

Mr. Faris Hodge, Jr , 140 Dora, spoke to his contention that not enough back-up materials were made available regarding this reprogramming of funds. He also questioned the reasoning for District 9's failure to be mentioned in the distribution

\* \* \* \*

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

The Clerk read the following proposed ordinance authorizing the reprogramming Community Development Block Grant (CDBG) Funds in the amount of \$3,322,679.57 available from Council Districts 1 through 10 and from City-Wide project completions and program income funds to address existing project shortfalls and new projects, authorizing the reprogramming of an additional \$300,000.00 for an interim loan to the Greater Kelly Development Corporation (GKDC) to support the development of Kelly Air Force Base (Kelly) and in particular the Aerospace Logistic and Support Center to be established by the Boeing Corporation, revising the appropriate CDBG Budgets; authorizing the execution and submission of contracts and other documents as necessary in connection therewith, ratifying a HUD 108 Loan default annual payment to the U.S. Department of Housing and Urban Development (HUD), ratifying the transfer of the staff complement and budget from the Department of Housing & Community Development's Housing Resources Division to the Neighborhood Action Department in accordance with the provisions of the adopted September, 1997 General Fund Budget, amending the City's Five Year HUD Consolidated Plan to include Economic Development at Kelly

98-20

May 21, 1998

lmr

pursuant to Chapter 373 of the Local Government Code to become effective June 5, 1998; and providing for an immediate effective date upon passage of eight (8) affirmative votes

Mr. Cameron explained that there are no surplus funds in the District 9 account to be redistributed.

Mr. Bannwolf offered further clarification to which programs the funds have been previously allotted.

Mr. Flores made the main motion to approve the proposed Ordinance as allocated by individual Councilmembers. Mr. Webster seconded the motion.

Mr. Menendez indicated his desire to amend his district's allocations to include a flasher program to his distribution list

Mr. Webster spoke to his position on the Oversight Committee board

Mr. Cameron spoke to the scheduled meetings and topics

After consideration, the motion to accept the City-wide program prevailed by the following vote **AYES**. Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak, **NAYS** None, **ABSENT** None

After discussion, Mr. Flores made a motion to reconsider the vote Mr. Webster seconded the motion.

After consideration, the motion to reconsider the vote prevailed by the following vote: **AYES**. Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS** None; **ABSENT** None

Mr. Menendez then amended his distribution list to delete distribution of funds to the school flasher program at \$12,000 and to add that amount to the \$13,000 already allotted to the Cuellar Park Program

After consideration, the motion as amended prevailed by the following vote **AYES** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak, **NAYS**: None, **ABSENT** None

(Note: The Ordinance was again reconsidered and amended later in the this meeting. See Page 24 for the final amended caption)

— — —

98-20      MID SESSION UPDATE OF FEDERAL INITIATIVES FOR THE  
105<sup>TH</sup> CONGRESS

Mr. James Campbell, Director of Intergovernmental Relations, gave a video presentation briefing the Council on the actions taken by Congress through the first half of the Second Session of the 105<sup>th</sup> Congress; a copy of which is made part of the papers of this meeting. Mr. Campbell noted that Congress is primarily focused on the budget and appropriations process and only high priority and consensus items have a good chance of passing. Mr. Campbell also stated that he would report back to Council in October.

Mayor Peak addressed educational issues pertaining to funds received from the federal government only to be offered to those cities who govern their own school systems.

Mr. Webster spoke to gas tax issues.

Mr. Bannwolf spoke to air quality issues and to taking a proactive role in acquiring more information on the proposed containment list put out by the Environmental Protection Agency.

In response to Mr. Bannwolf, Mr. Campbell stated that air quality issues are among the high priority issues.

Mr. Flores commended Mr. Campbell for his report, and spoke to the importance of keeping up with clean air regulations.

Mr. Campbell thanked Council for their input, especially Mr. Flores and Ms. Guerrero for making the trip to Washington for the legislative sessions.

Ms. Guerrero thanked Mr. Campbell for his work and spoke to her visit to Washington.

Mayor Peak commended the committee chaired by Mr. Flores and Ms. Guerrero. He also spoke to issues regarding the reality of BRAC closures and to its impact on the City.

— — —

98-20 Item #7, being a proposed ordinance accepting the low, qualified bids of Menco, Inc. d/b/a Gravely Sales & Service Company, Watson Distributing Company, Inc., San Antonio Lawn & Turf, Mission Equipment and Goldthwaite's - San Antonio (WBE), to provide the City of San Antonio Parks and Recreation and Alamodome Departments with replacement turf equipment for maintenance of Nelson Wolff Stadium and City golf courses, cemeteries and park areas, for a total of \$84,259 64, was previously removed from consideration by the City Manager

98-20 Item #22, a proposed ordinance authorizing the acceptance and execution of an agreement with San Saba X-Ray for x-ray technician services in connection with the Tuberculosis Program of the San Antonio Metropolitan Health District, revising the budget of the Special TB Team Project and approving payments to the contractor, was previously removed from consideration by the City Manager

98-20 The Clerk read the following Ordinance

AN ORDINANCE 87847

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE NINE (9) AGREEMENTS FOR CAR RENTAL CONCESSIONS AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A PRIMARY TERM OF THREE (3) YEARS COMMENCING ON JULY 1, 1998, WITH TWO (2) MUTUAL ONE YEAR OPTIONS, AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF A MINIMUM ANNUAL GUARANTEE OR NINE AND ONE-HALF PERCENT (9½%) FOR THE FIRST YEAR, NINE AND THREE-QUARTERS (9¾%) PERCENT FOR THE SECOND YEAR; AND TEN (10%) PERCENT FOR THE THIRD YEAR OF REVENUES GENERATED AT THE AIRPORT AS WELL AS RENTAL FOR COUNTER SPACE OCCUPIED IN EACH TERMINAL BUILDING

\* \* \* \*

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

Mr Efren T Gonzalez, Acting Director of Aviation, gave a video presentation on the agreement for the car rental concessions with regard to the current contracts and the projected revenues

98-20  
May 21, 1998  
lmr

In response to a question from Mr Bannwolf, Mr Gonzalez clarified that a report on the status of a previous proposal should be available within a month

In response to Mr Webster, Mr. Gonzalez stated that the owners of Advantage Rent-a-Car are members of the Walker family

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

— — —  
98-20 The Clerk read the following Ordinance

AN ORDINANCE 87848

ESTABLISHING PERMIT AND USER FEES BASED UPON THE BENEFITS DERIVED BY PERMITTEE FROM PERMITTEE'S USE OF THE AIRPORT SYSTEM WHICH SHALL BE A PERCENTAGE OF AIRPORT GROSS REVENUES GENERATED BY PERMITTEE FROM AIRPORT CUSTOMERS IN THE AMOUNT OF 7 ½% FROM SEPTEMBER 1, 1998 THROUGH JUNE 30, 1999, 7 ¾% FROM JULY 1, 1999 THROUGH JUNE 30, 2000, AND 8% THEREAFTER, AT SAN ANTONIO INTERNATIONAL AIRPORT FOR NON-CONCESSIONAIRE CAR RENTAL BUSINESSES UTILIZING THE SAN ANTONIO INTERNATIONAL AIRPORT SYSTEM FOR AN INITIAL TERM ENDING JUNE 30, 2001 WITH TWO (2) ONE (1) YEAR MUTUAL OPTIONS TO EXTEND, PERMITTING NON-CONCESSIONAIRE CAR RENTAL BUSINESSES TO ACCESS AND USE THE AIRPORT FOR LOADING AND UNLOADING OF CUSTOMERS AT DESIGNATED LOCATIONS AND PROVIDING FOR ACCESS TO CITY'S AIRPORT ADVERTISING CONCESSIONAIRE'S ADVERTISING AND RESERVATION BOARD LOCATED IN THE BAGGAGE CLAIMS AREAS OF THE AIRPORT TERMINALS.

\* \* \* \*

Mr Webster made a motion to approve the proposed Ordinance Mr Flores seconded the motion

Mr. Efren T Gonzalez, Acting Director of Aviation, made a video presentation which outlined the results of a survey conducted of airports in Texas He also explained the terms of the permits and gave details of other provisions for granting the permits to concessionaires

98-20  
May 21, 1998  
lmr

In response to a question from Mr Webster, Mr Gonzalez stated that he would get back with him on the timeline for a formal audit

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

— — —  
98-20 The Clerk read the following Ordinance:

AN ORDINANCE 87849

AMENDING SECTION 28-152 OF THE CITY CODE (ENTITLED "SIGNS ON ROADS AND HIGHWAYS MAINTAINED BY THE CITY") TO PROHIBIT THE PLACEMENT OF TEMPORARY WEEKEND SIGNS ON ESPLANADES THAT DIVIDE TRAFFIC, DELETING THE REQUIREMENT THAT ADVERTISERS PROVIDE THE CITY WRITTEN AUTHORIZATION OF ADJOINING PROPERTY OWNERS BEFORE PLACING SIGNS ON A PUBLIC RIGHT-OF-WAY, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES, AS REQUESTED BY COUNCILMEMBERS ED GARZA OF DISTRICT 7, TIM BANNWOLF OF DISTRICT 9 AND JEFF WEBSTER OF DISTRICT 10.

\* \* \* \*

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

Mr. Gene Camargo, Director of Building Inspections, explained the proposed amendments to the City Code

Mayor Howard Peak spoke to his appreciation of having a monitor for the Ordinance

Mr John Sanders, Greater San Antonio Builders Association, spoke to his work on the Ordinance and encouraged Council support

Mr Webster thanked Mr Camargo and his department for their work in drafting the Ordinance.

Mr Menendez thanked Mr Sanders, Mr Webster and Mr Vásquez for their support

98-20  
May 21, 1998  
lmr

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

— — —  
98-20 The Clerk read the following Ordinance

AN ORDINANCE 87850

AUTHORIZING THE EXPENDITURE OF \$270.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO ASSIST THE GATES ELEMENTARY PTA WITH THE COST OF PURCHASING MEDALS, RIBBONS AND TROPHIES TO PRESENT TO STUDENTS WHO HAVE PERFECT ATTENDANCE, OUTSTANDING ACADEMIC ACHIEVEMENT, CITIZENSHIP, ATHLETICS AND MUSIC; AS REQUESTED BY COUNCILMAN MARIO M SALAS

\* \* \* \*

Mr. Salas made a motion to approve the proposed Ordinance. Mr Flores 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, Menendez, Garza, Marbut, Bannwolf, Webster, Peak, **NAYS** None, **ABSENT** None

— — —  
98-20 The Clerk read the following Ordinance

AN ORDINANCE 87851

AUTHORIZING THE EXPENDITURE OF \$150.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO ASSIST THE LEON CREEK GREENBELT COALITION WITH MAILING AND COMMUNICATION COSTS ASSOCIATED IN COMMUNICATING TO MEMBERS OF THE COALITION ABOUT THE STATUS OF ACQUIRED LAND, FUTURE PLANS, PROJECTED PLANS INCLUDING STRATEGIES FOR A MASTER PLAN FOR THE ENTIRE GREEN WAY; AS REQUESTED BY COUNCILMAN ED GARZA AND COUNCILMAN ROBERT MARBUT

\* \* \* \*

98-20  
May 21, 1998  
lmr

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

Mr. Marbut asked that \$150 be charged to his district's contingency account, to assist with this purpose.

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

— — —

98-20 The Clerk read the following Ordinance

AN ORDINANCE 87852

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND IN THE TOTAL AMOUNT OF \$5,000.00 FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH SETH MITCHELL (\$625.00 PER WEEK) FROM MAY 18, 1998 THROUGH JULY 10, 1998; AS REQUESTED BY COUNCILMAN TIM BANNWOLF.

\* \* \* \*

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

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

— — —

98-20 At this time, Mr Menendez requested that Item #5, the Ordinance reprogramming CDBG Funds, be reconsidered

Mr. Menendez made a motion to reconsider the item Mr Flores seconded the motion

After consideration, the motion to reconsider the proposed Ordinance prevailed by the following vote **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak, **NAYS:** None, **ABSENT** None

98-20  
May 21, 1998  
lmr

Mr Flores then amended his previous allocations by canceling the Fredericksburg Road facade program in the amount of \$25,000

Mr Menendez amended his distribution of funds list to transfer any remaining District 6 funds to the Public Works Capital Projects program

Mr Menendez then made a motion to approve the Ordinance as newly amended. Mr Flores seconded the motion.

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

#### AN ORDINANCE 87853

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$3,322,679.57 AVAILABLE FROM COUNCIL DISTRICTS 1 THROUGH 10 AND FROM CITY-WIDE PROJECT COMPLETIONS AND PROGRAM INCOME FUNDS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS, AUTHORIZING THE REPROGRAMMING OF AN ADDITIONAL \$300,000.00 FOR AN INTERIM LOAN TO THE GREATER KELLY DEVELOPMENT CORPORATION (GKDC) TO SUPPORT THE DEVELOPMENT OF KELLY AIR FORCE BASE (KELLY) AND IN PARTICULAR THE AEROSPACE LOGISTIC AND SUPPORT CENTER TO BE ESTABLISHED BY THE BOEING CORPORATION, REVISING THE APPROPRIATE CDBG BUDGETS, AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; RATIFYING A HUD 108 LOAN DEFAULT ANNUAL PAYMENT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), RATIFYING THE TRANSFER OF THE STAFF COMPLEMENT AND BUDGET FROM THE DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT'S HOUSING RESOURCES DIVISION TO THE NEIGHBORHOOD ACTION DEPARTMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ADOPTED SEPTEMBER, 1997 GENERAL FUND BUDGET. AMENDING THE CITY'S FIVE YEAR HUD CONSOLIDATED PLAN TO INCLUDE ECONOMIC DEVELOPMENT AT KELLY PURSUANT TO CHAPTER 373 OF THE LOCAL GOVERNMENT CODE

98-20  
May 21, 1998  
lmr

TO BECOME EFFECTIVE JUNE 5, 1998, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES

\* \* \* \*

98-20

**MANAGER'S REPORT**

Mr. Malcolm Matthews, Director of Parks and Recreation, spoke to his department's community service efforts with regard to the San Antonio Promise Youth Summit

Mr Sergio Soto, Director of Youth Initiatives, spoke in greater detail about the Youth Summit event to be held May 23, 1998 at Our Lady of the Lake University He explained that the summit is a follow-up to the 1997 President's Summit for America's Future in Philadelphia, that goal being to "Ensure that every child and adolescent in America should have the confidence, character, competence and connections needed to live a healthy, fulfilling life and contribute positively to society " (A copy of his presentation is made part of the papers of this meeting )

Mayor Peak commended the department's efforts and noted that he looks forward to the results of this year's local summit

Mr Vásquez stated that he plans to attend the summit and noted that his office has received many calls regarding the importance of youth initiatives

Mr Soto stated that there have been three previous summits with an attendance of 100 children

Mr. Menendez thanked Mr Soto for his work and noted that he will be attending the summit.

\* \* \* \*

City Manager Buseño introduced the newly appointed Community Initiatives Director, Mr Dennis Campa, who then spoke to his 27 years of experience working in the City of Austin

Mayor Peak welcomed Mr Campa to the City

98-20

May 21, 1998

lmr

Mr. Vásquez noted that Mr. Campa is originally from District 5 and welcomed him back to San Antonio.

98-20

**CITIZENS TO BE HEARD**

**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, noted that many of the mailboxes along portions of Culebra Road are set in the sidewalk. He expressed his opinion that items pulled from the Council's Agenda must be voted upon by the Council. He addressed cable TV connections in City facilities; misuses of water, the airport parking garage, off-duty work by police officers and City liability, San Pedro Park, urged council to move the Carnival from the City Hall area, spoke to pay for security guards, noted cable TV rates are, in his opinion, too high; and asked for a greater police presence along IH 35 to control traffic.

\* \* \* \*

**MR. JOHN R. GONZALEZ**

Mr. John R. Gonzalez, Central Park Mall, Ste. 205, spoke to reports of cancer-curing drugs, and several exhibits of products offered for this purpose. He spoke in support for a particular product, and addressed its successes.

\* \* \* \*

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite R. F. Perez, 627 Hearne Ave., spoke to the matter of performance pay for City employees, and the fact that it was given to some. He addressed the matter of pay for uniformed City personnel, and stated his opinion that some employees are unhappy over performance pay. He spoke instead in favor of cost-of-living raises for all, and in support for what he termed a good police contract to discourage 'moonlighting' by officers.

\* \* \* \*

98-20

May 21, 1998

lmr

**MR. WALTER HAGEN**

Mr. Walter Hagen, 12019 Rose Blossom, spoke of a recent visit to Alabama and Florida, and of the good roads throughout those states, as opposed to San Antonio's problems with potholes and poor markings on streets. He spoke against any additional funds for contractors doing work for the City, and against seeking to bring the GOP National convention to San Antonio.

Mayor Peak asked the Public Works Department to look into the street matters mentioned by Mr Hagen

Discussion ensued concerning the weather differences affection streets in various parts of the nation.

\* \* \* \*

**MR. ROBERT L. BELTRAN**

Mr Robert L Beltran, 1639 Highland, spoke to the matter of political contributions to Councilmembers, and urged that cable TV bills be held until the final day before they are paid. He spoke to the need to enforce the cable franchise agreement, and the matter of potholes in the downtown area

\* \* \* \*

**MR. MICHAEL IDROGO**

Mr. Michael Idrogo, 317 Rosewood, spoke in opposition to converting the Sunset Depot into a saloon, and stated his belief that the city's potholes are primarily being caused by buses. He spoke to certain European train stations and their amenities, and their importance

\* \* \* \*

— — —

98-20        There being no further business to come before the Council, the meeting was adjourned at 6 45 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