

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MARCH 2, 2000

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2000-09 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s):

- A) **Presentation of the Noise Compatibility Study (FAR Part 150 Airport Noise Compatibility Study Update – San Antonio International Airport) and Recommended Program** – presented by Mr. Kevin Dolliole, Director of Aviation, and Mr. John Williams, Ricondo & Associates. City Council concurred to move forward with staff's recommendations.

- B) **Presentation of proposed revisions to the City of San Antonio's Graffiti Ordinance** – presented by Mr. Malcolm Matthews, Director of Parks & Recreation. City Council concurred with City staff recommendations with modifications to certain aspects, which will be brought back to City Council.

The Council members present were: Perez, Prado, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. ABSENT: Salas, Guerrero, Vásquez.

The "B" Session adjourned at 11:50 A.M.

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2000-09 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mr. Carpenter, acting in the temporary absence of both the Mayor and Mayor Pro Tem, with the following members present: Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. ABSENT: None.

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2000-09 Invocation – Rev. Ron Adams, Hosack Avenue Baptist Church.

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2000-09 Pledge of Allegiance to the flag of the United States.

Arellano to the Board of Adjustment, and alleged a conflict of interest, speaking to the proposed appointee as a former member of City Council.

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2000-09 Mr. Carpenter explained that a number of City Council members, including the Mayor and Mayor Pro Tem, will be arriving at City Council meeting somewhat late, since they are attending a special luncheon for Secretary of Defense Mr. William Cohen, at the Adam's Mark Hotel. He also corrected the mistaken assumption of Mr. Finger in that the Board appointee, Yolanda Arellano has never been a Council member.

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2000-09 **CONSENT AGENDA**

Mr. Salas made a motion to approve Agenda Items 5 through 24c, constituting the Consent Agenda, with Item 14 having been pulled for individual consideration. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Carpenter. NAYS: None. ABSENT: Bannwolf, Peak.

AN ORDINANCE 91344

ACCEPTING THE LOW QUALIFIED BIDS BY TRC COMPUTER SERVICES, INC., (MBE/WBE), COMMONWEALTH TRADING COMPANY (MBE) AND VIA TECHNOLOGY, L.L.C. (MBE) TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH COMPAQ SERVER COMPUTER HARDWARE FOR A TOTAL OF \$63,727.83.

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AN ORDINANCE 91345

ACCEPTING THE LOW BID BY DURY'S GUN SHOP, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SEMI-AUTOMATIC PISTOLS FOR A TOTAL OF \$74,359.00.

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AN ORDINANCE 91346

ACCEPTING THE LOW BID BY CASCO INDUSTRIES, INC., TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH CAIRNS AND BROTHER HELMETS FOR A TOTAL OF \$78,800.00.

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AN ORDINANCE 91347

ACCEPTING THE LOW BIDS BY SOUTHWAY FORD, INC., ANCIRA WINTON CHEVROLET INC. (MBE), SHANNON AUTOMOTIVE, LTD., DBA CROWN DODGE, GROUP ONE AUTOMOTIVE, DBA MAXWELL AUTOMOTIVE GROUP, NORTHSIDE FORD, LTD. AND GRANDE FORD TRUCK SALES, INC., DBA GRANDE TRUCK CENTER TO PROVIDE THE CITY OF SAN ANTONIO WITH LIGHT DUTY TRUCKS FOR A TOTAL OF \$2,668,872.10.

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AN ORDINANCE 91348

APPROVING FIELD ALTERATION NUMBER 3 IN THE INCREASED AMOUNT OF \$50,000.00 PAYABLE TO COASTAL ENVIRONMENTAL CONSTRUCTION, INC. (MBE) IN CONNECTION WITH THE ASBESTOS ABATEMENT 1998 – 1999 INDEFINITE DELIVERY CONTRACT (FLOOD DAMAGED STRUCTURES) AND UNDER HEALTH AND SAFETY EXCEPTIONS IN THE LOCAL GOVERNMENT CODE; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 91349

DECLARING A 0.184 ACRE TRACT OF LAND LOCATED APPURTENANT TO U.S. HIGHWAY 281 NORTH AND HENDERSON PASS IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS TO BE SURPLUS TO THE CITY'S DRAINAGE NEEDS.

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AN ORDINANCE 91350

AUTHORIZING A LICENSE AGREEMENT WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SAISD) FOR THE DISTRICT'S USE OF

APPROXIMATELY 3.65 ACRES OF PUBLIC PROPERTY IN SOUTHSIDE LIONS PARK ADJACENT TO THE REAR OF HIGHLANDS HIGH SCHOOL FOR EDUCATIONAL PURPOSES.

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AN ORDINANCE 91351

AUTHORIZING PAYMENT OF THE AMOUNT OF \$14,163.62 TO TICOR TITLE AGENCY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE MARTINEZ CREEK FLOOD AREA PROJECT (\$4,499.70), ZARZAMORA CREEK FLOOD AREA PROJECT (\$1,647.48), PLUMNEAR FLOOD AREA PROJECT (\$895.48), WHEATLEY HEIGHTS FLOOD AREA PROJECT (\$4,218.22) AND THE BRIARGLEN DRIVE FLOOD AREA PROJECT (\$2,902.74); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91352

APPROPRIATING THE SUM OF \$49,770.00 PAYABLE TO COASTAL REFINING & MARKETING, INC. FOR COSTS ASSOCIATED WITH THE ENVIRONMENTAL CLEANUP OF THE PROPERTY LOCATED AT 7550 S. ZARZAMORA IN CONNECTION WITH THE UPPER SIX MILE CREEK DRAINAGE PROJECT #83, LOCATED IN COUNCIL DISTRICT NO. 4.

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AN ORDINANCE 91353

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO 344.18 SQUARE FEET OUT OF LOT A4, TRACT 2, NEW CITY BLOCK 164, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE HOUSTON STREET - BOWIE TO PINE METROPOLITAN PLANNING ORGANIZATION PROJECT; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91354

AUTHORIZING PAYMENT OF THE AMOUNT OF \$59,000.00 TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR THE SAN ANTONIO HOMEOWNERSHIP OPPORTUNITIES CORPORATION, A TEXAS NON-PROFIT

CORPORATION, FOR A FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91355

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,092.48 TO TICOR TITLE AGENCY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III AND V; PAYMENT OF THE AMOUNT OF \$1,149.82 TO STEWART TITLE COMPANY FOR TITLE CHARGES IN CONNECTION WITH THE STATE LOOP 1604 PROJECT – F.M. 471 TO F.M. 1957 (\$454.33) AND THE NORTHWEST PARK LAND PROJECT (\$695.49); AND PAYMENT IN THE AMOUNT OF \$1,671.32 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE NELSON GARDENS EXPANSION PROJECT (\$417.80) AND THE BABCOCK ROAD – DE ZAVALA TO HAUSMAN ROAD PROJECT (\$1,253.52); FOR A TOTAL SUM OF \$3,913.62; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91356

AUTHORIZING PAYMENT OF THE AMOUNT OF \$25,660.00 TO THE SAN ANTONIO RIVER AUTHORITY FOR THE ACQUISITION OF A SURFACE EASEMENT (\$15,660.00), AND FOR SITE RELATED EXPENSES (\$10,000.00), IN CONNECTION WITH THE FREDERICKSBURG ROAD RECONSTRUCTION – FIVE POINTS TO WOODLAWN PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91357

AUTHORIZING PAYMENT FOR APPRAISAL SERVICES IN THE AMOUNT OF \$38,735.00 TO DUGGER, CANADAY, GRAFE & WOELFEL, INC. IN CONNECTION WITH THE SOUTHCROSS – NEW BRAUNFELS TO S. PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$25,555.00), CULEBRA DRAINAGE PROJECT #58F (\$9,620.00), HIGGINS ROAD – NACOGDOCHES TO STAHL ROAD PROJECT (\$500.00), TEZEL – RIDGE PATH TO OLD TEZEL METROPOLITAN PLANNING ORGANIZATION PROJECT (\$300.00) AND THE WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$2,760.00) AND THE

AMOUNT OF \$900.00 TO NOBLE & ASSOCIATES, INC. FOR THE MISSION TRAILS PARKWAY, PACKAGE III METROPOLITAN PLANNING ORGANIZATION PROJECT; FOR A TOTAL SUM OF \$39,635.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 91358

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$1,131,473.00 IN CASH, \$2,392,175.00 OF IN-KIND VACCINE SUPPORT AND \$79,121.00 OF IN-KIND PERSONNEL SUPPORT FROM THE U.S. PUBLIC HEALTH SERVICE (USPHS) TO CONTINUE THE OPERATION OF THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH DECEMBER 31, 2000 AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 91359

ACCEPTING A \$25,867.00 COMMUNITY OUTDOOR OUTREACH PROGRAM (COOP) GRANT FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE STEP OUT PROGRAM IN THE DEPARTMENT OF PARKS AND RECREATION; ESTABLISHING A PROJECT FUND AND BUDGET; AND AUTHORIZING FOUR (4) TEMPORARY EMPLOYEE POSITIONS TO STAFF THE PROJECT.

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AN ORDINANCE 91360

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO PAY THE JUDGMENT IN CAUSE NO. 99-06556, IN THE SUPREME COURT OF TEXAS, COURT OF APPEALS NO. 04-98-00286-CV; TRIAL COURT NO. 92-CI-12962, STYLED CITY OF SAN ANTONIO VS. JEROME DOYLE AND CHERYL DOYLE, IN THE TOTAL AMOUNT OF \$119,440.88.

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AN ORDINANCE 91361

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF EL PASO, DURANGO, BRAZOS, GUADALUPE,

FRIO, COMMERCE, ALAMO AND ALAMO PLAZA IN CONNECTION WITH THE CESAR CHAVEZ MARCH FOR JUSTICE PARADE ON SATURDAY, MARCH 25, 2000, BEGINNING AT 11:00 A.M. UNTIL 1:30 P.M.

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AN ORDINANCE 91362

APPOINTING MARY MEEK (MAYOR) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 2001.

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AN ORDINANCE 91363

APPOINTING YOLANDA N. ARELLANO (DISTRICT 7) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2001.

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AN ORDINANCE 91364

APPOINTING RICK BIERSCHWALE (DISTRICT 4) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23, 2002.

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2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91365

AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,686.68 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE HILIONS DRAINAGE PROJECT #80, PHASES III AND V (\$552.50); HILDEBRAND AVENUE - I.H. 10 TO BREEDEN METROPOLITAN PLANNING ORGANIZATION PROJECT (\$202.50); SOUTH FLORES DRAINAGE PROJECT #70-70A (\$477.75); BLANCO ROAD AT JACKSON-KELLER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$205.08); WESTERN AVENUE DRAINAGE PROJECT #74 (\$285.00); WURZBACH ROAD AT I.H. 10 AND IRONSIDE INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,012.50); UPPER SIX

MILE CREEK DRAINAGE PROJECT (\$675.00); AND THE MILITARY DRIVE WEST CONNECTION TO REED ROAD PROJECT (\$10,276.35); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Carpenter. **ABSTAIN:** Bannwolf. **NAYS:** None. **ABSENT:** Peak.

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2000-09 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZENS COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke in apology for earlier remarks made concerning the appointment of Ms. Yolanda Arellano to the Board of Adjustment, stating that he had her name confused with former City Councilwoman Yolanda Vera. He commented on his concerns that tobacco settlement trust funds are being spent on programs not involving smoking-related diseases, as outlined in Agenda Items 27 and 28.

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2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91367

APPOINTING TWO MEMBERS TO THE BEXAR METRO 911 DISTRICT BOARD OF MANAGERS FOR A TERMS OF OFFICE TO EXPIRE ON FEBRUARY 28, 2002. (NOMINEES: HEBERTO GUTIERREZ, JEFF WEBSTER).

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City Clerk Norma S. Rodriguez spoke to the withdrawal of two of the four candidates nominated for membership on the Board of Managers for the Bexar Metro 9-1-1 District, Mr. James Hassloch and Mr. Frank Stromboe, Jr.

Ms. Guerrero made a motion to approve the appointment of Mr. Heberto Gutierrez and Mr. Jeff Webster to the Board of Managers. Mr. Bannwolf seconded the motion.

Mr. Webster thanked the Council members for their support in appointing him to the board.

Mr. Bannwolf stated his pleasure that Mr. Webster, a former member of City Council, is remaining in public service for the citizens of San Antonio.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter. **NAYS:** None. **ABSENT:** Perez, Peak.

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2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91368

REVISING CHAPTER 13, OF THE CITY CODE TO MAKE NECESSARY CHANGES AND AMENDMENTS; ADOPTING, WITH LOCAL AMENDMENTS, THE U.S. FOOD AND DRUG ADMINISTRATION'S "CURRENT GOOD MANUFACTURING PRACTICE IN MANUFACTURING, PACKING, OR HOLDING HUMAN FOOD," THE TEXAS DEPARTMENT OF HEALTH'S FOOD ESTABLISHMENT RULES, AND SECTION 431.279 OF THE TEXAS HEALTH AND SAFETY CODE; AND DELETING ARTICLES V, VI, XI AND XII.

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Ms. Yolanda Arellano, Executive Director, San Antonio Restaurant Association, noted that 52,000 persons are employed in restaurant service in San Antonio, and spoke to the Industry involvement in the focus groups creating a revised Unified Development Code for the food service industry.

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, narrated a video presentation on the proposed Code revisions involving the food sections, a copy of which presentation is made a part of the papers of this meeting. He addressed specifics of the proposed Food Code revisions affecting some 6,000 food service establishments in San Antonio and Bexar County.

Mr. Perez spoke to his concerns with the possible impact of the new revisions on smaller food service establishments, many of which are located in Council District 1, and the financial ramifications involved.

Dr. Guerra noted that his staff would be meeting with interested food service industry representatives over the next several weeks, and expressed his belief that the changes will not be punitive against the smaller establishments, over and above all others. He also noted that the first inspections of food service establishments, under the proposed new rules, would not count against the establishments, but are meant to be educational as to the changes in food service rules.

Mr. Perez addressed his concerns with the proposed mandatory upgrading in refrigeration equipment in food service establishments.

Dr. Guerra noted that such establishments will have a five-year period to come into full compliance.

(At this point, Mayor Peak arrived at the meeting to preside.)

In response to a question by Mr. Perez, Ms. Arellano spoke to the rationale for the proposed changes, and the steps prepared to make the changes easier and more understandable to all food services establishments.

Mr. Richard Cardenas, Assistant Executive Director, San Antonio Restaurant Association, spoke to a survey taken among food service establishments relative to the proposed changes and their reactions. He noted that the five-year time-frame for compliance is in his opinion sufficient time to bring refrigeration equipment up to the standards of the new Code.

Mr. Prado noted that he also has like concerns to those expressed by Councilman Perez and relative to smaller food service establishments in District 4. He thanked Dr. Guerra for helping to allay those fears in his comments.

In response to a question by Mr. Salas, Dr. Guerra spoke to the presence of isolated cases of food-borne pathogens in San Antonio, and addressed examples.

Mr. Perez 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:** Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Garza.

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2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91369

AUTHORIZING THE ACCEPTANCE OF \$150,000.00 FROM THE UNIVERSITY HEALTH SYSTEM (UHS) TOBACCO SETTLEMENT TRUST FUND FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO DEVELOP AND IMPLEMENT A DIABETES REGISTRY FOR THE PURPOSE OF TRACKING THE PREVALENCE OF THIS DISEASE IN THE LOCAL AREA; AUTHORIZING THE EXECUTION OF AN AGREEMENT; ESTABLISHING A FUND; ADOPTING A BUDGET FOR THE DIABETES REGISTRY 2000; AND APPROVING A PERSONNEL COMPLEMENT.

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

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, narrated a video presentation relative to a series of two Ordinances now before City Council on the use of certain Tobacco Settlement Trust Fund monies for several programs. A copy of his presentation is made a part of the papers of this meeting. He noted that the State of Texas has allocated some \$450 million in a lump-sum trust set aside for counties and health districts. He addressed the use of these funds, and spoke to the establishment of a Diabetes Registry in San Antonio and Bexar County, as part of the first Ordinance in this package.

Mayor Peak spoke to the need to do everything possible to control diabetes.

Ms. Conner thanked the Metro Health District for its proposed programs.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Carpenter, Peak. **NAYS:** None. **ABSENT:** Perez, Bannwolf.

2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91370

AUTHORIZING THE ACCEPTANCE OF \$350,000.00 FROM THE UNIVERSITY HEALTH SYSTEM (UHS) TOBACCO SETTLEMENT TRUST FUND TO SUPPORT THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S (SAMHD) WOMEN'S HEALTH PROGRAM WHICH WILL ASSIST WOMEN BELOW THE AGE OF TWENTY-TWO YEARS WITH THREE OR MORE CHILDREN WITH THE DEVELOPMENT OF GOOD HEALTH AND PARENTING BEHAVIORS; AUTHORIZING THE EXECUTION OF THE AGREEMENT; ESTABLISHING A FUND; ADOPTING A BUDGET FOR THE WOMEN'S HEALTH PROGRAM; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, narrated a video presentation explaining the use of Tobacco Settlement Trust Funds for a Womens' Health Program. A copy of his presentation is made a part of the papers of this meeting.

Mayor Peak stated his belief that this is a response to a significant problem.

In response to a question by Ms. Guerrero, Dr. Guerra spoke to the target group of the program, and noted that this is the first element of its funding. He then addressed existing programs that target prevention of teen pregnancies.

In response to a question by Ms. Guerrero, Dr. Guerra spoke to the timetable for this program, and stated that he will provide a follow-up report to City Council on it.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for the proposed program, and discussed the effects of smoking and smoking-control laws. He spoke in favor of early education against smoking.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero.

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2000-09 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilmen Mario Salas and Ed Garza to travel to Washington, D.C. on Thursday, March 9, 2000 through Tuesday, March 14, 2000 to attend The National League of Cities Congressional City Conference.

Mr. Perez made a motion to approve the proposed Travel Authorization. Mr. Carpenter seconded the motion.

After consideration, the motion, prevailed by the following vote: **AYES:** Perez, Prado, Vásquez, Menéndez, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Guerrero.

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2000-09 The Clerk read the following Ordinance:

AN ORDINANCE 91371

ACCEPTING THE LOW QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. (MBE) IN THE AMOUNT OF \$12,850,317.23 IN CONNECTION WITH THE HI-LIONS DRAINAGE NO. 80 PHASE III AND V PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$626,327.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$177,000.00 FOR ADDITIONAL CITY DESIGN SERVICES; AUTHORIZING \$90,000.00 FOR SAWS DESIGN SERVICES; AUTHORIZING \$61,800.00 FOR MISCELLANEOUS ENGINEERING SERVICES ADDRESSING RIGHT OF WAY NEEDS PAYABLE TO PAPE-DAWSON ENGINEERS, INC.; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$587.26 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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

Mr. Gabriel Perez, Capital Projects Administrator, Department of Public Works, narrated a video presentation on the Hi-Lions Drainage Project, a copy of which presentation is made a part of the papers of this meeting. He explained the recommended bidder, and noted that the low bidder on this project had withdrawn the bid because of an error made in calculations.

Mayor Peak noted that this is a very important project in Council District 3.

Ms. Guerrero spoke to her gratification in seeing this work begin, funded by 1987 capital improvements bonds. She noted that it represents a \$60 million investment in the City's east side. She also noted that Mr. Gabriel Perez will shortly be leaving the City and joining Bexar County in a position there, and wished him well.

Councilmembers Perez, Salas, Garza, Prado, and Bannwolf congratulated Mr. Perez on his selection as Director of Infrastructure Services for Bexar County, and thanked him for his service to the City and its important capital improvements programs.

Mr. Alexander E. Briseño, City Manager, noted that tomorrow is Mr. Perez's final day of employment with the City, and spoke to highlights of his 14 years with the City, in which he made a lasting contribution.

Mayor Peak also wished Mr. Perez well in his new position.

Mr. Perez thanked the Mayor, City Council and City staff for their kind words.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

2000-09 **CITY MANAGER'S REPORT**

COMBATTING TEEN PREGNANCIES

Dr. Jan Rimolino, representing the San Antonio Metropolitan Health District, narrated a video presentation on the topic, a copy of which presentation is made a part of the papers of this meeting. She noted that San Antonio's rate of teen pregnancies is almost double that of the United States average, and addressed certain program components being undertaken to help prevent this. She spoke to an emphasis on abstinence, and explained the informational campaign being undertaken by MHD. She then presented a Public

Service TV Announcement and posters in support of the campaign, and addressed the district's preventive health services.

Mayor Peak lauded the collaborative efforts with other agencies in fostering this campaign for San Antonio.

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2000-09 Agenda Item 3A, being a proposed ordinance closing, vacating and abandoning an unimproved portion of a 16.6-foot-wide alley located between Indiana and Delaware Streets adjacent to Lots 609 and Lot 21, Block 13, New City Block 658, for a consideration of \$3,152.00; as requested by Archbishop Patrick F. Flores for the Catholic Archdiocese of San Antonio, through St. Michael's Catholic Church, c/o Rev. Jesus Murugarren and by Julie C. Angulo, as abutting property owners, was earlier removed from consideration by the City Manager.

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2000-09 **PUBLIC HEARING AND ORDINANCE: CLOSING UNIMPROVED ALLEY BETWEEN DILWORTH AVENUE AND VIRGINIA BOULEVARD.**

Mayor Peak declared the Public Hearing to be open.

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Mr. Oscar Serrano, Asset Management Department, narrated a video presentation explaining the proposed alley closing.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for the proposed closure so that the school can construct a gymnasium and playground.

Jack M. Finger, P.O. Box 12048, spoke to his concern with the proposed alley closure and the possible need to reroute certain utilities to make way for the school building. He questioned who would pay for this utility work.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 91372

CLOSING, VACATING AND ABANDONING A 17.3-FOOT WIDE UNIMPROVED ALLEY BETWEEN DILWORTH AVENUE AND VIRGINIA BOULEVARD, BETWEEN LOTS 6 AND 12, BLOCK 9, NEW CITY BLOCK 3790 AND LOT 1, BLOCK 21, AND LOT 8, BLOCK 10, BOTH IN NEW CITY BLOCK 3791, FOR A CONSIDERATION OF \$3,113.00, AS REQUESTED BY THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT, C/O JOHN B. MCLAUGHLIN, JR., ARCHBISHOP PATRICK F. FLORES FOR THE CATHOLIC DIOCESE OF SAN ANTONIO, AND JOSEPH J. AND MARY PEDRAZA, THE ABUTTING PROPERTY OWNERS.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero, Prado, Vásquez, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** None.

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2000-09 City Council recessed its regular session at 3:20 P.M. in order to convene in Executive Session for the purpose of Attorney/Client consultation regarding the lawsuit Fred A.L. Domingues vs. City of San Antonio; in the Supreme Court of Texas, Case No. 99-0172; Court of Appeals Case No. 94-97-00236-CV; Trail Court Case No. 90-CI-10913.

City Council adjourned the Executive Session and reconvened in regular session at 3:35 P.M., at which time Mayor Peak stated that City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

The City Council meeting then was recessed at 3:36 P.M., reconvening at 5:00 P.M. for Citizens to be Heard, with Mr. Carpenter presiding in the absence of the Mayor and Mayor Pro Tem.

2000-09

CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to numerous matters, including graffiti; light rail service; the tree ordinance; bus benches; bus fares; and the park curfew.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the matter of resurrection after death; prophecies; and the matter of government as addressed in the Book of Revelations.

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MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, read a letter addressed to the Mayor and City Council concerning an 80-year-old man who was made homeless by Code Compliance regulations, and spoke to the need for some sort of 'safety net' for individuals in hardship cases such as this.

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MS. JULIE IRIS OLDHAM

Julie Iris Oldham, P.O. Box 40263, read a poem about directing and guiding a child, and also spoke in complaint about certain Code Compliance officers.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, representing LULAC #4383, noted that pit bulldogs are dangerous animals, and he spoke to recent attacks on humans in San Antonio. He spoke to the need to perhaps looking at new laws to regulate the breed.

2000-09 There being no further business to come before the City Council, the meeting was adjourned at 5:18 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk