



The Mayor and members of the City Council thanked the Anglers Club for bringing this event to San Antonio.

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2000-20      MARTIN LUTHER KING, JR. SCHOLARS

Mayor Peak introduced Ms. Nancy Bohman, Chair of the Martin Luther King, Jr. Scholarship Committee. She thanked the Mayor and members of the City Council for their support and explained that there were eighteen scholars being recognized today for their achievements. She then introduced Reverend Kenneth Allen and asked him to assist in distributing the medals as the scholars introduce themselves.

The Mayor and members of the City Council congratulated the Commission, the teachers, the students and their families for their extraordinary accomplishments, achieving an education and improving the City's job force. They also stated that this was a very appropriate manner to remember Martin Luther King, Jr. and the issues he represented.

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2000-20      NATIONAL HISTORIC PRESERVATION WEEK

Mayor Peak explained that May 14<sup>th</sup> - 20<sup>th</sup> was National Historic Preservation Week and introduced Ms. Ann McGlone from the Planning Department. Ms. McGlone then introduced Mr. Eduardo Garcia, current Chairman of the Historic & Design Review Commission, who accepted the proclamation on its behalf. Mr. Garcia introduced Mr. Ron Gossen, past Chairman, who presented the Mayor and members of the City Council with a copy of a poster recognizing National Historic Preservation Week in San Antonio. Mr. Garcia briefly outlined the major accomplishments completed by the Commission this past year and thanked the Mayor and members of the City Council for recognizing Historic Preservation Week.

The Historic & Design Review Commission, the S.A. Conservation Society and the Planning Department were recognized and thanked by members of the City Council for their hard work in preserving the historic nature of San Antonio. The City Council also thanked members of the Historic & Design Review Commission for serving on the Commission and for all their long hours of hard work and dedication to the preservation of San Antonio, which makes it so special and unique.

Ms. Guerrero also recognized Dr. Thomas Frausto, who was in the audience, and thanked him for his hard work in documenting the history of the Alameda.

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2000-20      CONSENT AGENDA – CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke on each item on the Consent Agenda, addressing details of several.

Mr. Jack Finger, P.O. Box 12048, spoke regarding several items on the Consent Agenda, and explained that he took exception to there being no disclosure forms filed by contractors for contracts being obtained from the City. He also asked that Councilmembers, who accepted campaign contributions from any of the private businesses listed in the consent agenda, abstain from voting on the items.

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2000-20      CONSENT AGENDA

Mr. Bannwolf made a motion to approve Agenda Items 5 – 22h, with the exception of 11 and 12, constituting the Consent Agenda, with items 1 and 12 being pulled for individual consideration. Ms. Conner 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, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter and Peak. NAYS: None.

AN ORDINANCE 91788

ACCEPTING THE LOW, QUALIFIED BID SUBMITTED BY BRADY'S MARINE S & S, INC., (WBE) TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH TWO (2) ALUMINUM BOATS AND FOUR (4) OUTBOARD MOTORS FOR A TOTAL OF \$20,216.00.

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AN ORDINANCE 91789

ACCEPTING AND RATIFYING THE PROPOSAL AND PAYMENT OF OMNI LIFT, INC. D/B/A OMNI ELEVATOR TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH EMERGENCY REPAIRS TO THE ELEVATORS AT THE TOWER OF THE AMERICAS FOR A TOTAL OF \$29,138.00.

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AN ORDINANCE 91790

ACCEPTING THE LOW BID SUBMITTED BY SELRICO SERVICES, INC. (MBE) TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH A SUMMER FOOD SERVICE PROGRAM FOR A TOTAL OF \$580,320.80.

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AN ORDINANCE 91791

ACCEPTING THE LOW BIDS SUBMITTED BY ALLEN & ALLEN CO., CAMPBELL LUMBER CO., J.P. HART LUMBER CO. AND DITTMAR LUMBER CORP. TO PROVIDE THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR LUMBER FOR AN ESTIMATED AMOUNT OF \$193,000.00.

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AN ORDINANCE 91792

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 34, IN THE AMOUNT OF \$37,989.00 TO THE CONTRACT WITH BARTLETT COCKE, L.P., OF WHICH, THE AMOUNT OF \$33,968.00 IS FOR SUBCONTRACTORS TO BARTLETT COCKE, INC., IN SUPPORT OF THE REVISIONS TO THE SURFACE PARKING LOTS FOR THE NEW PARKING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87161 DATED DEC. 18, 1997)

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AN ORDINANCE 91793

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 35, IN THE AMOUNT OF \$56,531.00 TO THE CONTRACT WITH BARTLETT COCKE, L.P., OF WHICH, THE AMOUNT OF \$36,190.00 IS FOR SUBCONTRACTORS TO BARTLETT COCKE, INC., IN SUPPORT OF THE INFRASTRUCTURE REVISIONS TO THE FEDERAL AVIATION ADMINISTRATION LEASEHOLD RELATING TO THE NEW PARKING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87161 DATED DEC. 18, 1997)

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AN ORDINANCE 91794

RATIFYING SERVICES AND APPROVING SAWS FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$49,192.80 PAYABLE TO E-Z BEL CONSTRUCTION, INC. (MBE) IN CONNECTION WITH THE EL MONTE - SAN PEDRO TO MCCULLOUGH PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING AN INCREASE IN THE PROJECT'S RECEIVABLE ACCOUNT IN AN AMOUNT NOT TO EXCEED \$49,192.80 FOR ADDITIONAL WORK AUTHORIZED BY SAWS, AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 88355 DATED AUGUST 27, 1998)

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AN ORDINANCE 91795

RATIFYING SERVICES AND APPROVING SAWS FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$298,797.00 PAYABLE TO E-Z BEL CONSTRUCTION, INC. (MBE) IN CONNECTION WITH THE EL MONTE - SAN PEDRO TO MCCULLOUGH PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING AN INCREASE IN THE PROJECT'S RECEIVABLE ACCOUNT IN AN AMOUNT NOT TO EXCEED \$298,797.00 FOR ADDITIONAL WORK AUTHORIZED BY SAWS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 88355 DATED AUGUST 27, 1998)

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AN ORDINANCE 91796

ACCEPTING THE LOW, QUALIFIED BID OF TEXAS-STERLING CONSTRUCTION, INC. IN THE AMOUNT OF \$1,845,358.60 IN CONNECTION WITH THE DUVAL/SEGUIN - PIERCE TO WALTERS PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$88,809.07 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$39,549.18 IN ADDITIONAL ENGINEERING EXPENSES TO ALAMO CONSULTING ENGINEERING AND SURVEYING, INC.; AUTHORIZING \$3,955.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 89662 DATED APRIL 29, 1999)

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AN ORDINANCE 91797

APPROVING FINAL FIELD ALTERATION NO. 1-FINAL IN AN INCREASED AMOUNT OF \$18,859.75 IN CONNECTION WITH THE 1999 BASE & PAVEMENT FAILURE REPAIRS PROJECT. (AMENDS ORDINANCE NO. 90017 DATED JUNE 24, 1999)

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AN ORDINANCE 91798

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A PERMANENT EASEMENT CONSISTING OF A 0.134 ACRE TRACT OF LAND AND A TEMPORARY EASEMENT CONSISTING OF A 0.056 ACRE TRACT OF LAND OUT OF LOT 219, BLOCK 17, NEW CITY BLOCK 11116, HARLANDALE ACRES NO. 8, SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE ESCALON DRAINAGE PROJECT #1008; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 91799

AUTHORIZING THE EXECUTION OF EIGHT (8) YEAR STANDARD FORM EL MERCADO LEASE AGREEMENTS WITH THIRTY-FOUR (34) CURRENT TENANTS IN THE CITY OF SAN ANTONIO'S EL MERCADO AT MARKET

SQUARE IN CITY COUNCIL DISTRICT 1 FOR RETAIL SALES PURPOSES FOR A MONTHLY PAYMENT PER SQUARE FOOT OF LEASE SPACE OF \$1.35 IN YEARS 1 THROUGH 3, \$1.38 IN YEAR 4, \$1.40 IN YEAR 5, \$1.41 IN YEAR 6, \$1.42 IN YEAR 7, AND \$1.45 IN YEAR 8 FOR EACH OF THE THIRTY-FOUR (34) TENANTS.

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AN ORDINANCE 91800

AUTHORIZING THE SUBMISSION OF AN APPLICATION, AND IF APPROVED, THE ACCEPTANCE OF A FEDERAL GRANT PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN AN AMOUNT NOT TO EXCEED \$203,571.00 TO BE USED FOR SALARIES AND ALL SUPPORT COSTS FOR THE OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER.

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AN ORDINANCE 91801

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR, AND IF APPROVED, TO ACCEPT STATE/FEDERAL GRANT PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN AN AMOUNT NOT TO EXCEED \$775,926.00 FOR THE PURPOSE OF SUPPORTING GRANT ADMINISTRATION, CONSULTING, NETWORKED RESOURCES, PUBLICITY, DISADVANTAGED SERVICES, CONTINUING EDUCATION, COLLECTION DEVELOPMENT AND THE PURCHASE OF VARIOUS LIBRARY MATERIALS IN THE ALAMO AREA LIBRARY SYSTEM WHICH ASSISTS FORTY-FIVE (45) LIBRARIES IN TWENTY-ONE (21) CONTIGUOUS COUNTIES.

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AN ORDINANCE 91802

RE-APPOINTING MARY BYERS (DISTRICT 8) TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2002.

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AN ORDINANCE 91803

APPOINTING BARNEY BOYETT (DISTRICT 9) AND HAROLD TILLMAN (DISTRICT 10) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2001.

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AN ORDINANCE 91804

RE-APPOINTING GINA HARTBERGER (DISTRICT 3) TO THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2001.

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AN ORDINANCE 91805

RE-APPOINTING MARK HARRINGTON (DISTRICT 8) TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2002.

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AN ORDINANCE 91806

APPOINTING ROBERT ESCHAVARRIA (DISTRICT 8) TO THE HIGHER EDUCATION AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2001.

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AN ORDINANCE 91807

RE-APPOINTING THOMAS REEDY (MAYOR) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2002.

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AN ORDINANCE 91808

APPOINTING MARGARETA VASQUEZ (DISTRICT 9) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2001.

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AN ORDINANCE 91809

RE-APPOINTING JAMES FENIMORE (DISTRICT 3), AS TRUSTEE AND DIRECTOR OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2003, AS TRUSTEE, AND MAY 9, 2002, AS DIRECTOR, AND APPOINTING ENRIQUE MARTIN (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2002.

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91810

AUTHORIZING FIELD ALTERATION # 15 AND 16 FOR THE WOODLAWN LAKE PARK IMPROVEMENTS 1994 PARKS GO BOND PROJECT IN CITY COUNCIL DISTRICT 7 IN THE TOTAL AMOUNT OF \$46,571.00; PROVIDING FOR AN ADDITIONAL \$64,704.00 CONSTRUCTION CONTINGENCY; PROVIDING FOR AN ADDITIONAL \$9,000.00 FOR PROJECT RELATED ARCHITECT FEES; PROVIDING FOR AN ADDITIONAL \$1,000.00 FOR PROJECT RELATED ARCHITECT CONTINGENCIES; AMENDING THE PROJECT'S BUDGET; AUTHORIZING THE TRANSFER OF FY 99/00 CITY GENERAL FUNDS INTO THE PROJECT'S BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90012 DATED JUNE 24, 1999)

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Mr. Garza made a motion to approve Agenda Item 11. Mr. Perez seconded the motion.

Mr. Malcolm Mathews, Director of Parks and Recreation, explained the finances involved in the project. In response to a question posed by Mr. Garza, Mr. Mathews explained that all projects should be completed by July of 2000, with the exception of the tree planting, which will be done in the fall.

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

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91811

SELECTING LOCKWOOD, ANDREWS & NEWNAM, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE HOUSTON PROJECT FROM PINE TO POLARIS, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$357,500.00; AUTHORIZING \$35,750.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Salas made a motion to approve Agenda Item 12. Mr. Garcia seconded the motion.

Mr. John German, Director of Public Works, gave a brief description of the project and its time frame.

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

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2000-20 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN  
COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, stated that he felt the City Attorney's recommendations were fair and discussed issues or the recommendation.

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2000-20      ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 91812

APPROVING FOUR (4) ADDITIONAL POSITIONS AND AUTHORIZING THE RECLASSIFICATION OF ONE (1) POSITION IN THE CITY ATTORNEY'S OFFICE, IN CONNECTION WITH THE CITY ATTORNEY'S ACTION PLAN; AND REVISING ORDINANCE NO. 90485 IN ACCORDANCE THEREWITH.

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

Mr. Frank Garza, City Attorney gave a brief history of the City Attorney's Office Action Plan and gave a power point presentation, a copy of which is attached to the papers of this meeting. In the presentation, Mr. Garza referenced the four new additional positions, reclassification of one position, continuing education funds and pay incentives.

The Mayor thanked City Attorney Garza and stated he is supportive of his efforts for continuing education.

Mr. Bannwolf applauded the additional performance pay as incentives for those employees, who show exceptional performance. In response to a question posed by Mr. Bannwolf, City Attorney Garza stated that his office would develop and create personnel evaluations specifically for attorneys. Such evaluations will aid in rating their performance. He is also empowering his supervisors to document and report those attorneys who have less than satisfactory actions. Mr. Garza explained that the staff in the City Attorney's Office will be notified of deadlines and the measures that will be taken to enforce disciplinary action to ensure that the work is completed at an appropriate level and within a reasonable time frame.

Mr. Bannwolf recommended that Mr. Garza confirm that the amount budgeted for Continual Legal Education is enough for all attorneys in the Legal department. He also suggested that a cost/benefit analysis be conducted to verify the cost.

Ms. Guerrero asked that an action plan be conducted because various divisions are responsible for contracts that require City Council approval. She suggested that the City Attorney's office be responsible for developing a standard form for contracts due to the

fact that contracts vary from department to department. In response, Mr. Garza stated that his office could not handle all contracts throughout the City, and is currently responsible for essential contracts.

In response to Ms. Guerrero's question regarding essential contracts, Mr. Garza defined 'essential contracts'. Ms. Guerrero explained that uniformity should be found throughout the City of San Antonio, not only for essential contracts. She stated that she would hope that such uniformity would be spear-headed by the City Attorney's office to confirm the public's perception of ensuring that issues such as these are resolved.

Mr. Alexander E. Briseño, City Manager stated that the question at hand was "What could we systematically do to improve our legal system?" He explained that though the private sector and the public sector do things differently, perception is important. However, at this time, comments regarding individual instances should be discussed in Executive Session.

Mr. Perez suggested that attorneys who spend time in specialized areas should be Board Certified and asked the City Attorney's office to look into such certification. He applauded the acceptance of the overview and also City Council's efforts to fund future endeavors of Mr. Frank Garza and his office. Mr. Perez stated he also supported Mr. Bannwolf's comments and asked that City Council be advised of the progress that occurs.

Mr. Salas explained that he is not concerned with the media's perception, but is concerned with the constituents' perceptions. Individuals at City Hall should be accountable and we also need to hold accountable individuals whose work does not benefit the community.

Ms. Conner explained that her office had requested a memo from the City Attorney's office identifying essential contracts and explaining the time and money involved in working with such contracts and the request still stands.

Mayor Peak stated that perception must be dealt with through reality, and though some issues take longer than others, all of them need to be dealt with.

Mr. Briseño stated that the new peer reviews and the new contractual procedures should be helpful in providing the resources needed to hold individuals accountable. He also informed City Council that last year there were 87 employees who were terminated. Of those 87, there were 17 who appealed and only 1 was overturned. There was also a decrease in the cost of workman's compensation paid out compared to the previous years. This was due to a City initiative that included a safety program, which is now in the black. Mr. Briseño also notified City Council that there would be a briefing during budget on procedures taken for accountability as it is important and perception is critical.

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

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2000-20 The Clerk read the following Ordinance:

AN RESOLUTION  
NO. 2000-20-19

IN SUPPORT OF THE CITY OF SAN ANTONIO PROVIDING UP TO \$100,000.00 IN CAPITAL IMPROVEMENT RESERVE FUNDS FOR THE RENOVATION OF THE CITY OWNED HALFF HOUSE IN HEMISFAIR PARK TO OFFSET A PORTION OF THE ESTIMATED \$550,000.00 IN RENOVATION COSTS WITH THE REMAINDER OF THE FUNDS TO COME FROM FUNDRAISING CONDUCTED BY THE CONSULATE GENERAL OF MEXICO IN SAN ANTONIO, AND EXPRESSING THE INTENT OF THE CITY COUNCIL THAT THE CITY MANAGER NEGOTIATE A LEASE AGREEMENT WITH THE CONSULATE GENERAL OF MEXICO IN SAN ANTONIO FOR USE OF THE BUILDING.

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

Mr. Henry Sauvignet, Director of International Affairs, explained that the City was approached by Consul General of Mexico, Mr. Carlos Sada, to utilize the City-owned Halff House in Hemisfair Park. The community center would provide office and meeting space for serving the Mexican community. He stated that this would promote bi-lateral relations between San Antonio and Mexico.

He gave a power point presentation, a copy of which is attached for the record and made a part of the papers of this meeting, explaining the scope of work, the resource center, with a library and video center. The presentation sowed that the City would provide up to \$100,000 in renovations for the project. Mr. Sauvignet also explained that staff recommends approval, and with approval by the City Council, the City will finalize negotiations of the lease agreement and request for approval by City Council for this lease in upcoming weeks.

Mr. Sauvignet thanked members of the City Council and explained that though the Consul General, Mr. Sada is not in town, representatives from his office, Mr. Roberto Canseco, and Mr. Francisco Mañon were here to represent the Consulate.

Mayor Peak thanked Mr. Sauvignet for his presentation and stated that he supported the renovation of the Halff House in Hemisfair Park.

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

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91813

APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$1,566,735.62 PAYABLE TO LAUGHLIN ENVIRONMENTAL, INC. IN CONNECTION WITH THE QUINTANA ROAD DRAINAGE EXTENSION #64 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE TRANSFER OF 21<sup>ST</sup>, 22<sup>ND</sup> 24<sup>TH</sup> AND 25<sup>TH</sup> YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS INTO THIS PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$21,548.24 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$48,837.85 PAYABLE TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES FOR ENGINEERING EXPENSES; AUTHORIZING \$4,884.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 89918 DATED JUNE 10, 1999; AND ORDINANCE NO. 85458 DATED JANUARY 17, 1997)

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

Mr. John German, Director of Public Works, gave a power point presentation on the Quintana Road Drainage Extension #64 Community Development Block Grant (CDBG) Project located in Council District 4. He explained that this ordinance will approve a field alteration by adding an additional \$1.5 million to the project which is currently

being carried out by Laughlin Environmental Inc. Other related costs bring the total carried out to \$1.6 million and funds will be transferred from CDBG accounts to pay for the alterations.

Mr. German gave background to the project and explained that the construction is 70% complete and ahead of schedule. He gave the purpose and explained the addition of King St. and listed the benefits, estimates, and estimated time frame, noting that staff recommends approval with Laughlin Environmental Inc. adding King St. I and II.

Mr. Prado explained that the coordination of the contracts coupled with the timing creates maximum benefits at this time. He thanked Mr. German and his staff for their hard work.

In response to Mayor Peak's question of whether the clay barrier, which is most important, will be able to contain additional flow to the East, Mr. German explained that the City, the Texas Natural Resource Conservation Commission (TNRCC), and Kelly Environmental's belief is that it will diminish the existing flow and not get worse.

In response to a question posed by Mr. Barrera, Mr. David Newman, Environmental Services Manager, explained that the disposal of the soil will go directly to Covel Gardens. He further informed the City Council that the water will go to Kelly, be treated and then released.

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

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2000-20 The Clerk read the following Ordinance for the third and final time:

AN ORDINANCE 91616

GRANTING GRANDE COMMUNICATIONS, INC. (GRANDE) A FIFTEEN (15) YEAR FRANCHISE AGREEMENT TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE/BROADBAND COMMUNICATIONS SYSTEM THAT UTILIZES THE PUBLIC RIGHTS-OF-WAY, FOR A CONSIDERATION OF 5% OF GROSS REVENUES TO BE RECEIVED BY THE CITY; PROVIDING FOR THREE (3) READINGS AND A PUBLIC HEARING; ESTABLISHING AN EFFECTIVE DATE OF SIXTY (60) DAYS AFTER THE THIRD AND FINAL READING OF THIS

ORDINANCE; AUTHORIZING THE CITY MANAGER TO ENTER THE FRANCHISE AGREEMENT WITH GRANDE; AND TERMINATING THE INTERIM LICENSE AGREEMENT WITH GRANDE UPON THE EFFECTIVE DATE OF THE FRANCHISE AGREEMENT.

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

Mr. Ben Gorzell, Assistant Directory of Finance, presented a power point presentation, a copy of which is attached to the papers of this meeting. He presented background information on the franchise process, and status of Grande Communications Inc. application. He also explained the addendum to the agreement, which was agreed to at the last Reading. He explained the key elements of the cable television franchise agreement and its financial impact.

He highlighted that with the passage of Western Integrated Networks, franchise agreement, a provision was added to the franchise process for an agreement allowing the City to install a dedicated dark fiber network. He stated that Grande Communications Inc. does have an interest in doing this also, but it is not mandatory, and they do not want it included in their franchise agreement at this time.

For the record, Mr. Gorzell stated that WideOpenWest had withdrawn from the franchise process as they were going to focus their business in the Dallas/Fort Worth area, and the Houston Metropolitan area. He informed the Mayor and City Council that staff from Grande was available for questions.

Mr. Gorzell concluded the presentation by stating that the proposed franchise is comparable and equitable to that of Time Warner Communication's existing franchise and staff recommends approval.

In response to a question posed by the Mayor, Mr. Gorzell explained that when Western Integrated Networks proposed their franchise agreement, a provision relating to City Network (SATNET) was included to accept Western Integrated Network's offer to have a dedicated dark fiber network as part of SATNET. It is not mandatory for other cable providers to do the same, but it allows the City to seek other providers that will do the same. Discussions with Grande Communications Inc. were that they did not want this offer included in the language of the franchise agreement, but were willing to participate and staff will continue to discuss this with them.

In reply to Mayor Peak, Mr. Gorzell explained that as the details of SATNET evolve, the City intends to come to agreeable terms and add it to the franchise agreement or a separate addendum agreement, however, the opportunity to do such will not be lost by moving forward today.

In response to a question posed by Mr. Salas, Mr. Gorzell informed City Council that they are currently working on the issue of rates and will forward copies of rates to their office as soon as possible.

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

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91814

IMPOSING AND LEVYING A ONE-EIGHTH CENT SALES AND USE TAX FOR PROPOSITION NO.3 - PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT, THE ADOPTION OF WHICH WAS AUTHORIZED AND APPROVED BY THE VOTERS OF THE CITY AT THE MAY 6, 2000 SPECIAL ELECTION PURSUANT TO THE REQUIREMENTS OF CHAPTER 334, TEXAS LOCAL GOVERNMENT CODE; APPROVING AND AUTHORIZING OTHER PROCEDURES RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Octavio Peña, Director of Finance, gave a power point presentation on imposing and levying a one-eighth cent sales and use tax for Proposition No. 3, a copy of which is attached to the papers of this meeting. He gave background information and then explained the time line of the process. He also gave details of the parks development and expansion venue project.

He further explained that the preliminary work has begun on proposition No. 3, and oversight committees would be involved with planning, scheduling and implementing of the work.

In reply to a question by Mayor Peak, Mr. Peña explained that the paper work will be returned from Austin in sufficient time to keep the collection schedule outlined on page 5 of this power point presentation. He also mentioned that the State Comptroller's office will notify all local businesses as to when to collect taxes, which will be on October 1, 2000.

Mr. Salas explained that people were concerned with the aquifer and the state of our creeks. He stated he was pleased with the voters for supporting this important issue dealing with the aquifer and the flood that occurred.

In response to a question posed by Mr. Prado, the Mayor explained that the spending of the money of that bond was specific only to Salado and Leon Creeks. However, the long-term goal is to have citizens enjoy the benefits and motivate them to want more of this type of work on other projects. The City will also use this to assist with designs for other creeks.

Mr. Prado stated that there are other creeks that contributed to the flood outside of those two creeks.

Ms. Conner gave her appreciation to the voters, as the work on these two creeks will benefit all districts in San Antonio. She explained that preserving 10,000 acres of the Edwards Aquifer Recharge Zone will enhance the quality and quantity of our water and feels that many positive things will come out of this.

Mayor Peak stated that some preliminary work has been done, however, much more overall work needs to be done before we receive and start spending money.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, 140 Dora, read a newspaper article from the Express News regarding the aquifer and the sales tax. He also read from information obtained from the County Clerk's Office, which detailed the number of voters voting at various polls around the City. He also spoke in support of obtaining more park rangers.

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

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91815

AUTHORIZING THE EXPENDITURE OF MONIES FROM INDIVIDUAL CITY COUNCIL MEMBERS DISTRICT CONTINGENCY BUDGET ACCOUNTS TO HELP DEFRAY THE COSTS ASSOCIATED WITH BIKEFEST 2000 EVENTS, SCHEDULED FOR MAY 20, 2000. (DISTRICT 1 - \$100.00; DISTRICT 2 - \$100.00; DISTRICT 3 - \$100.00; DISTRICT 4 - \$100.00; DISTRICT 5 - \$100.00; DISTRICT 7 - \$100.00; DISTRICT 9 - \$100.00, AND DISTRICT 10 - \$100.00, FOR A TOTAL OF \$800.00.)

\* \* \* \*

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

Assistant City Clerk, Dick Porter explained that at the meeting of May 11, 2000, Ms. Guerrero contributed \$100 from her contingency budget for the Bikefest 2000 Events, and encouraged other Council Members to do the same. To date there have been \$400 contributed and an additional \$400 should be included.

Additional contributions were made by Districts 2, 4, 7 and 10, bringing the total to \$800. Councilwoman Guerrero thanked the Council for their support and the Ordinance was amended to reflect \$800.

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

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2000-20 The Clerk read the following Ordinance:

AN ORDINANCE 91816

AUTHORIZING THE TRANSFER OF \$2,500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT TO THE DISTRICT 2 TRAVEL ACCOUNT TO HELP DEFRAY TRAVEL/HOTEL EXPENSES TO ATTEND A BUSINESS PARTNERSHIP

WORKSHOP ON INTERNATIONAL TRADE AND INVESTMENT IN NEW YORK CITY; AS REQUESTED BY COUNCILMAN MARIO SALAS.

\* \* \* \*

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

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2000-20      **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilman Mario Salas to travel to New York to attend the International Aid and Trade Conference and Workshop and initiate a Sister City relationship with an African country by meeting with conference attendees from Africa and by visiting offices of Sister City International from Tuesday, May 30, 2000 through Thursday, June 1, 2000; as requested by Councilman Mario Salas.

\* \* \* \*

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

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

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2000-20      The Clerk read the following Ordinance:

AN ORDINANCE 91817

ADJUSTING THE FY 2000 ONE-TIME PROJECTS BUDGET ALLOCATED TO COUNCIL DISTRICT 2 BY AUTHORIZING PAYMENT OF THE SUM OF UP TO \$42,000.00 FOR THE DEMOLITION OF AN ABANDONED SWIMMING POOL IN THE LAKESIDE NEIGHBORHOOD; PROVIDING AN ADDITIONAL \$30,000.00 FOR THE IMPLEMENTATION OF ADDITIONAL ECONOMIC DEVELOPMENT

PROJECTS BY THE COMMUNITY ECONOMIC REVITALIZATION AGENCY (CERA) AND APPROVING CONFORMING AMENDMENTS TO THE CERA CONTRACT; AUTHORIZING AN ADDITIONAL \$3,500.00 FOR THE CONSTRUCTION OF A NEIGHBORHOOD ENTRANCE SIGN FOR THE SUNRISE SUBDIVISION; REDUCING THE ALLOCATION FOR THE HOUSTON STREET/ARENA ECONOMIC DEVELOPMENT PROJECTS BY \$75,500.00; AND AMENDING ORDINANCE NOS. 90485 AND 90831 IN ACCORDANCE THEREWITH; AS REQUESTED BY COUNCILMAN MARIO SALAS.

\* \* \* \*

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

Mr. Salas thanked Code Compliance and its Director, Mr. Martin Rodriguez for their assistance with the project. He also thanked the Parks and Recreation Department and the Public Works Department.

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

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2000-20      CITY MANAGER'S REPORT

Mr. Alexander E. Briseño, City Manager, introduced Mr. Octavio Peña, Director of Finance, who gave a report on the tax to be implemented on October 1, 2000. He gave a brief background of the issues, the costs per account and gave the collection performance by the taxing firm Heard, Linebarger, Graham, Goggan, Blair, Peña & Sampson, L.L.P. and the County Tax Assessor Collector, as of June 30, 1999. Staff recommended renewal for both contracts till Fiscal Year 2001. Mr. Peña stated that there were no estimated costs for next year, however, his office would continue to monitor their performance.

Mayor Peak explained that with regard to the performance of the projects, he was pleased to see improvement and recognizes that this is a new system; however, he would like to see specific responses to address the problems raised by Mr. Peña. Mr. Peña then informed the Mayor and members of the City Council that he would take a similar process of working with Heard, Linebarger, Graham, Goggan, Blair, Peña and Sampson, L.L.P and work with the Tax Assessor Collector, Ms. Sylvia Romo. Mayor Peak stated

that in addition to the concerns listed above being addressed, he would also like to see more convenient services for citizens initiated.

Mr. Prado stated he would support the motion, but addressed his disappointment with the lack of punctuality of letters being mailed to delinquent taxpayers. In response to a question by Mr. Prado, Mr. Peña informed the Council that currently, he does not know the cost of each account, but such information will be brought forth in July of 2000 for this past fiscal year. By mid-October of this year, his department will have all the information needed to do a complete assessment of the 2<sup>nd</sup> year.

Mr. Prado expressed his desire for due diligence and would like staff to bring an update to Council in mid-October, when they have a clearer picture of where the City is in terms of this agreement. This is in addition to the immediate response regarding the recommended improvements on the concerns addressed and would like to see a report on actual performance in mid-October, 2000.

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2000-20 City Council recessed its Regular Session at 3:35 p.m., and convened to Executive Session for the purpose of discussing Attorney/Client consultation in connection with the case styled Arlene Aguilar Otto, et al. V. City of San Antonio, et al., Cause No. 98-CI-10602.

The Council reconvened at 5:00 p.m., at which time Mayor Peak stated that Council had been briefed on the above named subject and had given staff direction, but had taken no official action.

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2000-20 CITIZENS TO BE HEARD

**MR. FARIS HODGE**

Mr. Faris Hodge, Jr., 140 Dora, spoke about the fluoride debate and expressed his disinterest by stating he was 100% against it. He also spoke about harassment and explained his concern with the issue of harassment as it relates to the city's statutes. He then spoke about the City Attorney's office, and their lack of employees, and the curfew and the need for more Park Rangers and Ranger vehicles, as opposed to Police vehicles.

\* \* \* \*

**MR. NAZARITE R. F. PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke about a newspaper article regarding the Republic of China and his perception of human rights violations by this country. He also spoke about articles in the paper regarding Ozone Action Days.

\* \* \* \*

**MR. MIGUEL JUAREZ**

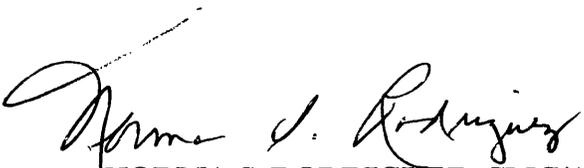
Mr. Miguel Juarez, stated that he was a Palm Heights Neighborhood resident and spoke to the issues of employees raises, fluoride and the lawsuit against the City.

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2000-20 There being no further business to come before the City Council, the meeting was adjourned at 5:05 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