

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 6, 1998.**

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98-28 The City Council convened in an informal "B" Session at 10:00 a m , Municipal Plaza Building, "B" Room, to consider the following items(s):

**Boards and Commissions Work Session** - Interviews of nominated candidates for appointment to San Antonio Water System (Mr. Pete Galaviz and Ms Mary Kelly). Following interviews, Mr. Galaviz withdrew his name from consideration for appointment to San Antonio Water System The City Council concurred to move the proposed appointment of Ms Mary Kelly to San Antonio Water System to the City Council meeting of August 20, 1998

On the nomination of Mr. Keith Harward for appointment to the Convention & Visitors Bureau Advisory Committee, Council concurred to move the proposed appointment to the City Council meeting of August 13, 1998.

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

The "B" Session adjourned at 10:30 A M

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98-28 The regular meeting was called to order at 1:00 p.m. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster and Peak  
**Absent:** None

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98-28 Invocation - Rev Walter Ebarb, St Patrick's Catholic Church.

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98-28 Pledge of Allegiance to the flag of the United States

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98-28 Minutes of the Regular City Council Meeting for June 6, 1998 were approved.

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**CEREMONIAL ITEMS****BOARD & COMMISSION SWEARING-IN CEREMONIES**

Mayor Peak stated that some 58 newly-appointed or re-appointed members to the City's various boards and commissions were present in Council chambers today to be officially sworn in. He stated that City Clerk Norma S. Rodriguez would administer the oath of office, and he invited other City Council members to join him in congratulating each appointee and presenting their Certificates of Appointment

City Clerk Norma S. Rodriguez then administered the formal oath of office to the group, en masse and congratulated them, then introduced each in turn, by board or commission

Individual board or commission appointees then came forward to receive the certificates and accept congratulations of the Mayor and other members of City Council

Mayor Peak spoke to the importance of each appointee to the City's boards and commissions.

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**EL MERCADO MERCHANTS' CHECK PRESENTATION TO THE CITY**

Mayor Peak took notice of the presence in Council chambers today of representations of the three associations at Market Square, and noted that they are present today as a group to present a check to the City of San Antonio, its portion of the proceeds from Fiesta Week activities at Market Square

Mr Mark Barker, representing the El Mercado Merchants Association, then introduced Ms. Sylvia Larios, representing the Market Square Association and Mr Marco Morones, representing San Antonio Farmers Market

The delegation then presented a check in the amount of \$50,000 to the City, and spoke to details of the recent event in Market Square

Ms. Larios and Mr. Morones spoke to their hopes that a contract for such an event next Fiesfã Week can be renewed, and thanked the City employees who were involved in the events.

Mr. Flores thanked the groups for the check and their hard work on Fiesta Week events in Market Square

Mayor Peak spoke of the event as both productive and a partnership

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98-28 RECOGNITION OF MR. ALEX GARCIA, BUILDING INSPECTIONS DEPARTMENT

On a point of personal privilege, Mr. Vásquez introduced Mr. Alex Garcia of the Building Inspections Department and spoke to his key role in the recent construction of four new affordable homes in District 5, a project sponsored by Maxwell House Coffee. Mr. Vásquez acknowledged Mr. Garcia's many hours of donated time to insure proper coordination so that each phase of the construction met City Code requirements.

Mayor Peak noted that Mr. Garcia was his first supervisor when he himself was a new City employee.

Mr. Vásquez then presented Mr. Garcia with a Certificate of Achievement

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98-28 MILITARY ORDER OF THE PURPLE HEART PLAQUE PRESENTATION

Mayor Peak spoke to details of the presentation of a special plaque to the City of San Antonio from the Military Order of the Purple Heart at the 9:00 A.M. ceremonial presentation event today, and noted that it was given for the City's recent action in providing free parking on parking meters for Purple Heart recipients. He then presented the plaque to Mr. Prado, and spoke to his efforts in securing passage of the necessary ordinance by City Council recently, making this parking privilege official in San Antonio.

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CONSENT AGENDA

Mr Flores made a motion to approve Agenda Items 6 through 29f, constituting the Consent Agenda. Mr Prado 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, Peak. **NAYS:** None, **ABSENT:** Bannwolf, Webster

AN ORDINANCE 88206

ACCEPTING THE LOW, QUALIFIED BID OF TEXAS COMMERCIAL BUS TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH TWO (2) EIGHTEEN PASSENGER SHUTTLE BUSES FOR TRANSPORTING AIRPORT PATRONS AND EMPLOYEES BETWEEN THE PARKING LOTS AND TERMINALS, FOR A TOTAL OF \$119,926 00

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AN ORDINANCE 88207

ACCEPTING THE LOW, QUALIFIED BID OF INDUSTRIAL DISPOSAL SUPPLY COMPANY TO PROVIDE THE CITY OF SAN ANTONIO AVIATION AND PUBLIC WORKS DEPARTMENTS WITH FOUR (4) REPLACEMENT STREET SWEEPERS TO BE USED TO CLEAN DOWNTOWN STREETS AND AIRPORT RUNWAYS, TAXI-WAYS AND ROADS, FOR A TOTAL OF \$165,065.00.

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AN ORDINANCE 88208

ACCEPTING THE BID OF BRADY'S MARINE SALES & SERVICE, INC TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH TWO (2) V-HULL JON BOATS TO BE UTILIZED FOR RIVER PATROL OPERATIONS AND ONE (1) BOAT WITH A TRAILER PURCHASED FOR THE PUBLIC WORKS DEPARTMENT FOR USE IN CONJUNCTION WITH THE WOODLAWN LAKE DREDGING PROJECT. FOR A TOTAL OF \$22,395 71 (WBE)

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AN ORDINANCE 88209

ACCEPTING THE LOW, QUALIFIED RESPONSIBLE BID OF FUQUAY, INC IN THE AMOUNT OF \$366,403.29 IN CONNECTION WITH THE FOYLYN/JERSEY/CLUSTER/ORANGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT, REVISING THE PROJECT BUDGET, AUTHORIZING \$16,158.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN AMOUNT NOT TO EXCEED \$3,000.00 PAYABLE TO PYLE & KLEIN CONSULTING ENGINEERS, INC. FOR ENGINEERING EXPENSES, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT (AMENDS ORDINANCE NO. 83621 DATED AUG 22, 1996)

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AN ORDINANCE 88210.

RATIFYING SERVICES AND AUTHORIZING AN ADDITIONAL \$11,134.88 PAYABLE TO GAYTAN ENGINEERING, INC TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CITY WIDE SIDEWALKS PHASE I, PARTS I AND II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 2, 3, 5, 6 AND 7; AND PROVIDING FOR PAYMENT (AMENDS ORDINANCE NO 81050 DATED NOV 3, 1994)

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AN ORDINANCE 88211

RATIFYING SERVICES AND AUTHORIZING AN ADDITIONAL \$26,803.45 PAYABLE TO SOUTH TEXAS ENGINEERING, INC FOR ENGINEERING SERVICES IN CONNECTION WITH THE WILSON - WOODLAWN TO WAVERLY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT (AMENDS ORDINANCE NO. 81033 DATED NOV 3, 1994)

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AN ORDINANCE 88212

SELECTING OVERBY DESCAMPS ENGINEERS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE FRIO CITY ROAD FROM BRAZOS TO ZARZAMORA ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$283,275.00; AUTHORIZING \$28,328.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

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AN ORDINANCE 88213

APPROVING "FUNDING AGREEMENT THE CITY OF SAN ANTONIO EARLY DEPLOYMENT PLANNING PROGRAM OF THE INTELLIGENT TRANSPORTATION SYSTEMS (ITS) DEPLOYMENT ITS PROJECT NUMBER 9548(603)" BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND THE CITY OF SAN ANTONIO, APPROPRIATING THE AMOUNT OF \$32,000.00 FOR THE CITY'S CONTRIBUTION TO THE PROGRAM; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 88214

ACCEPTING THE PROPOSAL OF THE CENTER FOR ARCHAEOLOGICAL RESEARCH AT THE UNIVERSITY OF TEXAS AT SAN ANTONIO FOR \$6,699.00 IN ARCHAEOLOGICAL SURVEY SERVICES FOR LEON CREEK PARK, REVISING THE DISTRICT 8 LEON CREEK PARK LAND ACQUISITION 1994 PARK BOND ISSUE PROJECT BUDGET; TRANSFERRING BOND FUNDS INTO THIS PROJECT BUDGET; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 88215

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT WITH SECURITY AIRPARK, INC BY DELETING 26,601 SQUARE FEET OF GROUND SPACE AND HANGAR 2 FROM THE LEASED PREMISES; AUTHORIZING THE EXECUTION OF A LEASE

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AGREEMENT FOR SAID 26,601 SQUARE FEET OF GROUND SPACE AND HANGAR 2 WITH SECURITY AIRPARK, INC. FOR A TWENTY (20) YEAR TERM WITH AN ANNUAL RENTAL OF \$9,416.16, APPROVING A SUBLEASE TO H E BUTT GROCERY COMPANY AND GRANTING A 32,224 SQUARE FOOT INGRESS/EGRESS EASEMENT TO H E BUTT GROCERY COMPANY (AMENDS ORDINANCE NO 68522 DATED DEC 12, 1988, AND ORDINANCE NO 60849 DATED JUNE 13, 1985)

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AN ORDINANCE 88216

APPROVING A LEASE AGREEMENT WITH THE SAN ANTONIO AIDS FOUNDATION FOR APPROXIMATELY 1,042 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 818 E. GRAYSON STREET FOR THE RYAN WHITE DENTAL CLINIC OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD APRIL 1, 1998 THROUGH DECEMBER 31, 1998 AT A RENTAL RATE OF \$1,000.00 PER MONTH, AUTHORIZING THE EXECUTION OF SAID LEASE AGREEMENT, AND AUTHORIZING PAYMENTS TO THE SAN ANTONIO AIDS FOUNDATION IN CONNECTION THEREWITH.

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AN ORDINANCE 88217

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$11,310.00 PAYABLE TO STEWART TITLE COMPANY AS ESCROW AGENT FOR HENRY GEMBLER, JR. (\$10,400.00) AND RALPH S GARZA AND WIFE, ANGELMIRA M. GARZA (\$910.00) AND THE SUM OF \$100.00 PAYABLE TO MARIA MAGDALENA CUEVAS AND HUSBAND, GILBERTO VALENTIN CUEVAS FOR FEE SIMPLE TITLE TO THREE PARCELS IN THE MISSION TRAILS PARKWAY METROPOLITAN PLANNING ORGANIZATION PROJECT, PACKAGE 2, FOR A TOTAL SUM OF \$11,410.00; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

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AN ORDINANCE 88218

AUTHORIZING PAYMENT OF THE SUM OF \$199,500 00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 98-ED-0018, CITY OF SAN ANTONIO V ANGELES GARCIA (A/K/A MARIA DE LOS ANGELES SANCHEZ DE GARCIA), INDIVIDUALLY AND DOING BUSINESS AS GARCIA INVESTMENTS, ET AL FOR FEE SIMPLE TITLE TO ONE PARCEL AND THE SUM OF \$1,179 00 FOR COURT COSTS IN CONNECTION WITH THE BLANCO ROAD AT JACKSON-KELLER INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT, FOR THE TOTAL SUM OF \$200,679 00, APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

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AN ORDINANCE 88219

APPROVING AN AGREEMENT WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE A MEDICAL CLINIC FOR TWO (2) HOURS, ONE DAY EACH WEEK FOR STUDENTS ENROLLED AT CROCKETT ELEMENTARY SCHOOL AND THEIR SIBLINGS FOR AN AMOUNT NOT TO EXCEED \$2,500 00 FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH MAY 31, 1999, AND AUTHORIZING THE EXECUTION OF SUCH AGREEMENT.

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AN ORDINANCE 88220

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A CASH GRANT CONTRACT IN THE AMOUNT OF \$26,000 00 FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT THE FUNDING OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S ON-GOING MAMMOGRAPHY PROJECT; REVISING THE PROJECT BUDGET FOR THE TITLE V MATERNAL AND CHILD HEALTH PROJECT 1997/98 ESTABLISHED IN ORDINANCE NO 86837, PASSED AND APPROVED OCTOBER 23, 1997; AMENDING AN AGREEMENT WITH SOUTH TEXAS RADIOLOGY GROUP FOR THE PROVISION OF MAMMOGRAPHY SERVICES AND AUTHORIZING CONTRACTUAL PHYSICIAN SERVICES.

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AN ORDINANCE 88221

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SARGEANT'S WHOLESALE BIOLOGICALS FOR THE PURCHASE OF FELINE CARCASSES FOR EDUCATION PURPOSES AT A RATE OF \$3 00 PER SPECIMEN FROM THE CITY ANIMAL CONTROL FACILITY FOR A TWO (2) YEAR PERIOD BEGINNING AUGUST 9, 1998 AND ENDING AUGUST 8, 2000

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AN ORDINANCE 88222

AUTHORIZING THE SUBMISSION AND, IF AWARDED, ACCEPTANCE OF A GRANT APPLICATION IN THE AMOUNT OF \$100,000.00 BY THE DEPARTMENT OF COMMUNITY INITIATIVES COMMUNITY ACTION DIVISION FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR A FAIR HOUSING INITIATIVES PROGRAM (FHIP), APPROPRIATING FUNDS AND AUTHORIZING A PERSONNEL COMPLEMENT

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AN ORDINANCE 88223

ACCEPTING FUNDS IN AN AMOUNT OF \$400,000 00 TO PROVIDE INSTRUCTIONAL SUPPORT STAFF AND MATERIALS FOR THE PROVISION OF ADULT EDUCATION SERVICES TO THE CITY'S OF SAN ANTONIO'S FIVE LEARNING AND LEADERSHIP DEVELOPMENT CENTERS (LLDCS) WITHIN THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SAISD) BOUNDARIES; APPROVING A PROJECT BUDGET; AND AUTHORIZING THE EXECUTION OF AN AGREEMENT SPECIFYING THE RESPONSIBILITIES OF THE CITY AND THE SAISD ADULT EDUCATION COOPERATIVE FOR THE PERIOD BEGINNING SEPTEMBER 1, 1998 AND ENDING AUGUST 31, 1999; AND AUTHORIZING THE EXECUTION OF ANY OTHER CONTRACTS IN CONNECTION THEREWITH.

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AN ORDINANCE 88224

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$100,000.00 BY THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE PROVISION OF HOUSING COUNSELING SERVICES TO LOW AND MODERATE INCOME RESIDENTS OF SAN ANTONIO IN CONNECTION WITH THE HOUSING COUNSELING PROGRAM

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AN ORDINANCE 88225

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION BY THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION FOR A GRANT IN THE AMOUNT OF \$808,500.00 FROM THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT UNDER THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) - COMPETITIVE PROGRAM

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AN ORDINANCE 88226

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$2,500.00 FROM THE MOODY FOUNDATION FOR THE CITY CLERK'S OFFICE TO BE UTILIZED IN THE RESTORATION AND PRESERVATION OF HISTORICAL DOCUMENTS ON MICROFILM

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AN ORDINANCE 88227

APPROPRIATING VISITOR INCENTIVE PROGRAM FUNDS IN THE AMOUNT OF \$100,000.00 TO TWENTY (20) ARTS AND CULTURAL ORGANIZATIONS WHICH HAVE DEMONSTRATED AN ABILITY TO ATTRACT VISITORS TO SAN ANTONIO THROUGH THEIR REGULAR PROGRAMMING EFFORTS

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AN ORDINANCE 88228

AUTHORIZING THE TEMPORARY CLOSURE OF MENCHACA STREET BETWEEN ZARZAMORA AND CALAVERAS STREETS FROM 9:00 A.M. UNTIL 3.00 P.M., ON SATURDAY, AUGUST 15, 1998 IN CONNECTION WITH THE "ANNUAL BACK TO SCHOOL AND HEALTH EDUCATION FAIR", SPONSORED BY THE WILLIE C. VELASQUEZ LEARNING AND LEADERSHIP DEVELOPMENT CENTER, LOCATED IN COUNCIL DISTRICT 1

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AN ORDINANCE 88229

APPOINTING ARTURO N. MURAYDA (DISTRICT 7) AND REAPPOINTING MARY DUNAGAN (MAYOR) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 2000.

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AN ORDINANCE 88230

APPOINTING JORGE ALONSO PEREZ (DISTRICT 5) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 2000

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AN ORDINANCE 88231

REAPPOINTING DR. AVELARDO VALDEZ (DISTRICT 3) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 1999

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AN ORDINANCE 88232

APPOINTING DEBORAH GRAY WARNER (DISTRICT 8) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2000

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AN ORDINANCE 88233

REAPPOINTING MICHAEL J SEAL (DISTRICT 9) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2000.

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AN ORDINANCE 88234

REAPPOINTING WALTER AGUE (DISTRICT 8) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2000

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98-28        **ITEMS    FOR    INDIVIDUAL    CONSIDERATION-CITIZEN**  
**COMMENTS**

Mr Faris Hodge, Jr., 140 Dora, spoke to Agenda item 31 and the need to control swimming in City parks and other City public property except for designated swimming pools or facilities, citing the recent drowning death of a young girl in Brackenridge Park. He also spoke to the need to hire an additional 100 Park Rangers He spoke to his concerns for the lack of policing and cleanup in City parks, as well as security, and asked that all City parks be shut down until this is done. He also spoke to delays in completion of the Parking Structure at International Airport

Mr. Michael Idrogo, 317 Rosewood, spoke against the two field alterations on today's agenda for work on the Parking Structure at International Airport involving the Bartlett Cocke Construction Company, inasmuch as the firm is involved in investigations into the BIH contract at the Convention Center Expansion project He also spoke to City Charter provisions for removal of City Council members for offenses of moral turpitude, and the

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matter of expense reimbursements to City Council members and City staff. He questioned the contracts on certain City streets projects in various areas of the city, stating his belief that the north side gets better work on these contracts.

Mr. Jack Finger, P O Box 12048, addressed Agenda Items 32 and 33, involving the Bartlett Cocke Construction Company and the Parking Structure at International Airport. He also spoke to the firm's ties to an investigation into the BIH contract on the Convention Center Expansion Project, and addressed his concern that the firm will not appear before the independent committee investigating that BIH contract. He also addressed his concerns with the contract extension being granted the Atkins Agency with the Convention & Visitors Bureau Advisory Commission, and the firm's contributions to various City Council members' political campaigns. He asked those Council members to abstain from voting on this issue.

Mayor Peak briefly explained that the Bartlett Cocke Construction Company won the right to construct the Parking Structure at International Airport in a public bid process.

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98-28 The Clerk read the following Ordinance

AN ORDINANCE 88235

RESCHEDULING CERTAIN CITY OF SAN ANTONIO COUNCIL MEETINGS FROM OCTOBER 29, 1998 (TML ANNUAL CONFERENCE) TO NOVEMBER 5, 1998; NOVEMBER 26, 1998 (THANKSGIVING HOLIDAY) AND DECEMBER 3, 1998 (NLC CONFERENCE) TO DECEMBER 10, 1998, DECEMBER 24, 1998 (CHRISTMAS HOLIDAY) AND DECEMBER 31, 1998 (NEW YEAR'S HOLIDAY) TO JANUARY 7, 1999

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

City Clerk Norma S. Rodriguez briefly explained the rescheduling of certain City Council meetings this fall, due to various holidays and events.

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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

98-28 The Clerk read the following Ordinance:

AN ORDINANCE 88236

AMENDING CHAPTER 22, ARTICLE V OF THE CITY CODE OF THE CITY OF SAN ANTONIO ENTITLED "SWIMMING" BY PROHIBITING SWIMMING IN ANY CITY PARK OR OTHER CITY PUBLIC PROPERTY EXCEPT IN DESIGNATED SWIMMING POOLS OR FACILITIES, MAKING NECESSARY AMENDMENTS TO CHAPTER 22 IN THE INTEREST OF UNIFORMITY; ESTABLISHING THAT A VIOLATION OF THIS ORDINANCE IS A CLASS C MISDEMEANOR AND PUNISHABLE BY A FINE OF NOT LESS THAN FIFTY DOLLARS (\$50 00) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500 00); AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE IN THIRTY (30) DAYS

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

Mr Malcolm Matthews, Director of Parks and Recreation, explained the proposed amendments to the city code. In response to a question from Mr Vásquez, Mr Matthews explained that signs with more descriptive enforcement measures will be placed around water areas in question.

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, Peak; **NAYS** None; **ABSENT** Flores

AN ORDINANCE 88237

AUTHORIZING ONE (1) CONTRACT WITH R W. BECK ENGINEERING IN AN AMOUNT NOT TO EXCEED \$264,328.00 AND AUTHORIZING ONE (1) CONTRACT WITH PRICEWATERHOUSECOOPERS, L L.P. FORMERLY COOPERS AND LYBRAND L L P , IN AN AMOUNT NOT TO EXCEED \$216,720.00, WHICH WILL BE FUNDED IN PART BY A \$250,000.00 CONTRIBUTION FROM CITY PUBLIC SERVICE, TO CONDUCT A COMBINED STUDY OF THE IMPACT OF ELECTRIC DEREGULATION ON THE CITY OF SAN ANTONIO; AND PROVIDING FOR THE TERMINATION OF EACH CONTRACT TO OCCUR ON THE COMPLETION OF SAID STUDY OR UPON SEPTEMBER 1, 1999, WHICHEVER OCCURS SOONER

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

Mr. Octavio Peña, Director of Finance, explained the proposed Ordinance and explained the phases of the study with regard to cost

Mr. Bannwolf thanked Mr. Peña for his efforts on this project He also spoke to the inevitability of deregulation of utilities

Mr. Webster spoke to the importance of the directions the City should take with regard to utility deregulation

In response to Mr Webster, Mr. Peña explained that September 1, 1999 is the date of the final report which will merely summarize the interim report

Mr. Marbut spoke to the importance of an immediate decision is made to move forward with the study.

Mr Garza addressed a letter he received from a CPS board member

In response to a question from Mr Garza, Mr. Peña explained the sixty day clause to suspend the study for the next legislative session.

Mayor Peak spoke to the importance of the interim reports

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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98-28 The Clerk read the following Ordinance:

AN ORDINANCE 88238

AUTHORIZING THE TWO (2) YEAR CONTRACT RENEWAL OPTION WITH THE ATKINS AGENCY TEAM TO SERVE AS THE OFFICIAL ADVERTISING, MARKETING AND PUBLIC RELATIONS AGENCY FOR THE CITY OF SAN ANTONIO CONVENTION AND VISITORS BUREAU BEGINNING OCTOBER 1, 1998 AND ENDING SEPTEMBER 30, 2000

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

Mr. Steve Moore, Director of Convention and Visitors' Bureau, presented details of the renewal of the proposed contract.

Mr. Milton Guess, Convention and Visitors' Bureau Advisory Committee, also gave details of the proposed contract negotiations.

Ms. Terry Williams, Economic Development Department, presented a history of the performance measures of the Atkins Agency. (A copy of her presentation is made part of the papers of this meeting.)

Mr. Moore gave further details on the make up of the Agency and briefly discussed the data collected from a customer survey regarding the advertising used in its campaigns headed by the Atkins agency.

Mayor Peak commended Mr. Moore for his thorough presentation.

In response to a question from Mr. Menendez, Mr. Moore spoke his departments involvement with the RFP process.

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(At this time Mayor Peak was obliged to leave the council meeting Councilman Flores presided in the temporary absence of the Mayor Pro Tem )

Mr Flores commended the bureau and spoke to the influence the CVB has on the film industry

Mr Webster spoke to the bureau's creative approach to their budget. and commended the Atkins Agency for the work they have done with the city

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

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98-28 The Clerk read the following Ordinance

AN ORDINANCE 88239

CONFERRING UPON THE INDEPENDENT PROJECT REVIEW COMMITTEE CREATED BY ORDINANCE NO. 87011, THE POWER TO ADMINISTER OATHS IN CONNECTION WITH THE DUTIES ASSIGNED TO IT BY SAID ORDINANCE, AS PROVIDED FOR IN SECTION 48 OF THE CITY CHARTER OF THE CITY OF SAN ANTONIO; AND AUTHORIZING THE PROCUREMENT OF PROFESSIONAL SERVICES TO ASSIST THE COMMITTEE IN CARRYING OUT ITS DUTIES IN AN AMOUNT NOT TO \$10,000.00. AS REQUESTED BY THE INDEPENDENT PROJECT REVIEW COMMITTEE

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

Mr. John German, Director of Public Works, explained the origination and the reason for the request to administer oaths by the BIH Oversight Committee

(Mayor Peak returned to the meeting to preside )

Mayor Peak spoke to the committee's request and the importance of their task He encouraged council support for their request

Mr. Marbut spoke in support of the Ordinance.

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Mr. German addressed the concerns of the committee and suggested that staff present any relevant information in the form of documents to the committee for their review

Mr. Marbut suggested having an executive session in which all of the relevant information can be relayed to the committee

Mr. German then explained that the documentation presented will be screened in a judicious manner

Further discussion ensued among council regarding the importance of providing relevant documents to the committee.

City Attorney Frank Garza explained that the committee requested specific documents on certain subject matter. The committee has reviewed the list and does not want to see the documentation regarding the daily operation, rather documentation that is only pertinent to the investigation

In response to a question from Mr. Salas, Mr. Garza explained that the penalty of perjury under oath is considered a class "B" misdemeanor, punishable by up to one year in jail.

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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98-28            **TRAVEL AUTHORIZATION:**

For Mayor Howard W. Peak and Councilman Roger Flores, II to travel to Oaxaca, Mexico from Thursday, August 13, 1998 through Tuesday, August 18, 1998 to build relationships between Mexican entrepreneurs and businesses in San Antonio, to analyze and establish business possibilities in International Markets

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

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

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98-28 On a point of personal privilege, Councilman Salas recognized the winners of an EPA awareness poster contest sponsored by People Against Corruption(PAC) He introduced Ms. Lillie Harris who further explained that the contest was open to all children who attend programs at various community centers around the city, and its purpose was to promote air quality awareness Ms Harris then displayed several of the winning posters on the overhead projector

Mr Salas and various council members thanked all of the participants and commended the work of PAC

98-28 On another point of personal privilege, Mr. Salas called on Mr. David Arevelo who was missed during the call for citizens comments on the Consent Agenda.

Mr Arevelo, address, spoke to environmental problems faced in the areas surrounding the Alamodome. He also spoke to the incidents surrounding the International Airport garage expansion He expressed his discontent in the city's willingness to grant contracts to those companies involved in the BIH/Convention Center Expansion project

Mayor Peak explained that Council delayed action the first time this came to the council's attention and will be examined before any action is made regarding any future contracts with those firms

98-28 **EXECUTIVE SESSION**

City Council recessed its regular meeting to convene in Executive Session at 3 05 p m , for the purpose of discussing the following

**Attorney/Client consultation regarding litigation case styled Gina Marie Montemayor v. City of San Antonio Fire Department.**

City Council reconvened its regular session at 3:52 p.m., at which time, Mayor Peak announced that staff had discussed the above mentioned item, but had taken no official action

98-28 The Clerk read a proposed ordinance authorizing the execution of Field Alteration No 2 in the amount of \$31,325 00 to the contract with Bartlett Cocke, Inc in connection with the construction of the New Parking Facilities at San Antonio International Airport; revising the project budget, and providing for payment.

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

Mr. Efren T. Gonzalez, Director of Aviation, explained the proposed ordinance.

Mr. Salas stated that there is not an environmental impact study on file with TNRCC.

Mr. Gonzalez explained that a vapor study will be completed the following day and will be submitted to TNRCC.

Mr. Salas stated that he will be voting against the approval of this ordinance until the results of the study are released.

Mr. Marbut stated that he would also be voting against the proposed ordinance at this time.

In response to a question from Mr. Prado, Mr. German cited some current problems with the Nelson Wolff Stadium that have yet to be resolved by BIH, which is the same firm involved with this present airport project. Mr. German further explained that no attempts by Bartlett Cocke to make the necessary repairs to alleviate the leakage problems have been made. He noted that the problems can be attributed to construction deficiency by the contractors.

In response to questions from Mr. Prado, City Attorney Garza explained that poor workmanship on previous city projects are possible reasons to disqualify a firm from future bid processes. He also stated that representatives from BIH have not agreed to testify in person to the Oversight Committee, but will submit testimony in the form of a written statement.

Mr. Prado stated that he will be voting against this proposed ordinance.

Council discussion ensued concerning the airport parking structure and its known hydrocarbon content.

Mr. Carl Raba, Raba Kistner Consultants, outlined the history of the studies done on the area and noted that there were hydrocarbons floating on the top of the water in the areas in question. He further gave a detailed history of the project with relation to the weather conditions and the drilling which played a part in the rising of the gasses to the surface. Mr. Raba strongly emphasized that all those involved in the project are in complete compliance with all regulatory bodies.

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Mr Webster clarified that the allegations of a cover up in the BIH matter are overstated.

City Attorney Garza clarified that the report will be coming in thirty days and will be submitted to TNRCC at that time which is compliance with their regulations.

After further discussion regarding the environmental concerns of the sight in question, Mr. Menendez made a substitute motion to postpone action on this item for one week to allow time to hear from Bartlett Cocke regarding their intentions to remedy the problems at Wolff Stadium. Mr Salas seconded the motion.

In response to a question from Mr Vásquez, Mr. Raba explained the events leading to the vapor contamination.

Mr. Vásquez also expressed his concern with the review committee and the firms involved in the convention expansion and questions concerning the reasons for continuing to contract with Bartlett Cocke

Mr. German stated that he would get the contractor to sign an agreement regarding the necessary repairs to Wolff Stadium. He also stated that he would address the matter of getting a final report to TNRCC.

Mr. Garza, City Attorney, explained the ramifications a postponement would have on the contract

Mayor Peak expressed his concerns with not limiting discussion to the matter at hand which is only the airport garage issue

After consideration, the substitute motion to postpone this item for one week prevailed by the following vote: **AYES**. Flores, Salas, Guerrero, Prado, Vásquez, Menendez, Garza, Marbut, Bannwolf, Webster, Peak, **NAYS** None, **ABSENT** None

The main motion as substituted 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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98-28 The Clerk read a proposed ordinance authorizing the execution of Field Alteration No. 3 in the amount of \$144,792.00 to the contract with Bartlett Cocke, Inc. of which the amount of \$110,930.24 is for subcontractors to Bartlett Cocke, Inc. for the construction of the New Parking Facilities at San Antonio International Airport, revising the project budget, and providing for payment.

Mr. Menendez made a motion to postpone this item for one week. Mr. Salas seconded the motion.

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

98-28 On a point of personal privilege, Councilwoman Guerrero recognized the winners of the air quality poster contest that was previously discussed earlier in the meeting. Each of the winners were then congratulated by various council members

98-28 At 4:25 p.m., Councilman Bannwolf recessed the Regular City Council Meeting

At 5:00 p.m., Council reconvened for Citizens to be Heard.

98-28 **CITIZENS TO BE HEARD**

**MR. FARIS HODGE, JR.**

Mr. Faris Hodge, Jr., 140 Dora, spoke of his concern with the ethnic representation on the Fiesta Commission and City boards and commissions

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**MR. MICHAEL IDROGO**

Mr. Mike Idrogo, 317 Rosewood, spoke to his discontent with the decision not to use the Sunset Depot as a passenger train station. He then presented examples of high speed rail travel projects

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**MR. MANUEL LOWMAS**

Mr Manuel Lowmas spoke to his concern with water issues and then offered for consideration ways to improve the water situation

Mr Salas suggested that Mr Lowmas speak to the Edwards Aquifer Authority

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**MR. PAT JOHNSON**

Mr. Pat Johnson, P.O. Box 1, spoke to issues relating to the crime rate in his neighborhood. He also expressed his discontent with the Police Department's handling of his burglary case

Mr Salas directed him to speak with a representative of the police to discuss his case more thoroughly

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**MR. NAZARITE R.F. FLORES**

Mr. Nazarite R. F Perez, 627 Hearne, spoke to the various laws that his life is governed by He also expressed his opinions regarding the canceling of funds the Esperanza Peace and Justice Center

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**MR. ALAN PARKER**

Mr Alan Parker spoke to his astonishment that there are only two places for monitoring the City with regard to air pollution He then suggested that the City purchase electric lawnmowers in an effort to reduce pollution

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98-28        There being no further business to come before the Council, the meeting was adjourned at 5 40 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