

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, OCTOBER 15, 1998.

* * * *

98-38 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):

Presentation of the Debt Management Plan.

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

The "B" Session adjourned at 11:10 A.M.

— — —
98-38 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: Flores, Salas, Guerrero, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster and Peak. **ABSENT:** None.

— — —
98-38 Invocation - Rev. James Miller, Aldersgate United Methodist Church.

— — —
98-38 Pledge of Allegiance to the flag of the United States

— — —
98-38 **CEREMONIAL ITEMS**

OUR LADY OF THE LAKE UNIVERSITY WEEKEND COLLEGE

Mayor Peak introduced President Sally Mahoney of Our Lady of the Lake University, present in the audience to accept a proclamation on behalf of the 20th anniversary of the University's Weekend College. He then read the formal proclamation and presented it to President Mahoney.

President Mahoney thanked the Mayor and City Council for the honor and recognition. She lauded former University President Sister Elizabeth Ann Sueltenfuss for taking the

98-38
October 15, 1998
lmr

official action that established the Weekend College, the first in Texas designed for working adults. She then spoke to details of the new Masters and Doctorate programs at the University.

City Council members lauded the University for its innovations in education through its many years of existence.

— — —
98-38 CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each item on the Consent Agenda and the highlights of those ordinances.

Mr. Michael Idrogo, 317 Rosewood, spoke in opposition to Consent Agenda items that involve paying additional funds to contractors.

Mr. Jack Finger, P.O. Box 12048, spoke in opposition to additional arts funding for three arts agencies he stated support the homosexual agenda, and asked City Council members receiving political contributions from officers of any firm involved in Consent Agenda items to abstain from voting on those items.

— — —
98-38 CONSENT AGENDA

Mr. Flores made a motion to approve Agenda Items 4 through 24, constituting the Consent Agenda. Ms. Guerrero 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, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak; **NAYS:** None; **ABSENT:** None.

AN ORDINANCE 88647

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1998-99 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,666,141.00. (MBE/WBE) (COPIES OF BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT AND A LIST OF SUCCESSFUL BIDDERS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE)

* * * *

98-38
October 15, 1998
lmr

AN ORDINANCE 88648

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH W.F. CASTELLA AND ASSOCIATES BY PROVIDING ADDITIONAL MPO/CITY MATCH FUNDS IN AN AMOUNT NOT TO EXCEED \$18,000.00 FOR RIGHT-OF-WAY PLATS AND FIELD NOTES IN CONNECTION WITH SOUTHCROSS FROM WW WHITE TO IH 410 PROJECT, LOCATED IN COUNCIL DISTRICT 3; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 84648 DATED SEPT. 5, 1996.)

* * * *

AN ORDINANCE 88649

ACCEPTING THE LOW BID OF COASTAL ENVIRONMENTAL CONSTRUCTION, INC. IN THE AMOUNT OF \$138,250.00 IN CONNECTION WITH SERVICES RELATED TO ASBESTOS ABATEMENT TO BE PERFORMED UNDER THE ASBESTOS ABATEMENT 1998-99 INDEFINITE DELIVERY CONTRACT; AUTHORIZING AN ADDITIONAL \$16,251.75 FOR CONSTRUCTION CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 88650

RATIFYING SERVICES AND APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$31,815.00 PAYABLE TO R.L. JONES COMPANY, INC. IN CONNECTION WITH THE HI-LION DRAINAGE PROJECT NO. 80, PHASE IV, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING \$4,500.00 PAYABLE TO BFI AND \$11,700.00 PAYABLE TO WASTE MANAGEMENT FOR LANDFILL EXPENSES; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87430 DATED FEB. 26, 1998.)

* * * *

AN ORDINANCE 88651

SELECTING CLEAN ENVIRONMENTS, INC. TO PERFORM ASBESTOS TESTING, MANAGEMENT AND CONSULTING SERVICES IN CONNECTION WITH THE CITY WIDE ASBESTOS TESTING-INDEFINITE DELIVERY 1998-99 CONTRACT; AUTHORIZING THE NEGOTIATION OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$75,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 88652

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH GUTIERREZ ENGINEERING, INC. BY PROVIDING FUNDS IN THE AMOUNT OF \$30,000.00 IN CONNECTION WITH THE LONE OAK AVENUE - BRICE AVENUE TO "F" STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING \$3,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86266 DATED JULY 24, 1997.)

* * * *

AN ORDINANCE 88653

ACCEPTING THE LOW, QUALIFIED BASE BID AND ADDITIVE ALTERNATE ONE, OF CHARLIE & COMPANY IN THE TOTAL AMOUNT OF \$127,728.00 FOR IMPROVEMENTS TO PALO ALTO PARK; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECTS BUDGET AND AUTHORIZING THE TRANSFER OF 1994 PARKS GENERAL OBLIGATION BOND ISSUE FUNDS INTO THIS PROJECTS BUDGET; AUTHORIZING \$4,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$877.00 FOR PROJECT RELATED BID ADVERTISING AND PRINTING FEES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 88654

DESIGNATING BENDER WELLS CLARK DESIGN TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE SIGNAGE UPGRADE FOR THE PARKING EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$60,787.69; AUTHORIZING \$6,100.00 FOR ARCHITECTURAL CONTINGENCIES; AUTHORIZING \$1,500.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 88655

RATIFYING SERVICES AND APPROVING FIELD ALTERATION NO. 13 IN THE AMOUNT OF \$196,229.00 PAYABLE TO CLARK/JT CONSTRUCTION, A JOINT VENTURE FOR WORK PERFORMED IN CONNECTION WITH THE CONVENTION CENTER EXPANSION PROJECT.(AMENDS ORDINANCE NO. 86015 DATED MAY 8, 1997.)

* * * *

AN ORDINANCE 88656

RATIFYING SERVICES AND APPROVING FIELD ALTERATION NO. 14 IN THE AMOUNT OF \$98,309.00 PAYABLE TO CLARK/JT CONSTRUCTION, A JOINT VENTURE FOR WORK PERFORMED IN CONNECTION WITH THE CONVENTION CENTER EXPANSION PROJECT.(AMENDS ORDINANCE NO. 86015 DATED MAY 8, 1997.)

* * * *

AN ORDINANCE 88657

AUTHORIZING THE EXECUTION OF TWO (2) PIPELINE CROSSING AGREEMENTS WITH THE UNION PACIFIC RAILROAD COMPANY IN CONNECTION WITH THE ARBOR PLACE - TRINITY TO SAN MARCOS, PHASE I PROJECT FOR THE SUM OF \$3,500.00 FOR LICENSE FEES AND \$1,000.00 FOR CONTRACTOR'S RIGHT OF ENTRY AGREEMENT FEES, FOR A TOTAL SUM OF \$4,500.00.

* * * *

AN ORDINANCE 88658

AUTHORIZING EXPENDITURE OF THE AMOUNT OF \$200.00 PAYABLE TO PAUL E. DAVALOS AND WIFE, ALEXANDRA DAVALOS, FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE MISSION TRAILS PARKWAY METROPOLITAN PLANNING ORGANIZATION PROJECT, PACKAGE 2; AND THE AMOUNT OF \$2,327.12 PAYABLE TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR THOMAS WIDEMAN FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE HILDEBRAND AVENUE - I.H. 10 TO BREEDEN PROJECT; FOR A TOTAL SUM OF \$2,527.12; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 88659

APPROVING THE FEE SALE OF 845 SQUARE FEET OF SUBSURFACE RIGHTS OUT OF EAST MARKET AND EAST COMMERCE STREET RIGHTS OF WAY CONSISTING OF 780 SQUARE FEET OF SUBSURFACE RIGHTS OUT OF EAST MARKET STREET (SIDEWALK) RIGHT OF WAY AND 65 SQUARE FEET OF SUBSURFACE RIGHTS OUT OF EAST COMMERCE STREET (SIDEWALK) RIGHT OF WAY TO MARKET/COMMERCE STREET PARKING, L.P., THE ADJACENT PROPERTY OWNER, FOR THE AMOUNT OF \$14,790.00, IN CONJUNCTION WITH THE PROPOSED CONSTRUCTION OF A 10-LEVEL PARKING GARAGE ON THE WEST PORTION OF THE OLD GROOS BANK SITE; AND AUTHORIZING THE EXECUTION OF A DEED WITHOUT WARRANTY AND ANY OTHER DOCUMENTS, AS FIRST REVIEWED AND APPROVED BY THE CITY ATTORNEY, IN CONNECTION WITH THE CLOSING OF THE SALE.

* * * *

98-38
October 15, 1998
lmr

AN ORDINANCE 88660

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$1,756,596.00 IN CASH AND IN-KIND SUPPORT FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. PUBLIC HEALTH SERVICE TO AUGMENT THE OPERATION OF THE 1998 CHILDHOOD IMMUNIZATION PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AND REVISING THE PROJECT BUDGET ORIGINALLY APPROVED IN ORDINANCE NO. 87313 ON FEBRUARY 5, 1998.

* * * *

AN ORDINANCE 88661

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$1,033,852.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING THE WOMEN, INFANTS AND CHILDREN (WIC) PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 1998, THROUGH DECEMBER 31, 1998; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE NOTICE WITH TDH; ESTABLISHING A FUND AND BUDGET; APPROVING PAYMENT FOR EXISTING WIC CLINIC LEASES; AND AUTHORIZING A PERSONNEL COMPLEMENT.

* * * *

AN ORDINANCE 88662

AUTHORIZING THE ACCEPTANCE OF TWO (2) GRANTS FROM THE TEXAS COMMISSION ON THE ARTS (TCA); THE FIRST GRANT IN THE AMOUNT OF \$159,231.00 FOR THE PURPOSE OF FUNDING 30 LOCAL ARTS ORGANIZATIONS AND TO PROVIDE ADMINISTRATIVE SUPPORT TO OFFSET RELATED COSTS TO TCA'S DECENTRALIZATION PROGRAM; THE SECOND GRANT IN THE AMOUNT OF \$7,704.00 TO SUPPORT MARKETING AND AUDIENCE DEVELOPMENT AND OTHER CULTURAL AFFAIRS DEPARTMENT OPERATIONS DURING FISCAL YEAR 1998-99.

* * * *

AN ORDINANCE 88663

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF FRESNO, EXCELSIOR, SACRAMENTO, ANGELES AND OLMOS STREETS IN CONNECTION WITH THE BEN FRANKLIN ELEMENTARY SCHOOL PARADE BEING HELD ON FRIDAY, OCTOBER 30, 1998 FROM 1:30 P.M. UNTIL 2:30 P.M.

* * * *

AN ORDINANCE 88664

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF HAGGIN FROM LAURA STEELE ELEMENTARY SCHOOL TO LYNHURST, LYNHURST FROM HAGGIN TO TOPEKA, AND TOPEKA FROM LYNHURST TO LAURA STEELE ELEMENTARY SCHOOL IN CONNECTION WITH LAURA STEELE ELEMENTARY SCHOOL PARADE BEING HELD ON FRIDAY, OCTOBER 30, 1998 FROM 12:45 P.M. UNTIL 1:30 P.M.

* * * *

AN ORDINANCE 88665

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF WESTLAWN, WESTMAR, WESTPORT, WESTEDGE, AND REMUDA STREETS IN CONNECTION WITH THE MARY HULL ELEMENTARY SCHOOL PARADE BEING HELD ON FRIDAY, OCTOBER 30, 1998 FROM 12:30 P.M. UNTIL 2:45 P.M.

* * * *

AN ORDINANCE 88666

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF BITTERS ROAD FROM MACARTHUR HIGH SCHOOL TO MAYFAIR, MAYFAIR FROM BITTERS ROAD TO ASTEROID, SEVERN FROM MAYFAIR TO WROXTON, WROXTON FROM SEVERN TO ASTEROID, ASTEROID FROM WROXTON TO MAYFAIR STREET IN CONNECTION WITH THE MACARTHUR HIGH SCHOOL SPIRIT PARADE BEING HELD ON OCTOBER 29, 1998 FROM 5:30 P.M. UNTIL 7:30 P.M.

* * * *

AN ORDINANCE 88667

APPROVING A WALK/RUN PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF ONE LANE OF CERTAIN STREETS IN THE DOWNTOWN AREA IN CONNECTION WITH THE HABITAT FOR HUMANITY 5K RUN BEING HELD ON NOVEMBER 28, 1998 FROM 7:00 A.M. UNTIL 10:00 A.M.

* * * *

— — —
98-38 ITEMS FOR INDIVIDUAL CONSIDERATION - CITIZEN COMMENTS

Mr. Michael Idrogo, 317 Rosewood, spoke against several items on the agenda, including involvement of the government in mentoring programs.

Mr. Jack Finger, P.O. Box 12048, spoke against any changes to the City's platting requirements, fearing dilution of those regulations. He spoke to his concern with delays in securing copies of documents from the Finance Department.

— — —

98-38 It was the consensus of City Council members present to consider Agenda Item 42 at this time.

The Clerk read the following Resolution:

A RESOLUTION
NO. 98-38-38

EXPRESSING CITY COUNCIL'S SUPPORT OF THE SAN ANTONIO MAKING MENTORING A PARTNERSHIP PROGRAM, WHICH IS A JOINT EFFORT SPONSORED BY THE NATIONAL MENTORING PARTNERSHIP AND THE GREATER CHAMBER OF COMMERCE TO MAXIMIZE THE NUMBER OF STUDENTS INVOLVED IN MENTORING RELATIONSHIPS; AS REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

* * * *

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

Ms. Guerrero explained the mentoring program and its importance to education.

The following citizen(s) appeared to speak:

Mr. Arthur Emerson, representing the Greater San Antonio Chamber of Commerce, spoke to this program as the first step in a chamber program to expand the city's mentoring program which ultimately, in his opinion, touch each schoolchild in San Antonio.

Mr. Dominic Pisano, also representing the Greater Chamber, briefly explained the program and the chamber's plans to expand it, and spoke to its impact upon education in San Antonio.

* * * *

Mr. Garza spoke to details of the mentoring program at Jefferson High School.

Mr. Bannwolf thanked the chamber for its emphasis on education.

Mr. Menéndez thanked both men for their leadership in this important area.

98-38
October 15, 1998
lmr

Mr. Webster and Mr. Marbut congratulated the chamber for its leadership.

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88668

AUTHORIZING THE TEMPORARY CLOSURE OF SCOTSDALE ST., WOODMEN, AND BRIARWOOD ST. ON THURSDAY, OCTOBER 22, 1998 FROM 6:00 A.M. UNTIL 9:00 P.M. IN CONNECTION WITH THE MEADOWWOOD GARDEN CLUB NEIGHBORHOOD MEETING AND PICNIC; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88669

AUTHORIZING THE TEMPORARY CLOSURE OF S. SAN AUGUSTINE ST. FROM WEST COMMERCE TO BUENA VISTA AND BUENA VISTA FROM S. SAN AUGUSTINE TO GENERAL MCMULLEN ST. ON SATURDAY, OCTOBER 24, 1998 FROM 9:00 A.M. UNTIL 12:00 MIDNIGHT IN CONNECTION WITH ST. JUDE'S CHURCH ANNUAL FALL FESTIVAL; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

* * * *

98-38
October 15, 1998
lmr

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

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88670

AUTHORIZING THE TEMPORARY CLOSURE OF S.W. 29TH ST. BETWEEN SAN LUIS AND RANDALL ST. ON SATURDAY, OCTOBER 24, 1998 FROM 3:30 P.M. UNTIL 8:30 P.M. IN CONNECTION WITH THE LAS PALMAS CHURCH OF THE NAZARENE'S THIRD ANNUAL FAMILY CELEBRATION; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88671

AUTHORIZING THE TEMPORARY CLOSURE OF TIMBER PATH STREET BETWEEN LES HARRISON AND HIDDEN CREST STREETS ON SATURDAY, OCTOBER 24, 1998 FROM 5:30 P.M. UNTIL 11:30 P.M. IN CONNECTION WITH A "NEIGHBORHOOD INTERACTION FOR COMMUNITY AWARENESS", AS REQUESTED BY MR. ROLAND AND MS. MARY PEÑA, LOCATED IN COUNCIL DISTRICT 6; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

* * * *

98-38
October 15, 1998
lmr

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

— — —
98-38 Agenda item 29 was temporarily bypassed for consideration later in this meeting.

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88672

ACCEPTING A TAX-EXEMPT LEASE PURCHASE PROPOSAL AT AN INTEREST RATE OF 4.40%, SUBMITTED BY HELLER PUBLIC FINANCE, APPROVING A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT BETWEEN THE CITY AND HELLER PUBLIC FINANCE COMMENCING 10 DAYS AFTER APPROVAL OF THIS ORDINANCE, AND CONTINUING TO FEBRUARY, 2004, FOR THE PURCHASE OF A MAINFRAME COMPUTER FROM AMDAHL CORPORATION AS AUTHORIZED BY ORDINANCE NO. 88502, AND APPROVING THE CREATION OF AN ESCROW ACCOUNT AND OTHER RELATED MATTERS.

* * * *

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

Mr. Octavio Peña, Director of Finance, spoke to details of the proposed lease/purchase of a mainframe computer from the Amdahl Corporation, and noted that the City would be saving substantial funds through this lease/purchase arrangement.

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

— — —

98-38
October 15, 1998
lmr

98-38 It was the consensus of City Council members present to consider Agenda item 29 at this time.

The City Clerk read a proposed ordinance amending the Unified Development Code of the City of San Antonio as follows: (i) deleting Sec. 35-4005(i) regarding public school plat exceptions for school sites submitted prior to October 1, 1995; (ii) deleting Sec. 35-4027 (b) (1), (2) and (3) and recodifying Sec. 35-4027 (b) (4) as Sec. 35-4027 (b) (1) in order to resolve an existing conflict between the zoning and platting regulations as to minimum lot size requirements; (iii) amending Sec. 35-4202 (n) regarding surveyor's certificates; (iv) amending Sec. 35-4210 regarding plat application refunds (Sec. 35-4210 (b)), plat application expiration (Sec. 35-4210 (c)), and plat fee exceptions (Sec. 35-4210 (d)); and (v) amending Sec. 35-4217 (b) and Sec. 35-4233 (e) to allow the Director of Planning to approve amending plats.

Mayor Peak questioned the Planning Commission's proposed powers to change platting regulations, and asked for an explanation.

Mr. Emil Moncivais, Director of Planning, narrated a video presentation and expressed his belief that the proposed changes would make for a smoother process. He then explained how the six new proposed recommendations were developed and their impact.

The following citizen(s) appeared to speak:

Mr. Ross Laughead, representing Oakland Estates, spoke in opposition to the proposed changes, and addressed specifics of his objections, stating his belief that a legal opinion rendered in this matter is not correct. He asked that this matter be returned to the Planning Commission for reconsideration of lot-size regulations.

Mr. Edwin Ray, also representing Oakland Estates, amplified his organization's objections to deletion of certain parts of the Unified Development Code.

Mr. Bruce Mery, attorney, stated that residents of Oakland Estates wish to retain the requirement for large-lot environment in their area, and asked that the Planning Commission retain the authority to decide lot sizes and to require large-lot sizes in areas such as Oakland Estates. He stated his opinion that to change that requirement would serve to destroy the atmosphere of the neighborhood.

Mr. Ray Hamilton, President, Castle Hills Forest Homeowners Association, spoke against the proposed changes in discretionary lot-size authority based on the City Attorney's opinion of a 50-year-old court case. He then cited several other court cases bearing on

98-38
October 15, 1998
lmr

this matter, and made several recommendations, including asking City Council to take no action on this matter and/or seek a new ruling on this issue.

Mr. Faris Hodge, Jr., 140 Dora, spoke against giving the Director of Planning additional powers, stating his belief that everyone should have the individual right to purchase any size lot. He asked for a ruling on this issue by the Attorney General, and noted that neighborhoods need upgrading. He also spoke in favor of the Zoning Commission having more power.

* * * *

Mayor Peak spoke to his concern with taking away the authority of the Planning Commission, noting that even attorneys disagree among themselves over this matter at hand. He expressed a desire to look closer at the issue before the City Council acts, and spoke to the need for protective measures for the community.

Mr. Bannwolf echoed the same concerns as the Mayor and urged that this matter be delayed until the Attorney General responds to it. He also questioned proposed policy changes regarding platting fees, which he feels is unfair, in some cases. He also spoke against any retroactive application of any proposed changes to the UDC.

Mr. Steven Arronge, Assistant City Attorney, spoke to the differences in interpretation of the Unified Development Code, and stated that applications filed previously would not be affected by the proposed changes.

Mr. Vásquez spoke in agreement with the Mayor's concerns, and the need to update the UDC to make it more 'user-friendly', but noted that City staff is working with old laws. He asked for a delay in the proposed changes concerning public school plat exceptions, as well, and addressed certain other concerns with the proposed UDC changes.

Mayor Peak stated that City Council might require an Executive Session on some of the proposed provisions, and again urged a delay in consideration of this matter today.

After discussion, Mr. Marbut made a motion to postpone action on this matter and to direct City staff to seek an Attorney General's opinion relative to Section 35-4027(b)(1),(2), and (3), and that proper public notice be given prior to any reconsideration of this issue. Mr. Webster seconded the motion.

Mr. Marbut spoke to the impact upon neighborhoods of the proposed UDC changes.

Mr. Moncivais stated that the City might possibly be able to address some of these issues by changing the City's zoning ordinance relative to lot sizes.

Mayor Peak spoke of the need to give neighborhoods protection.

The motion to postpone consideration of this item then prevailed by the following vote: **AYES:** Flores, Salas, Prado, Vásquez, Menéndez, Garza, Marbut, Bannwolf, Webster, Peak. **NAYS:** None. **ABSENT:** Guerrero.

— — —
98-38 At this point, Mayor Peak was obliged to leave the meeting. Mayor Pro Tem Prado presided.

— — —
98-38 TRAVEL AUTHORIZATION

For Mayor Howard W. Peak to travel to Phoenix, Arizona on Sunday, October 11, 1998 to participate in the 2007 Sports Fiesta San Antonio Bid Presentation to Pan Am Site Evaluation Task Force.

Mr. Prado made a motion to approve the proposed Travel Authorization. Mr. Flores seconded the motion.

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

— — —
98-38 TRAVEL AUTHORIZATION

For Mayor Howard W. Peak to travel to Albuquerque, New Mexico from Thursday, October 15, 1998 through Sunday, October 18, 1998 to participate in Mayor's Colloquium on Quality Growth Strategies.

Mr. Webster made a motion to approve the proposed Travel Authorization. Mr. Vásquez seconded the motion.

98-38
October 15, 1998
lmr

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88673

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 4 ADMINISTRATIVE SUPPORT BUDGET IN THE TOTAL AMOUNT OF \$16,200.00 TO COUNCILMAN RAUL PRADO FOR ADMINISTRATIVE SERVICES CONTRACTS WITH DAVID FERNANDEZ, EDDIE METZ, ENRIQUE "KIKE" MARTIN AND ISABEL R. CASTILLO FROM OCTOBER 1, 1998 THROUGH DECEMBER 31, 1998; AS REQUESTED BY COUNCILMAN RAUL PRADO.

* * * *

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88674

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 6 ADMINISTRATIVE SUPPORT BUDGET IN THE TOTAL AMOUNT OF \$1,000.00 TO COUNCILMAN JOSE MENENDEZ FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH MELISSA PACHECO FROM OCTOBER 1, 1998 THROUGH OCTOBER 31, 1998; AS REQUESTED BY COUNCILMAN JOSE MENÉNDEZ.

* * * *

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

98-38
October 15, 1998
lmr

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88675

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 8 ADMINISTRATIVE SUPPORT BUDGET IN THE TOTAL AMOUNT OF \$12,750.00 TO COUNCILMAN ROBERT G. MARBUT, JR. FOR ADMINISTRATIVE SERVICES CONTRACTS WITH DEBORAH GRAY WARNER (\$2,000.00 PER MONTH), REBECCA J. VIAGRAN (\$1,500.00 PER MONTH) AND LESLIE A. ZAVALA (\$750.00 PER MONTH) FROM OCTOBER 1, 1998 THROUGH DECEMBER 31, 1998; AS REQUESTED BY COUNCILMAN ROBERT G. MARBUT, JR.

* * * *

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

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88676

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 8 COUNCIL BUDGET TO ASSIST WITH THE COST OF CATERING BY THE RK GROUP FOR CITY, COUNTY AND STATE VOLUNTEERS DURING THE YOUTH TOBACCO SUMMIT; AS REQUESTED BY COUNCILMAN ROBERT G. MARBUT, JR.

* * * *

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

98-38
October 15, 1998
lmr

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88677

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 5 COUNCIL BUDGET TO BE USED FOR THE RENTAL OF THE SHOWMOBILE BY ST. TIMOTHY CATHOLIC CHURCH FOR THEIR ANNUAL FALL FESTIVAL; AS REQUESTED BY COUNCILMAN RICK VÁSQUEZ.

* * * *

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88678

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 2 ADMINISTRATIVE SUPPORT BUDGET IN THE TOTAL AMOUNT OF \$4,860.00 TO COUNCILMAN MARIO M. SALAS FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH SURCIE THOMPSON (\$1,620.00 PER MONTH) FROM OCTOBER 1, 1998 THROUGH DECEMBER 31, 1998; AS REQUESTED BY COUNCILMAN MARIO M. SALAS.

* * * *

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

98-38
October 15, 1998
lmr

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88679

AUTHORIZING THE EXPENDITURE OF \$731.54 FROM THE DISTRICT 2 COUNCIL BUDGET TO ASSIST PFEIFFER ELEMENTARY PARENT INVOLVEMENT ASSOCIATION WITH THE PURCHASE OF CHEERLEADING UNIFORMS; AS REQUESTED BY COUNCILMAN MARIO M. SALAS.

* * * *

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

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

— — —
98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88680

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND TO BE USED FOR THE RENTAL OF THE SHOWMOBILE BY THE GRATER CORINTH BAPTIST CHURCH FOR THEIR 2ND ANNUAL COMMUNITY FALL HARVEST FESTIVAL; AS REQUESTED BY COUNCILMAN MARIO M. SALAS.

* * * *

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

98-38
October 15, 1998
lmr

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

98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88681

AUTHORIZING THE EXPENDITURE OF \$300.00 FROM THE DISTRICT 2 COUNCIL BUDGET TO SUPPORT THE "SANTA SOUL DAY 1998", WHICH WILL PROVIDE TOYS, FRUIT, CANDY, DRINKS AND TRANSPORTATION TO APPROXIMATELY 1,500 CHILDREN AT CHRISTMAS TIME, SPONSORED BY THE INTERAGENCY ADVISORY BOARD OF CLAUDE W. BLACK CENTER; AS REQUESTED BY COUNCILMAN MARIO M. SALAS.

* * * *

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

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

98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88682

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND TO ASSIST WITH THE EXPENSE FOR THE USE OF THE SHOWMOBILE FOR THE ST. LAWRENCE FALL FESTIVAL; REQUESTED BY COUNCILWOMAN DEBRA GUERRERO.

* * * *

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

98-38
October 15, 1998
lmr

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

98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88683

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 5 ADMINISTRATIVE SUPPORT BUDGET IN THE TOTAL AMOUNT OF \$36,000.00 TO COUNCILMAN RICK VÁSQUEZ FOR ADMINISTRATIVE SERVICES CONTRACTS WITH OSCAR GARZA (\$3,375.00 PER MONTH) FROM OCTOBER 1, 1998 THROUGH MAY 31, 1999 AND RACHEL MEDELLIN (\$1,500.00 PER MONTH) FROM OCTOBER 1, 1998 THROUGH MARCH 31, 1999; AS REQUESTED BY COUNCILMAN RICK VÁSQUEZ.

* * * *

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

98-38 The Clerk read the following Ordinance:

AN ORDINANCE 88684

SELECTING FINANCIAL UNDERWRITER SYNDICATES FOR THE POTENTIAL UNDERWRITING AND SALE OF (1) NEW MONEY OBLIGATIONS AND FORWARD DELIVERY OF NEW MONEY OBLIGATIONS, AND GENERAL OBLIGATION REFUNDING BONDS, (2) TAX-EXEMPT COMMERCIAL PAPER PROGRAM, (3) NEW MONEY PARKING SYSTEM REVENUE BONDS, (4) CONVENTION CENTER REFUNDING BONDS, AND (5) AIRPORT SYSTEM REVENUE REFUNDING BONDS.

* * * *

98-38
October 15, 1998
lmr

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

Mr. Octavio Peña, Director of Finance, narrated a video presentation on the selection of Financial Underwriter Syndicates for work on certain bond projects, a copy of which presentation is made a part of the papers of this meeting. He outlined certain obligations to be considered and recommended the firm's selection. He addressed the small, minority and woman-owned business makeup of each firm involved and spoke to details which were presented to City Council in today's "B" Session presentation on the Debt Management Plan.

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

98-38 CITY PUBLIC SERVICE-CONTEMPLATED BOND REFUNDING

Mr. Octavio Peña, Director of Finance, introduced Ms. Jamie Rochelle, Assistant General Manager, City Public Service.

Ms. Rochelle narrated a video presentation of the contemplated refunding matters, a copy of which presentation is made a part of the papers of this meeting. She outlined an update for City Council and the contemplated refunding actions, and spoke to the rationale for the refunding of certain financial obligations of CPS. Finally, she summarized the proposed actions and spoke to a proposed financial timetable for such actions.

Mr. Vásquez spoke to the refunding bonds containing language similar to that of recent bond documents of CPS, which allow City Council to examine the makeup of the CPS board of trustees.

In response to a Council inquiry, Mr. Frank Garza, City Attorney, confirmed that assessment.

98-38 City Council recessed its regular session at 3:21 P.M., reconvening at 5:00 P.M. for Citizens to be Heard.

CITIZENS TO BE HEARD

MR. FARIS HODGE, JR.

Mr. Hodge, 140 Dora Street, spoke to the City Council about his concerns with the planned location for the Fiesta Carnival; supported the Council's delay of the amendments to the Uniform Development Code and also spoke in support of the action taken by the City Council last week in approving the zoning for the SAMM Shelter; asked that the City Council "cablewise" the Citizens to be Heard segment since the County Commissioners do provide this service.

* * * *

MR. MICHAEL IDROGO

Mr. Michael Idrogo, 317 Rosewood, spoke to the City Council against the conversion of the Sunset Depot to any other use except for rail passenger service.

* * * *

MR. JACK W. DEVAUHN, SR.

Mr. DeVaughn, Sr., 907 H. Street, President of Southeast Communities Organization, spoke to the City Council regarding his concerns with the I Street Drainage and Sewer Pipeline. He proceeded to show a series of slides illustrating the condition of the area and spoke to the health and safety issues involved. He also made mention of the discussions he has had with representatives of SAWS on this matter.

In response to a question by Councilman Salas, Mr. German stated that he has been out to the site and is familiar with the situation. He will contact SAWS representatives and do a site inspection to discuss this issue with them. A report will be made to the Council on the concerns brought forward by Mr. DeVaughn.

* * * *

MR. CLINTON T. VITOUSEK

Mr. Vitousek stated that he is an interested citizen and wants to know the status of the San Antonio Bid for the Republican Convention.

Mayor Pro Tem Prado asked Mr. Vitousek to visit with the appropriate staff in the audience who can give him a time frame on the final resolution of this issue.

* * * *

MR. NAZIRITE R.F. PEREZ

Mr. Perez spoke of his concerns with the trend in state government particularly on what occurred recently in the State of Georgia. He is concerned about the civil service issue and spoke to other states following suit. He especially spoke about his concern with the State of Texas following the Georgia model.

* * * *

TAXICAB ISSUE

MR. JIM BLACKWELL

Mr. Blackwell, Superior Cab Company, spoke to his concerns relative to the recent advertisement in the yellow pages by Star Shuttle whereby they are advertising under "Econo Cab" at a fifty percent discount. In addition they are concerned whether Star Shuttle must adhere to Ground Transportation Rules under Chapter 33.

MR. WALTER R. RUHL

Mr. Ruhl, Tower Cab, reiterated the same concerns expressed by Mr. Blackwell. In addition, he spoke to the rudeness and arrogant behavior of the Tour Bus Drivers.

Mr. Roger Flores, TAB Chair, asked that Mr. Blackwell and Mr. Ruhl visit with police representatives of the Ground Transportation Unit who were present in the audience on their concerns.

* * * *

98-38 There being no further business to come before the Council, the meeting was adjourned at 5:25 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