

Police Chief Al A. Philippus stated that this is a great remembrance for slain police officers, and thanked the club for its contributions.

Mayor Peak and members of City Council offered their congratulations to the recipients.

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JAZZ'SALIVE

Mayor Peak introduced Mr. Dennis O'Malley, President, and Mayor Emeritus Lila Cockrell, Executive Director, The Parks Foundation, and noted that both are present today to provide information about the upcoming Jazz'sAlive event, to be held in Travis Park.

Mr. O'Malley noted that this is the 15th year for this event in San Antonio, and he thanked the Parks & Recreation Department for its support. He then spoke to details of the program, and presented special gift bags to members of City Council.

Mayor Emeritus Cockrell invited Council members to the event, after which the Mayor and City Council members congratulated event organizers.

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98-34 CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, commented on each Consent Agenda item and its details, expressing his opinions on several.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to comments he had made to City Council on July 30, 1998, and addressed air and water pollution concerns, and City employee pay raise issues.

Mr. Michael Idrogo, 317 Rosewood, spoke against paying any additional funds to contractors on City projects, and spoke to concerns with details of several other ordinances.

Mr. David Klar, 4212 Medical Drive, #412, spoke against allowing construction of a dam in McAllister Park, and addressed the damage it will cause to trees and park amenities, if built. He stated his belief that the proposed dam will reduce the city's 100-year floodplain and lead to additional development downstream. He spoke instead in favor of a smaller

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dike system such as the one utilized on Salado Creek on the city's east side and other alternatives he feels are not being considered by the City's Planning Department. He asked that this matter be delayed today.

Mr. Jack Finger, P.O. Box 12048, addressed his concern with Agenda Item 18 and its plans to allow sale of alcoholic beverages at the Botanical Center. He spoke against anything that promotes drinking, and asked that this item be delayed.

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98-34 CONSENT AGENDA

Mr. Flores made a motion to approve Agenda Items 7 through 21, constituting the Consent Agenda, with item 21 having been pulled for individual consideration. Mr. Bannwolf seconded the motion.

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

AN ORDINANCE 88466

ACCEPTING THE LOW BID OF CONTROL TECHNOLOGIES, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT'S TRAFFIC OPERATIONS DIVISION WITH TWO (2) VIDEO DETECTION SYSTEMS, WHICH CONSISTS OF CAMERAS, CONTROLLERS, SOFTWARE AND HARDWARE NECESSARY TO DETECT VEHICULAR TRAFFIC AT SIGNALIZED LOCATIONS, FOR A TOTAL OF \$29,890.00.

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AN ORDINANCE 88467

ACCEPTING THE LOW BID OF U-FUEL OF TEXAS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN ABOVE GROUND FUEL TANK TO BE UTILIZED BY THE HELICOPTER UNIT FOR REFUELING HELICOPTERS AT THE 99TH STREET HANGER, FOR A TOTAL OF \$37,954.00.

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AN ORDINANCE 88468

ACCEPTING THE LOW BIDS OF J.M. VOIGHT, INC. D/B/A MINDWARE AND SCHOOL SPECIALTY, INC. TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH GAMES TO BE USED BY YOUTH ATTENDING THE AFTER SCHOOL CHALLENGE PROGRAMS THROUGHOUT THE CITY, FOR A TOTAL OF \$26,358.38.

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AN ORDINANCE 88469

ACCEPTING THE OFFER OF XEROX CORPORATION TO PROVIDE A DIGITAL PRINTER/FAX TO THE CITY OF SAN ANTONIO HEALTH DEPARTMENT FOR A 36 MONTH LEASE FOR A TOTAL OF \$416.60 MONTHLY.

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AN ORDINANCE 88470

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATE ONE AND TWO OF LVA CONSTRUCTION CO. FOR AMERICAN WITH DISABILITY ACT (ADA) IMPROVEMENTS TO LA VILLITA IN THE AMOUNT OF \$141,000.00; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING THE TRANSFER OF 22ND AND 23RD YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS INTO THIS PROJECT; AUTHORIZING \$15,469.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88471

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$858,873.95 IN CONNECTION WITH THE 26TH STREET FROM TRAVIS STREET TO CULEBRA ROAD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$43,034.60 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$487.74 FOR ADVERTISING EXPENSES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88472

ACCEPTING THE LOW, QUALIFIED BID OF R.L. JONES CO., INC. IN THE AMOUNT OF \$371,295.00 IN CONNECTION WITH THE TRAVIS STREET FROM ZARZAMORA TO HAMILTON STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$17,571.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,600.00 PAYABLE TO BAIN MEDINA BAIN, INC. FOR ENGINEERING EXPENSES; AUTHORIZING \$9,224.69 FOR PROJECT OVERSIGHT COSTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 83618, DATED FEB. 22, 1996.)

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AN ORDINANCE 88473

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$101,675.26 IN CONNECTION WITH THE 1997/98 SPEED HUMP INSTALLATION PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 7, 8, 9 AND 10; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$10,167.53 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$567.18 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88474

ACCEPTING THE LOW, QUALIFIED BID OF WYNHART CONSTRUCTION INC. IN THE AMOUNT OF \$147,430.00 IN CONNECTION WITH THE TEMPORARY FIRE STATION FACILITY NO. 47 PROJECT, LOCATED AT 19803 IH 10 WEST, NORTH OF CAMP BULLIS ROAD ON THE WEST SIDE OF THE INTERSTATE IN COUNCIL DISTRICT 8; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$14,743.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$25,000.00 FOR MISCELLANEOUS EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88475

AUTHORIZING THE TERMINATION OF A LEASE AGREEMENT ENTERED INTO ON JANUARY 25, 1995, PURSUANT TO ORDINANCE NO. 81533 WITH MARTHA A. MCGOON OF SAN ANTONIO, TEXAS FOR 1293 SQUARE FEET OF OFFICE SPACE AT 3817 BLANCO, SUITE 3; AUTHORIZING A NEW LEASE AGREEMENT WITH MARTHA A. MCGOON OF SAN ANTONIO, TEXAS FOR 1521 SQUARE FEET OF OFFICE SPACE AT 3817 BLANCO, SUITE 3 FOR USE BY THE DEPARTMENT OF COMMUNITY INITIATIVES, NORTHSIDE YOUTH SERVICES DIVISION FOR A TERM BEGINNING JUNE 1, 1998 AND ENDING MAY 31, 2001 AT A BASE MONTHLY RENTAL OF \$1,000.00 FOR THE TERM OF THIS LEASE AGREEMENT; AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING THE PAYMENT OF THE MONTHLY LEASE RENTAL.

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AN ORDINANCE 88476

APPROVING A LEASE RENEWAL AGREEMENT WITH THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) OF 2,102 SQUARE FEET OF OFFICE AND CLINIC SPACE IN SUITE 326 OF THE AVANTE PLAZA BUILDING LOCATED AT 401 WEST COMMERCE STREET IN CONNECTION WITH THE OCCUPATIONAL HEALTH PROGRAM AT A MONTHLY COST OF \$2,364.75 FOR THE PERIOD OCTOBER 1, 1998 TO SEPTEMBER 30, 1999; AUTHORIZING THE EXECUTION OS SAID LEASE RENEWAL AGREEMENT; AND APPROVING PAYMENTS TO THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES IN CONNECTION THEREWITH.

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AN ORDINANCE 88477

AUTHORIZING THE PURCHASE OF ONE OF THE UNIVERSITY OF TEXAS SYSTEM'S FUTURE INTERESTS IN THAT PORTION OF MAHNCKE PARK WHICH LIES EAST OF NEW BRAUNFELS AVENUE FOR \$6,000.00, SAID FUTURE INTEREST HAVING BEEN CREATED BY A FORFEITURE PROVISION IN THE 1905 DEED FROM THE WATER WORKS CORPORATION ET. AL. TO THE CITY OF SAN ANTONIO WHICH PROHIBITS THE USE OR SALE OF BEER OR

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INTOXICATING LIQUOR OF ANY KIND; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 88478

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$9,500.00 PAYABLE TO STEWART TITLE COMPANY AS ESCROW AGENT FOR ARTHUR R. RAMIREZ AND WIFE, LYDIA V. RAMIREZ FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE MISSION TRAILS PARKWAY METROPOLITAN PLANNING ORGANIZATION PROJECT, PACKAGE 3; AND THE SUM OF \$552.00 PAYABLE TO ARTURO TERRAZAS AND WIFE, JUANITA YOLANDA TERRAZAS FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT; FOR A TOTAL SUM OF \$10,052.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88479

ACCEPTING A SPECIAL WARRANTY DEDICATION DEED FROM NORMAN REITMEYER INVESTMENT MANAGEMENT SERVICES, L.L.C., GENERAL PARTNERS, AS OWNERS OF 18.9 ACRES OF LAND WITHIN THE GREYSTONE COUNTRY ESTATES UNIT II SUBDIVISION.

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88480

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT GRANTING TWO (2) TEMPORARY CONSTRUCTION EASEMENTS TO THE SAN ANTONIO RIVER AUTHORITY (SARA) FOR THE CONSTRUCTION OF THE SALADO CREEK WATERSHED PROTECTION AND FLOOD PREVENTION PROJECT, KNOWN AS THE MCALLISTER PARK DAM, OR DAM 15R, LOCATED IN COUNCIL DISTRICT 9.

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Mayor Peak asked for an explanation of the proposed Ordinance, noting that the dam in question has been in the planning stages as a flood-retention area for many years.

Mr. John German, Director of Public Works, narrated a video presentation of the proposed project in McAllister Park, providing City Council with a packet of materials and letters of support for the project. He spoke to plans for the dam and outlined its need, addressing the history of McAllister Park since its inception. He noted that this will be an important dam for flood control of Salado Creek, and stated that one option, should the dam not be constructed, would be to have the City purchase flood-prone properties downstream for an estimated \$4 million. He spoke to how much floodwater the dam will contain, and lower flood levels on Salado Creek downstream, and addressed the numerous public meetings held in the community on this matter. He noted that the location for the proposed dam mitigates the loss of trees to about 300, many of which will be transplanted to other areas on the edge of the park as visual buffers. He addressed the water impoundment areas and the impact the dam and its periodic storage of floodwaters will have on usage of McAllister Park. He spoke to the 100-year flood predictions and the importance of the dam to mitigation of those floodwaters.

Discussion then took place concerning the length and height of the dam, some 3,500 feet in length with a maximum height of 44 feet at its highest point, tapering down to a lesser height.

In response to a question by Mr. Salas, Mr. German spoke to how the proposed dam will reduce downstream flooding along Salado Creek.

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

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

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98-34 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to Agenda Items 25 and 26, expressing his hope that the renovated Alameda Theater project will generate revenues, and recommending a northwest side site for a proposed new arena.

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Mr. Michael Idrogo, 317 Rosewood, spoke to each individual item and his recommendations and comments on them, speaking against commuter rail service between San Antonio and Austin.

98-34 The Clerk read the following Resolution:

A RESOLUTION
NO. 98-34-33

CONSENTING TO CAPITAL IMPROVEMENTS BY SANTA ROSA HEALTH CARE CORPORATION THROUGH THE ISSUANCE OF BONDS IN AN AMOUNT NOT TO EXCEED \$84,000,000.00 BY THE COASTAL BEND HEALTH FACILITIES DEVELOPMENT CORPORATION TO FINANCE SUCH IMPROVEMENTS.

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

Mr. Manuel Longoria, Assistant Director of Economic Development, narrated a video presentation on the matter, a copy of which is made a part of the papers of this meeting. He explained the need for the City of San Antonio's approval, and described the project impact, both local and area, citing the economic benefits to the citizens of San Antonio.

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

98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88481

APPROVING THE DOWNTOWN IMPROVEMENT DISTRICT, INC.'S 1999-2003 ONE AND FIVE YEAR SERVICE AND ASSESSMENT PLAN AND LEVY SUPPLEMENTAL ASSESSMENTS ON PROPERTIES IN THE DISTRICT OF \$0.094000 PER \$100.00 OF VALUATION FOR THE YEAR 1999; \$0.083560 FOR THE YEAR 2000; AND NO ASSESSMENT LEVY FOR THE YEAR 2001.

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

Mr. Malcolm Matthews, Director of Parks & Recreation, explained the proposed assessment rates to fund the One-Year and Five-Year plans.

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88482

APPROPRIATING AND AUTHORIZING PAYMENT IN AN AMOUNT OF \$65,000.00 TO THE DOWNTOWN IMPROVEMENT DISTRICT, INC. FOR ADMINISTRATIVE SERVICES FOR THE SECOND YEAR OF THE DISTRICT'S ADMINISTRATIVE AGREEMENT; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,750.00 FOR THE DIRECT COSTS OF PUBLISHING, PRINTING AND MAILING NOTICES REQUIRED IN UPDATING THE ONE AND FIVE YEAR SERVICE AND ASSESSMENT PLAN.

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

Mr. Malcolm Matthews, Director of Parks & Recreation, explained the administrative services needs for the Downtown Improvement District.

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88483

APPROPRIATING \$300,000.00 IN CAPITAL BUDGET FUNDING TO CENTRO ALAMEDA, INC., A TEXAS NON-PROFIT CORPORATION, FOR RESTORATION WORK ON THE ALAMEDA THEATER PROJECT; AND AUTHORIZING EXECUTION OF A RELATED CAPITAL IMPROVEMENTS FUNDING AGREEMENT.

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

Ms. Rebecca Waldmann, Director of Asset Management, narrated a video presentation on the restoration work on the Alameda Theater Project, a copy of which is made a part of the papers of this meeting. She spoke to a brief history of the project and details of the master lease with Centro Alameda, Inc.

Mr. Jack Finger, P.O. Box 12048, spoke to his concern that the City continues to fund restoration work at the Alameda Theater, when it has been leased to Centro Alameda, Inc. for 25years. He stated his belief that the organization needs to raise half of the renovation costs, or City Council should vote against the proposed ordinance.

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

98-34 **TAX INCREMENT FINANCING REINVESTMENT ZONE**

Ms. Melissa Byrne Vossmer, Assistant City Manager, narrated a video presentation on the status of a study to create a Tax Increment Financing (TIF) Reinvestment Zone for possible construction of a new arena, a copy of which is made a part of the papers of this meeting. She provided an overview and a history of the matter, including City Council direction as to staff and its response. She noted that City staff recommends that two consultants be hired for the study.

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Mr. Trey Jacobson, Economic Development Manager, Department of Economic Development, also narrated a video presentation on staff recommendations for the hiring the two consultants, a copy of which presentation is made a part of the papers of this meeting. He then spoke to the backgrounds of the two recommended firms.

Discussion then took place concerning expected results of the studies.

Ms. Vossmer spoke to the next steps that need to be taken, and stated that Council will be given biweekly presentations on the consultants' progress.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the need to have all the facts available on this issue, and he spoke against having a downtown arena because of transportation problems. He spoke in support for a site in the Longhorn quarry, on the northeast side.

Mr. Robert Raines, New England Village apartments, spoke to the lack of facts on this matter put forth by four frequent speakers before City Council, stating his opinion that they are only seeking publicity for themselves, and do not respect the City Council members. He spoke to his belief that they are wasting the Council's time.

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In response to a question by Mayor Peak, Ms. Vossmer detailed the short time-frame which necessitates the rapid selection of the consultants involved. She stated that staff could find no connection of one firm with the Spurs, past a 1996 work it performed for the Spurs in 1996, working on state legislation.

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88484

SELECTING TEXAS PERSPECTIVES INCORPORATED TO CONDUCT ECONOMIC IMPACT ANALYSIS AND LEISURE MANAGEMENT INTERNATIONAL TO CONDUCT FACILITY UTILIZATION IMPACT ANALYSIS IN CONNECTION WITH THE COMPREHENSIVE STUDY OF THE POTENTIAL DEVELOPMENT OF A NEW ARENA; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH TEXAS PERSPECTIVES IN AN AMOUNT NOT TO EXCEED \$40,000.00 AND A CONTRACT WITH LEISURE MANAGEMENT INTERNATIONAL IN AN AMOUNT NOT TO EXCEED

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\$70,000.00; APPROPRIATING CONTRIBUTED FUNDS FROM THE ARENA STUDY PROJECT ACCOUNT; AND AUTHORIZING PAYMENT.

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

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

98-34 City Council recessed its regular session at 2:58 P.M. in order to convene in Executive Session for Attorney/Client consultation regarding litigation case styled Esperanza Peace and Justice Center v. City of San Antonio, et. al, Cause No. FA-98-CA-0696-OG, and, if necessary, Attorney/Client consultation on other items allowed under the Open Meetings law. The Council adjourned the Executive Session and reconvened the regular session at 3:42 P.M., at which time Mayor Peak announced that City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

98-34 **PUBLIC HEARING: FY 1998-99 BUDGET**

Mayor Peak declared the Public Hearing on the FY 1998-99 Budget to be open.

Ms. Terry Brechtel, Director of Budget and Management Analysis, narrated a video presentation on the budget, a copy of which is made a part of the papers of this meeting. She noted that the presentation will center upon certain amendments proposed by City Council members. She addressed the time-line for the budget process, noting that no change in the tax rate is being proposed, for the sixth consecutive year. She stated that the total City budget for the coming fiscal year includes some \$2.54 millions in amendments, and she spoke to how they would be funded.

The following citizen(s) appeared to speak:

Mr. Jack Finger, P.O. Box 12048, addressed his concern with funding agencies which support homosexual activities with City tax funds.

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Sister Gabriela Lohan, Metro Alliance, spoke in support for expanded funding for Project Quest.

Ms. Virginia Ramirez, Communities Organized for Public Service, spoke to the support for three educational agencies designed to reduce poverty in San Antonio.

At this point, former students of Project Quest spoke to the successes of that program.

Ms. Mary Lou Mendoza, COPS, spoke in support for After School Challenge program and its advantages for children.

Ms. Ramirez addressed requested increases in funding for Project Quest, Education Partnership, and After School Challenge.

Mr. Donze Lopez, Governmental Affairs Department, Greater San Antonio Chamber of Commerce, spoke to the chamber's support for street repair and maintenance, and a return to basic City services.

Mr. Faris Hodge, Jr., 140 Dora, spoke to a lack of timely budget information, in his opinion, and spoke to budget items he supports or opposes, including pay increases, street repair, additional Park Rangers, more police equipment, and improvements to the 9-1-1 system.

Pastor Iris Woodard, 526 Runnels, spoke to her concerns with the condition of the street in front of her church, including problems with drainage and sidewalks.

Mayor Peak asked Public Works to evaluate the problem expressed above.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke in favor of funding for Project Learn to Read and Project Quest, and against funding of agencies supporting homosexuality.

Mr. Steve Lundgren, General Manager, Marriott Hotels, speaking as a representative of the Hotel-Motel Association and Convention & Visitors Bureau Advisory Commission, addressed his groups' concerns with diluting the hotel/motel tax fund and hampering its ability to advertise San Antonio, as well as reduced spending for the Convention & Visitors Bureau. He spoke to the need to better fund the tourism industry, and asked that Council commit to giving 45 per cent of the hotel/motel tax funds to the Bureau, with 15 per cent of that pledged to advertising San Antonio.

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Mr. Ray Hamilton, representing Northside Neighborhoods for Organized Development and the Castle Hills Forest Homeowners Association, stated his belief that City departments are under funded, as is the City's Master Plan. He spoke to the need to fund the Police Department's project 2001 and infrastructure improvements for areas to be annexed into the city. He also spoke to the need for more funds for street repair and creation of better street standards.

Mr. Michael Idrogo, 317 Rosewood, spoke of the right for people to protest, and spoke against proposed fee increases.

Mr. John Sabatino, 1500 Beconsfield, addressed his concern with increases in fees, and spoke to several examples, asking Council to vote against them.

Ms. Betty Sabatino, 1500 Beconsfield, spoke to her concerns with the budget's impact on families. She spoke against funding agencies promoting homosexual activities.

Ms. Emma Warren, 5823 Lake Bluff, spoke against funding for the Guadalupe Cultural Arts Center.

Mr. Greg Gallegos, Executive Director, Paseo del Rio Association, spoke to the need to spend the city's hotel/motel tax funds to support Convention & Visitors bureau advertising of San Antonio.

Mr. Dale R. Wood, Pieca d'Italia Restaurant, noted that his business is showing a loss in revenues, and blamed it on the drop-off in tourism in San Antonio. He also addressed his concern for a drop in the Convention & Visitors Bureau budget and cut in advertising of San Antonio.

Ms. Geraldine Bannister, 311 Oakleaf, thanked the City for funding the San Antonio Symphony.

Mr. Scott D. Cumming, 13546 Chappel View, President, Alamo City Men's Chorale, thanked the Council for funding his organization, and spoke to the chorale's appearances.

Ms. Marguerite McCormick, representing The Children's Chorus of San Antonio, asked for more support from the City to the San Antonio Symphony.

Mr. David Earl, attorney, spoke to his concerns with certain proposed changes in the installation of fiber-optic conduit under City streets, and addressed a possible compromise.

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

98-34 The City Clerk read a proposed ordinance adopting the Annual Consolidated Capital and Operating Budgets for the City of San Antonio for the Fiscal Year 1998-99, beginning October 1, 1998 and ending September 30, 1999; save and except the budget appropriations and City's 1998-99 contribution to the Big Brothers & Big Sisters; appropriating funds and authorizing personnel positions in accordance with said budget; authorizing contracts with outside agencies; setting the FY 1998-99 Holiday Schedule and Pay Plan for City Employees; establishing District Budgets of the Mayor and City Councilmembers; and approving the 1998/99 through 2003/2004 Capital Improvements program for the City of San Antonio.

In response to a question by Mayor Peak, Mr. Frank Garza, City Attorney, spoke to the City Council's options in considering arts funding in this budget. He stated his opinion that the Council can decide this despite any lawsuits that may have been filed against that funding action. He then spoke to the factors that can, and cannot, be used to determine whether or not to fund any agency.

Mayor Peak noted that it is proposed that the City Council fund the San Antonio Symphony to a larger degree, and he urged the Symphony management and musicians to return to the bargaining table to re-negotiate their contract to save the symphony's coming season. He noted that the Council does not control the fees charged the symphony for use of the Majestic Theater, since a management group, ACE, does that function.

In response to a question by Mayor Peak, Mr. Steve Moore, Director of the Convention & Visitors Bureau, spoke to the bureau's budget and a projected 10 per cent drop in room-night bookings for the coming fiscal year. He stated his belief that inflation has eaten into the purchasing of advertising for San Antonio, and into public as well as private contributions to that advertising effort. He stated his belief that next fiscal year will be a challenge.

Mayor Peak spoke in favor of holding the City's tax rate down, and raising fees for services, which are paid by those citizens who use those services.

Mr. Webster spoke in refutation of several charges made by citizen speakers today, relative to the budget and to City Council members. He noted that a total of \$599 million is available for City Council's budgeting this coming fiscal year, and that 60 per cent of

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that amount goes to public safety expenses. He lauded the City's plans to record no tax increase for the sixth consecutive year.

In response to a question by Mr. Menéndez, Mr. Moore stated that he knew that 1999 would be a 'down' year because of construction on the Convention Center, and he spoke to the matter of cooperative advertising with the private sector.

Mr. Menéndez spoke to the funding levels for Project Quest, The Education Partnership and After School Challenge Program, addressing his concept of needed changes in these programs in order to make them better, and the need for an endowment to fund these programs.

Mr. Bannwolf stated that he is committed to improving the quality of the work force in San Antonio.

In response to a question by Mr. Bannwolf, Ms. Brechtel discussed the \$400 monthly car allowance being proposed for City Council members. Mr. Bannwolf spoke to being uncomfortable with paying Council members what he considers to be "income".

Mr. Bannwolf then offered an amendment to reject the proposed \$400 monthly car allowance for City Council members, and instead return car allowance expenses to a reimbursement status within the \$700-a-month expense allowance segment of the Council budget. Mr. Vásquez seconded the motion.

After discussion, Mr. Garza offered an amendment to remove consideration of budgetary appropriations for the San Antonio Symphony and the San Antonio Sports Foundation from the main budget ordinance, now under discussion, and insert these two entities' budgets into Item 4-B, following, in order that Mr. Marbut might abstain from voting on these two appropriations. Mr. Flores seconded the motion.

