

CEREMONIAL ITEMS

KEEP TEXAS BEAUTIFUL STATE AWARDS

Mayor Peak stated that Keep San Antonio Beautiful recently received two Keep Texas Beautiful state awards: a First Place Education Award, and a Sustained Excellence Award. He then introduced Mr. Ed Davis of the Beautify San Antonio Association and Ms. Yolette Garces of Keep San Antonio Beautiful.

Mr. Davis explained the significance of the two environmental excellence awards and presented them to the City.

Mayor Peak, accepting the awards on behalf of the City, spoke to the benefits of the City's awards efforts.

Individual City Council members then spoke to the good work of the two organizations most involved in this effort.

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GO WESTERN, GO RODEO DAYS

Mayor Peak noted that the San Antonio Livestock Show and Rodeo begins the first weekend in February, and that the annual event is always preceded by the Cowboy Breakfast. He then introduced members of the Cowboy Breakfast Foundation, present in the audience, then read an official proclamation designating "Go Western, Go Rodeo Days" in San Antonio, and presented it to the delegation.

Mr. Alton Moczygamba, representing the Foundation, introduced two other officials, present in the delegation today, and thanked the Mayor and City Council for the proclamation. He explained the popularity of the Cowboy Breakfast and spoke to details of this year's event at Central Park Mall parking lot, noting that his group plans to serve more than 55,000 meals at its 20th anniversary event this year.

At this time, Miss Kelly Ring of Carrizo Springs came forward to sing the National Anthem, after which members of the Foundation delegation presented special gifts to the Mayor and City Council members.

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MUD PARADE ACTIVITIES

Mayor Peak stated that this year marks the 13th anniversary of the Miller Lite Mud Festival, along the Riverwalk in downtown San Antonio. He then introduced representatives of this annual event, present in the audience, then read a formal proclamation and presented it to members of the delegation.

Miss Henriette Hernandez, the 1998 Mud Queen, thanked the Mayor and City Council for the proclamation, and praised the City for its preservation work on the San Antonio River. She then spoke to details of the Mud Parade/Mud King & Queen activities scheduled, and addressed the roles of the Mud King and Mud Queen.

Individual City Council members thanked the group for promoting the Riverwalk and downtown San Antonio.

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99-03 CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Consent Agenda item, including details of Agenda Item 31, a lawsuit settlement.

Ms. Nancy Englebert, 10486 Pine Glade, urged City Council members to be certain that their board and commission appointees attend the meetings of their respective boards or commissions.

Mr. Jack Finger, P.O. Box12048, questioned the proposed settlement of a lawsuit with a firefighter in Agenda Item 31, and expressed his hope that such injuries can be avoided in the future. He also asked Council members to abstain from voting on agenda items involving firms whose officials contributed to a Council member's political campaign, and cited Agenda Items 10 and 13 as examples. Relative to Agenda Item 34 he questioned restoration costs and noted that officials of Sunset Station Group had contributed to several Council members' political campaigns.

99-03 CONSENT AGENDA

Mr. Bannwolf made a motion to approve Agenda Items 7 through 35c, constituting the Consent Agenda. Mr. Prado seconded the motion.

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

AN ORDINANCE 89094

ACCEPTING THE LOW BID FROM LOWEN CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH LOGO MARKINGS FOR POLICE VEHICLES IN THE AMOUNT OF \$46,605.70.

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AN ORDINANCE 89095

SELECTING SINCLAIR & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE ALTERNATIVE HOUSING SUBDIVISION FOR SAN ANTONIO ALTERNATIVE HOUSING CORPORATION, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, AUTHORIZING THE NEGOTIATION AND EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$44,400.00; AUTHORIZING \$4,400.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89096

APPROVING FIELD ALTERNATION NO. 2 IN THE AMOUNT OF \$6,000.66 PAYABLE TO E-Z BEL CONSTRUCTION COMPANY, INC., IN CONNECTION WITH THE ANSLEY PLACE SUBDIVISION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AMENDING THE CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$4,895.89, REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89097

RATIFYING SERVICES AND PROVIDING FOR PAYMENT OF AN INVOICE FROM ROSIN-COOK, INC. FOR PROVIDING CENTER LINE STAKING AND CONSTRUCTION LAYOUT AS REQUIRED IN CONNECTION WITH THE GENERAL MCMULLEN - ROSELAWN TO COMMERCE SIDEWALK PROJECT IN AN AMOUNT NOT TO EXCEED \$10,321.37. THIS PROJECT IS LOCATED IN COUNCIL DISTRICTS 5 AND 6. (AMENDS ORD. 84651 DATED 09-05-96.)

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AN ORDINANCE 89098

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,451.87 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A CHANGE ORDER, IN CONNECTION WITH GENERAL MCMULLEN SIDEWALK PROJECT FROM ROSELAWN TO COMMERCE; ESTABLISHING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$10,000.00; LOCATED IN COUNCIL DISTRICTS 5 AND 6.

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AN ORDINANCE 89099

EXERCISING AUTHORITY GRANTED UNDER ORDINANCE NO. 87291, PASSED AND APPROVED ON JANUARY 29, 1998, TO EXERCISE THE FIRST ONE (1) YEAR OPTIONAL TERM WITH MAXIM TECHNOLOGIES, INC., IN CONNECTION WITH THE GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING SERVICES CONTRACT FOR CLOSED LANDFILLS AND APPROPRIATING FUNDS; PROVIDING FOR UPDATE ADJUSTMENTS TO THE CONTRACT FORMAT; AND PROVIDING FOR PAYMENT IN AN AMOUNT NOT TO EXCEED \$400,000.00.

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AN ORDINANCE 89100

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH W.F. CASTELLA AND ASSOCIATES (MBE) BY AUTHORIZING ADDITIONAL MPO/CITY MATCH FUNDS IN AN AMOUNT NOT TO EXCEED \$7,767.10 IN CONNECTION FOR SUBSURFACE INTRUSIVE ENVIRONMENTAL SITE INVESTIGATION IN ASSOCIATION WITH THE SOUTHCROSS FROM WW WHITE TO IH 410 PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89101

ACCEPTING THE LOW, QUALIFIED BID OF FMG CONTRACTING CO., (SWMBE) IN THE TOTAL AMOUNT OF \$529,675.00 FOR IMPROVEMENTS TO ELMENDORF PARK, AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECTS BUDGET AND AUTHORIZING THE TRANSFER OF 1994 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO THIS PROJECT'S BUDGET; AUTHORIZING \$17,968.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,000.00 FOR PROJECT RELATED BID ADVERTISING AND PRINTING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89102

AUTHORIZING THE INTERJURISDICTIONAL TRANSFER OF TWO CERTAIN PARCELS OF LAND, TOTALING 3.918 ACRES, BEING PART OF A LARGER TOTAL AREA OF 239 ACRES, COMMONLY KNOWN AS THE PEARSALL ROAD LANDFILL FROM THE CITY OF SAN ANTONIO TO THE SAN ANTONIO WATER SYSTEM (SAWS) FOR UTILIZATION AS A PUMPING STATION FOR THE RECYCLED WATER PROGRAM FOR A TOTAL CONSIDERATION OF \$37,000.00 WHICH IS TO BE APPLIED AS A CREDIT PURSUANT TO ORDINANCE 89069 PASSED JANUARY 14, 1999.

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AN ORDINANCE 89103

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,200.00 FOR APPRAISAL SERVICES TO DUGGER, CANADAY, GRAFE & WOELFEL, INC. IN CONNECTION WITH THE BRIARGLEN DRIVE FLOOD AREA PROJECT (\$350.00); WHEATLEY HEIGHTS FLOOD AREA PROJECT (\$9,450.00), PIPESTONE DRIVE FLOOD AREA PROJECT (\$450.00); AND THE PLUMNEAR FLOOD AREA PROJECT (\$1,950.00); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89104

APPROPRIATING THE AMOUNT OF \$131,930.00 PAYABLE TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 98-ED-0029, CITY OF SAN ANTONIO VS. JOHNNY DEEP GABRIEL, ET. AL. FOR FEE SIMPLE TITLE TO ONE PARCEL (\$130,000.00); COURT COSTS (\$1,930.00) AND THE AMOUNT OF \$3,825.00 PAYABLE TO DUGGER, CANADAY, GRAFE & WOELFEL, INC., FOR APPRAISAL SERVICES; FOR A TOTAL SUM OF \$135,755.00 IN CONNECTION WITH THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT.

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AN ORDINANCE 89105

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,050.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO, AS ESCROW AGENT FOR KISHOR K. PATEL AND WIFE, RANJAN K. PATEL, FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE TO U.S. HWY 90; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89106

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CASA DEL ESTADO DE NUEVO LEON, OPERATING AS CASA NUEVO LEON, FOR USE OF APPROXIMATELY 1,165 SQUARE FEET OF OFFICE SPACE AT THE INTERNATIONAL CENTER, FOR A TWO (2) YEAR TERM COMMENCING ON OCTOBER 1, 1998 AND ENDING TWO YEARS THEREAFTER, WITH ONE (1) TWO-(2) YEAR RENEWAL OPTION, SUBJECT TO CITY COUNCIL APPROVAL, AT A RATE OF \$4.80 PER SQUARE FOOT PER YEAR FOR A TOTAL PAYMENT OF \$11,184.00, FOR THE INITIAL TERM OF THE LEASE TO COVER JANITORIAL, UTILITY, AND MAINTENANCE EXPENSES.

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AN ORDINANCE 89107

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO 0.420 HECTARES (1.038 ACRES), OUT OF A 8.785 ACRE TRACT, NEW CITY BLOCK 7657, SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, NAMELY THE CONSTRUCTION OF A PORTION OF THE MISSION TRAILS PARKWAY PROJECT, PACKAGE 2; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 89108

DECLARING 5,719 SQUARE FEET OF PROPERTY OWNED BY THE CITY OF SAN ANTONIO THROUGH ITS AGENT, SAN ANTONIO WATER SYSTEM (SAWS), LOCATED AT THE GENERALLY SOUTHWEST CORNER OF EAST MARKET AND SOUTH PRESA STREETS, LEGALLY DESCRIBED AS PORTIONS OF LOTS 2 AND A-3, NCB 157, AS SURPLUS TO THE NEEDS OF THE CITY OF SAN ANTONIO, AND AUTHORIZING THE SALE OF SAID PROPERTY, INCLUDING A SURFACE EASEMENT OVER THE ADJOINING 2,649 SQUARE FEET OF PROPERTY.

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AN ORDINANCE 89109

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE 1998-99 PROJECT WINTER ASSISTANCE RELIEF MOBILIZATION, ORDINANCE NO. 88893, PASSED AND APPROVED ON DECEMBER 10, 1998, TO REPROGRAM \$12,000.00 FROM THE DEPARTMENT OF COMMUNITY INITIATIVES TO THE GREATER RANDOLPH AREA SERVICES PROGRAM IN THE AMOUNT OF \$2,000.00 AND TO CATHOLIC FAMILY AND CHILDREN SERVICES, INC. IN THE AMOUNT OF \$10,000.00.

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AN ORDINANCE 89110

AUTHORIZING THE RATIFICATION AND ACCEPTANCE OF A GRANT BY THE DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$50,000.00 FROM THE LOCAL BOARD OF THE EMERGENCY FOOD & SHELTER NATIONAL BOARD PROGRAM FOR THE PERIOD OCTOBER 1, 1998 TO SEPTEMBER 30, 1999.

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AN ORDINANCE 89111

AUTHORIZING THE EXECUTION OF A MODIFICATION OF A SUBCONTRACT BETWEEN ABT ASSOCIATES, INC. AND THE CITY OF SAN ANTONIO TO CONTINUE FUNDING THE ARRESTEE DRUG ABUSE MONITORING (ADAM) PROGRAM THROUGH JUNE 30, 1999; AND APPROVING A BUDGET REVISION ADDING \$55,903.00 IN FUNDS FOR PROJECT ACTIVITIES.

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AN ORDINANCE 89112

TERMINATING THE CURRENT AGREEMENT WITH HMO BLUE®, CENTRAL TEXAS AUTHORIZED BY ORDINANCE 87557, PASSED AND APPROVED MARCH 26, 1998 AND AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A NEW PARTICIPATING ANCILLARY HEALTH CARE PROVIDER AGREEMENT WITH HMO BLUE®, CENTRAL TEXAS FOR THE PROVISION OF SELECTED HEALTH CARE SERVICES BY THE SAN ANTONIO METROPOLITAN HEALTH

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DISTRICT TO INDIVIDUALS COVERED UNDER THE HMO BLUE®, CENTRAL TEXAS MEDICAID HEALTH BENEFIT PROGRAM.

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AN ORDINANCE 89113

AMENDING ORDINANCE NO. 85497, PASSED AND APPROVED JANUARY 23, 1997, WHICH ESTABLISHED THE REPAYMENT SCHEDULE FOR THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS) BY AUTHORIZING PAYMENT IN THE AMOUNT OF THE \$815,408.09 BALANCE DUE FUND 72, INTERNAL SERVICE FUND, EQUIPMENT RENEWAL & REPLACEMENT FOR PURCHASE OF THE AFIS SYSTEM.

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AN ORDINANCE 89114

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT, IN THE AMOUNT OF \$408,477.00 FOR THE PERIOD BEGINNING JANUARY 1, 1999 TO DECEMBER 31, 1999 FOR FUNDING THE SOUTH TEXAS INTELLIGENCE CENTER.

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AN ORDINANCE 89115

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT, IN THE AMOUNT OF \$855,679.00 FOR THE PERIOD BEGINNING JANUARY 1, 1999 TO DECEMBER 31, 1999 FOR FUNDING THE MULTI-AGENCY DRUG COURIER & APPREHENSION TASK FORCE.

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AN ORDINANCE 89116

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT, IN THE AMOUNT OF \$60,043.00 FOR THE PERIOD BEGINNING JANUARY 1, 1999 TO DECEMBER 31, 1999 FOR FUNDING THE DIRECTOR'S ADMINISTRATIVE SUPPORT ELEMENT.

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AN ORDINANCE 89117

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT, IN THE AMOUNT OF \$333,891.00 FOR THE PERIOD BEGINNING JANUARY 1, 1999 TO DECEMBER 31, 1999 FOR FUNDING THE SAN ANTONIO MULTI-AGENCY INVESTIGATIVE PARTNERSHIP.

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AN ORDINANCE 89118

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. SA-96-CA-0882, STYLED GEORGIA RAKOWITZ V. CITY OF SAN ANTONIO, FOR A TOTAL AMOUNT OF \$175,000.00.

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AN ORDINANCE 89119

AUTHORIZING THE TRANSFER OF \$125,000.00 OF FUNDS, PREVIOUSLY APPROPRIATED FOR GRANTS TO PROJECT QUEST, INC. AND SAN ANTONIO URBAN MINISTRIES, TO THE TEXAS WORKFORCE COMMISSION (TWC) AS MATCHING FUNDS TO BE RETURNED TO THE CITY THROUGH ALAMO WORKFORCE DEVELOPMENT, INC. ALONG WITH ADDITIONAL FUNDS PROVIDED BY A FEDERAL MATCH TO PURCHASE CHILD CARE SERVICES FOR PROJECT QUEST, INC. AND SAN ANTONIO URBAN MINISTRIES THROUGH THE DEPARTMENT OF COMMUNITY INITIATIVES, CHILDREN'S RESOURCES DIVISION, CHILD CARE MANAGEMENT SERVICES (CCMS) PROGRAM; AUTHORIZING THE EXECUTION OF A CONTRACT WITH TWC TO

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ACCOMPLISH SAID TRANSFER; AMENDING THE CCMS BUDGET AND AMENDING ORDINANCE NO. 88485, PASSED AND APPROVED ON SEPTEMBER 17, 1998.

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AN ORDINANCE 89120

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF \$56,155.98 FOR THE CALENDAR YEAR 1999.

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AN ORDINANCE 89121

AUTHORIZING A TWENTY-FIVE (25) YEAR PERSONAL PROPERTY USE AGREEMENT WITH THE SUNSET GROUP, LLPC FOR THE RESTORATION, RELOCATION AND EXHIBITION OF THE CITY OF SAN ANTONIO'S STEAM LOCOMOTIVE ENGINE NO. 794 AT THE SUNSET STATION COMPLEX IN CONSIDERATION FOR APPROXIMATELY \$40,000.00 IN RESTORATION COSTS FOR THIS HISTORIC EXHIBIT.

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AN ORDINANCE 89122

REAPPOINTING WILLIAM MONIER (DISTRICT 9) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2000.

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AN ORDINANCE 89123

REAPPOINTING DAVID MARSHALL (MAYOR) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1999.

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AN ORDINANCE 89124

APPOINTING JOHN CLAMP (DISTRICT 10) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2000.

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COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Item For Individual Consideration, including his opposition to the renaming of streets and his support of other agenda items.

Mr. Jack Finger, P.O. Box 12048, spoke against proposed fees to be paid to the City's Washington, D.C. lobbying firm; complained about the lack of backup information available until yesterday on certain items; asked Council members to abstain from voting on items involving firms whose officials contributed to that Council member's political campaign; and spoke against a vote on change of local government and installing consolidation of local governments.

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89125

AUTHORIZING THE EXECUTION OF AN "AGREEMENT TO CONTRIBUTE FUNDS" AND APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$900,000.00 TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR RIGHT OF WAY ACQUISITION MATCHING FUNDS FOR SPUR 421 (CULEBRA/BANDERA ROAD) FROM INTERSTATE HIGHWAY 10 TO EVERS ROAD, LOCATED IN COUNCIL DISTRICTS 1 AND 7.

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

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Mr. John German, Director of Public Works, explained right-of-way acquisition for Spur 421 (Culebra Rd. And Bandera Road.).

Mr. Garza spoke in support for this project, and addressed the need to inform homeowners and business owners in the area of the project about the implications of the construction. He thanked the citizens for their input for this project and spoke to the need for other pedestrian amenities along the route.

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89126

RENAMING DREAMWOOD, WEST OF NACOGDOCHES, TO FRIESENHAHN CT. IN HONOR OF MR. RAY FRIESENHAHN FOR HIS CONTRIBUTIONS TO ST. HELENA'S CATHOLIC CHURCH AND TO THE CITY FOR MANY YEARS; AS REQUESTED BY MR. STEPHEN B. BOLNER, VICE PRESIDENT OF ALAMO CONSULTING ENGINEERING & SURVEYING, INC.

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

Mr. Gene Camargo, Director of Building Inspections, explained the request for a street name change, and noted that there is no opposition to that change, inasmuch as the honoree owns both sides of the street involved.

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89127

ADOPTING THE 1997 EDITION OF THE UNIFORM MECHANICAL CODE, WITH LOCAL AMENDMENTS.

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

Mr. Michael Clack, Assistant Director of Building Inspections, narrated a video presentation of the proposed adoption of the 1997 Uniform Mechanical, Plumbing, Building and Fire Codes, a copy of which presentation is made a part of the papers of this meeting. He noted that this is the first time that all found major Codes will be adopted at the same time, and spoke to the improved coordination that will result from adopting these Codes together, inasmuch as some of the provisions of one Code affect other provisions in another such Code. He spoke to the public input to the adoption process and addressed certain significant changes made from the 1994 Codes now in effect.

Mr. Curly Johnson, Chairman, Plumbing Appeals Board, spoke in support for the new Plumbing Code and urged proper budgeting for Plumbing Code inspectors.

Mayor Peak thanked all involved for effecting this continuity in the City's major Codes and the savings that will result.

Discussion then took place concerning Code changes in the storage requirements for certain irritants.

Mr. Vásquez spoke in support for the proposed changes in new construction requirements.

Discussion ensued concerning the training needs involved.

In response to a question by Mr. Salas, Mr. Clack discussed the types and specifications of PVC piping allowed.

Mr. Marbut thanked all involved for their hard work.

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89128

ADOPTING THE 1997 EDITION OF THE UNIFORM PLUMBING CODE, WITH ITS APPENDICES AND LOCAL AMENDMENTS.

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

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89129

ADOPTING THE 1997 EDITION OF THE 1997 EDITION OF THE UNIFORM BUILDING CODE AND THE UNIFORM FIRE CODE, WITH LOCAL AMENDMENTS.

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

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Mayor Peak thanked the City Council members for agreeing to add this particular item to the City's 1999 State Legislative Program package.

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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99-03 **APPEAL OF BEETHOVEN MAENNERCHOR**

Mayor Peak declared the hearing of the appeal to be open.

Ms. Ann McGlone, Historic Preservation Officer, City of San Antonio, narrated a video presentation of the appeal and staff recommendation. She explained the sequence of events involved in the appeal and a background history of the property concerned, then explained why the appeal was denied. Finally, she recommended that the appeal to City Council be denied.

The following citizen(s) appeared to speak:

Ms. Jo-Lynne Smith, representing the San Antonio Conservation Society, urged restoration of the building concerned.

Mr. James Masterson Parker, attorney representing the Beethoven Maennerchor, provided Council members with a handout of materials relative to the appeal and spoke to the reasons for seeking a demolition permit for the building concerned. He then spoke to a history and description of the property concerned.

Mr. Faris Hodge, Jr., 140 Dora, spoke against preserving old houses that need to be destroyed because of their condition.

Mr. Jim Johnson, representing the King William Association, noted that his group has some 450 members, and he addressed the need to preserve the character of the King William neighborhood. He stated his group's stance that the singing group cannot demolish the historic home on the property in order to make way for a parking lot.

Mr. Arthur Link, owner of Column's Bed & Breakfast, spoke to the adverse impact that the building across the street from his bed & breakfast has had. He urged that the City Council to require Beethoven Maennerchor to keep up the property.

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Mr. Jim Poteet, representing the Southtown Urban Mainstreet Alliance, spoke to the need for revitalization of the neighborhood for preservation and economic development purposes. He noted that the owners of the property in question are not interested in selling the property for redevelopment.

Mr. Edmund O. Seidel, representing the Beethoven Maennerchor, stated that he has been an engineer for many years and expressed his professional opinion that firm has destroyed the building beyond repair. He stated that the cost to renovate the damaged building would be prohibitive to the group.

Mr. Robert McCoy, representing Nomad's, 1102 South Alamo Street, stated that he is the next-door neighbor to the subject property, and stated his opinion that no efforts have been made to preserve and restore the building, which he termed the only one not so preserved and restored in the immediate neighborhood.

In rebuttal, Mr. Parker stated that only one offer has been made to purchase the subject property, and that by the American Institute of Architects local chapter. He then read a statement from the Department of Code Compliance, written in 1990, noting that the building is not repairable and should be destroyed, as it is too costly to repair.

Ms. Veronika Kuest, member of the Beethoven Maennerchor, stated that her group cannot afford to restore the building, and stated her opinion that the Conservation Society is not helping in that effort. She stated that she is unaware of three offers made to purchase the property, and spoke in hopes for an amicable solution.

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Mayor Peak declared the hearing of the appeal to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 89132

RESOLVING AN APPEAL OF THE DECISION OF THE DIRECTOR OF PLANNING TO ACCEPT THE HISTORIC DESIGN AND REVIEW COMMISSION'S RECOMMENDATION REGARDING THE PROPOSED DEMOLITION OF A RESIDENTIAL STRUCTURE LOCATED AT 1110 S. ALAMO STREET.

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Mr. Flores made a motion to deny the proposed appeal. Mr. Webster seconded the motion. Mr. Flores urged that the appeal, to allow the demolition permit application to be approved, be denied by City Council. He stated that this King William neighborhood is important to the heritage and culture of San Antonio, and recommended the Beethoven Maennerchor find a way to preserve the property and building.

Mayor Peak spoke in support for the motion, although noting that it is a difficult decision to make relating to someone else's property. He spoke against 'demolition by neglect'.

Mr. Salas spoke in support for the pending motion to deny the appeal.

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

The appeal was denied.

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89133

AUTHORIZING THE EXPENDITURE OF \$150.00 FROM THE DISTRICT 2 BUDGET ACCOUNT TO ASSIST THE SAN ANTONIO RUNNERS FEMALE BASKETBALL TEAM WITH THE COSTS OF A TRIP TO AUSTIN, TEXAS TO ATTEND THE TOP GUN BASKETBALL CLASSIC TOURNAMENT.

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

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89134

AUTHORIZING THE EXPENDITURE OF \$300.00 FROM THE DISTRICT 2 BUDGET ACCOUNT TO HELP DEFRAY THE COST OF EQUIPMENT, REGISTRATION, TEAM OPERATIONS AND TRAVELING EXPENSES FOR THE SOUTHEAST APACHES POP WARNER FOOTBALL/CHEERLEADER ASSOCIATION.

* * * *

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

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89135

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 2 BUDGET ACCOUNT TO ASSIST THE GUARDIAN ANGEL PERFORMANCE ARTS ACADEMY WITH THE PURCHASE OF EDUCATIONAL MATERIALS FOR TEACHERS AND STUDENTS.

* * * *

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

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

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89142

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 10 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$7,950.00 TO COUNCILMAN JEFF WEBSTER FOR ADMINISTRATIVE SERVICES CONTRACT WITH MICHELLE JEAN MCDANIEL, (\$750.00) FROM JANUARY 13, 1999 THROUGH JANUARY 31, 1999; AND (\$1,800.00 PER MONTH) FROM FEBRUARY 1, 1999 THROUGH MAY 31, 1999; AS REQUESTED BY COUNCILMAN JEFF S. WEBSTER.

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

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

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99-03 The Clerk read the following Ordinance:

AN ORDINANCE 89143

AUTHORIZING THE REIMBURSEMENT FROM THE DISTRICT 6 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$29,750.00 TO COUNCILMAN JOSÉ MENÉNDEZ FOR ADMINISTRATIVE SERVICES CONTRACTS WITH DANIEL ORTIZ (\$2,200.00 PER MONTH) FROM JANUARY 1, 1999 THROUGH MAY 31, 1999; MELISSA PACHECO (\$800.00) FROM JANUARY 1, 1999 THROUGH JANUARY 31, 1999; MELISSA PACHECO (\$1,800.00 PER MONTH) FROM FEBRUARY 1, 1999 THROUGH MAY 31, 1999; CARLOS ALVAREZ (\$1,650.00 PER MONTH) FROM JANUARY 1, 1999 THROUGH MAY 31, 1999; AND CECILIA RODRIGUEZ (\$500.00 PER MONTH) FROM JANUARY 1, 1999 THROUGH MAY 31, 1999; AS REQUESTED BY COUNCILMAN JOSÉ MENÉNDEZ.

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

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99-03 **PUBLIC HEARING-SELECTION OF 1999 BOND PROJECTS**

Mayor Peak declared the Public Hearing to be open.

Ms. Terry Brechtel, Director of budget & Employee Services, narrated a video presentation on the proposed bond projects list, a copy of which presentation is made a part of the papers of this meeting. She noted that this is the first of two such Public Hearings on proposed 1999 bond projects, and stated that some \$140.2 million bonding capacity is available. She spoke to the proposed per-Council district bond amounts and a calendar of proposed events leading up to the proposed bond election on May 1, 1999.

The following citizen(s) appeared to speak:

Ms. Susan P. Rust, Chairperson, Open Space Advisory Board, spoke to projects supported by her board, and asked for more details on the proposed bond projects. She spoke in support of bond projects for especially parks and drainage.

Sr. Gabriella Lohan, representing the Metropolitan Alliance, noted that her group and Communities Organized for Public Service (COPS) have helped to prioritize bond projects for the past 25 years, and spoke to her hope that the bonds will be mainly devoted to the city's drainage infrastructure.

Ms. Christina Castro, representing COPS, spoke to the need to fulfill the need for capital improvements in neighborhoods as a priority, noting that the proposed bond fund distribution by Council district will leave out needed improvements.

Mr. David Klar, representing the Alamo Sierra Club, spoke in support for the bond package, but addressed the need for more details on the projects. He spoke to his concern with drainage projects, and in support for the property buyouts in flooded areas of the city. He also spoke in support for erection of manually-closed gates across low-water crossings.

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Ms. Jo-Lynne Smith, representing San Antonio Conservation Society, spoke to her group's support of certain river-related projects, especially San Antonio River improvements north of Lexington Street, and involving the Brooklyn Street dam.

Ms. Nancy Englebert, President, Heritage Neighborhood Association, asked for more improvements in her neighborhood such as including the duck pond as part of a park.

Mr. Faris Hodge, Jr., 140 Dora, complained about the lack of available information on bond projects and spoke to the needs in the areas of parks, drainage and libraries.

Mr. Jack Finger, P.O. Box 12048, thanked City staff for providing details of the bond projects received earlier today, but complained that those details were not available in a timely manner. He expressed his belief that streets work should be part of the regular City budget, not funded by bond projects.

Ms. Kye Fox, President of the Library Foundation, and Mrs. Carol O'Malley, its President-elect, together announced a new program designed to raise some \$8 million over the next five years for library improvements and programs, celebrating the 100th anniversary of the city's library system.

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

Mayor Peak thanked the citizens and citizen groups involved in the bond project decision-making process, and spoke to his perception of how best to spend the available bond funds without a tax increase. He noted that the bond project process will wrap up next week when the list will be finalized and presented to City Council for a vote.

Mr. Menéndez noted that District 6 proposed bond allocations stress new library services and other major projects.

Mr. Garza spoke to the many instances of City Council collaboration and partnerships in order to arrive at funding projects that affect several Council districts.

Discussion then took place concerning Library Foundation funding programs and use of the initial \$4 million to equip libraries.

Mr. Salas highlighted the District 2 proposed bond projects.

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Mr. Vásquez did likewise, and spoke to the work by both City staff and citizens on developing the bond projects.

Mr. Webster noted that bond project information has been available to anyone interested in it for some time now.

Mr. Bannwolf noted that community groups prepared the District 9 bond projects list and made the available monies fit the project needs. He urged voter approval of the May 1, 1999 bond election.

Mr. Marbut thanked the Library Foundation for supporting the three new branch libraries called for in the bond projects, and addressed the need for certain special projects in newly-annexed areas.

Mr. Prado stated his pleasure in having the bond projects finalized, but noted that there is not enough bond funding available to fill all the needs. He asked that, after the election, a task force be appointed to study continued needs in the Council districts.

In response to a question by Mayor Peak, Ms. Fox further discussed the Library Foundation's \$8 million program, and addressed the 50 per cent matching funds for equipping new branch libraries.

In response to a question by Mr. Marbut, Ms. Fox noted that the library professionals will decide on how to use the funds raised in the campaign.

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99-03 City Council recessed its regular session at 4:35 P.M. in order to convene in Executive Session for the purpose of Attorney/Client consultation regarding litigation case styled Joel Rutstein and Barbara Rutstein, Individually and As Personal Representatives of the Estate of Erica Rutstein, Deceased; and Mathews and Carole Benzaquen, Individually and as Next Friend of Benjamin Benzaquen III, a Minor Child vs. City of San Antonio, Cause No. 95-CI-16065, 73rd Judicial District Court, Claim No. 737-1162. The City Council adjourned the Executive Session and reconvened in regular session at 5:20 P.M., at which time Mayor Peak stated that Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action.

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CITIZENS TO BE HEARD

STREET NAME CHANGE IN HONOR OF CESAR CHAVEZ

A group of citizens appeared to speak to City Council in a request that Commerce Street be renamed in honor of Cesar Chavez.

The following persons appeared to speak:

Mr. Jaime Martinez, representing the Cesar Chavez March Committee, spoke to Mr. Chavez's background and history as a farm worker organizer, and he submitted petitions bearing signatures of persons in support for the renaming of Commerce Street in honor of Cesar Chavez. He asked that a committee be set up to discuss the matter.

Mayor Peak spoke to the formal process necessary for the renaming of a street, and noted that the submittal of the petitions today constitutes the start of that formal process.

Ms. Martha von Ellenrider, representing Coordinadora 2000, reiterated the history of Cesar Chavez and urged he be honored as requested in the petitions.

Mr. Gabriel Velasquez, also representing Coordinadora 2000, thanked the City for its assistance in the march in honor of Cesar Chavez, and spoke to the need to honor this role model by naming a street for him.

Ms. Rosa Rosales, representing the League of United Latin American Citizens (LULAC) stated that her group wants West Commerce Street named for Cesar Chavez.

Mr. Henry Rodriguez, also representing LULAC, spoke to the need for Cesar Chavez to have his rightful place in history, and asked that the entire length of Commerce Street be named in his honor.

Mr. Carlos Hernandez, student at the University of Texas at San Antonio, spoke to the importance of the Cesar Chavez march, providing a sense of pride in the community.

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Mayor Peak thanked all who appeared for their remarks.

Mr. Salas spoke in comparison of Cesar Chavez and Dr. Martin Luther King Jr., and stated his preference to have East Commerce Street renamed in honor of Medgar Evers, expressing his desire to discuss the entire matter.

Mr. Menéndez stated that he would be at the march in honor of Cesar Chavez, and asked those involved in seeking this street-name change to inform all persons along Commerce Street of why the name is being requested for change and the reasons for that request, in an educational process.

Mr. Vásquez spoke to the need to push forward with this request, stating his belief that a majority of City Council supports renaming Commerce Street for Cesar Chavez. He also spoke to his desire that a monument also be erected in honor Cesar Chavez.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to a number of subjects, including the alleged lack of information about a possible new arena; water waste; the 9-1-1 system; nepotism; Cesar Chavez; annexation; a pay raise for City employees; questions concerning cloud-seeding to produce rain; and the Spurs.

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MR. MANUEL MUNOZ, JR.

Mr. Manuel Munoz, Jr., 902 Brady Blvd., stated that he wanted to speak to the City Council concerning alleged racism at Kelly Air Force Base, but stated that he would wait for a full Council to be present.

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MS. NANCY ENGELBERT

Ms. Nancy Engelbert, Heritage Neighborhood Association, spoke to her concern that the City Council agenda was not on Channel 21 anymore. She spoke to her belief that the full Council needs to be present for Citizens to be Heard, and asked that the Citizens to be Heard segment of each Council meeting be on cable television.

In response to a question by Mayor Peak, Mr. Travis Bishop, Assistant to the City Manager, noted that the Council agenda currently is telecast on Channel 21.

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Mr. Prado noted that certain technical problems caused down-time on Channel 21, but that those problems are being corrected.

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MR. CRUZ CHAVIRA

Mr. Cruz Chavira, representing San Antonio Taxi Drivers Association, spoke to a potential change in taxi service in San Antonio, and requested to have changes to Chapter 33 of the City Code go first to the City Council's Policy & Planning Committee, then to City Council. He asked the Council to give direction to the Police Department's Ground Transportation Division relative to taxi permit-holders and the question of turning in their permits, and spoke to two separate matters: the cost for drivers to lease their taxis from a permit-holder under the new system, and the matter of meter increases. He noted that 32 permits were turned in last year, and 23 persons are on the list, awaiting permits.

Mr. Flores, Chairman of the Transportation Committee, stated that the 32 permits will be distributed.

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MR. GARY BRANDENBERG

Mr. Gary Brandenberg, representing Taxi Express, stated that he welcomes new taxicab business in San Antonio, and stated his belief that taxi permits should be turned in to the City.

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MR. JUAN GUTIERREZ

Mr. Juan Gutierrez spoke to his concern that permit-holders are making money from those permits, and asked that certain rules under Chapter 33 be waived.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the Mosaical Law of the Torah and its various tenets.

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MR. JACK FINGER

Mr. Jack Finger, P.O. Box 12048, spoke to his concern with a lack of information available on the bond projects discussed in today's Council meeting.

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99-03 There being no further business to come before the Council, the meeting was adjourned at 6:11 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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