

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 15, 1999

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99-15 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) Presentation of the Houston Street Redevelopment Project - presented by Mr. John Tschiderer, Federal Realty Investment Trust; Mr. Manuel Longoria, Acting Director, Department of Economic Development; Mr. David Lake, Lake/Flato Architects; and Mr. Trey Jacobson, Acting Assistant Director, Department of Economic Development. City Council instructed City staff to (1) continue working with Federal Realty Investment Trust to facilitate the redevelopment; (2) pursue and return to City Council with options to finance the garage development; and (3) pursue and return to City Council with financial options for public improvements.

B) Presentation of the Air Quality Program - (this matter was postponed for inclusion during the regular City Council meeting of this date.)

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

The "B" Session adjourned at 11:36 A.M.

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99-15 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, Menéndez, Garza, Marbut, Bannwolf, Webster and Peak. **ABSENT:** Vásquez.

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99-15 Invocation - Mr. Charles Johanson, Pulpit Minister, San Pedro Church of Christ.

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99-15 Pledge of Allegiance to the flag of the United States.

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99-15 Minutes of the Regular City Council Meeting for February 25, 1999 and March 11, 1999 were approved.

99-15 **CEREMONIAL ITEMS**

EL REY FEO (UGLY KING)

Mayor Peak introduced El Rey Feo 51, Mr. Pete R. Martinez, and his court of aides, present in the Council Chambers, then read and presented to the delegation a formal proclamation.

Mr. Martinez presented the Mayor a computerized portrait of El Rey Feo and spoke to his interest in education and the scholarship aid given thus far by the League of United Latin American Citizens (LULAC).

Members of City Council congratulated LULAC and El Rey Feo for their emphasis on education and inspiration for schoolchildren to succeed.

El Rey Feo then read a Royal Proclamation and presented it to the Mayor, then introduced members of his court.

An exchange of gifts then took place, and members of City Council were presented special medals.

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NIGHT IN OLD SAN ANTONIO

Mayor Peak introduced Ms. Paula Piper, President of the San Antonio Conservation Society; Ms. Mary Ann Turner, Chair of Night In Old San Antonio (NIOA); and the five NIOA vice-chairs present in the audience.

Ms. Piper issued a formal invitation for the Mayor and City Council to participate in NIOA festivities in La Villita during Fiesta Week, and addressed a brief history of the event which raises funds for worthwhile awards. She specifically cited the Conservation Society's grant to fund the preservation and restoration of valuable City archival records and documents, and the grant to fund erection of an iron fence around cemeteries in District 2.

Mayor Peak addressed the historic and economic benefits of the Conservation Society to San Antonio.

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Special medals were presented to Mayor and City Council, and Alamo pins were presented to members of the NIOSA delegation in exchange.

Individual members of City Council spoke to the Society's significance in the history of San Antonio.

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SWEARING-IN OF BOARD & COMMISSION APPOINTEES

Mayor Peak spoke to the importance of the voluntary service of hundreds of San Antonio citizens on the City's many boards and commissions, and invited City Council members to join him in front of the podium to receive and congratulate the new appointees and re-appointees.

City Clerk Norma S. Rodriguez then administered the Oath of Office en masse to the appointees and re-appointees present, after which each came forward to be congratulated by the Mayor and City Council members, and to receive their official Certificate of Service.

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MT. SACRED HEART SCHOOL'S 5TH GRADE CLASS

Mr. Bannwolf introduced members of Mount Sacred Heart School's 5th grade class and teachers, present in the audience, and welcomed them all to the Council meeting.

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STUDENTS FROM NICARAGUA

Mr. Prado introduced and welcomed three students from Nicaragua, present in the audience, noting that they currently are visiting San Antonio.

99-15 CONSENT AGENDA - CITIZEN COMMENTS

Mr. Faris Hodge, Jr., 140 Dora, spoke to each Consent Agenda item and expressed personal comments on several.

Mr. Walt Schumann, founder of the Monte Galvan Preservation Association, spoke to the proposed creation of the Walker Ranch Historic Landmark Park, outlined in Agenda Item 19. He addressed the background of preservation efforts in this area for parklands, and asked that the new park be expanded with a Visitor Center and other amenities.

99-15 At the request of Mayor Peak, Agenda Item 19 was brought up for consideration by the City Council at this time.

The City Clerk read the following Ordinance:

AN ORDINANCE 89586

DESIGNATING THE CITY PARK LOCATED AT 12603 WEST AVENUE AS THE WALKER RANCH HISTORIC LANDMARK PARK.

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

Mayor Peak expressed his personal thanks for the efforts of a number of individuals, including Bexar County Commissioner Lyle Larson, who contributed to the creation of the Walker Ranch Historic Landmark Park, and singled out Mr. Schumann for his unique historical involvement in the matter.

Mr. Bannwolf spoke in appreciation to the many business firms who contributed funds toward the development of the new park, noting that some \$200,000 has been received for the park's development.

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

99-15 CONSENT AGENDA

Ms. Guerrero made a motion to approve Agenda Items 5 through 28b, constituting the Consent Agenda, with Item 19 having already been considered and enacted by City Council, and Agenda Items 8 and 22 having been pulled for individual consideration. Mr. Bannwolf seconded the motion.

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

AN ORDINANCE 89587

ACCEPTING THE BID SUBMITTED BY LIREBEN ASSOCIATES ENGINEERED PRODUCTS, INC., (AABE) TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TWO STORAGE BUILDINGS FOR A TOTAL OF \$63,862.00.

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AN ORDINANCE 89588

ACCEPTING THE LOW BIDS FROM QUAKER FIRE SAFETY, INC. AND WILSON FIRE APPARATUS/NAFECO, INC., TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PROTECTIVE FIREFIGHTING CLOTHING FOR A TOTAL OF \$79,184.00.

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AN ORDINANCE 89589

ACCEPTING THE LOW BIDS SUBMITTED BY RICARDO CARRASCO, (MBE), DANIEL GOMEZ, (MBE), OMAR RODRIGUEZ (MBE), AND SALINAS & SONS YARD WORK, (MBE), TO PROVIDE THE CITY OF SAN ANTONIO CODE COMPLIANCE DEPARTMENT WITH AN ANNUAL CONTRACT FOR CLEANING AND SECURING OF UNOCCUPIED/UNSECURED STRUCTURES AND VACANT LOTS FOR A TOTAL OF \$230,000.00.

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AN ORDINANCE 89590

ACCEPTING THE LOW QUALIFIED BASE AND ADDITIVE ALTERNATE 3, OF WINTERS CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$425,750.00 FOR IMPROVEMENTS TO THE MONTERREY PARK; AUTHORIZING A CONSTRUCTION CONTRACT; REVISING THE PROJECT'S BUDGET AND AUTHORIZING THE TRANSFER OF 1994 PARK GENERAL OBLIGATION BOND ISSUE FUNDS INTO THIS PROJECT'S BUDGET; AUTHORIZING \$29,017.00 FOR

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CONSTRUCTION CONTINGENCY EXPENSES; ALLOCATING AN ADDITIONAL \$4,000.00 FOR ARCHITECT FEES; AUTHORIZING \$2,000.00 FOR PROJECT RELATED BID ADVERTISING AND PRINTING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89591

ACCEPTING A PROPOSAL AND AUTHORIZING AN ENVIRONMENTAL PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$15,000.00 PAYABLE TO KEI CONSULTANTS, LTD., FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PHASE II ENVIRONMENTAL SITE ASSESSMENT FOR THE PROPOSE LIBRARY AT PINN ROAD AND BROWNLEAF DRIVE; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89592

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO PROVIDE THE CITY REIMBURSEMENT OF UP TO EIGHTY (80%) PERCENT FOR ITS CONSTRUCTION COST CURRENTLY ESTIMATED AT \$47,064.71 FOR CONSTRUCTION ACTIVITY COST BY FORCE ACCOUNT IN CONNECTION WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) STP-MM BICYCLE PROJECT THROUGH LIONS FIELD EXTENDING AVENUE B FROM MULBERRY TO BRACKENRIDGE.

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AN ORDINANCE 89593

SELECTING FORD ENGINEERING, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE NEW BRAUNFELS FROM FAIR TO STEVES PROJECT LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$58,225.00; AUTHORIZING \$5,823.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89594

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH BAIN, MEDINA, BAIN (WBE) BY AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$243,776.72 AND AUTHORIZING \$24,377.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES IN CONNECTION WITH THE UPPER SIX MILE CREEK #83F PROJECT LOCATED IN COUNCIL DISTRICT 4; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81468 DATED JAN. 12, 1995)

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AN ORDINANCE 89595

ACCEPTING THE LOW, QUALIFIED BID WITH ALTERNATES OF BRODBECK CONSTRUCTION, INC. IN THE TOTAL AMOUNT OF \$396,623.00 IN CONNECTION WITH THE CONSTRUCTION OF ELEVATOR - THE HEALY-MURPHY CENTER COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$18,783.48 FOR MISCELLANEOUS CONTINGENCY EXPENSES; AUTHORIZING \$1,191.36 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89596

AUTHORIZING THE EXECUTION OF AN ENVIRONMENTAL PROFESSIONAL SERVICES AGREEMENT WITH TURNER COLLIER & BRADEN, INC. FOR PERFORMANCE OF ASSESSMENT AND STUDY NECESSARY FOR THE PREPARATION OF REGULATORY DOCUMENTS GOVERNED BY THE NATIONAL ENVIRONMENTAL POLICY ACT AND AS MAY BE REQUIRED BY OTHER GOVERNMENTAL AGENCIES INTERESTED IN CERTAIN MPO PROJECTS DEALING WITH CALLAGHAN ROAD AND FRIO CITY ROAD, AND AS MAY BE REQUIRED BY ENVIRONMENTAL REGULATORY NEEDS OF OTHER RELATED MPO PROJECTS SCHEDULED FOR CONSTRUCTION DURING THE MPO 2000-2003 FISCAL YEARS PROGRAM, ALL IN AN AMOUNT NOT TO EXCEED \$65,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89597

AUTHORIZING THE EXECUTION OF AN ENVIRONMENTAL PROFESSIONAL SERVICES AGREEMENT WITH PAPE-DAWSON CONSULTING ENGINEERS, INC., FOR PERFORMANCE OF ASSESSMENT AND STUDY NECESSARY FOR THE PREPARATION OF REGULATORY DOCUMENTS GOVERNED BY THE NATIONAL ENVIRONMENTAL POLICY ACT AND AS MAY BE REQUIRED BY OTHER GOVERNMENTAL AGENCIES INTERESTED IN CERTAIN MPO PROJECTS COMMONLY KNOWN AS THE PECAN VALLEY PROJECT; JONES-MALTZBERGER (US 281 TO EAST OF UNION PACIFIC RAILROAD TRACKS); TEZEL ROAD (TIMBER PATH TO OLD TEZEL), AND AS MAY BE REQUIRED BY ENVIRONMENTAL REGULATORY NEEDS OF OTHER RELATED MPO PROJECTS SCHEDULED FOR CONSTRUCTION DURING THE MPO 2000-2003 FISCAL YEARS PROGRAM, ALL IN AN AMOUNT NOT TO EXCEED \$45,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89598

AUTHORIZING THE EXECUTION OF AN ENVIRONMENTAL PROFESSIONAL SERVICES AGREEMENT WITH HNTB CORPORATION, FOR PERFORMANCE OF ASSESSMENT AND STUDY NECESSARY FOR THE PREPARATION OF REGULATORY DOCUMENTS GOVERNED BY THE NATIONAL ENVIRONMENTAL POLICY ACT AND AS MAY BE REQUIRED BY OTHER GOVERNMENTAL AGENCIES INTERESTED IN CERTAIN MPO PROJECTS COMMONLY KNOWN AS 36TH STREET PROJECT (US 90 TO GROWDEN); PRUE ROAD (FREDERICKSBURG TO LAUREATE), AND AS MAY BE REQUIRED BY ENVIRONMENTAL REGULATORY NEEDS OF OTHER RELATED MPO PROJECTS SCHEDULED FOR CONSTRUCTION DURING THE MPO 2000-2003 FISCAL YEARS PROGRAM, ALL IN AN AMOUNT NOT TO EXCEED \$65,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89599

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH VICKREY & ASSOCIATES, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES IN CONJUNCTION WITH THE TAXIWAY F RECONSTRUCTION AT SAN ANTONIO INTERNATIONAL AIRPORT FOR AN AMOUNT NOT TO EXCEED \$13,360.00; REVISING THE SCOPE OF WORK; APPROPRIATING FUNDS; REVISING THE

BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87926 DATED JUNE 11, 1998.)

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AN ORDINANCE 89600

AUTHORIZING PAYMENT OF THE SUM OF \$10,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 97-ED-0005, CITY OF SAN ANTONIO VS. ELGIN JUNG, ET. AL., FOR FEE SIMPLE TITLE TO ONE PARCEL AND THE SUM OF \$3,516.00 FOR COURT COSTS IN CONNECTION WITH THE WURZBACH PARKWAY PROJECT; FOR THE TOTAL SUM OF \$13,516.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89601

AUTHORIZING PAYMENT IN THE AMOUNT OF \$18,954.26 TO TICOR TITLE AGENCY OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT (\$16,799.78) AND THE BRIARGLEN DRIVE FLOOD AREA PROJECT (\$2,154.48); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89602

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO 4.709 ACRES OF LAND OUT OF NEW CITY BLOCKS 13975 AND 15970 IN CONNECTION WITH THE PEARSALL ROAD LANDFILL PARK REDEVELOPMENT PROJECT AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS.

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AN ORDINANCE 89603

AUTHORIZING PAYMENT IN THE AMOUNT OF \$300.00 TO GMAC MORTGAGE CORPORATION FOR A PARTIAL RELEASE FEE IN CONNECTION WITH THE ACME ROAD - OLD HWY. 90 TO W. COMMERCE PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 89604

AUTHORIZING THE EXECUTION OF AMENDMENTS TO THE AIDS/HIV SUPPORT PROJECT SUBGRANT AGREEMENTS OF THE UNIVERSITY HEALTH SYSTEM FFACTS CLINIC, BEAT-AIDS, AND SAN ANTONIO AIDS FOUNDATION; APPROVING PAYMENTS TO SUPPORT SAID AMENDMENTS; AND REVISING THE BUDGET OF THE AIDS/HIV SUPPORT PROJECT 1998/99 OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT. (AMENDS ORDINANCE NO. 87527 DATED MARCH 19, 1998.)

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AN ORDINANCE 89605

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND CARL CORPORATION, FOR COMPUTING SERVICES AND MAINTENANCE OF THE SPECIALIZED COMPUTER SYSTEM UTILIZED BY THE LIBRARY DEPARTMENT FOR AN ANNUAL COST OF \$357,300.00 AND EXTENDING THE CONTRACT BY MUTUAL AGREEMENT ANNUALLY AT THE SAME COMPENSATION AMOUNT.

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AN ORDINANCE 89606

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ARTIST MAC ADAMS TO DESIGN, FABRICATE AND INSTALL AESTHETIC ENHANCEMENT FOR THE EAST WALL SHADOWS PROJECT OF THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; AND APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000.00.

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AN ORDINANCE 89607

RE-APPOINTING DANNY PARNELL (DISTRICT 7) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2000.

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AN ORDINANCE 89608

RE-APPOINTING JOHN CLAMP (DISTRICT 10) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2001.

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99-15 The Clerk read the following Ordinance:

AN ORDINANCE 89609

ACCEPTING THE LOW QUALIFIED BID OF M & M CONTRACTING OF TEXAS, INC. IN THE TOTAL AMOUNT OF \$126,888.00 FOR THE EMERGENCY REPAIR OF FLOOD DAMAGE TO THE PAISANO LAKE SPILLWAY, ADJACENT PARKING LOT AND ROADWAYS IN SOUTHSIDE LIONS PARK IN CITY COUNCIL DISTRICT 3; AUTHORIZING A CONSTRUCTION CONTRACT; ESTABLISHING THE SOUTHSIDE LIONS PARK PAISANO LAKE SPILLWAY REPAIR PROJECT BUDGET; AUTHORIZING THE TRANSFER OF FY 98/99 GENERAL FUNDS INTO THE PROJECTS BUDGET; PROVIDING \$13,000.00 FOR A CONSTRUCTION CONTINGENCY AND PROVIDING FOR PAYMENT.

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

Mr. Ron Smudy, Assistant Director of Parks & Recreation, stated that the repairs to Paisano Lake Spillway were the result of the extremely heavy rains and runoff during the October 1998 floods.

Ms. Guerrero provided a brief update on the work done to repair the lake spillway, noting that the damaged areas have been barricaded to automobile traffic until the repairs have been completed. She also noted that one of the items in the bond issue currently being voted upon in Early Voting prior to the May 1, 1999 Municipal Joint and Bond Election

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is an allocation of some \$200,000 for further development of this lake area, seeking to make it much like Woodlawn Lake.

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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99-15 The Clerk read the following Ordinance:

AN ORDINANCE 89610

AUTHORIZING PAYMENT IN THE AMOUNT OF \$436.58 TO STEWART TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE CLAREMONT/ELEANOR/NATALEN - NEW BRAUNFELS TO BROADWAY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

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

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99-15 The Clerk read the following Ordinance:

AN ORDINANCE 89611

AUTHORIZING ACQUISITION OF FEE SIMPLE TITLE TO FOUR (4) PARCELS OF LAND FOR THE AMOUNT OF \$166,100.00 PAYABLE TO TICOR TITLE AGENCY OF SAN ANTONIO AS ESCROW AGENT FOR LONNIE GENE SMITH (\$57,500.00), JOE ANN FULLER (\$67,900.00) AND KENNETH E. JAMES (\$40,700.00) IN CONNECTION WITH THE WHEATLEY HEIGHTS FLOOD AREA PROJECT.

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

Mr. John German, Director of Public Works, narrated a video presentation on acquisition of four additional parcels of land in the Wheatley Heights Flood Area Project. A copy of his presentation is made a part of the papers of this meeting. He noted that 93 out of the 99 planned land acquisitions, citywide, now have been secured. He then spoke to recent citizen complaints of the overgrowth of weeds in the areas recently purchased by the City in the flood prone areas, and stated that the City is moving to handle this matter in an expeditious manner. He further stated that the City thus far has expended some \$5.2 million to acquire flood prone properties.

Ms. Frances Gonzalez, Director of the Neighborhood Action Department, spoke to the status of work done thus far with displaced homeowners and their relocation.

Mayor Peak spoke to complaints of remaining neighbors in these flood prone areas about overgrown vegetation, and asked the City to move swiftly on the matter.

Mr. Salas spoke to the need for the City to do something with the homes remaining on the acquired properties, noting complaints that some of the vacated structures already are being used as 'crack houses'

Mr. German stated that the City will move to properly board-up these buildings to prevent such usage, and asked that other property owners in these flood prone areas to grant the City permission to do the same to their still-vacant houses in these areas.