Mr. Garza spoke in support for human development priorities and needed projects within the proposed budget, and noted that he would be working to increase these in the future.

Mr. Garza's amendment then prevailed by the following vote: **AYES:** Flores, Salas, Guerrero, Prado, Vásquez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Menéndez.

Discussion then took place concerning the advertising budget for the Convention & Visitors Bureau and the impact of inflation upon that budget.

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Mr. Marbut addressed his concern that effective advertising buying power has diminished over the years, and spoke to the need to increase this budget next year.

Mr. Marbut then offered an amendment to remove \$100,000 from the Arts segment in the CRAG budget proposal, and place \$50,000 into the Childrens' Museum and \$50,000 into the Convention & Visitors Bureau advertising budget. Mr. Webster seconded the motion.

Ms. Guerrero spoke to the need to look at possible new revenue sources to fund certain improvements and human development.

Mr. Flores spoke in support for user fees to hold off a tax increase.

Mr. Vásquez spoke in support for the proposed lowering of the solid waste collection fee.

Mr. Prado noted that there are gaps in the proposed budget for some, and spoke to the need to try to fill them in the future.

In response to a question by Mr. Menéndez, Mr. Dennis Campa, Director of Community Initiatives, spoke to the loss of some funding for Project Quest by the Alamo Workforce Development agency.

In response to a question by Mr. Menéndez, Mr. Eduardo Diaz, Director of the Department of Arts & Cultural Affairs, addressed the Arts segment funding within the CRAG funding allocations and how they are applied.

Mr. Menéndez stated that he is opposed to Mr. Marbut's proposed amendment.

Mr. Salas asked that parks be included in new developments in the city.

At this time, Mr. Marbut's proposed amendment failed to carry by the following vote:
AYES: Marbut, Webster; **NAYS:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Bannwolf, Peak ; **ABSENT:** None.

In response to a question by Mayor Peak, City Attorney Garza spoke to how the City Charter treats the matter of income in several areas.

Ms. Brechtel spoke to research done in the proposed changes in City Council's car allowance.

In response to a question by Mayor Peak as to whether or not he considers these proposed changes in Council car allowance policy a violation of the Charter, City Attorney Garza stated that he does not so consider them.

The amendment by Mr. Bannwolf failed to carry by the following vote: **AYES:** Bannwolf; **NAYS:** Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Webster, Peak; **ABSENT:** None.

Mr. Alexander E. Briseño, City Manager, stated that it is the option of the City Council as to how it considers the car allowance matter.

The main motion, as amended, carrying with it the passage of the following ordinance, prevailed by the following vote:

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

AN ORDINANCE 88485

ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1998-99, BEGINNING OCTOBER 1, 1998 AND ENDING SEPTEMBER 30, 1999; SAVE AND EXCEPT THE BUDGET APPROPRIATIONS AND CITY'S 1998-99 CONTRIBUTION TO THE BIG BROTHERS & BIG SISTERS, SAN ANTONIO SYMPHONY AND THE SAN ANTONIO SPORTS FOUNDATION; APPROPRIATING FUNDS AND AUTHORIZING PERSONNEL POSITIONS IN ACCORDANCE WITH SAID BUDGET; AUTHORIZING CONTRACTS WITH OUTSIDE AGENCIES; SETTING THE FY 1998-99 HOLIDAY SCHEDULE AND PAY PLAN FOR CITY EMPLOYEES; ESTABLISHING DISTRICT BUDGETS OF THE MAYOR AND CITY COUNCILMEMBERS; AND APPROVING THE 1998/99 THROUGH 2003/2004 CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO.

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88488

LEVYING AN AD VALOREM TAX TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT OF THE CITY OF SAN ANTONIO AND TO CREATE A SINKING FUND THEREFORE; FIXING THE DEBT SERVICE RATE OF \$0.23400 CENTS PER \$100 OF ASSESSED VALUATION, SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JANUARY 1, 1998 AND ENDING DECEMBER 31, 1998.

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88489

ESTABLISHING THE TERM OF EACH MINOR ENCROACHMENT LICENSE AGREEMENT AT 10 YEARS; ESTABLISHING A \$500 PROCESSING FEE FOR EACH MINOR ENCROACHMENT LICENSE APPLICATION; ESTABLISHING A FEE OF \$2,500 FOR EACH RESIDENTIAL MINOR ENCROACHMENT LICENSE; ESTABLISHING A FEE OF \$5,000 FOR A MINOR ENCROACHMENT LICENSE FOR EACH WATER OR SEWER PIPELINE STREET CROSSING; ESTABLISHING A FEE OF \$5,000 FOR A MINOR ENCROACHMENT LICENSE FOR EACH COMMERCIAL NON-OIL OR NON-GAS PIPELINE STREET CROSSING NOT TO

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EXCEED SIX AND 5/8 INCHES IN DIAMETER; AUTHORIZING STAFF TO NEGOTIATE A FEE FOR A MINOR ENCROACHMENT LICENSE FOR EACH OIL AND GAS PIPELINE CROSSING, AND FOR EACH COMMERCIAL NON-OIL OR NON-GAS PIPELINE IN EXCESS OF SIX AND 5/8 INCHES IN DIAMETER; AND ESTABLISHING A FEE FOR A MINOR ENCROACHMENT LICENSE FOR EACH NON-PIPELINE ENCROACHMENT THE AMOUNT OF WHICH IS THE GREATER OF \$5,000 OR 10% PER YEAR OF FEE LAND VALUE FOR SURFACE RIGHTS, 7.5% PER YEAR OF FEE LAND VALUE FOR AIR RIGHTS, AND 5% PER YEAR OF FEE LAND VALUE FOR SUB-SURFACE RIGHTS.

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88490

AMENDING ORDINANCE NO. 58880 BY AMENDING THE \$100 PROCESSING FEE FOR CLOSURE OF UNIMPROVED STREETS, THE \$500 PROCESSING FEE FOR CLOSURE OF IMPROVED STREETS, AND THE \$100 PROCESSING FEE FOR CLOSURE OF UNIMPROVED OR IMPROVED ALLEYS BY ESTABLISHING A \$500 PROCESSING FEE FOR EACH APPLICATION FOR CLOSURE OF AN IMPROVED STREET OR ALLEY AND A \$250 PROCESSING FEE FOR EACH APPLICATION FOR CLOSURE OF AN UNIMPROVED STREET OR ALLEY; PROVIDING THAT IN THE EVENT THE CITY HAS PURCHASED A STREET OR ALLEY, IMPROVED OR UNIMPROVED, THE PROPERTY MAY ONLY BE VACATED AT FAIR MARKET VALUE; PROVIDING THAT THE CLOSURE AND VACATION OF AN IMPROVED STREET SHALL BE DONE FOR FAIR MARKET VALUE, UNLESS THE APPLICANT ORIGINALLY CONVEYED THE PROPERTY TO THE CITY IN WHICH CASE ONLY THE PROCESSING FEE SHALL BE CHARGED; AUTHORIZING STAFF TO NEGOTIATE A SALES PRICE FOR

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CLOSURE AND VACATION OF EACH IMPROVED ALLEY AND EACH UNIMPROVED STREET OR ALLEY.

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

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

98-34 The City Clerk read a proposed ordinance establishing a \$1.50 per linear foot, per year, per active or non-active fiber optic conduit installed beneath City streets and rights-of-way; providing that installed fiber optic conduit shall not exceed two and one-half inches in outside diameter; providing that the rights acquired for the installed conduit shall not be transferable or assignable unless approved by the City; establishing a \$1.25 per linear foot, per year, per active or non-active fiber optic conduit beneath City streets and rights-of-way should the applicant agree to install the fiber optic conduit by boring beneath the street as opposed to open-cut trenching; and providing that each fiber optic conduit lease agreement shall have a term of 10 years with a provision for a 15 per cent increase for years five through 10, payable at the beginning of the sixth year.

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

After discussion, Mr. Bannwolf offered an amendment to add a provision establishing the license fee of \$2.10 per linear foot for four and one-half-inch O.D. conduit carrying one or more fiber optic lines installed using street cutting, for each linear foot installed in City right-of-way; and \$1.85 per linear foot for four and one-half-inch O.D. conduit carrying one or more fiber optic lines installed using boring, for each linear foot installed within the City's rights-of-way. Mr. Webster seconded the motion.

The amendment prevailed by the following vote:

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

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

AN ORDINANCE 88491

ESTABLISHING A \$2.10 FEE PER LINEAR FOOT, PER YEAR, PER ACTIVE OR NON-ACTIVE FIBER OPTIC CONDUIT INSTALLED BENEATH CITY STREETS AND RIGHTS-OF-WAY; PROVIDING THAT INSTALLED FIBER OPTIC CONDUIT SHALL NOT EXCEED TWO AND ONE-HALF INCHES IN OUTSIDE DIAMETER; PROVIDING THAT THE RIGHTS ACQUIRED FOR THE INSTALLED CONDUIT SHALL NOT BE TRANSFERABLE OR ASSIGNABLE UNLESS APPROVED BY THE CITY; ESTABLISHING A \$1.85 FEE PER LINEAR FOOT, PER YEAR, PER ACTIVE OR NON-ACTIVE FIBER OPTIC CONDUIT BENEATH CITY STREETS AND RIGHTS-OF-WAY SHOULD THE APPLICANT AGREE TO INSTALL THE FIBER OPTIC CONDUIT BY BORING UNDERNEATH THE STREET AS OPPOSED TO OPEN-CUT TRENCHING; AND PROVIDING THAT EACH FIBER OPTIC CONDUIT LEASE AGREEMENT SHALL HAVE A TERM OF 10 YEARS WITH A PROVISION FOR A 15 PERCENT INCREASE FOR YEARS FIVE THROUGH 10, PAYABLE AT THE BEGINNING OF THE SIXTH YEAR.

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88492

ESTABLISHING A TECHNOLOGICAL IMPROVEMENT FEE TO BE ASSESSED AT 3 PERCENT OF THE AMOUNT OF THE FEE ASSESSED FOR ANY BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, SIDEWALK, TRENCH, SIGN, MEDICAL GAS, GAS, SEWER OR ELECTRICAL MAINTENANCE PERMIT ISSUED BY THE CITY; INCREASING THE CERTIFICATE OF OCCUPANCY FEE FROM \$160 TO \$165; ESTABLISHING A PRELIMINARY PLAT ADDRESSING FEE OF \$50 FOR PLATS REQUIRING A FIELD CHECK AND/OR HAVE TEN OR MORE LOTS; AMENDING THE BUILDING INSPECTION FEE SCHEDULE IN CITY CODE SECTION 6-3 TO INCLUDE ALL ELECTRICAL FEES AUTHORIZED IN SECTION 10-119, ALL SIGN PERMIT FEES AUTHORIZED IN SECTION 28-94, AND ALL TREE PRESERVATION FEES AUTHORIZED IN SECTION 35-C501.

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88493

INCREASING THE EMERGENCY MEDICAL SERVICES TRANSPORT FEE FROM \$250 TO \$265 PER PATIENT; AND INCREASING THE EMERGENCY MEDICAL SERVICES NON-TRANSPORT/AID FEE FROM \$30 TO \$35.(AMENDS CHAPTER 15 OF THE CITY CODE.)

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88494

AMENDING SECTION 22-17(B) OF THE CITY CODE TO PROVIDE FOR AN INCREASE IN THE SPECIAL EVENT PARK USAGE FEES FOR THE COMMERCIAL AND NON-COMMERCIAL USE FEE OF ALAMO PLAZA; ESTABLISHING A FEE FOR THE COMMERCIAL USE OF ALAMO PLAZA BY NON-PROFIT ORGANIZATIONS; ESTABLISHING THAT CITY SPONSORED OR CO-SPONSORED EVENTS SHALL BE ASSESSED NO FEE; PROVIDING FOR CERTAIN PROVISIONS FOR THE USE OF ALAMO PLAZA; AND DELETING OUTDATED AND DUPLICATE PARKS AND RECREATION FEES IN THE CITY CODE.

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88494

INCREASING THE DAILY MAXIMUM RATE AT THE INTERNATIONAL AIRPORT FOR SHORT TERM PARKING FROM \$10 TO \$12, LONG TERM PARKING FROM \$5 TO \$7 AND SHUTTLE PARKING FROM \$3.50 TO \$4 TO BE EFFECTIVE UPON THE OPENING OF THE NEW INTERNATIONAL AIRPORT PARKING GARAGE. (AMENDS CHAPTER 3 OF THE CITY CODE OF SAN ANTONIO.)

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88496

ADJUSTING CERTAIN RATES FOR USAGE AND CLEAN-UP OF THE EAST/WEST WING ROOMS AND THE LOWER LEVEL OF THE MUNICIPAL AUDITORIUM; AND ESTABLISHING FOR VARIOUS TYPES OF EVENTS NEW RATES AND POLICIES FOR USAGE AND CLEAN-UP OF THE ADDITIONAL EXHIBIT HALLS, BALLROOM AND MEETING ROOMS TO BE AVAILABLE IN THE EXPANDED CONVENTION CENTER AS IS MORE PARTICULARLY SET OUT IN THE CONVENTION FACILITIES DEPARTMENT.

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88497

REVISING PARKING RATES AT THE FOLLOWING CITY PARKING FACILITIES AS FOLLOWS: MARKET SQUARE - ONE AND ONE-HALF HOURS: FROM \$1.20 TO \$1.40, TWO HOURS: FROM \$1.60 TO \$2.00, TWO AND ONE-HALF HOURS: FROM \$2 TO \$2.60, THREE HOURS: FROM \$2.40 TO \$3.20, THREE AND ONE-HALF HOURS: FROM \$2.80 TO \$3.80, FOUR HOURS FROM \$3.20 TO \$4.20; CONTINENTAL AND DOLOROSA - ONE AND ONE-HALF HOURS: FROM \$2.25 TO \$2.50, TWO HOURS: FROM \$3 TO \$3.50, TWO AND ONE-HALF HOURS: FROM \$3.75 TO \$4.50; LIBRARY - ONE AND ONE-HALF HOURS: FROM \$1.50 TO \$1.75, TWO HOURS: FROM \$2 TO \$2.50, TWO AND ONE-HALF HOURS: FROM \$2.50 TO \$3.25, THREE HOURS: FROM \$3 TO \$3.75; RIVERBEND, MARINA AND MID-CITY - ONE AND ONE-HALF HOURS: FROM \$2.25 TO \$2.50, TWO HOURS: FROM \$3.00 TO \$3.50, TWO AND ONE-HALF HOURS: FROM \$3.75 TO \$4.50, THREE HOURS: FROM \$4.50 TO \$5.25; INCREASING THE FLAT/EVENT RATE FROM \$3 TO \$4 AT THE MARKET SQUARE AND LIBRARY PARKING FACILITIES, AND FROM \$4 TO \$5 AT THE HOUSTON/NOLAN, DOLOROSA, DURANGO, MARINA, MID-CITY, AND RIVERBEND PARKING FACILITIES; AND INCREASING THE MONTHLY PARKING RATES AT THE FOLLOWING PARKING FACILITIES AS FOLLOWS: MARKET SQUARE - FROM \$28 TO \$33, DOLOROSA - FROM \$30 TO \$35, MARINA - FROM \$45 TO \$50, RIVERBEND AND MID-CITY (ABOVE GROUND) FROM \$58 TO \$63.(AMENDS CHAPTER 19 OF THE CITY CODE OF SAN ANTONIO.)

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88498

REVISING THE MONTHLY RATE FOR THE SOLID WASTE PROCESSING FEE EFFECTIVE JANUARY 1, 1999 FROM \$10.60 TO \$10.50 PER RESIDENTIAL UNIT INCLUDING \$9.20 PER UNIT FOR RESIDENTIAL COLLECTION AND \$1.30 PER UNIT FOR AN ENVIRONMENTAL SERVICES FEE; ESTABLISHING EFFECTIVE JANUARY 1, 1999 A MONTHLY ENVIRONMENTAL SERVICES FEE OF \$1.30 PER ELECTRICAL METER ACCOUNT FOR ALL RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES; ESTABLISHING POLICIES FOR BILLING AND IMPLEMENTATION FOR THE ENVIRONMENTAL SERVICES FEE; AND AMENDING THE SOLID WASTE OUT-OF-CYCLE SPECIAL PICK-UP FEE FROM THE FLAT \$38 FEE PER PICK-UP TO THE FOLLOWING FEES: ONE ITEM - \$15, EIGHT CUBIC YARDS - \$25, SIXTEEN CUBIC YARDS - \$50, 24 CUBIC YARDS - \$75, AND 32 CUBIC YARDS - \$99.(AMENDS CHAPTER 14 OF THE CITY CODE.)

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

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

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98-34 The Clerk read the following Ordinance:

AN ORDINANCE 88499

INCREASING THE PARKING FEE AT WOLFF MUNICIPAL STADIUM FROM \$2 PER VEHICLE TO \$3 PER VEHICLE.

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

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

Mr. Alexander E. Briseño, City Manager, thanked the Mayor and City Council for setting its budget priorities this year, and also thanked the entire City staff for its hard work on the budget process.

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98-34 PUBLIC HEARING ON PROPOSED NEW ETHICS ORDINANCE

Mayor Peak declared the Public Hearing to be open.

Dr. Vincent Johnson, Chairman of the Mayor's Task Force on Ethics in Government, narrated a video presentation on the proposed changes to the City's ethics ordinance, a copy of which is made a part of the papers of this meeting. He summarized the major proposed changes in the ordinance, citing an improvement in enforcement of the City's ethics rules.

Mr. Frank Garza, City Attorney, also narrated a video presentation on the proposed changes, a copy of which is made a part of the papers of this meeting. He provided an overview of the proposed changes, and urged everyone concerned to study the proposed changes carefully.

The following citizen(s) appeared to speak:

Mr. Donze Lopez, Chairman, Governmental Affairs Department, Greater San Antonio Chamber of Commerce, speaking on behalf of eleven groups, addressed four main areas of concern with the proposed changes. He stated his opinion that certain of those changes were onerous, and will force a person to choose between their employment and public service. He offered several suggestions for modification of the proposed changes, stating his belief that many current board or commission members would resign their positions if the new rules are adopted.

Mr. Faris Hodge, Jr., 140 Dora, addressed several concerns, and spoke to the need for passage of this ordinance.

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Mr. John Roy, representing the Real Estate Council of San Antonio, read from a letter written by Mr. Tim Swann, President of the Council, supporting the City's ethics rules, but expressing concerns with several areas of the proposed changes. He spoke to his fears for mass board and commission resignations, if enacted, and spoke to the many professions that must meet daily with City employees and who would be adversely affected by the proposed new rules. He voiced his group's concerns with the adverse impact upon small business, and asked the City Council to delay this matter for more investigation.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, asked the Council to delay action on this matter, and addressed his concerns for due process.

Mr. Micahel Idrogo, 317 Rosewood, spoke to his fears that the proposed changes conflict with state and federal laws, and suggested several changes to strengthen the regulations.

Mr. Bob Wandrisco, speaking as an individual and as Chairman of the Planning Commission, expressed serious concerns with his continuing service on the Planning Commission, if the new changes are enacted. He termed them too restrictive on the ordinary citizen, serving the community, and expressed his belief that the new rules seem to assume guilt.

Mr. Jack Finger, P.O. Box 12048, spoke in support for the changes, but expressed his disappointment that they contain no mention of possible conflicts of interest on the part of City Council members voting on ordinances involving firms whose officers contributed to Council members' political campaigns.

Mr. Duane Wilson, representing the North San Antonio Chamber of Commerce, spoke against certain revisions involving contact with City employees. He expressed his belief that the rules changes would have a profound negative impact on the City's boards and commissions members, and he termed the changes too restrictive.

Mr. J.J. Amaro, member of the board of trustees of San Antonio Water System, read a letter from a colleague on the board, indicating that he would have to resign his position on the SAWS board if the revisions are enacted, noting that they would forbid him from even contacting City employees as part of his occupation.

Mr. Mike Harris, representing San Antonio Manufacturers Association, spoke to the need for an effective ethics ordinance, yet not one that disallows service on City boards by some of the individuals in his organization. He asked for a delay in any action, in order to investigate.

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Mr. Ray Hamilton, representing Northside Neighborhoods for Organized Development, spoke in support for Mr. Wandriso's earlier comments, fearing the changes are too restrictive and will cost the City the participation of the business community on its boards and commissions.

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Mayor Peak thanked the citizens for their comments on the proposed changes, and spoke to the need for time to review those comments and suggestions. He spoke to the need to set up another public hearing several weeks from now to allow time for the City Attorney to review the comments, and for the Council's Ethics Committee and the Mayor's Task Force to look into those comments, as well.

Mr. Webster noted that the report is a complex document that affects City board and commission members, and citizens, as well. He stated that the Council has no desire to discourage those wanting to serve their city, and addressed the need to study the costs of enforcement of the new ethics rules, and to survey the City's boards and commissions members for their feedback on the matter.

Mr. Vásquez addressed the need to take time to understand the changes before the Council acts. He indicated a desire that the Council's Ethics Committee also include all City Council members who want to serve in that function.

Mr. Marbut stated his belief that the recommendations improve the ethics ordinance, in his opinion, but stated that perhaps that certain changes need to be made in order not to preclude citizen participation in city government. He noted that the Council's Ethics Committee may need to meet with business and community representatives on practical applications of the proposed new rules.

Mr. Prado spoke to the impact the proposed new rules will have on the City's boards and commissions, and addressed the need to survey those individuals to see who would have to resign, as a result. He spoke to several possible examples that could cause him to lose his own effectiveness with the community.

Ms. Guerrero noted that ethics cannot be legislated, although guidelines are needed, and stated her concern that changes to the ethics ordinance cannot adversely impact those who have volunteered to serve their community, and scare them away.

Mr. Salas also addressed his concerns with possible impact of the new rules on the City's boards and commissions, and noted that he cannot act on this without studying its impact carefully.

Mr. Menéndez noted that many today have expressed their reservations with the proposed changes, and he urged all City Council members to take part themselves in studying those suggestions.

Mayor Peak asked that City Council members, representatives of the Task Force, the City's boards and commissions members, community groups and others study the proposed revisions and conduct meetings in the next several weeks, then hold another public hearing on the matter.

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CITIZENS TO BE HEARD
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MR. BERNARDO LEONARD

Mr. Bernardo Leonard, BJO Sports, spoke to the City Council asking their support for a co sponsorship for use of the Nelson Wolff Stadium for a Baseball clinic and for a Proclamation recognizing baseball star, Willie Mays. Mr. Leonard also spoke regarding what they are proposing to do especially for the youth of the community with this event.

Councilman Salas and Councilman Webster stated that they have been working with Mr. Leonard on this request, and stated they would follow up with his request. (A copy of the staff report as well as the presentation of Mr. Leonard is on file with the papers of this meeting.)

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke regarding his opinion on term limits for City Council; spoke in favor of the proposed ethics ordinance; spoke against the actions of the Zoning Commission in not approving the proposed location for the SAMS Shelter. He then spoke on several issues, including his request to have more operators for 911; concern about the proposed plan for commuter rail passenger service between San Antonio and Austin; stated that the tree ordinance is not effective; concerns over the night clubs and bars around the San Antonio College area.

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MR. BERNARD HAWK WING

Mr. Wing stated that he is a member of the Native American Center and asked that the City of San Antonio support this center. He spoke specifically for the need to have the City fund two positions and of the new structure of education learning which is being proposed.

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MS. MARIA SALAZAR

Ms. Salazar spoke to the City Council on several subjects including the need to repair streets in San Antonio especially in the east, west and south sides of San Antonio.

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MR. JOHN J. KHOURY

Mr. John J. Khoury stated that he is a fully recognized Native American and spoke of the future plans for the Native American Center. He also took issue with the fact that several Council members have not returned their many calls. He stated that they will return to the City Council for the funding that is necessary for the Center.

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NAZIRITE RUBEN FLORES PEREZ

Mr. Nazirite R.F. Perez, 627 Hearne Avenue, made references to items on today's Council's Consent Agenda, specifically items 7, 8 and 11.

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98-34 There being no further business to come before the Council, the meeting was adjourned at 8:42 PM.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk