

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 19, 2001.

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2001-16 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A) **Boards and Commissions Work Session.** (Presented by Norma S. Rodriguez, City Clerk)

The Council members present were: **AYES:** Perez, Guerrero, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Salas, Prado, Garcia.

The "B" Session adjourned at 10:45 A.M.

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2001-16 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Howard W. Peak, with the following members present: **AYES:** Perez, Salas, Guerrero, Garcia, Barrera, Garza, Conner, Bannwolf, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado.

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2001-16 Invocation by Reverend Dennis Wall, Rainbow Hills Baptist Church.

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2001-16 Pledge of Allegiance to the flag of the United States.

2001-16 **MARTIN LUTHER KING SCHOLARSHIP AWARDS**

Mayor Peak recognized Ms. Nancy Bohman, Chair of the Martin Luther King (MLK) Scholarship Committee who made a brief presentation on the program.

Ms. Bohman, recognized members of the Committee who participated in the interview and selection process.

Reverend Kenneth Allen spoke on the program, and commended fellow members of the Committee who contributed many hours to the success of the scholarship program.

Each of the award recipients introduced themselves, the school they were graduating from and announced the college that each of them would be attending.

Members of the City Council commended the students for their hard work, and further recognized the school administrators, parents, and members of the MLK Committee.

2001-16 **TREE PRESERVATION AWARDS**

Mayor Peak introduced Ms. Debbie Reid who spoke on the tree preservation awards program. Ms. Reid introduced each of the award recipients, noting the respective winning categories for each recipient.

Mayor Peak and members of the City Council recognized the recipients for their hard work and beautification efforts, the preservation of trees and landscapes for improvement of the quality of life.

2001-16 **CERTIFICATE OF APPRECIATION**

Mayor Peak read the Resolution of Appreciation for Carmen Vasquez-Gonzalez in honor of the years of service to the City of San Antonio.

RESOLUTION OF APPRECIATION

A RESOLUTION
NO. 2001-16-22

**EXPRESSING APPRECIATION TO CARMEN
VAZQUEZ-GONZALEZ FOR HER DEDICATED
SERVICE TO SAN ANTONIO**

Whereas, Carmen Vazquez-Gonzalez has served the City of San Antonio with distinction and dedication as Manager of the Public Information Office at City Hall since June 30, 1980; and

Whereas, during her tenure as Public Information Manager, she created awareness campaigns for initiatives such as curbside recycling, the annual budget and emergencies such as the flood of 1998; and

Whereas, she was instrumental in coordinating media relations for major international events such as the San Antonio Summit and the visit by Queen Elizabeth II; and

Whereas, Carmen's also played a vital role in producing programming for the government access channel 21-Chic, which kept the citizens of San Antonio approsed of their municipal government; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

THAT the City Council hereby commends Carmen Vazquez-Gonzalez for her devoted service to San Antonio and its citizens and presents this Resolution of Appreciation as a token of its appreciation.

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

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

Ms. Vasquez-Gonzalez thanked City staff, her family, City Council and the City Manager's Office for the support given to her throughout the years.

Members of the City Council extended their appreciation for the years of service to the City of San Antonio.

2001-16 Minutes of the Regular City Council Meetings of March 1, and 8, 2001 were approved.

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2001-16 Item 4A being a proposed ordinance authorizing the redemption prior to maturity of a portion of the City's outstanding Airport System Improvement Revenue Bonds, Series 1996, and Item 4C being a proposed ordinance authorizing the issuance, sale and delivery of approximately \$20,000,000 City of San Antonio, Texas Airport System Improvement Revenue Bonds, Series 2001; approving and authorizing instruments and procedures relating thereto; delegating authority to the City Manager to approve final terms; and providing for an immediate effective date upon passage by eight affirmative votes, was pulled from consideration by the City Manager.

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2001-16 **CONSIDERATION AND APPROVAL OF THE FOLLOWING ORDINANCES:**

Mr. Milo Nitschke, Acting Director of Finance, spoke to the timeline of the bond sale, elaborating on the details of the financing program, and the cash defeasance and sale of the Series 2001 Bonds.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke on the use of this type of funding for airport improvements.

City Manager Terry Brechtel spoke to the favorable bond ratings, and the savings to be realized by the City. She noted the increase of traffic flow at the airport, and further commended the financial team and advisors for their efforts in obtaining the favorable rates.

The Clerk read the following Ordinance:

AN ORDINANCE 93789

MASTER ORDINANCE ESTABLISHING THE AIRPORT SYSTEM REVENUE BOND FINANCING PROGRAM WITH RESPECT TO THE ISSUANCE OF OBLIGATIONS BY THE CITY OF SAN ANTONIO, TEXAS PAYABLE FROM

GROSS REVENUES OF THE AIRPORT SYSTEM; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT AFFIRMATIVE VOTES.

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

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The Clerk then read the following Ordinance:

AN ORDINANCE 93790

FIRST SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM FORWARD REFUNDING REVENUE BONDS, SERIES 2003; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

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

2001-16 CONSENT AGENDA – CITIZENS COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to several items on the agenda, specifically noting Item 17 regarding the promotional examinations for the Fire Department personnel, and Item 18 regarding the funds associated with the solid waste management.

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 16 on the agenda regarding the license agreement with La Cantera Hospitality, citing the campaign contributions received by members of the City Council.

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2001-16 CONSENT AGENDA

Mr. Carpenter made a motion to approve Agenda Items 7 through 24C constituting the Consent Agenda. Mr. Garza seconded the motion.

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

AN ORDINANCE 93791

ACCEPTING THE BID FROM BUOY SERVICES, INC. D/B/A SURVIVAL AIR SYSTEMS TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A STATIONARY AIR COMPRESSOR FOR A TOTAL OF \$17,998.00.

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AN ORDINANCE 93792

ACCEPTING THE LOW BID FROM TEXAS WILSON FURNITURE & SERVICES, L.L.C. TO PROVIDE THE CITY OF SAN ANTONIO CONVENTION CENTER FACILITIES WITH FURNITURE FOR A TOTAL OF \$23,517.95.

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AN ORDINANCE 93793

ACCEPTING THE LOW QUALIFIED BIDS SUBMITTED BY ALTERNATIVE CLEANING TECHNOLOGY, INC. (WBE); CLEANING IDEAS, INC.; HILLARD, INC. AND K-STONE SUPPLIES AND REPAIRS, L.L.C. (WBE) TO PROVIDE THE

CITY OF SAN ANTONIO CONVENTION CENTER FACILITIES WITH FLOOR CARE EQUIPMENT FOR A TOTAL OF \$29,219.50.

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AN ORDINANCE 93794

ACCEPTING THE BID FROM AVENTIS PASTEUR, INC. TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH AN ANNUAL CONTRACT FOR THE INFLUENZA VACCINE FOR AN ESTIMATED ANNUAL COST OF \$89,700.00.

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AN ORDINANCE 93795

ACCEPTING THE LOW QUALIFIED BIDS SUBMITTED BY GROUP ONE AUTOMOTIVE D/B/A MAXWELL AUTO GROUP; SOUTHWAY FORD, INC.; LAWRENCE MARSHALL CHEVROLET, L.P.; LAWRENCE MARSHALL FORD, L.P.; BRAVADA FORD, LTD., D/B/A NORTHSIDE FORD; ANCIRA WINTON, INC. D/B/A ANCIRA WINTON CHEVROLET (MBE); DAVIS BUICK-PONTIAC-GMC, INC. (AABE) AND GRANDE FORD TRUCK SALES, INC. D/B/A GRANDE TRUCK CENTER TO PROVIDE VARIOUS CITY OF SAN ANTONIO DEPARTMENTS WITH LIGHT DUTY TRUCKS FOR A TOTAL OF \$2,404,686.00.

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AN ORDINANCE 93796

ACCEPTING THE LOW QUALIFIED BASE BID OF CRAM ROOFING COMPANY, INC. IN THE TOTAL AMOUNT OF \$139,000.00 FOR THE REMOVAL AND REPLACEMENT OF THE BATHHOUSE ROOF AT THE CITY'S SAN ANTONIO NATATORIUM IN CITY COUNCIL DISTRICT 5; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET; TRANSFERRING \$169,935.00 IN 1994 PARK GENERAL OBLIGATION (GO) BOND ISSUE FUNDS INTO THE PROJECT'S BUDGET; AUTHORIZING \$30,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$935.00 FOR BID ADVERTISING AND PRINTING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93797

ACCEPTING THE LOW QUALIFIED BASE BID OF CATO ELECTRIC COMPANY IN THE TOTAL AMOUNT OF \$53,875.00 FOR THE ADDITION OF SECURITY LIGHTING TO THE CITY'S LACKLAND TERRACE PARK IN CITY COUNCIL DISTRICT 6; AUTHORIZING A CONSTRUCTION CONTRACT; ESTABLISHING THE PROJECT'S BUDGET; TRANSFERRING \$80,000.00 IN FY 00/01 ONE TIME CITY COUNCIL PROJECTS FUNDS INTO THE PROJECT'S BUDGET; AUTHORIZING \$13,450.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; PROVIDING \$11,892.00 FOR PARK MATERIALS; AUTHORIZING \$783.00 FOR BID ADVERTISING AND PRINTING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93798

AUTHORIZING A TWO (2) YEAR LICENSE AGREEMENT WITH THE HIGHLAND HAWKS POP WARNER FOOTBALL ASSOCIATION FOR THEIR USE OF ONE FIELD IN THE HIGHLAND SKYLINE SPORTS COMPLEX IN SOUTHSIDE LIONS PARK IN CITY COUNCIL DISTRICT 3 FOR YOUTH ATHLETIC RECREATION PROGRAMS.

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AN ORDINANCE 93799

AUTHORIZING A 25-YEAR LICENSE AGREEMENT WITH LA CANTERA HOSPITALITY, INC. TO USE PUBLIC RIGHT OF WAY AT BABCOCK ROAD BETWEEN CAMP BULLIS ROAD AND CHASE HILL BOULEVARD FOR THE CONSTRUCTION, USE AND MAINTENANCE OF AN UNDERGROUND TUNNEL FOR USE IN THE OPERATION OF ITS GOLF COURSE; FOR A TOTAL CONSIDERATION OF \$12,500.00 TO BE RECEIVED BY THE CITY.

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AN ORDINANCE 93800

AN ORDINANCE AUTHORIZING THE RENEWAL OF THE CURRENT CONTRACT WITH BOOTH RESEARCH GROUP, INC. FOR A ONE-YEAR PERIOD IN ACCORDANCE WITH PROVISIONS OF THE CONTRACT, TO PREPARE VALIDATED WRITTEN PROMOTIONAL EXAMINATIONS FOR THE POSITIONS OF FIRE APPARATUS OPERATOR, FIRE LIEUTENANT, FIRE CAPTAIN AND

DISTRICT FIRE CHIEF, SAN ANTONIO FIRE DEPARTMENT; FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$55,000.00.

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AN ORDINANCE 93801

AUTHORIZING PAYMENT TO ERICH BIRCH, ATTORNEY AT LAW, P.C., AND RATIFYING LEGAL SERVICES PERFORMED TO NEGOTIATE AND PREPARE APPLICATION AND CONVEYANCE DOCUMENTS TO TRANSFER THE CITY'S STARCREST TRANSFER STATION TNRCC PERMIT NO. 1443 TO TEXAS DISPOSAL SYSTEMS LANDFILL, INC. (TDSL), IN THE AMOUNT OF \$8,154.00, PROVIDING ADDITIONAL FUNDS IN THE AMOUNT OF \$41,846.00 FOR ENVIRONMENTAL LEGAL SERVICES CONTEMPLATED IN THE FUTURE, AS MAY BE NECESSARY TO OTHER MATTERS ASSOCIATED WITH SOLID WASTE MANAGEMENT AND THAT MAY ARISE FROM ENVIRONMENTAL CONDITIONS OF THE TROPICANA / R&H REFINERIES SITE, A POTENTIAL NATIONAL PRIORITIES LIST (NPL / FEDERAL SUPERFUND) LOCATION; ALL IN A TOTAL AMOUNT NOT TO EXCEED \$50,000.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 93802

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS ("NEA") IN THE AMOUNT OF \$50,000.00 FOR THE PRODUCTION OF AN INTERNATIONAL ACCORDION FESTIVAL ("IAF") TO BE HELD IN LA VILLITA SEPTEMBER 29TH AND 30TH, 2001; AND FURTHER AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH TEXAS FOLKLIFE RESOURCES TO PRODUCE THE INTERNATIONAL ACCORDION FESTIVAL IN SEPTEMBER 2001 IN AN AMOUNT NOT TO EXCEED \$50,000.00.

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AN ORDINANCE 93803

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT IN THE AMOUNT OF \$1,305,885.00 FOR THE MULTI-AGENCY

DRUG COURIER & APPREHENSION TASK FORCE FOR THE PERIOD
JANUARY 1, 2001, THROUGH DECEMBER 31, 2001.

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AN ORDINANCE 93804

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG
CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA
(HIDTA) GRANT IN THE AMOUNT OF \$437,487.00 FOR THE SOUTH TEXAS
INTELLIGENCE CENTER FOR THE PERIOD JANUARY 1, 2001, THROUGH
DECEMBER 31, 2001.

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AN ORDINANCE 93805

AUTHORIZING THE ACCEPTANCE OF AN OFFICE OF NATIONAL DRUG
CONTROL POLICY (ONDCP) HIGH INTENSITY DRUG TRAFFICKING AREA
(HIDTA) GRANT IN THE AMOUNT OF \$81,069.00 FOR THE DIRECTOR'S
ADMINISTRATIVE SUPPORT ELEMENT FOR THE PERIOD JANUARY 1, 2001,
THROUGH DECEMBER 31, 2001.

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AN ORDINANCE 93806

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY
CLOSURE OF CERTAIN STREETS IN THE FREDERICKSBURG
ROAD/WOODLAKE VICINITY IN CONNECTION WITH THE MUTT STRUTT &
ADOPTATHON 2001 TO BE HELD ON SATURDAY, MAY 12, 2001.

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AN ORDINANCE 93807

RE-APPOINTING MARGIE GALVAN (DISTRICT 4) TO THE SAN ANTONIO
LOCAL DEVELOPMENT COMPANY FOR A TERM OF OFFICE TO EXPIRE ON
MAY 9, 2003.

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AN ORDINANCE 93808

APPOINTING JAMES SALAIZ (DISTRICT 3) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 31, 2002.

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AN ORDINANCE 93809

APPOINTING CARMEN B. ABAD-FITTS (DISTRICT 1) TO THE BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2002.

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2001-16 Agenda Item 12, being a proposed ordinance authorizing the negotiation and execution of a Professional Services Agreement with artist Jody Pinto to design, fabricate and install an aesthetic enhancement for the Lobby Bridge Project of the Henry B. Gonzalez Convention Center Expansion Project; and appropriating funds not to exceed \$104,500.00, was pulled from consideration by the City Manager.

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2001-16 **BRIEFING ON THE FINAL REPORT FROM R.W. BECK/PHB HAGLER BAILLY ON THE ELECTRIC DEREGULATION STUDY**

Mr. Ben Gorzell, Supervisor of Public Utilities, narrated a slide presentation outlining the background, the amendments approved, scope of services under the agreement, a copy of which presentation is made a part of the papers of this meeting.

Mr. Scott Burnham, R.W. Beck, presented the background on the legislative and regulatory issues, the financial comparison, operational assessments, CPS operational performance, the four options available, the calculated value components under the four options presented, the rate discount, and legal issues with respect to the sale of CPS assets.

Mr. Todd Filsinger, PHB Hagler Bailly, spoke to the current utility environment stating that deregulation has been implemented in several states. He noted the value of the City's options based on 20 years, and recommendations of CPS assets.

Mr. Ben Gorzell, further highlighted issues on the deregulation, noting the competitiveness of CPS, legislative provisions, the benefits to local control of the City's

ownership of CPS, identified resources from CPS revenues and the staff recommendations.

Ms. Jamie Rochelle, General Manager, City Public Service, presented a history of CPS, the services provided by CPS throughout the years, specifically highlighting on the improvements made on customer service for the ratepayers of San Antonio and the assets of CPS. She also spoke to the value to San Antonio in owning CPS, the many benefits derived from municipal ownership of the utility company, especially benefiting the ratepayers of the City by providing discounts or rebates to the ratepayers needing the financial assistance. She emphasized the importance of the utility company being able to provide this service to its customers.

Mayor Peak spoke on the crucial issues at hand with regard to CPS, noting that CPS was a great asset for San Antonio. He added that CPS customers get good quality services for the low rates and dependable gas/electric services, and cited how CPS was a well-run utility company doing a good job for the community. He stated that CPS was above average overall, and recognized that although there were some improvements needed, CPS can continue to work on those issues and do a better job for the community. He emphasized that Bond companies had reviewed CPS and has rated it highly. He further noted that reports indicate that the City should be in no rush to opt into deregulation, until such time that it would be beneficial to the City and its customers. He stated that the citizens of San Antonio have a great asset by maintaining ownership of CPS. He asked that City Council direct staff to bring back to the Council an ordinance that would denote that the City does not want to get into the deregulation market and wait to see how the market continues, and also note that the City is not interested in selling the assets of CPS.

Mr. Garza made a motion to direct staff to bring back to the City Council for formal approval such an ordinance. Mr. Carpenter seconded the motion.

Mr. Garza stated that the Municipal Owned Utility was strong from a management and financial perspective, and that the citizens of San Antonio would not benefit from deregulation. He added that the City is in good position to maintain CPS for the benefit of the ratepayers, and the quality services and revenues derived from CPS.

Mr. Bannwolf stated that the City has exercised due diligence by maintaining CPS, and reiterated the importance of the City staying out of deregulation until the City further reviews the market and understands fully the ramifications of deregulation. He stated he was pleased to see the results and efforts of the analysis, which had begun in 1997, and further stated he would support the study.

In response to Mr. Garcia regarding other municipally owned utilities, Mr. Gorzell stated there was no other utility comparable to CPS. He noted that the City should continue to monitor the deregulation market.

Ms. Conner stated she was in full support of the report and acknowledged the security and sound management of CPS.

The Clerk read the following Ordinance:

AN ORDINANCE 93810

AUTHORIZING THE THIRD AMENDMENT TO THE ELECTRIC DEREGULATION STUDY AGREEMENT WITH R. W. BECK, INC. TO CHANGE THE SCOPE OF WORK AND RATIFY SERVICES PERFORMED IN AN AMOUNT NOT TO EXCEED \$20,000.00; APPROVING THE RENEWAL AND EXTENSION OF SAID AGREEMENT TO MAY 31, 2001; AND AUTHORIZING PAYMENT. (AMENDS ORDINANCE NO. 88237, AUGUST 6, 1998.)

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

Mr. Ben Gorzell, Public Utility Supervisor, made a presentation on the third amendment to the electric deregulation study, further outlining the change in the scope of work and the services being provided by R.W. Beck.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the increasing rates of CPS, and noted that he did not receive any discount on his bill. He also spoke in support of the deregulation citing competition as beneficial to all involved.

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

2001-16 **BRIEFING ON THE UNIFIED DEVELOPMENT CODE**

Mr. Emil Moncivais, Director of Planning, introduced Mr. Mark White to make the presentation on the Unified Development Code (UDC).

Mr. Mark White, presented the background of the Unified Development Code (UDC), outlining the history of the actions taken thus far, the public participation including the various stakeholders, community groups and neighborhood associations, the proposed changes to the UDC, detailing each of the provisions.

Mr. Emil Moncivais, spoke to the implementation of the plan, the three phases of adoption of the code which included the staff training, public education, problem solving mechanism, issues to be resolved, remaining concerns, and the schedule of the hearing and the final adoption of the code.

Mayor Peak stated he was pleased to see the amount of consensus achieved in the development process, noting that the UDC was important to the City, and much benefits would be reaped for the community for years to come through its adoption. He emphasized that the next few weeks were critical because of the hours, work and community participation to take place, and further commended staff for the presentation and work expended on this project.

Mr. Garza commended all stakeholders involved in the process, specifically citing City staff, the Advisory Committee, and the Mayor on his leadership, for the efforts expended into this important document which was critical for the future of San Antonio. He stated that if approved this represented an aggressive smart growth policy for the City, and that the Unified Development Code would address the core of many issues faced by the community, including quality of life and better jobs, discourage urban sprawl, and provide a goal to improve neighborhoods.

Ms. Conner stated this represented a modern, progressive document for the community and the multiple stakeholders, and that she looked forward to the next presentation.

2001-16 **BRIEFING ON THE STATUS OF THE CITY OF SAN ANTONIO
LEGISLATIVE PROGRAM FOR THE 77TH LEGISLATIVE SESSION**

Mr. Jim Campbell, Director of External Relations, presented the status of the Legislative Program for the 77th Legislative Session. He outlined the background, important dates of bill consideration, and delineated each of the bills being considered.

Ms. Guerrero spoke to the exemplary work of Mr. Campbell, and urged Council support of the process.

In response to Mr. Barrera regarding the Better Jobs Initiative, Mr. Campbell stated that the issue could possibly be on the floor in one week for House consideration, and if adopted, it could be in effect September 1st.

The following citizens appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to several issues including the school monies to allow students to attend schools of their choice, and also took issue with the City clinics giving birth control devices to students without the parents consent.

2001-16 The Clerk read a proposed ordinance authorizing the expenditure of \$2,500.00 from Council District 3 Contingency Budget Account to the City's Department of Parks and Recreation for the development of the Octavio Peña Memorial Garden in Pickwell Park and providing for the erection of a suitable memorial plaque at the garden site; as requested by Councilwoman Debra Guerrero.

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

Ms. Frances Gonzalez, Assistant to the City Manager, spoke to the memorial garden dedicated to Octavio Pena, and invited the City Council to the unveiling ceremony.

Ms. Guerrero made an amendment to the motion by denoting additional monies for the memorial garden being contributed by the following members of the City Council:
[Mayor - \$ 250, District 1 - \$ 500, District 2 - \$ 250, District 3 - \$2500, District 5 - \$ 250, District 6 - \$ 250, District 7 - \$ 250, District 8 - \$ 250, District 10 - \$ 500. TOTAL OF: \$2,500]. Mr. Carpenter seconded the motion.

The amendment to the motion was approved by the following vote: **AYES:** Perez, Salas, Guerrero, Barrera, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garcia, Garza, Conner, Bannwolf.

After consideration, the main motion, as amended, and carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Salas, Guerrero,

Barrera, Carpenter, Peak. **NAYS:** None. **ABSENT:** Prado, Garcia, Garza, Conner, Bannwolf.

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AN ORDINANCE 93811

AUTHORIZING THE EXPENDITURE OF \$5,000.00 FROM VARIOUS DISTRICT CONTINGENCY BUDGET ACCOUNTS TO THE CITY'S DEPARTMENT OF PARKS AND RECREATION FOR THE DEVELOPMENT OF THE OCTAVIO PEÑA MEMORIAL GARDEN IN PICKWELL PARK AND PROVIDING FOR THE ERECTION OF A SUITABLE MEMORIAL PLAQUE AT THE GARDEN SITE; AS REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

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2001-16 The Clerk read the following Ordinance:

AN ORDINANCE 93812

AUTHORIZING THE FOLLOWING ADJUSTMENTS TO THE DISTRICT 3'S FY2000 ONE-TIME PROJECTS BUDGET: A) ELIMINATING \$25,000 SET ASIDE IN FY 2000 ONE-TIME PROJECTS FUNDS FOR MONROE STREET ENGINEERING/RECONSTRUCTION PROJECT; B) SETTING ASIDE \$5,000 FOR THE DEVELOPMENT OF LANDSCAPING AT MCCRELESS LIBRARY; AND C) SETTING ASIDE \$20,000 FOR INSTALLATION OF MULTI-PURPOSE USE LIGHTS ON THE FIELD KNOWN AS COLT FIELD; AS REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

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

— — —
2001-16 The Clerk read the following Ordinance:

2001-16
April 19, 2001
yl/vaj

AN ORDINANCE 93813

AUTHORIZING THE TRANSFER OF \$400.00 FROM THE DISTRICT 3 CONTINGENCY BUDGET ACCOUNT TO THE INTERNATIONAL AFFAIRS DEPARTMENT TO PARTIALLY FUND A VISIT FROM RUSSIAN ARCHBISHOP TADEUSZ KONDRUSIEWICZ; AS REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

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

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

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2001-16 The Clerk read the following Ordinance:

AN ORDINANCE 93814

AUTHORIZING REIMBURSEMENT OF \$16,700.00 FROM THE DISTRICT 3 BUDGET ACCOUNT TO COUNCILWOMAN DEBRA GUERRERO FOR ADMINISTRATIVE SERVICES CONTRACTS WITH PRISCILIANO CANTU (\$7,600.00) FROM APRIL 1, 2001 THROUGH MAY 31, 2001; AND MADELINE DE LA O (\$7,600.00) FROM APRIL 1, 2001 THROUGH MAY 15, 2001, AND DANIEL GEISLER (\$1,500.00) FROM APRIL 1, 2001 THROUGH APRIL 30, 2001.

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

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

2001-16 EXECUTIVE SESSION

The City Council recessed its regular session at 5:05 P.M. in order to convene in Executive Session for the purpose of:

A) Attorney/Client consultation regarding recovery of costs due to Change orders resulting from architectural errors and omissions on the Convention Center Expansion Project.

B) Attorney/Client consultation regarding the lawsuit styled City of San Antonio vs. Casino Club, Ltd., Cause No. 98-CI-04892, In the 150th Judicial District of Bexar County, Texas.

The City Council adjourned the Executive Session at 5:47 P.M. and reconvened in regular session, at which time Mayor Peak stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

2001-16 The Clerk read then read a proposed ordinance accepting the low bid from Grande Truck Center (Grande) in the amount of \$4,422,555.00 to provide the City of San Antonio Public Works Department with refuse collection cabs, chassis and rear loader combinations and the low bid of Davis Truck & Equipment of San Antonio, Inc., (WBE) in the amount of \$42,387.00 for rear loaders; and providing for payment.

* * * *

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

Ms. Janie Cantu, Director of Purchasing, narrated a slide presentation on the purchase of the refuse trucks for Public Works for the solid waste collection, a copy of which presentation is made a part of the papers of this meeting. She outlined the current inventory composition, the specifications, bid summary, evaluation issues, and the selection criteria.

The following citizen(s) appeared to speak:

Mr. Rusty Rush, President of RUSH Enterprises, took exception to awarding the bid to Grande Ford and urged the City Council to re-bid this item.

Mr. Frank Burney, 300 Convent #2500, spoke to the bidding process, and the omissions of certain pages from the bid being considered, and expressed concern on Volvo discontinuing production of a certain line of vehicle.

Mr. Tommy McGhee, RUSH Enterprises, expressed concern on a certain truck model that would no longer be manufactured by Volvo, adding that the City would have difficulty in repairing these models in the future. He also urged the City Council to acquire a written letter from the manufacturer to assure continued production of this model.

Mr. Jesse Castillo, 300 Convent #2500, spoke to the bid process and the omissions of certain pages of the bid documents submitted by Grande.

Mr. Doyle Coatney, RUSH Enterprises, spoke to discrepancies on the bid and certain pages being omitted from the bid specifications.

Mr. Frank Burney, 300 Convent #2500, reiterated on the omission of pages from the bid document submitted by Grande, and urged the City Council to accept the Rush bid or reject all bids and re-issue new bids.

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Ms. Janie Cantu, Director of Purchasing, assured the City Council there was no improper handling of the bid, and noted there was a slight change to the process, but in no way did it affect the handling of the bid.

Discussion continued on the bid process and the specifications.

Ms. Debbie Klein, City Attorney's Office, clarified on the bid process being followed accordingly, and noted that although Grande had submitted a different form, it did not change the bid specifications in any way.

After consideration, the motion failed by the following roll call vote: **AYES:** Garza, Peak. **NAYS:** Perez, Guerrero, Garcia, Barrera, Conner, Carpenter. **ABSENT:** Salas, Prado, Bannwolf.

City Manager Terry Brechtel asked for clarification on the direction to staff in order to proceed with the re-bid.

Mr. Steve Arronge, Deputy City Attorney, stated there was no motion necessary, and that direction to staff would suffice in order to proceed with the re-bid.

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2001-16 CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the enforcement of the curfew ordinance, and to the posting of items on the agenda. He added that CPS needed to be more competitive.

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MS. MARY ROBINSON

Ms. Mary Robinson, visiting from Germany, spoke to the many beautiful attractions of the City of San Antonio, and further commended the friendliness of the citizens of the City.

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MR. EFTON GEARY

Mr. Efton Geary, 315 Orchard Rd., expressed concern on the selective enforcement of parking tickets issued, specifically citing those issued by the federal building area.

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ALAN BUCKLEY

Mr. Alan Buckley, 4247 Greystone, spoke to the sale of raspas and the unfair regulation of the small vending operations.

2001-16 There being no further business to come before the City Council, the meeting was adjourned at 6:35 P.M.

A P P R O V E D



HOWARD W. PEAK
MAYOR

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk