

CEREMONIAL ITEMS

MEN'S SENIOR BASEBALL LEAGUE

Mayor Peak noted that the Men's Senior Baseball League, founded in 1988, currently is in more than 400 cities around the nation, and the local league, which began in 1990, now has 28 teams in various age categories. He stated that the 50+ team recently won the state championship, and he introduced former Mayor Nelson Wolff, a member of that team.

Mayor Wolff then introduced Mr. Skip Bradley, League President, Mr. Jack Lee, coach of the Blacksox team, and other members present in the audience. He spoke briefly to details of the state championship.

Mr. Bradley provided a brief history of the league and San Antonio's state tournament championship team.

Mr. Jack Lee then presented the state championship trophy to the City.

Mr. Pete Vega, City employee and a league player, described the league and spoke to its advantages.

Mr. George Squires addressed the different age-groups in the league.

The Mayor and other City Council members congratulated the team and the league.

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98-30 City Council recessed its regular session at 1:25 P.M. in order to convene in Executive Session for consultation on attorney-client matters, regarding the status of Police and Fire Collective Bargaining Negotiations, reconvening in regular session at 1:50 P.M., at which time Mayor Peak stated that City Council had been briefed during Executive Session on an attorney-client matter and had given City staff direction, but had taken no official action.
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98-30 **CONSENT AGENDA- CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to several Consent Agenda items including item no. 27 concerning a settlement of a lawsuit for an automobile accident involving a police officer.

Mr. Jack Finger, P.O. Box 12048, addressed his concern with item no. 23, a grant from the Texas Department of Health which involves birth control devices, and expressed his concern that anyone can obtain such a device from the Metropolitan Health District, including minors. He asked that the item be either pulled or denied by Council. He also addressed the matter of political contributions from a person involved in agenda item no. 20, and asked Council members receiving political contributions from that individual abstain from the vote on that item.

Mr. Michael Idrogo, 317 Rosewood, objected to paying additional funds to contractors on City projects, and stated that he would be initiating a federal lawsuit for not being allowed to speak before City Council.

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98-30 CONSENT AGENDA

Ms. Guerrero made a motion to approve Agenda Items 8 through 28b, constituting the Consent Agenda, with item 18 having been previously removed from consideration by the City Manager, and item 19 having been pulled for individual consideration. Mr. Flores seconded the motion.

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

AN ORDINANCE 88296

ACCEPTING THE LOW BID OF ATS DESIGN & CONSTRUCTION, TO PROVIDE THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH LABOR, MATERIAL AND EQUIPMENT TO APPLY CORROSION RESISTANT COATING TO THE RAIL SUPPORTS ON THE TERMINAL I ENPLANING RAMP AT THE SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TOTAL OF \$22,000.00. (MBE)

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AN ORDINANCE 88297

ACCEPTING THE LOW BID OF KAPSKO CONSTRUCTION COMPANY, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH LABOR, MATERIALS AND EQUIPMENT TO RESURFACE APPARATUS ROOM FLOORING WITH SLIP RESISTANT SURFACE COATING AT FOURTEEN FIRE

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STATION FACILITIES LOCATED THROUGHOUT THE CITY, FOR A TOTAL OF \$74,500.00.

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AN ORDINANCE 88298

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1998-99 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$568,700.00. (MBE/WBE) (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE)

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AN ORDINANCE 88299

RATIFYING FIELD ALTERATION NO. 7 IN THE AMOUNT OF \$56,915.37 PAYABLE TO R. L. JONES CO., INC. IN CONNECTION WITH CULEBRA AREA STREETS PHASE I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; AMENDING THE CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$56,915.37; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88300

AUTHORIZING PAYMENT OF \$210,581.16 FROM METROPOLITAN PLANNING ORGANIZATION MATCHING FUNDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT); AUTHORIZING \$73,703.41 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES FOR METROPOLITAN PLANNING ORGANIZATION (MPO) STP-MM PROJECT: TEZEL ROAD AT TIMBER PATH INTERSECTION IMPROVEMENT, LOCATED IN COUNCIL DISTRICT 6.

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AN ORDINANCE 88301

ACCEPTING THE LOW BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$526,215.85 IN CONNECTION WITH THE LEAL-COLORADO TO MARTINEZ CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$29,718.01 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (MBE)

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AN ORDINANCE 88302

AUTHORIZING THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE FURNISHING AND INSTALLING OF TRAFFIC SIGNAL EQUIPMENT BY A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$16,714.00 FOR UPGRADING OF TRAFFIC SIGNAL EQUIPMENT, RENTAL, AND LABOR ON WURZBACH PARKWAY FROM LOCKHILL-SELMA ROAD TO FM 1535 (NW MILITARY DRIVE), LOCATED IN COUNCIL DISTRICT 8.

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AN ORDINANCE 88303

SELECTING M.W. CUDE ENGINEERS, L.L.C. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE MPO FUNDED FY 1999, 2000, AND 2001 BICYCLE TRAILS PROJECTS; AUTHORIZING THE NEGOTIATION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$18,750.00; AUTHORIZING \$1,875.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88304

ACCEPTING THE LOW, QUALIFIED BASE BID OF GRECO CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$253,000.00 IN CONNECTION WITH IMPROVEMENTS TO WALKER RANCH PARK; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECTS BUDGET AND

AUTHORIZING THE TRANSFER OF 1994 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO THIS PROJECTS BUDGET; AUTHORIZING \$63,250.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$4,000.00 FOR PROJECT RELATED UTILITY FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88305

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATE ONE OF BARON-LONG CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$231,300.00 FOR RESTORATION AND IMPROVEMENTS TO PIONEER HALL IN BRACKENRIDGE PARK, LOCATED IN CITY COUNCIL DISTRICT 9; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET AND AUTHORIZING THE TRANSFER OF 1994 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO THIS PROJECT'S BUDGET; AUTHORIZING \$23,100.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$3,000.00 FOR PROJECT RELATED UTILITY FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88306

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,933.51 TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES IN CONNECTION WITH THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE TO U.S. 90 WEST (\$196.20); THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA TO W. COMMERCE (\$199.00); THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J (\$742.14); THE BABCOCK ROAD AT HILLCREST PROJECT (\$2,010.55); THE BLANCO ROAD AT JACKSON-KELLER PROJECT (\$133.00); THE BASSE ROAD AT SAN PEDRO INTERSECTION PROJECT (\$92.20); THE WEST AVENUE INTERSECTIONS PROJECT (\$93.60); THE BABCOCK ROAD INTERSECTIONS PROJECT (\$560.00); AND THE NACOGDOCHES ROAD - BROADWAY TO N. NEW BRAUNFELS PROJECT (\$1,906.82); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88307

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$6,250.00 PAYABLE TO TICOR TITLE AGENCY OF SAN ANTONIO, AS ESCROW AGENT FOR JAMES RIOS FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE HILIONS DRAINAGE PROJECT #80, PHASES III & V AND THE AMOUNT OF \$15,834.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO, AS ESCROW AGENT FOR DEBRA ANDREWS CROW A/K/A DEBBIE RANELL CROW (\$3,850.00) AND ADOLPH JOHN SPECIA AND WIFE, AGNES CONSTANTINE SPECIA; BEN SPECIA, JR.; RICHARD ADOLPH SPECIA; DAVID ROBERT SPECIA; CYNTHIA SPECIA SHADE; ADOLPH JOHN SPECIA, JR.; MARY LUCILLE SPECIA RUFFO; ANTHONY E. SPECIA; JOHN JOSEPH SPECIA, JR.; RUDOLPH ANTHONY SPECIA; MARY ANN SPECIA LANSFORD; DANIEL PATRICK SPECIA; AND MICHAEL GERARD SPECIA (\$11,984.00); FOR FEE SIMPLE TITLE TO TWO PARCELS IN CONNECTION WITH THE BABCOCK ROAD - DEZAVALA TO HAUSMAN PROJECT; FOR A TOTAL OF \$22,084.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 88308

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF AN AMENDMENT TO A SUBCONTRACT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON THAT WILL PROVIDE \$20,000.00 TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO FUND THE ONGOING HIV EDUCATION PROJECT FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 1999; ESTABLISHING A FUND; ADOPTING A BUDGET AND AUTHORIZING CONTRACTUAL SERVICES. (AMENDS ORD. NO. 86984, DATED SEPTEMBER 20, 1997.)

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AN ORDINANCE 88309

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR A GRANT IN THE AMOUNT NOT TO EXCEED \$160,619.00 FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGUMENT FUNDING AND TO CONTINUE THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FAMILY PLANNING PROJECT FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH AUGUST 31, 1999; ESTABLISHING A

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FUND; ADOPTING A BUDGET; AUTHORIZING CONTRACTUAL SERVICES; AUTHORIZING THE PURCHASE OF CONTRACEPTIVE MEDICATIONS AND SUPPLIES; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 88310

RENAMING GAMMA ROAD TO HARDY OAK AS REQUESTED BY MR. WILLIAM T. ELLIS, SR. VICE PRESIDENT OF CONCORD CORPORATION.

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AN ORDINANCE 88311

AUTHORIZING THE ACCEPTANCE OF A TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) GRANT IN THE AMOUNT OF \$931,000.00, WITH A MATCHING CONTRIBUTION FROM THE CITY OF \$318,842.00 AND IN-KIND CONTRIBUTIONS OF \$1,566,265.00 FOR A TOTAL AMOUNT OF \$2,816,107.00 TO THE SAN ANTONIO POLICE DEPARTMENT TO ASSIST IN THEIR EFFORTS OF REDUCING AUTO THEFT; AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE FOR AN AMOUNT NOT TO EXCEED \$70,324.00 TO PROVIDE A BEXAR COUNTY PROSECUTOR.

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AN ORDINANCE 88312

APPROVING AN AMENDMENT TO THE TAX PHASE-IN AGREEMENT WITH SILVER RIO LIMITED PARTNERSHIP, WHICH IS CONSTRUCTING THE WESTIN RIVERWALK HOTEL LOCATED AT 400 MARKET STREET, BY PERMITTING THE ASSIGNMENT OF THE AGREEMENT TO THE LENDER, PRUDENTIAL INSURANCE OF AMERICA, IN THE EVENT OF LOAN DEFAULT. (AMENDS ORD. NO. 83780, DATED MARCH 14, 1996.)

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

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00-00 **APPEAL OF MR. ANDREW M. PARKER**

Ms. Ann McGlone, Historic Preservation Officer, narrated a video presentation concerning an appeal from Mr. Andrew M. Parker regarding denial from the Director of Planning on recommendation of the Historic and Design Review Commission to move his house located at 238 W. Craig Place out of the Monte Vista Historic District. A copy of her presentation is made a part of the papers of this meeting. She explained the case and the City's objection to removal of the home from the District, stating the City's contention that cutting up the building for the move would ruin its historicity.

The following persons appeared to speak:

Ms. Jill Talbott, President, Monte Vista Historical Association, asked the Council to uphold the recommendation of the Historic and Design Review Commission, and addressed the reasons for the association's opposition to the home's move.

Ms. Abigail Kinnison, 410 W. French Place, spoke in opposition to the plan to remove the home, stating her belief that it will deteriorate the historic character of Monte Vista.

Mr. Andrew Parker, 238 W. Craig Place, asked for a continuance of the case for further investigation of the issues. He noted that he was planning to donate the vacant land to the City, and had no plans to construct a parking lot on the property.

Discussion then took place concerning whether to continue the case or act on the matter today.

Ms. Veronica Zertuche and Mr. Habib Erkan, Assistant City Attorneys, noted that Mr. Parker has 30 days from the date of action by the Historic and Design Review Commission to appeal the recommendation of the Commission.

Mr. Erkan further noted that if the case is withdrawn today, it could be sent back through the process to the Historic and Design Review Commission.

Mr. Flores noted that he had spoken with Mr. Parker and told him to be ready to make his presentation today.

After consideration, Mr. Parker formally withdrew the matter from Council consideration today.

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98-30 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to his objections as to how the City Council meeting was conducted last week, following the departure of the Mayor, stating his belief that the Council fails to respect the citizens and City staff, in his opinion. He also spoke in support for the proposed name-change on the Martin Luther King, Jr., Freedom Bridge.

Mr. Ray Hamilton, Crime Prevention Commission, spoke to the proposed ordinance prohibiting loitering for the purposes of prostitution, noting that other cities have enacted similar laws. He also spoke in support for the naming of a pond in the Leon Creek/Oxbow area for the late Earl K. Scott.

Mr. Jack Finger, P.O. Box 12048, spoke in opposition to the proposed appointment of Ms. Mary Kelly to the San Antonio Water System Board of Trustees, citing her employment at Kelly Air Force Base. He spoke to his concern for a possible conflict of interest, given the current investigations into water pollution in areas near the base. He also expressed his belief that the proposed ordinance relating to loitering for purposes of prostitution is too broad and possibly infringes upon constitutional rights. He also spoke to his concern for the recent transfer of some \$8,000 in the Mayor's Contingency funds to District 3.

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

Mr. John German, Director of Public Works, narrated a video presentation of the project, a copy of which is made a part of the papers of this meeting.

Mr. Garza addressed the need for drainage improvements in this area, and noted that street improvements will come later.

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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98-30 The Clerk read the following Ordinance:

AN ORDINANCE 88319

APPOINTING MARY KELLY TO THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2002.

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

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

Mayor Peak welcomed Ms. Mary Kelly to San Antonio Water System's Board of Trustees and spoke to her numerous community involvements, including the matter of water pollution investigations near Kelly Air Force Base.

Other members of City Council welcomed her and spoke to her qualifications.

Ms. Kelly thanked the City Council for its support.

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The Clerk read the following Ordinance:

AN ORDINANCE 88320

DESIGNATING UNISON CONSULTING GROUP, INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES AND TO ASSIST WITH THE PREPARATION OF THE SAN ANTONIO INTERNATIONAL AIRPORT RETAIL/CONCESSION ELEMENT OF A MANAGED COMPETITION REQUEST FOR PROPOSAL FOR MANAGEMENT OF THE SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT NOT TO EXCEED \$165,000.00 AND PROVIDING FOR PAYMENT.

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

Ms. Terry Brechtel, Director of Budget & Management Services, narrated a video presentation, outlining City Council direction given last week and speaking to the time-line for the managed-competition request for proposal for International Airport. A copy of her presentation is made a part of the papers of this meeting. She spoke to the July 2, 1998 "B" Session of City Council relative to Council direction in this matter, and noted that it has been followed. She then spoke to the time-lines of all International Airport projects, including the managed-competition RFP.

Mr. Efren Gonzalez, Acting Director of Aviation, spoke to the proposed professional services contract for development of the airport concessions portion of the managed-competition RFP, and addressed what UNISON will do as part of that process, addressing staff recommendations.

Discussion then took place concerning benchmarking.

The following citizen(s) appeared to speak:

Mr. Mike Manupelli, representing the Greater San Antonio Chamber of Commerce, spoke to details of the chamber-sponsored trip to Indianapolis for a look at its outsourcing of certain services, including airport operations, and spoke in support for the hiring of a consultant for this RFP process.

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In response to a question by Mr. Salas, Mr. Gonzalez addressed alterations make in UNISON's contract following last week's discussions and Council direction, including doing away with the small, minority and women-owned business enterprise portion of the contract, noting that the eventual bidders on the RFP will include this matter in their responses.

Mr. Salas then offered an amendment to restore the small, minority and woman-owned business enterprise segment to the contract. Ms. Guerrero seconded the motion.

Mr. Marbut noted that this action is long overdue, and spoke to his concern with taking too much time.

Mr. Bannwolf stated that he is in agreement with changes to the time-line, if necessary, and spoke in support of the amendment.

Mr. Webster stated that this ordinance reflects Council's directions of last week.

Discussion then took place concerning the UNISON scaled-back contract.

In response to a question by Ms. Guerrero, Ms. Brechtel spoke to how the contract will aid the managed-competition process.

In response to a question by Mr. Garza, Mr. Gonzalez noted that there has been about a 30 per cent scale-back in services by UNISON.

Mr. Menéndez spoke to the need to look at how well we are doing, and what we can do better, discussing benchmarking.

Mr. Alexander E. Briseño, City Manager, spoke to how well the City's Aviation department already is being run and managed, noting especially how well the City is doing in matters of fiscal responsibility, and pledged that this will continue.

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

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

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98-30 **NONCONFORMING RIGHTS APPEAL - PALACE MEN'S CLUB**

Mr. Gene Camargo, Director of Building Inspections, spoke to the status of the appeal of Mr. Charles Von Schmidt of the denial by the Nonconforming Use Determination Board of his request for Type "A" Nonconforming Use Rights for The Palace Men's Club at 2482 N.E. Loop 410, a sexually oriented business. He described the area involved, including the proximity of the club to nearby apartments.

Mr. Von Schmidt asked for a continuance in order to develop new evidence, or refer the matter back to the Nonconforming Use Determination Board.

After discussion, Mr. Webster made a motion to continue this matter for two weeks, noting that the proponent recently has retained legal counsel and needs time to develop his case. Mr. Bannwolf seconded the motion.

Mr. Carrol G. Chittenden, President, Village North Neighborhood Association, noted that the community objects to the delay in this case.

After consideration, the motion to continue this case for two weeks prevailed by the following vote: **AYES:** Guerrero, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Salas, Prado.

The appeal was continued for a period of two weeks.

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98-30

The Clerk read the following Ordinance:

AN ORDINANCE 88321

AN ORDINANCE PROHIBITING PROSTITUTION; DEFINING BOTH "KNOWN PROSTITUTE OR PANDERER" AND "LOITER"; PROHIBITING PROSTITUTION AND CITING CERTAIN ACTS OF PROSTITUTION SCHEMES; PROHIBITING LOITERING FOR PROSTITUTION INCLUDING SOLICITATION; AND PROVIDING FOR A PENALTY.

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

Deputy Police Chief Albert Ortiz narrated a video presentation of the proposed Ordinance, a copy of which is made a part of the papers of this meeting. He noted that it would provide police with an additional tool to combat prostitution, which impact neighborhoods and is often linked to other crimes. He spoke to the need for the Ordinance, to supplement state laws on the matter, and detailed the Ordinance provisions. He then spoke to examples of acts of prostitution to be suppressed, and noted that arrests under this proposed new Ordinance would be at the discretion of the police officer involved.

Mr. Frank Garza, City Attorney, noted that this type of Ordinance has been in force in Dallas for more than 20 years, and spoke to the safeguards built into the Ordinance, expressing his belief that it is constitutional.

In response to a question by Mayor Peak, Deputy Chief Ortiz spoke to how the consumers of prostitution, the customers, can be punished, and noted that, at the very least, prostitution is a traffic problem in some areas.

Mr. Marbut thanked Ms. Guerrero for bringing this before the Crime Prevention Commission.

Deputy Chief Ortiz explained how the process would work, including the police response.

Ms. Guerrero spoke to her reasons for supporting the proposed Ordinance.

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Mr. Menéndez spoke in its support.

Mr. Webster also spoke in support, and also asked the Crime Prevention Commission to look into the matter of parking in handicapped-reserved spaces.

Mr. Salas also spoke in support.

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

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98-30 Agenda Item 34, being a proposed ordinance approving the waiver of the sidewalk and street closure fees in the total amount of \$2,013.40 for the temporary closure of Houston Street from Laredo Street to Camaron in connection with the renovation of the Alameda Building, located in District 1; and authorizing the reimbursement of \$2,013.40 to Centro Alameda, a non-profit organization which is raising funds for said renovation; as requested by Councilman Roger Flores II; was earlier removed from consideration by the City Manager.

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98-30 At this point, Agenda Item 35, an ordinance authorizing the expenditure of \$100.00 from the District 1 Contingency Account Fund to The Door in the Wall, Inc. to help defray the costs of providing round-trip transportation for the disabled to attend the "End of Summer Dance" scheduled for September 25, 1998; as requested by Councilman Roger Flores II was brought up for consideration and enacted by vote of City Council. The ordinance was brought up for reconsideration later in this meeting and re-enacted with changes to reflect the addition of other funds from additional City Council Contingency Account Funds for the stated purpose. (See page 19.)

98-30

The Clerk read the following Ordinance:

AN ORDINANCE 88322

AMENDING ORDINANCE NO. 87432, PASSED ON FEBRUARY 26, 1998, TO OFFICIALLY NAME THE BRIDGE OVER SALADO CREEK IN HONOR OF DR. MARTIN LUTHER KING, JR., THE DR. MARTIN LUTHER KING, JR. FREEDOM BRIDGE; AS REQUESTED BY COUNCILMAN MARIO SALAS OF DISTRICT 2.

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

Mr. Salas spoke to the need to develop procedures for the naming of such things as streets and bridges in the city of San Antonio, a procedure now being worked on by the City Attorney's office. He addressed the several requests made to honor the late Dr. Martin Luther King, Jr., including the renaming of two bridges. He then spoke in support for the proposed Ordinance renaming the Freedom Bridge to The Dr. Martin Luther King, Jr. Freedom Bridge.

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.

98-30 At this point, Mr. Flores offered a motion to reconsider Agenda Item 35, previously enacted, in order that other City Council members also might contribute funds to this purpose from their individual Contingency Account funds. Mr. Bannwolf seconded the motion, which prevailed by the following vote: **AYES:** Flores, Salas, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak. **NAYS:** None. **ABSENT:** Guerrero.

The following Contingency Account Funds were contributed by individual City Council members: District 1 - \$100; District 9 - \$100; District 10-\$100; Mayor-\$100, for a total of \$400.00.

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

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

AN ORDINANCE 88323

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM VARIOUS CONTINGENCY ACCOUNT FUNDS TO HELP DEFRAY THE COSTS OF PROVIDING ROUND TRIP TRANSPORTATION FOR THE DISABLED TO ATTEND THE "END OF SUMMER DANCE" GIVEN BY THE DOOR IN THE WALL INC. ON SEPTEMBER 25, 1998; AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

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98-30 PRESENTATIONS BY RENT-TEL AND USTELCOM REGARDING TELECOMMUNICATIONS SERVICES FOR THE HENRY B. GONZALEZ CONVENTION CENTER.

The City Clerk read a proposed ordinance selecting a firm to provide telecommunications services for the Henry B. Gonzalez Convention Center and directing staff to begin negotiations with the selected telecommunications provider based upon business and contractual parameters set by City Council.

Mr. Joe Aceves, Special Projects Consultant, provided an update on City staff's previous "B" Session presentation on this matter, and noted that the two firms have agreed that RentTel will make the first presentation, and USTelcom will present second.

The following citizen(s) appeared to speak:

Mr. Narciso Cano, President, RentTel, introduced his firm's presentation and identified those who will speak on his firm's behalf.

Mr. Carlos Resendez, General Counsel for RentTel, narrated a video presentation, a copy of which is made a part of the papers of this meeting. He spoke to the firm's history in San Antonio and its proposal for telecommunications services to the Convention Center, and made a comparison of its proposal to that of USTelcom. He spoke to the enhancements that could provide more services to the facility, and addressed the financial package comparisons and innovation of the "smart city" configuration of telecommunications services.

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Mr. Louis Terrazas, representing the joint venture of Terra Summa Communications and USTelcom, then spoke to details of the joint venture of the two firms on this project.

Mr. Marty Rubin, President, USTelcom, narrated a video presentation which spoke to his firm's expertise and experience in the telecommunications business and addressed examples. He briefly explained the Request For Proposal for this particular project and addressed details of his company staff and its benefits package.

Mr. Scott Frost, Vice President/Sales & Marketing, USTelcom, also narrated a video presentation which addressed the technological aspects of his firm, including several innovations such as wireless computers and a kiosk for use on a trade show floor.

Mr. Rubin summarized the firm's presentation and spoke to a comparison of revenues projected from this project.

Mr. Frank Burney, attorney representing USTelcom, spoke to the objectives required by the City, and spoke to City staff recommendations of USTelcom, providing a handout of materials to Council members.

Ms. Cynthia Valliant, representing the consulting firm of OTM Engineering, addressed comparisons of the two firms responding to the RFP, and spoke in recommendation of the USTelcom proposal.

Ms. Rita Elizondo, representing the Hispanic Chamber of Commerce, spoke in support of Rent-Tel, a local firm, and spoke to the need for the Council to consider small, minority and women-owned business enterprises as prime contractors in this project.

Mr. Mike Manupelli, representing the Greater San Antonio Chamber of Commerce, addressed the project's impact upon small business, noting that the Council must make the final decision.

Mr. Faris Hodge, Jr., 140 Dora, spoke in support for the USTelcom proposal as the most qualified and that the final decision should be based on qualifications, not race.

Mr. C. Ross Conner, 621 Chestnut, a small business owner, spoke in support of the Rent-Tel proposal.

Mr. Esteban Sosa, 1243 West Gerald Avenue, spoke in support of Rent-Tel because it is a local firm and, in his opinion, the most qualified.

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Mr. Alvaro Rodriguez, representing A Marketing & Service Company, spoke in support of Rent-Tel, and expressed his opinion that the firm is capable of fulfilling the contract. He stated his belief that the San Antonio business community supports Rent-Tel, as well.

Mr. Andy Casillas, 732 Freeman, former Bexar County commissioner, noted that both firms are qualified and capable of doing the job, but he supports the local contractor, Rent-Tel.

Mr. Richard E. Lane, Chief Executive Officer, Plaza Bank, addressed the good financial standing of Rent-Tel.

Mr. Jack M. Finger, P.O. Box 12048, noted that qualifications are as important as revenues. He asked that those Council members receiving more than \$100 in political contributions from any of the principals involved to abstain from this vote.

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Mr. Menéndez spoke to his disappointment that the matter of race has been brought up in these discussions.

Responding to a question by Mr. Menéndez, Mr. Edward C. Garcia, Director of the Convention Center Facilities, noted that Rent-Tel has serviced more than 2,000 conventions in the past 15 years, with about a one to two per cent complaint ratio.

In response to another question by Mr. Menéndez, Ms. Valliant and Mr. David Griffin, Acting Director of Internal Review, compared the costs of several services by both firms.

Responding to a question by Mr. Menéndez, Mr. Cano spoke to a cost comparison for the various services to be provided.

A discussion then took place concerning comparative costs of a major on-site PBX "switch" and equipment capabilities.

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

Mr. Menéndez addressed the strong points of the Rent-Tel presentation, expressing his belief that the issue is consideration for growing local businesses.

Mr. Menéndez then made a motion to award the contract to Rent-Tel, and directing City staff to closely monitor the contract for a period of five years and, if Rent-Tel fails to perform in a satisfactory manner, put out another Request For Proposal for telecommunications services at the Convention Center. Mr. Garza seconded the motion.

In response to a question by Mr. Bannwolf, Mr. Aceves stated that the RFP called for an on-site PBX "switch".

Ms. Valliant described the technical specifications of the on-site "switch", its need, and why it is included in the RFP. She spoke to the advantages of having the "switch" and spoke to examples of how it is used. She also spoke to who included it in their proposals and who didn't.

In response to a question by Mr. Bannwolf, Mr. Garcia spoke to certain problems cited by trade shows with the services provided by Rent-Tel, noting that such problems are not always the firm's fault.

Mr. Bannwolf spoke in support for the proposal of USTelcom as being the best.

Mr. Bannwolf made a substitute motion to approve the proposal of USTelcom, as recommended by City staff. Mr. Webster seconded the motion.

In response to a question by Mr. Garza, Mr. Aceves stated that both responses to the Request For Proposal were looked at, in total, then recommendations were made.

In response to a question by Mr. Garza, Mr. Resendez and Mr. Cano addressed the RFP requirements and compliance with certain ethics requirements.

Mr. Garza spoke in support for the Rent-Tel proposal, stating his opinion that the firm is capable of providing the necessary services.

The substitute motion then failed to carry by the following vote: **AYES:** Marbut, Bannwolf, Webster, Peak. **NAYS:** Flores, Salas, Guerrero, Menéndez, Garza. **ABSTAIN:** Prado, Vásquez. **ABSENT:** None.

The main motion then failed to carry by the following vote: **AYES:** Flores, Salas, Guerrero, Menéndez, Garza. **NAYS:** Marbut, Bannwolf, Webster, Peak. **ABSTAIN:** Prado, Vásquez. **ABSENT:** None.

Mr. Marbut then offered a motion to place this matter out for bid. Mr. Bannwolf seconded the motion.

After discussion, Mr. Vásquez offered a substitute motion to postpone consideration of this matter for a period of three weeks. Mr. Prado seconded the motion.

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

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

Mr. Menéndez then offered a new motion to direct staff to bring this matter back to City Council in two weeks with a dual award of the contract, being 51 per cent for Rent-Tel and 49 per cent for USTelcom. The motion died for lack of a second.

In response to a councilmember's question, Mr. Terrazas stated that his group would need time to discuss a joint award configuration.

Mr. Marbut then made a motion to postpone consideration of this agenda item for a period of three weeks. Mr. Vásquez seconded the motion.

Mr. Salas spoke to the need for both entities in this matter to have an equal partnership.

After consideration, the motion to postpone consideration for a period of three weeks prevailed by the following vote: **AYES:** Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Peak. **NAYS:** Flores, Webster. **ABSENT:** None.

The matter was postponed for three weeks.

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98-30 The Clerk read the following Ordinance:

AN ORDINANCE 88327

AUTHORIZING THE EXPENDITURE OF \$110.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO ASSIST THE CULEBRA PARK NEIGHBORHOOD ASSOCIATION WITH THE PURCHASE OF TWO (2) CELLULAR ON PATROL SIGNS TO BE PLACED IN THEIR NEIGHBORHOOD; AS REQUESTED BY COUNCILMAN JOSE MENÉNDEZ.

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

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

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98-30 The Clerk read the following Ordinance:

AN ORDINANCE 88328

AUTHORIZING THE WAIVING OF PLAT PROCESSING FEES IN THE AMOUNT OF \$5,436.70 FOR THE VILLAS DE SAN ANTONIO HOUSING PROJECT, AS REQUESTED BY COUNCILMAN ED GARZA, DISTRICT 7.

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

In response to a question by Mayor Peak, Mr. Frank Garza, City Attorney, explained that only the City Council has the authority to waive platting fees.

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

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QUALIFYING FOR SELF-ARRANGED CARE UNDER TWC GUIDELINES FOR CHILD CARE ARRANGEMENTS; AND AUTHORIZING THE APPROVAL OF A CCMS BUDGET AND PERSONNEL COMPLEMENT FOR FISCAL YEAR 1999.

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

Ms. Cindy Schoemaker, Department of Community Initiatives, briefly explained the proposal, narrating a video presentation, a copy of which is made a part of the papers of this meeting.

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

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CITIZENS TO BE HEARD

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke on several issues including his concern with the race issue being considered with reference to the Agenda item dealing with Telecommunications System for the new Convention Center Expansion. He stated that only criteria should be qualifications. He also stated that he is in favor of building or expanding the SAMMS Shelter in areas other than downtown. He spoke in favor of opening more streets to Fiesta and that the carnival should be moved away from its present location. He expressed concern over the many topless bars opening especially around the area of San Antonio College. He also spoke in favor of approving more EMS ambulances as well as more police officers. He wants the Committee overseeing the Tree Ordinance to resign since they have had only one meeting this year. He also spoke in favor of the consolidation of the City of San Antonio Police Department and the Bexar County Sheriff's Department. Mr. Hodge then expressed concern over the increase in bats in the downtown area; wants the City Council to pass a Resolution in support of pay increases for the deputy sheriffs. He also stated that while he is favor of a professional football team, he is more in favor of getting the streets fixed.

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MR. RICHARD E. GARCIA

Mr. Richard E. Garcia, PTA President for S.J. Davis Middle School, read a prepared statement to the City Council regarding some school traffic issues around the S.J. Davis Middle School, a copy of his statement detailing these issues, is on file with the papers of this meeting.

Councilman Salas asked Mr. Garcia to meet with him and his assistant on these matters and stated that he is cognizant that the recent school bond election will provide sidewalks around many of the schools in his District.

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MR. RENE NEIRA

Mr. Neira, President of the South side Alliance for Economic Development, spoke to the City Council regarding the plans he has been discussing with Larry K. Travis, architect, regarding the future location of the new proposed Spurs arena in the southern part of the City, especially an identified area within the Harlandale School District. Mr. Neira then presented the Council with a Building Committee Meeting Agenda for the Harlandale School District, dated August 5, 1998, a copy of which is on file with the papers of this meeting.

Councilman Vásquez advised Mr. Neira to also mail his proposal to the San Antonio Spurs directly.

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NAZIRITE RUBEN FLORES PEREZ

Mr. Nazirite R.F. Perez, 627 Hearne Avenue, spoke to the minutes being approved at today's meeting which mentioned his appearance before the City Council during the Citizens to be Heard segment. He stated that the minutes reflected his support of a pay raise for city police officers as well as his support of a cost of living increase for all City employees and not merit raises.

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98-30 There being no further official business to conduct in formal "A" Session, that portion of the meeting was adjourned at 6:50 P.M.

A P P R O V E D



HOWARD W. PEAK
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

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98-30 The City Council convened in an informal "B" Session at 7:00 p.m., Municipal Plaza Building, "B" Room, to consider the following items(s):

Presentation - Budget Work Session (Public Works, Economic Development, and Building Inspections Departments)

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

The 7:00 P.M. "B" Session adjourned at 8:30 P.M.