



**CEREMONIAL ITEMS**

**RAUL JIMENEZ THANKSGIVING DINNER**

Mayor Howard W. Peak introduced Patricia Jimenez and Alice Guerra, Event Directors, who made a presentation regarding the 18<sup>th</sup> Annual Raul Jimenez Thanksgiving Dinner. Patricia Jimenez, the daughter of Mr. Raul Jimenez, thanked the City for its help in keeping the tradition alive by donating the use of the Convention Center every year.

Ms. Guerra spoke to this year's event and recognized Tejaño star, Michael Salgado, who has donated part of his concert ticket revenues toward the event.

Various Councilmembers offered their gratitude and support of the charitable event.

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**PROFILE OF WOMEN AWARD WINNERS**

Mayor Peak announced that the Mayor's Commission on the Status of Women honored ten women on November 16<sup>th</sup> for their accomplishments. He then introduced Pat DeVeau, Commission Chair, who explained the selection process and briefly explained the obstacles the women have overcome. (A copy of the "Profiles Booklet" is part of the papers of this meeting)

Mayor Peak then presented the individual certificates.

Several Councilmembers proceeded to express their support of the organization and spoke to the admiration and respect felt toward all the recipients of the certificates.

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**SECOND ANNUAL LITTLE CHRISTMAS VILLAGE AT LA VILLITA**

Mayor Howard W. Peak introduced Mr. Red McCombs and Joe Ernest, Waterman Broadcasting, who described this year's annual Little Christmas Village at La Villita. Mr. Ernest invited each councilmember to host an underprivileged group in their respective districts to host at the event.

Mr. McCombs expressed his gratitude to the Parks and Recreation Department for their continuing support of the event.

Councilmembers spoke to the generosity of citizens like Mr. Ernest and Mr. McCombs, and expressed their gratitude for their efforts.

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97-47 At the request of Mr. Vásquez, Council decided to move to item 49 at this time.

The Clerk read the following Resolution:

A RESOLUTION  
NO. 97-47-43

REAFFIRMING THE CITY'S COMMITMENT TO AFFIRMATIVE ACTION FOR WOMEN AND MINORITIES IN EMPLOYMENT AND CONTRACTING; AS REQUESTED BY COUNCILMEMBERS RICK VÁSQUEZ OF COUNCIL DISTRICT 5, MARIO SALAS OF COUNCIL DISTRICT 2; AND ED GARZA OF COUNCIL DISTRICT 7.

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Mr. Vásquez made a motion to approve the proposed Resolution. Mr. Salas seconded the motion.

Mr. Salas spoke to the problems still faced by minorities and stated he is in favor of the Resolution and diversity in employment.

Mr. Vásquez thanked his colleagues for supporting the Resolution and stated that the Resolution reflects the City's commitment to diversity in regard to women and minorities in the public and private sectors.

Mr. Bannwolf reiterated what Reverend Daniel J. Mueller said in the Invocation and expressed his support of the Resolution.

Mr. Webster spoke on the capacity of the City to provide small businesses and women an opportunity for advancement.

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The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke against the Resolution and affirmative action.

Mr. Nazarite Perez, 627 Hearne Ave., spoke in favor of affirmative action.

Mr. Jack Finger, P.O. Box 12048, spoke in opposition to the Resolution and affirmative action, stating that both are discriminatory.

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Mayor Peak then explained the meaning behind the Resolution.

Mr. Salas noted that there still are companies that do not have a good record of equal opportunity employment.

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

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**97-47 SPECIAL BRIEFING: VIA/TEXAS PUBLIC POLICY FOUNDATION REPORT**

Jack Judson, President of Texas Public Policy Foundation, introduced Wendall Cox who gave a presentation of a report compiled by his firm, which found that VIA Transit lost 30,000 riders due to fare increases. A copy of the report is on file with the papers of this meeting.

The following councilmembers spoke:

Mr. Prado commended the VIA trustees for halting the purchase of new buses at their last meeting. He thanked Mr. Judson for bringing forth the data outlined in the report to the Council. He then called for VIA to come forward and explain its rationale for the rate hike and speak to the report. He also stated his belief that VIA should contribute more to the maintenance and repair of city streets.

Mayor Peak concurred with Mr. Prado's request for VIA to respond to the report.

Mr. Salas spoke to the need of more concrete pads to be constructed for streets in all areas of the city. He also stated that he is opposed to the fare increases and privatization.

Mr. Gus Rodriguez, Business Agent, Amalgamated Transit Union, responded to Mr. Salas' question on fare increases and made a presentation on privatization of transit systems. He spoke in favor of VIA's pending bus purchase.

Mayor Peak recommended conducting a special forum to speak on the issues at hand.

Mr. Vásquez thanked the foundation for the report, but stated he did not understand the findings.

Mr. Webster spoke in support of the recommendations found in the report. He suggested that the report should be used as a tool to help the City manage projects better.

Mr. Flores spoke to VIA's need for time to respond to the report.

Mr. Bannwolf commented on the use of commuter railways and questioned whether they were feasible.

Mr. Garza cautioned the use of outside firms in collecting this sort of analysis. He explained that this raises questions about the City agencies currently used.

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97-47                    **BOARD RESIGNATION REPORTED**

Assistant City Clerk Dick Porter reported to Mayor and Council the automatic resignation of Lester Hash from his appointment as member of the Mechanical Board of Appeals, due to non-compliance with the Ethics Ordinance.

Mr. Salas stated that certain clarification of information on the applications is necessary.

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97-47                    **CONSENT AGENDA**

Mr. Salas made a motion to approve Agenda Items 7 through 29, constituting the Consent Agenda, with items 8, 12, 13, 19, 27, and 28 having been pulled for individual consideration. Mr. Flores 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, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 86973

RATIFYING THE CONTRACT OF INDUSTRIAL CONSTRUCTION COMPANY TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH SAFETY IMPROVEMENTS AT FRIEDRICH PARK FOR A TOTAL OF \$23,081.16.

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AN ORDINANCE 86974

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$317,248.29 IN CONNECTION WITH THE VIA FINITA-LITTLE LANE STORM SEWER PROJECT (CALLAGHAN DRAINAGE IMPROVEMENTS), LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$22,853.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 86975

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$502,770.88 IN CONNECTION WITH THE THORAIN: BLANCO TO SAN PEDRO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$34,571.28 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$14,519.94 FOR PROJECT OVERSIGHT COSTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 86976

AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$6,200.00 PAYABLE TO CANTYCO, INC. FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE HOLLYHOCK & WHITBY AT HUEBNER CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 7; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 86977

APPROVING THE ASSIGNMENT OF THE FARMERS MARKET PLAZA LEASE AGREEMENT CURRENTLY HELD BY ALEJANDRO REYES, A.R. TRADE AND MFG., INC. D/B/A THE PEPPER TREE SHOP TO PAULINO VELASQUEZ D/B/A A TOUCH OF MEXICO FOR THE PERIOD DECEMBER 1, 1997 THROUGH DECEMBER 14, 1997; AT A RATE OF \$1,805.00 PER MONTH, AND A ONE TIME \$1,000.00 APPLICATION FEE FOR SAID ASSIGNMENT. (AMENDS ORD. NO. 79223 DATED NOV. 23, 1993)

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AN ORDINANCE 86978

AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT WITH HOPE LUTHERAN CHURCH AT SAN ANTONIO INTERNATIONAL AIRPORT FOR OPERATION OF A NON-DENOMINATIONAL CHAPEL IN TERMINAL 2, BY EXTENDING THE TERM OF THE LEASE FOR A FIVE (5) YEAR PERIOD FROM DECEMBER 1, 1997 - NOVEMBER 30, 2002; AND INCREASING THE ANNUAL RENTAL TO \$690.00. (AMENDS ORDINANCE NO. 76913 DATED NOV. 19, 1992)

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AN ORDINANCE 86979

AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT WITH JOHN D. TOSH FOR LEASE OF 295 SQUARE FEET OF SPACE IN THE ADMINISTRATION BUILDING AT STINSON MUNICIPAL AIRPORT, BY EXTENDING THE TERM OF THE LEASE FOR A FIVE (5) YEAR PERIOD AND INCREASING THE ANNUAL RENTAL TO \$2,545.85. (AMENDS ORDINANCE NO. 64212 DATED DEC. 18, 1986)

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AN ORDINANCE 86980

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR A TERM ENDING ON AUGUST 31, 2000 WITH DHL AIRWAY, INC. ("DHL") FOR 30,044 SQUARE FEET OF RAMP SPACE AND BAY 32 CONTAINING 1,643 SQUARE FEET OF WAREHOUSE SPACE AND 277 SQUARE FEET OF OFFICE SPACE AT THE AIR CARGO FACILITY WEST, LOCATED AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A MONTHLY RENTAL OF \$1,862.72 FOR RAMP SPACE, \$828.35 FOR WAREHOUSE SPACE AND \$209.60 FOR OFFICE SPACE, FOR A TOTAL MONTHLY RENTAL OF \$2,900.67.

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AN ORDINANCE 86981

AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO AN OFFICE SPACE LEASE AGREEMENT WITH THE MAJESTIC DEVELOPMENT COMPANY FOR 4,947 SQUARE FEET IN THE MAJESTIC TOWERS OFFICE BUILDING (TOWERS AT THE MAJESTIC) FOR USE BY THE DEPARTMENT OF ARTS AND CULTURAL AFFAIRS; AND RENEWING AND EXTENDING THE CURRENT TERM FOR ONE (1) YEAR BEGINNING DECEMBER 1, 1997 THROUGH NOVEMBER 30, 1998 AT A BASE MONTHLY RENTAL OF \$3,737.42. (AMENDS ORDINANCE NO. 74052 DTD. AUG. 1, 1991 AND ORD. NO. 75228 DTD. FEB. 13, 1992)

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AN ORDINANCE 86982

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH WATERMAN BROADCASTING COMPANY FOR THE SECOND ANNUAL LITTLE CHRISTMAS VILLAGE IN LA VILLITA, WHICH WILL BE HELD ON NOVEMBER 30<sup>TH</sup>, THE WEEKENDS IN DECEMBER AND THE WEEK OF DECEMBER 21- 27, 1997 FOR A CONSIDERATION OF \$7,800.00 FOR A LICENSE FEE.

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AN ORDINANCE 86983

APPROVING AN AMENDMENT TO THE DELEGATE AGENCY CONTRACT WITH BEXAR COUNTY WHICH WOULD PROVIDE ADDITIONAL FUNDS IN THE AMOUNT OF \$17,438.00 TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE ADMINISTRATION OF THE RYAN WHITE TITLE I FORMULA PROJECT; AUTHORIZING THE EXECUTION OF SAID AMENDMENT; REVISING THE PROJECT BUDGET ORIGINALLY PASSED AND APPROVED BY ORDINANCE NO. 85697 OF MARCH 6, 1997; AND AMENDING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 86984

APPROVING A SUBCONTRACT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON IN THE AMOUNT OF \$20,000.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE HIV/AIDS INFORMATION TO HEALTH CARE AND PROGRAM CASE MANAGERS; AUTHORIZING THE EXECUTION OF SAID SUBCONTRACT; ESTABLISHING A FUND; ADOPTING A BUDGET; AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 86985

AUTHORIZES THE SUBMISSION OF TWO (2) GRANT APPLICATIONS IN THE TOTAL AMOUNT OF \$25,538,912.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) FOR THE CONTINUATION OF THE CITY'S HEAD START PROGRAM AND THE EARLY HEAD START PROGRAM BOTH BEGINNING FEBRUARY 1, 1998 AND ENDING JANUARY 31, 1999.

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AN ORDINANCE 86986

AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS WORKFORCE COMMISSION (TWC) WHICH WILL PROVIDE FOR THE CERTIFICATION OF CITY GENERAL FUNDS AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE PURCHASE OF CHILD CARE SERVICES WHICH WILL GENERATE MATCHING FUNDS NOT TO EXCEED \$944,341.00 FOR THE PROVISION OF CHILD CARE SERVICES ACCEPTING SAID MATCHING FUNDS; AMENDING ORDINANCE NO. 86857, PASSED AND APPROVED ON OCTOBER 23, 1997; AND REVISING THE CHILD CARE MANAGEMENT SERVICES (CCMS) BUDGET.

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AN ORDINANCE 86987

AUTHORIZING THE ACCEPTANCE OF TWO (2) GRANTS FROM THE TEXAS COMMISSION ON THE ARTS (TCA) IN THE TOTAL AMOUNT OF \$165,822.00 TO SUPPORT RE-GRANTING AND ONGOING OPERATIONS OF THE DEPARTMENT OF ARTS & CULTURAL AFFAIRS DURING THE FISCAL YEAR 1997-98; AUTHORIZING THE EXECUTION OF CONTRACTS IN CONNECTION THEREWITH; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 86988

AUTHORIZING THE SUBMISSION OF TWO (2) GRANT APPLICATIONS TO THE TEXAS COMMISSION ON THE ARTS (TCA) BY THE DEPARTMENT OF ARTS & CULTURAL AFFAIRS (DACA) IN THE TOTAL AMOUNT OF \$228,353.00 TO (1) RE-GRANT TO LOCAL CULTURAL ORGANIZATIONS THROUGH THE TCA'S DECENTRALIZATION PROGRAM, (2) PROVIDE ADMINISTRATIVE SUPPORT TO OFFSET ADMINISTRATIVE COSTS RELATING TO THE PROGRAM, AND (3) TO SUPPORT DACA'S ONGOING PROGRAM IN MARKETING AND AUDIENCE DEVELOPMENT AND ARTS IN EDUCATION DURING THE FISCAL YEAR 1998-99.

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AN ORDINANCE 86989

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF BOWIE STREET FROM THE INSTITUTE OF TEXAN CULTURES (BOWIE STREET GATE) TO THE PEDESTRIAN WALKWAY TO THE NORTH PLAZA OF THE ALAMODOME BEGINNING AT 1:00 P.M. UNTIL 2:30 P.M., SATURDAY, DECEMBER 6, 1997 IN CONNECTION WITH THE BIG 12 BAND MARCH BEING HELD IN CONNECTION WITH THE 1997 DR. PEPPER BIG 12 FOOTBALL GAME, SPONSORED BY BUILDER'S SQUARE ALAMO BOWL.

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The Clerk read the following Ordinance:

AN ORDINANCE 86990

AUTHORIZING THE EXECUTION OF "PROJECT AGREEMENTS FOR SURFACE TRANSPORTATION PROGRAMS-METROPOLITAN MOBILITY REHABILITATION AND URBAN STREET PROGRAMS" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING FUNDS IN THE AMOUNT OF \$458,633.00 FOR TECHNICAL REVIEW, PROJECT DEVELOPMENT, AND CONSTRUCTION ADMINISTRATION BY TXDOT STAFF IN CONNECTION WITH TWENTY-NINE (29) MPO PROJECTS FOR PROGRAM YEARS 1998 AND 1999.

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

Mr. John German, Director of Public Works, narrated a video presentation outlining the specifics of the Metro Planning Organization (MPO), a copy of which is included in the papers of this meeting.

Mr. Prado spoke to the data uncovered by the staff and described some discrepancies in the monies allotted to the different Council districts.

In response to Mr. Prado, Mr. German explained the chart in greater detail, by explaining that some projects are larger than others, thus requiring more funds.

Mr. Prado reiterated his concerns for the inequality of MPO projects based on the data provided to him.

Mr. German explained that the information that he has is not a correct reflection of what is currently taking place. In response Mr. Peak's request, he agreed to present a fuller picture of the distribution of MPO funds.

Ms. Guerrero asked Mr. Prado for clarification of the District 3 figures shown. After Mr. Prado explained his calculations, Ms. Guerrero spoke to her concern for televising an incorrect chart.

Mr. Bannwolf agreed with Mr. Prado's observations of inequities in the distribution of funds.

Mr. Vásquez spoke to issues concerning TXDOT and the Mission Trails Project.

Mr. German responded to Mr. Vásquez's concerns by offering to set up a special meeting to gather input and further discuss his issues.

Mr. Webster spoke to his personal efforts in making project funding equal while on the MPO committee. He stated he is in support of MPO and encouraged Council participation.

Mr. Salas spoke to the inequity in District 2, and to his constituents who will perceive the data shown on the graph as neglect to their part of town.

Mayor Peak reiterated the fact that the graph shown by Mr. Prado is incomplete.

Mr. Alex Briseño, City Manager, explained that many of their concerns and questions should be directed to the State Legislature.

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

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 86991

AUTHORIZING THE CITY MANAGER TO APPROVE THE TERMS AND CONDITIONS OF THE AGREED ORDER WITH THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) IN THE MATTER INVOLVING THE CITY TRAFFIC OPERATIONS FACILITY; AND AUTHORIZING \$5,120.00 FOR ADMINISTRATIVE PENALTIES.

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

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

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 86992

ACCEPTING THE LOW, QUALIFIED BASE BID OF GRECO CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$169,000.00 FOR IMPROVEMENTS TO THE JAPANESE TEA GARDENS POND IN BRACKENRIDGE PARK; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE BRACKENRIDGE PARK REHABILITATION PROJECT BUDGET; AUTHORIZING THE ALLOCATION OF 1994 PARKS GENERAL OBLIGATION BOND FUNDS INTO THIS PROJECT BUDGET; AUTHORIZING \$33,800.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,700.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in favor of the Ordinance and to the benefits of renovating Brackenridge Park.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 86993

APPROVING A CONTRACT WHEREBY THE CITY WILL ACQUIRE FROM THE SAN ANTONIO RIVER AUTHORITY (SARA) 4.44 ACRES OF SURPLUS PROPERTY LOCATED AT THE CROSSING OF SALADO CREEK AND WEST AVENUE IN DISTRICT 9 FOR USE IN DEVELOPING THE PROPOSED WALKER RANCH PARK FOR FAIR MARKET VALUE ESTABLISHED BY THE CITY'S CONTRACTUAL OBLIGATION TO (A) PROVIDE DESIGN SERVICES VALUED AT \$1,500.00 FOR DEVELOPMENT OF TRAILS ON SUCH PROPERTY AND (B) MAINTAIN AND PROVIDE SECURITY FOR THE 4.44 ACRE TRACT FOR A PERIOD OF SEVEN (7) YEARS, AT A COST THAT IS CURRENTLY CALCULATED TO BE \$2,750.00 PER YEAR, SUBJECT TO AN ANNUAL APPROPRIATION OF FUNDS BY THE CITY COUNCIL TO PAY SUCH EXPENSES; AUTHORIZING THE EXECUTION OF SUCH CONTRACT BY THE CITY MANAGER; AUTHORIZING THE ACCEPTANCE OF A SPECIAL WARRANTY DEED CONVEYING THE PROPERTY FROM SARA UPON TENDER TO THE CITY OF SAN ANTONIO, SUBJECT TO THE APPROVAL OF ITS TERMS AND CONDITIONS BY THE CITY ATTORNEY; AND DEDICATING SUCH PROPERTY FOR PARK PURPOSES.

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, requested a moratorium on buying more parks until the security of currently-run parks is upgraded.

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Mr. Salas asked that City staff be directed to produce a report on current security of City parks.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 86994

AUTHORIZING THE RENEWAL AND EXTENSION OF THE CONTRACT WITH HEARD, GOGGAN, BLAIR & WILLIAMS, ATTORNEYS AT LAW AND ESCAMILLA & PONECK, ATTORNEYS AT LAW FOR THE COLLECTION OF DELINQUENT PROPERTY TAXES FOR A THREE (3) YEAR PERIOD BEGINNING JANUARY 1, 1998 AND ENDING DECEMBER 31, 2000, UNDER THE SAME TERMS AND CONDITIONS.

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

Ms. Nora Chavez-Barrera, Director of Finance, explained the background of the Ordinance and recommended approval of a three (3) year extension of the contract.

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

The following citizen(s) appeared to speak:

Mr. Nazerite Perez, 627 Hearne Ave., addressed his concerns with the contract.

Mr. Jack Finger, P.O. Box 12048, spoke to his concerns with Mr. Oliver Heard's political contributions.

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In response to Mr. Webster, Ms. Chavez commended the contractor's performance on other City projects.

Mr. Bannwolf spoke to the 'double-edged sword' aspect of the bidding process; citizens criticize the approval of out-of-state bids and then criticizes the City when it approves a local company's extension.

Mr. Marbut commended the contractor and recommended a longer extension.

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Mr. Oliver Heard and representatives of his firm spoke to his charitable contributions to the City as well as his political contributions. He spoke in favor of a longer extension and to his commitment to the collection of delinquent taxes for the City.

Mr. Garza spoke to the companies performance measures and expressed his support of the motion to approve the Ordinance.

Mr. Menendez reiterated Mr. Garza's statements and offered his support of the Ordinance.

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

Ms. Chavez-Barrera explained that extension provisions at the three (3) year point may be extended.

Ms. Guerrero spoke in favor of the ordinance and briefly justified the contributions she has received from Mr. Heard.

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

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97-47            The Clerk read the following Ordinance:

AN ORDINANCE 86995

AMENDING ORDINANCE NO. 83253, PASSED AND APPROVED ON DECEMBER 7, 1995, BY AUTHORIZING THE CITY MANAGER, UPON ADVICE AND CONSENT OF THE CITY ATTORNEY, TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECT A TRANSFER OF CONTRACT OBLIGATIONS IN THE NATURE OF CONSENT TO AN ASSIGNMENT OF THE CURRENT AGREEMENT BETWEEN THE CITY AND ALAMO WASTE, INC., FROM ALAMO WASTE, INC. TO USA WASTE SERVICES OF SAN ANTONIO, INC., AS EFFECTED BY CORPORATE ACQUISITION, SAID EXISTING CONTRACT TO PROVIDE SOLID WASTE COLLECTION AND RECYCLING SERVICES FOR THE LONGS CREEK AREA.

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

Mr. John German, Director, Public Works, explained the background of the proposed Ordinance.

In response to Mr. Bannwolf, Mr. German explained renewal options to ensure the level of service. He also spoke to annexed areas and growth issues.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the problems of recycling and regarding overfilling the landfills being used by BFI.

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Mr. Webster explained that landfills are regulated by the state.

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

( At this point Mayor Peak was obliged to leave the meeting. Councilman Bannwolf presided in the temporary absence of Mayor Pro Tem Guerrero.)

97-47            **PUBLIC HEARING : PROPOSED MODIFICATIONS TO THE SAN ANTONIO WEST-SOUTHWESTSIDE ENTERPRISE ZONE.**

In the temporary absence of Mayor Peak, Councilman Bannwolf declared the Public Hearing to be open.

Mr. Clinton Bolden, Director of Economic Development, gave a presentation outlining the background information and the benefits of the proposed Ordinance. A copy of his presentation is made part of the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, expressed his concern that businesses are only going to the north side area.

Mr. Nazerite Perez, 627 Hearne Ave., spoke to his concerns on the Kelly Air Force Base issue.

Mr. Jack Finger, P.O. Box 12048, spoke to his concerns regarding tax incentives of the zoned area.

Mr. Mike Harris, San Antonio Manufacturers Association, spoke to the benefits of approving this Ordinance, as it will create jobs in the area.

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There being no further citizens signed to speak to this matter, Mr. Bannwolf declared the Public hearing to be closed.

Mr. Garza spoke in favor of the Ordinance.

Mr. Menendez spoke in favor of the Ordinance and to the jobs that will be created.

The Clerk read the following Ordinance:

#### AN ORDINANCE 86996

AMENDING THE BOUNDARY OF THE CITY OF SAN ANTONIO'S WEST-SOUTHWESTSIDE ENTERPRISE ZONE PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303); PROVIDING TAX AND OTHER INCENTIVES TO THE ZONE AREA; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATION AND DESIGNATION OF THE AREA AS THE SAN ANTONIO WEST-SOUTHWESTSIDE ENTERPRISE ZONE; AND AUTHORIZING THE SUBMISSION OF APPLICATIONS AND FEES TO TDED.

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

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

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97-47 The Clerk read the following Resolution:

A RESOLUTION  
NO. 97-47-44

NOMINATING PASS & SEYMOUR/LEGRAND AS AN ENTERPRISE PROJECT WITHIN THE SAN ANTONIO WEST-SOUTHWESTSIDE ENTERPRISE ZONE FOR DESIGNATION BY THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT (TDED); AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO TDED FOR DESIGNATION OF PASS & SEYMOUR/LEGRAND AS AN ENTERPRISE PROJECT; AND TO DESIGNATE THE ECONOMIC DEVELOPMENT DEPARTMENT DIRECTOR AS THE ENTERPRISE PROJECT LIAISON.

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

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 86997

RESCHEDULING THE CITY COUNCIL MEETING OF TUESDAY, DECEMBER 2, 1997 TO MONDAY, DECEMBER 1, 1997; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.(AMENDS ORDINANCE NO. 86554 DATED SEPT. 4, 1997)

\* \* \* \*

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to 911 issues and recommended that the Councilmembers attending National League of Cities Conference should bring up these issues at the conference.

\* \* \* \*

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

— — —  
97-47 The Clerk read the following Resolution:

A RESOLUTION  
NO. 97-47-45

APPROVING AND RECOGNIZING THE JEFFERSON NEIGHBORHOOD  
UPDATED PLAN.

\* \* \* \*

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

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Mr. Emil Moncivais, Director of Planning, gave a presentation explaining the background of the Jefferson Neighborhood Plan. A copy of the presentation is made part of the papers of this meeting.

The following citizen(s) appeared to speak:

Ms. Charlotte Kahl, 2103 W. Mistletoe, spoke in support of the plan. She also expressed her concern for the maintenance of neighborhood alleys.

Ms. Delia Guajardo, President of the Jefferson Neighborhood Association, thanked everyone who supported the plan. She also asked for Council support in allowing their alleys to remain open and to continue to serve their original purpose of alley trash pick-up.

\* \* \* \*

In response to Mr. Garza, Mr. John German, Director of Public Works, narrated a video presentation illustrating the reasons behind closing alleys due to the potential dangers faced by garbage collection workers trying to maneuver their trucks through the narrow alley-ways.

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

Mr. Garza referred to a memo stating that the alleys would not be closed and recommended that they be used for garbage collection.

In response to Mr. Webster, Mr. German spoke to balancing the charge of alley service to curb pick-up. He stated that residents would be notified of any changes in their area. He also explained that property owners are ultimately responsible for the upkeep of their own alleys.

(At this point, Mayor Peak assumed the chair to preside.)

Mr. Garza reiterated his support of the plan.

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

97-47 Agenda Item number 32, being a proposed ordinance approving and authorizing an amendment to chapter 34 of the Edwards Aquifer Authority Permit fee of (\$0.00629 per hundred gallons of consumption) to water customers and to adopt a revised schedule of charges for general water services customers based on the meter size for both inside and outside of the City limits, was earlier removed from consideration by the City Manager.

97-47 The Clerk read the following Ordinance:

AN ORDINANCE 86998

ACCEPTING THE LOW, QUALIFIED BID OF CUTLER REPAVING, INC. IN THE AMOUNT OF \$846,035.25 IN CONNECTION WITH THE HOT INSITU ASPHALT RECYCLING 1997 PROJECT, LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING \$84,603.52 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$906.76 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

97-47 The Clerk read the following Ordinance:

AN ORDINANCE 86999

RENAMING OF FRANK NEELY DRIVE TO "BECKWITH BOULEVARD." IN HONOR OF JACK BECKWITH; AS REQUESTED BY CYNTHIA SCHLUTER, VICE PRESIDENT OF BECKWITH ELECTRONIC ENGINEERING CO.

\* \* \* \*

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

Mr. Gene Camargo, Director, Building Inspections, explained the Ordinance.

Mr. Marbut spoke in support of the Ordinance and to the community contributions of the late Mr. Jack Beckwith.

In response to Mr. Webster, Mr. Camargo explained the process of requesting a street name change. He also assured Mr. Webster that all requests are followed by proper notification to other businesses residing on the same street.

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

— — —  
97-47 The Clerk read the following Resolution:

A RESOLUTION  
NO. 97-47-46

NOMINATING BAUSCH & LOMB, INC. AS AN ENTERPRISE PROJECT WITHIN THE SAN ANTONIO - WEST SOUTHWEST SIDE ENTERPRISE ZONE FOR DESIGNATION BY THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT (TDED); AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO TDED FOR DESIGNATION OF BAUSCH & LOMB, INC. AS AN ENTERPRISE PROJECT AND DESIGNATING THE ECONOMIC DEVELOPMENT DIRECTOR AS THE ENTERPRISE PROJECT LIAISON.

\* \* \* \*

Mr. Flores made a motion to approve the proposed Resolution. Mr. Prado seconded the motion.

Mr. Clinton Bolden, Director of Economic Development, narrated a video presentation giving the details of the Resolution. A copy of the presentation is on file with the papers of this meeting.

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Mr. Prado commended staff on their work on the Resolution and also spoke to the success of B&L, Inc.

Mr. Menendez spoke to the benefits having this company in the city and commended Mr. Bolden for his success in business retention. He also recommended placing new businesses on the southwest side of town.

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

— — —  
97-47            The Clerk read the following Ordinance:

AN ORDINANCE 87000

AUTHORIZING THE CITY MANAGER TO EXECUTE A SALES CONTRACT FOR THE FEE SALE OF 588.29 SQUARE FEET OF MARKET STREET (SIDEWALK) RIGHT-OF-WAY, ALONG WITH THE SALE OF 1083.65 SQUARE FEET OF SUBSURFACE RIGHTS OF MARKET AND NAVARRO STREET RIGHTS-OF-WAY TO HIXON LAND COMPANY, THE ADJACENT PROPERTY OWNER, FOR THE AMOUNT OF \$50,000.00.

\* \* \* \* \*

(At this time, Mayor Peak was obliged to leave the Council Chambers, and Mr. Flores presided in the temporary absence of Mayor Pro Tem Guerrero.)

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

Mr. Clinton Bolden, Director of Economic Development, explained the Ordinance in detail using a video presentation, a copy of which is on file with the papers of this meeting.

In response to Mr. Flores, Mr. Oscar Serrano, Asset Management Dept., explained construction details regarding landscaping and the stability of the structure.

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

— — —  
97-47            The Clerk read the following Ordinance:

AN ORDINANCE 87001

AUTHORIZING THE CITY MANAGER TO EXECUTE AN EXCHANGE AGREEMENT WITH HIXON LAND COMPANY TO EXCHANGE APPROXIMATELY 210.00 SQUARE FEET OF PUBLIC PROPERTY ADJACENT TO THE SAN ANTONIO RIVER AND LOCATED IN LOT RED-10, NCB 107, FOR APPROXIMATELY 245.00 SQUARE FEET OF PRIVATE PROPERTY ADJACENT TO THE SAN ANTONIO RIVER AND LOCATED IN LOT B-8, NCB 107 IN CONNECTION WITH THE DEVELOPMENT OF THE WESTIN HOTEL.

\* \* \* \*

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

Mr. Frank Stromboe, Acting Director, Parks and Recreation Dept., explained the Ordinance using a video presentation.

Mr. Flores confirmed that among other benefits of this contract, the City will gain land and have access to a elevator which is in compliance with the American Disabilities Act.

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

— — —

97-47 At this point, Mayor Peak returned to the meeting to preside.

The Clerk read the following Ordinance:

AN ORDINANCE 87002

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH SILVER RIO LIMITED PARTNERSHIP FOR APPROXIMATELY 954.79 SQUARE FEET OF PUBLIC SPACE ON THE SAN ANTONIO RIVER WALK FOR OUTDOOR DINING SERVICES FOR THE PROPOSED WESTIN RIVER WALK HOTEL FOR AN ANNUAL PAYMENT OF \$12,603.23 UPON COMPLETION OF THE CONSTRUCTION OF THE HOTEL AND ADJUSTED EACH YEAR THEREAFTER FOR ANY INCREASE IN THE CONSUMER PRICE INDEX.

\* \* \* \*

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

Mr. Frank Stromboe, Acting Director, Parks and Recreation Dept., gave a presentation explaining the details of the lease agreement.

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

— — —  
97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87003

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT WITH SILVER RIO LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, FOR THE CONSTRUCTION OF IMPROVEMENTS AT RIVER WALK AND STREET LEVEL IN CONNECTION WITH THE DEVELOPMENT OF THE WESTIN HOTEL, LOCATED AT THE SOUTHWEST CORNER OF MARKET AND NAVARRO STREETS.

\* \* \* \*

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

Mr. Frank Stromboe, Acting Director, Parks and Recreation Dept., explained the Ordinance giving details of the contract agreement with Silver Rio Limited Partnership.

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

— — —  
97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87004

SELECTING JUD FINE, CLARK WIEGMAN, STACY LEVY AND MICHAEL DAVIS FOR THE DESIGN, FABRICATION AND INSTALLATION OF MAJOR INTERPRETIVE HISTORICAL AND CULTURAL IDENTIFICATION FEATURES AT FOUR SPECIFIC LOCATIONS ALONG THE ELEVEN (11) MILE MISSION TRAILS PROJECT; AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES CONTRACTS WITH SAID ARTISTS FOR A TOTAL AMOUNT NOT TO EXCEED \$274,240.00 FOR SAID PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

Mr. Eduardo Diaz, Director, Arts and Cultural Affairs, explained the selection process and gave a slide presentation illustrating the work of the artists chosen for this project.

Mr. Vásquez expressed his concerns regarding the source of funding and environmental liability of the project.

Mr. John German, Director of Public Works, explained the financial partnership between the City and the Texas Department of Transportation and reassured Mr. Vásquez that none of the sites are located in contaminated zones.

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Ms. Guerrero spoke to the benefits of the Mission Trails Project and to her support of the Ordinance.

Mr. Bannwolf spoke in support of the project and the Ordinance.

Mr. Menendez spoke in support of commercial development in the area and of the Ordinance.

Mr. Salas stated that approving this Ordinance will be one example of the Council's support of the arts.

The following citizen(s) appeared to speak:

Ms. Paula Piper, President, San Antonio Conservation Society, commended the over-sight committee on their choice of artists and asked for support of the Ordinance.

\* \* \* \*

Mayor Peak spoke to his support of the Ordinance.

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

— — —  
97-47      The Clerk read the following Ordinance:

AN ORDINANCE 87005

SELECTING JACK ROBBINS FOR THE DESIGN, FABRICATION AND INSTALLATION OF MAJOR INTERPRETIVE HISTORICAL AND CULTURAL-REFERENCED WALKWAY SYSTEM OF VISUAL GRAPHIC IMAGERY, SYMBOLS AND LANGUAGE FOR THE SAN PEDRO SPRINGS PARK RENOVATION PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$46,000.00 FOR SAID PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Eduardo Diaz, Director of Arts and Cultural Affairs, explained the proposed Ordinance and gave a brief presentation of the history of San Pedro Park.

The following citizen(s) appeared to speak:

Mr. Hector Cardenas, Alta Vista Neighborhood Association, spoke in support of the Ordinance. He then spoke to the history of the park.

Mr. Faris Hodge, Jr., 140 Dora, spoke to his request to upgrade the swimming pool at the park.

Mr. John Braxton, Vice President of Beacon Hill Neighborhood Association, spoke in favor of the project.

\* \* \* \*

Mr. Flores recognized members of the neighborhood association present in the audience and encouraged colleagues to support the Ordinance.

Mr. Salas stated that this is another way in which the City is in support of the arts.

Mr. Bannwolf spoke to support of the Ordinance.

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

97-47 The Clerk read a proposed ordinance selecting Gary Sweeney for the design, fabrication and installation of design enhancement features for two (2) Self-Pay Stations, located at San Antonio International Airport in connection with the Airport Parking Expansion Project; authorizing the execution of a professional services contract for an amount not to exceed \$50,000.00 for said project; appropriating funds; and providing for payment.

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

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Mr. Eduardo Diaz, Director of Arts and Cultural Affairs, explained the airport parking expansion project and described the details of the ordinance by narrating a slide presentation. Mr. Diaz also spoke to Mr. Sweeney's experience.

Mr. Bannwolf spoke to the pay station issue, noting that he is unsure of the merit of the project.

Mr. Marbut spoke in opposition of the ordinance.

Mr. Webster concurred with his peers and stated that the project is not a good use of taxpayer dollars.

Mr. Menendez spoke to the convenience of the pay stations that are already in use and questioned the need for a new artistic version.

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

The motion to approve Item 42 failed to carry.

— — —  
97-47            The Clerk read the following Ordinance:

AN ORDINANCE 87006

AUTHORIZING THE EXECUTION OF CONTRACTS WITH KPMG PEAT MARWICK LLP, GARZA/GONZALEZ & ASSOCIATES AND ROBERT J. WILLIAMS, C.P.A. TO PROVIDE INDEPENDENT AUDIT AND RELATED SERVICES FOR FISCAL YEARS 1997, 1998 AND 1999 FOR A TOTAL COST OF \$203,000.00 IN YEAR ONE, \$209,000.00 IN YEAR TWO, AND \$215,000.00 IN YEAR THREE, WITH AN OPTION TO EXTEND THE CONTRACT, WITH CITY COUNCIL APPROVAL, FOR ONE (1) ADDITIONAL TWO YEAR PERIOD.

\* \* \* \*

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

Ms. Nora Chavez-Barrera, Director of Finance, explained the details of the Ordinance, and the Request For Proposal process. She then recognized her staff for their hard work.

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Mr. Webster spoke to the benefits of the contract and to the outstanding work of the staff involved in the budget process.

Ms. Chavez introduced representatives of the firms involved in the contract.

Mr. Salas spoke in support of the Ordinance.

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.

— — —  
97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87007

ACCEPTING A GRANT IN THE AMOUNT OF \$520,000.00 FROM THE STATE OF TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO IMPLEMENT A HOMEBUYERS ASSISTANCE PROGRAM FOR A PERIOD OF THREE (3) YEARS BEGINNING DECEMBER 1, 1997 AND ENDING NOVEMBER 30, 2000; ESTABLISHING A BUDGET; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

\* \* \* \*

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

Ms. Frances A. Gonzalez, Director of Neighborhood Action, explained the details of the Ordinance defining the allocation of funds and the residents who will benefit from this program.

In response to a question from Mr. Vásquez, Ms. Gonzalez briefly outlined the non-profit Request For Proposal process.

Mr. Vásquez suggested other ways to go about the RFP process without higher administrative costs in selecting an entity to manage the project.

In response to a question by Mr. Prado, Ms. Gonzalez stated that a list of potential sites for the next Parade of Homes will be brought for Council consideration in December of

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area, requiring six votes to be reelected; and the axis lines suggested by Mayor Howard Peak must be used. Mr. Flores seconded the motion.

Mayor Peak explained how the quadrants should be divided by using street patterns.

Mr. Marbut spoke in support of the equal quadrant method and offered an amendment to the substitute motion to approve quadrant dividing lines now as proposed by the Mayor, but to modify quadrant lines after the census in the year 2001.

Ms. Guerrero stated she is in support of the substitute motion, but not of the amendment to the substitute motion.

Mr. Webster spoke to his support of the Mayor's motion and to his support of Mr. Marbut's amendment to the substitute motion.

Mr. Garza stated that he is not in support of the quadrant system because he believes the single member district system currently in use is serving the citizens adequately, yet he is in favor of the main motion.

Mr. Flores stated he is in favor of geographical representation and of the substitute motion.

Mr. Prado commended the Mayor's substitute motion, but stated that this is still not enough to make the representation equal.

Mr. Vásquez spoke to the substitute motion as a 'small step' in the right direction. He also spoke to the possibilities of handling all three board appointments in the future. He also addressed the alleged threats made to individual Councilmembers.

Mr. Salas spoke against the main motion and in favor of the substitute motion. He also spoke to unfair lobbying by a certain board member who made alleged threats against the Council.

Mr. Menendez spoke to his concerns with the Planning Commission.

Mayor Peak responded to Mr. Menendez by explaining the ex-officio appointments.

There being no second to Mr. Marbut's motion, the said motion died for lack of a second.

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After discussion, the substitute motion failed to carry by the following vote: **AYES:** Flores, Guerrero, Bannwolf, Webster, Peak; **NAYS:** Salas, Prado, Vásquez, Menendez, Garza, Marbut; **ABSENT:** None.

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

— — —  
97-47 The Clerk read a proposed ordinance providing for the appointment of and establishing the qualifications, terms, duties and authorities of six (6) non-voting ex-officio City Public Service Trustees.

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

Mayor Howard Peak reiterated his previous recommendation for establishing a quadrant method for geographical representation.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, read a copy of a letter addressed to the Mayor regarding his concerns with the board appointment process.

Mr. Nazarite Perez, 627 Hearne, spoke to his concerns regarding the sale of portions of City Public Service.

Mr. Jack Finger, P.O. Box 12048, addressed his concerns with board appointments and his support of Mayor Peak's attempt to create a more balanced geographical representation.

Mr. Mike Harris, President, San Antonio Manufacturers Association, spoke to the rationale of appointing non-voting ex-officio members to the SAWS board. He offered another option for creating a geographically-balanced representation by creating an advisory committee in each district.

\* \* \* \*

Mr. Bannwolf made a substitute motion to restructure the CPS board with the quadrant method of representation by which the position currently held by Dr. Frank Bryant would

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represent the southeast quadrant; the position currently held by Mr. Arthur Emerson would represent the southwest quadrant; the position currently held by Ms. Gloria L. Hernandez would represent the northeast quadrant; the position held by Mr. Nelson Wolff would represent the northwest quadrant; and the fifth position to be occupied by the Mayor. Ms. Guerrero seconded the substitute motion.

Mr. Marbut made an amendment to the substitute motion whereas the quadrant boundaries be redefined after the 2001 census. Mr. Vásquez seconded the motion.

Mr. Vásquez commended Mr. Marbut for his leadership and spoke to the assets of CPS.

Mr. Webster spoke in support of Mr. Bannwolf's substitute motion, stating that the population representation needs to be addressed, but not at this time. He also spoke to the dangers of privatization.

Mr. Salas spoke to problems with the current representation of the SAWS board, stating that there are problems with sewer lines in East Commerce Estates.

Mr. Prado commended Mayor Peak's recommendations, but reiterated his opinion that this is merely a 'small step' in the right direction.

Mr. Garza stated his opposition for the substitute motion and his support of the main motion in helping to diversify the representation.

After discussion, the amendment to the substitute motion failed to carry by the following vote: **AYES:** Marbut; **NAYS:** Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Bannwolf, Webster, Peak; **ABSENT:** None.

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

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

AN ORDINANCE 87009

PROVIDING FOR THE APPOINTMENT OF CITY PUBLIC SERVICE BOARD OF TRUSTEES BY QUADRANT.

\* \* \* \*

— — —  
97-47 The Clerk read a proposed ordinance providing for the appointment of and establishing the qualifications, terms, duties and authorities of four (4) non-voting ex-officio San Antonio Water System Trustees.

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

Mayor Peak made a recommendation that the quadrants be outlined according to a population estimate map. (A copy of the map is included in the papers of this meeting)

Mr. Bannwolf made a substitute motion establishing six quadrant representation with the seventh position to be the Mayor elected at large; the position occupied by Mr. J.J. Amaro (position to expire May 31, 1998) will represent the area South of Commerce Street; the position occupied by Ms. Danielle Milam (position to expire May 31, 1998) will represent the area North of Commerce Street; the position occupied by Ms. Nancy S. Bohman (position to expire May 31, 1998) will represent the southeast quadrant; the position occupied by Mr. Norman T. Dugas, Jr., (position to expire May 31, 2000) will represent the southwest quadrant; the position occupied by Mr. Juan T. Patlan (position to expire May 31, 2000) will represent the northwest quadrant; the position occupied by Mr. Christina L. Garcia (position to expire May 31, 2000) will represent the northeast quadrant. Mr. Webster seconded the motion.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the qualifications of the board appointees. He also read from a letter written to Mayor Peak which addressed his concerns.

\* \* \* \*

Mr. Bannwolf responded to Mr. Hodge by explaining that there are qualified people all over the city that can represent the citizens on boards and commissions.

After discussion, the substitute motion prevailed by the following vote: **AYES:** Flores, Guerrero, Menendez, Marbut, Bannwolf, Webster, Peak; **NAYS:** Salas, Prado, Garza; **ABSENT:** Vásquez.

Mr. Menendez stated that approving the substitute motion constitutes a good faith effort on the part of the Council to make equal geographical representation of this board .

Mr. Garza commended the Mayor for the quadrant system recommendation and thanked certain members of the boards for their public support of the ex-officio method of representation.

After consideration, the main motion as substituted, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Flores, Guerrero, Menendez, Marbut, Bannwolf, Webster, Peak; **NAYS:** Salas, Prado, Garza; **ABSENT:** Vásquez.

#### AN ORDINANCE 87010

PROVIDING FOR THE APPOINTMENT OF SAN ANTONIO WATER SYSTEM TRUSTEES BY QUADRANT AND ZONE.

\* \* \* \*

— — —  
97-47 The Clerk read a proposed ordinance creating and appointing members to an Independent Project Review Committee to assess the Convention Center Expansion Project Construction Management Contract; as requested by Councilman Ed Garza of Council District 7.

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

Mr. Garza spoke to the proposed ordinance as a blueprint, used as a tool to make for a better construction management process. Mr. Garza then offered an amendment to the motion to make the members of the over-sight committee all private citizens. Ms. Guerrero seconded the motion.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated that he does not understand the amendment to the ordinance.

Mr. Nazarite Perez, 627 Hearne Ave., spoke to the powers of the Council as outlined in the City Charter from which he read.

Mr. Jack Finger, P.O. Box 12048, spoke to concerns regarding the BIH discovery and commended the adoption of an over-sight committee to further research the issues.

\* \* \* \*

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

After consideration, the main 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, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

#### AN ORDINANCE 87011

CREATING AN INDEPENDENT PROJECT REVIEW COMMITTEE TO ASSESS THE CONVENTION CENTER EXPANSION PROJECT CONSTRUCTION MANAGEMENT CONTRACT, AS REQUESTED BY COUNCILMEMBER ED GARZA.

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87012

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO HELP OFFSET THE COST OF THE ANNUAL FUNDRAISING BANQUET, SPONSORED BY BEAT AIDS, INC. AND TO ASSIST THOSE WHO ARE INFECTED OR AFFECTED WITH AIDS IN THE AREAS OF HOUSING, UTILITIES AND OTHER EMERGENCY NEEDS; 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.

— — —  
97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87013

AUTHORIZING THE EXPENDITURE OF \$300.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO BE USED TO SPONSOR THE "PLAYERS AND HUSTLERS" BASKETBALL TEAM IN THE DEPARTMENT OF PARKS AND RECREATION AMATEUR ADULT BASKETBALL LEAGUE; 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.

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97-47            The Clerk read the following Ordinance:

AN ORDINANCE 87014

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND TO COUNCILMAN RICK VÁSQUEZ IN THE AMOUNT OF \$3,200.00 FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH REBECCA J. VIAGRAN FROM OCTOBER 20, 1997 THROUGH DECEMBER 31, 1997; AS REQUESTED BY COUNCILMAN RICK VÁSQUEZ.

\* \* \* \*

Mr. Vásquez made a motion to approve the proposed Ordinance. Mr. Marbut 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.

97-47            **TRAVEL AUTHORIZATION - Granted:**

For Councilmembers Roger Flores, II of District 1 (Dec. 1-7, 1997), Mario Salas of District 2 (Dec. 3-6, 1997), Debra Guerrero of District 3 (Dec. 2-7, 1997), Raul Prado of District 4 (Dec. 2-7, 1997), Rick Vásquez of District 5 (Dec. 2-7, 1997), Jose Menendez of District 6 (Dec. 2-7), Ed Garza of District 7 (Dec. 2-7, 1997) and Tim Bannwolf of District 9 (Dec. 3-7, 1997) to attend the National League of Cities Conference in Philadelphia, PA.

Mr. Webster made a motion to approve the proposed Travel Authorization. Mr. Flores seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack Finger, P.O. Box 12048, spoke to his concerns regarding most members of council attending the National League of Cities Conference in Philadelphia, PA.

\* \* \* \*

Mr. Webster responded to Mr. Finger's concerns, stating that the conference is a great opportunity for new Councilmembers to gather ideas from the seminars offered.

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Mr. Salas stated that the number of Councilmembers attending the conference is justified by the number of workshops and seminars that are being offered.

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

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87015

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 8 CONTINGENCY ACCOUNT FUND TO COUNCILMAN ROBERT G. MARBUT, JR. IN THE AMOUNT OF \$1,400.00 FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH ALLISON WALLACE FROM NOVEMBER 1, 1997 THROUGH DECEMBER 31, 1997; AS REQUESTED BY COUNCILMAN ROBERT G. MARBUT, JR.

\* \* \* \*

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

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97-47 The Clerk read the following Ordinance:

AN ORDINANCE 87016

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND AND \$250.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND FOR A TOTAL OF \$500.00 TO DEFRAY THE COSTS OF THE SHOWMOBILE TO BE USED FOR THE AMERICAN G.I. FORUM PANCHO CLAUSE EVENT; AS REQUESTED BY COUNCILMEMBERS RICK VÁSQUEZ AND MARIO SALAS.

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

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97-47                    **CITY MANAGER'S REPORT**

Mr. Alex Briseño, City Manager, introduced Mr. Frank Garza, Acting City Attorney, who then narrated a video presentation outlining a proposed selection process for a project manager on the Convention Center Expansion Project. (A copy of the presentation is made part of the papers of this meeting.)

Attorney Garza then asked for direction from Council regarding the line of questioning on the applications as to the level of tolerance for any affirmative answers; also recommending that an outside firm be hired to conduct any investigations of responding firms.

City Manager Briseño spoke in response to the media's portrayal of the City's investigative procedures. He stated that the City has the toughest qualifying process in the state, and revising the process or the questioning could limit the number of applicant responses, thus limiting the number of qualified bidders from which to choose.

Mayor Peak reiterated Mr. Briseño's concerns, but agreed that the new questions should be thorough and unambiguous, yet not too restrictive. He doesn't want to see the number of contractors vying for City business to go down.

Mr. Briseño asked for direction from Council to approve the questions as listed, since he believes that the questions do meet the Mayor's criteria.

Mayor Peak requested that the Council be allowed more time to go over the questions more thoroughly.

Mr. Briseño agreed to Mayor Peak's request, but asked for an approval on the selection committee.

In response to questions by various Councilmembers, Mr. Frank Garza clarifies specific details of the selection process regarding the language of the questions; the Request For

Proposal time-line; and the action taken upon any misrepresentation on the application by any firm.

Mayor Peak stated the time scheduled for this proposal to be brought to council for approval will be the next Council Meeting on December 1, 1997.

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**CITIZENS TO BE HEARD**

(At this time Mayor Peak was obliged to leave the meeting. Mayor Pro Tem Guerrero presided.)

**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, suggested that VIA Metropolitan Transit should purchase 120 new buses, as planned. He also contended that VIA is charging too much in fares, and asked the City Council to question its VIA appointees about these things.

\* \* \* \*

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Perez, 627 Hearne Ave., asked the City Council to take care of people that are being taken advantage of, and addressed his concern with water leaks in the Police Department evidence room at the Central Sub-Station on South Frio Street.

\* \* \* \*

**MR. MICHAEL IDROGO**

Mr. Michael Idrogo, 317 West Rosewood Ave., asked VIA Metropolitan Transit to move out of the southern Pacific train depot. He then displayed a video presentation about train depots in other cities around the nation and the world, and spoke to the advantages of bullet trains, noting that in San Antonio, AMTRAK doesn't have a depot from which its passengers can arrive and depart.

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**MR. JACK M. FINGER**

Mr. Jack M. Finger, P.O. Box 12048, spoke to proposed new questions he would like to see asked of respondents to the Convention Center Expansion Project Management Services contract. He spoke to his hopes that the new contract will not have incentive fees built into it, and expressed his concern that he was not allowed to address that issue when it came up on the agenda. He stated his contention that VIA lied to the citizens, and asked the City Council to impeach the VIA board members who lied.

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97-47 There being no further business to come before the Council, the meeting was adjourned at 8:38 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

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