Mr. Flores noted that other federal agencies can help in this matter, as well, and spoke to the matter of reimbursement to the City for out-of-pocket funds spent to buy up these flooded properties. He urged the City to move swiftly on the matter of reimbursement by the federal government.

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

AN ORDINANCE 89612

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH MARY R. HERRERA D/B/A STINSON FIELD PATIO CAFE, FOR USE OF 715 SQUARE FEET OF TERMINAL BUILDING SPACE AND 2,174 SQUARE FEET OF GROUND SPACE ABUTTING THE TERMINAL AT STINSON MUNICIPAL AIRPORT, TO BE USED FOR OUTDOOR DINING, FOR A TERM COMMENCING ON MAY 1, 1999, WITH A FIVE-YEAR MUTUAL RENEWAL OPTION, FOR A TOTAL ANNUAL RENTAL OF \$1,308.70 PLUS TEN (10%) PERCENT OF GROSS REVENUE OR GROSS RECEIPTS FROM SALES OF MEMORABILIA.

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

Mr. Tim O’Krongley, Manager, Stinson Airport, narrated a video presentation on the proposed patio cafe, a copy of which presentation is made a part of the papers of this meeting. He stated that the cafe will have an aviation theme, and plans seven-day-per-week service, where such cafe service has not been available at Stinson Airport for years. He also noted that air traffic at Stinson is increasing.

Mayor Peak spoke in support of growth at Stinson Airport, with the new cafe, an air museum, and several aviation-related businesses as anchors.

Ms. Guerrero stated her belief that Stinson Airport is poised for growth.

Mr. Webster spoke to a number of complaints by the general aviation community relative to having to move their aircraft elsewhere because of the taxes paid on such aircraft based at Stinson Airport.

Mr. Alexander E. Briseño, City Manager, stated that he would look into this situation and see what perhaps might be done.

Mr. Bannwolf and Mr. Menéndez both spoke of the new patio cafe as another step in economic development at the airport.

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, Webster, Peak; **NAYS:** None; **ABSENT:** Flores, Vásquez.

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The Clerk read the following Ordinance:

AN ORDINANCE 89613

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH TOMORROW MANAGEMENT SERVICES (MBE) TO DEVELOP TRAINING AND INFORMATIONAL MATERIALS IN CONNECTION WITH THE CODE OF ETHICS OF THE CITY OF SAN ANTONIO, IN AN AMOUNT NOT TO EXCEED \$25,250.00.

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Mr. Frank Garza, City Attorney, narrated a video presentation on the proposed contract, a copy of which presentation is made a part of the papers of this meeting. He spoke to the recommendation of the Tomorrow Management Services firm and the reasons for that recommendation, explaining what will be done under the contract to develop a handbook on ethics and a training manual. He then spoke to an example of a decision-tree flow-chart on the matter of receiving gifts under the current ethics ordinance.

Mayor Peak spoke in support for the Ordinance.

Councilman Garza also spoke in support, and stressed the need for a final product that is understandable to all.

Mr. Menéndez addressed a history of the ethics ordinance in force, leading up to this contract for a handbook.

Mr. Bannwolf thanked all involved for their work on this matter.

The following citizen(s) appeared to speak:

Ms. Nancy Englebert, representing the Heritage Neighborhood Association, spoke to her concern with the ethics ordinance and an amount of confusion that surrounds it. She spoke to the need to eliminate certain loopholes in the ordinance, and expressed her hope that the handbook will be simple.

Mr. Faris Hodge, Jr., 140 Dora, expressed his opinion that the current ethics ordinance does not go far enough, and spoke to several examples cited in a newspaper article. He spoke to the discussion of late to curb lobbyists, stating his belief that lobbying City Council is only fair, in view of the City's own use of lobbyists in Austin for the state

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legislature. He also asked the Council to wait until after the May 1, 1999 election before making any changes.

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Mayor Peak noted that City Council members represent the City before the state legislature, and receive no pay for doing so, in contrast to lobbyists who are paid to lobby City Council on certain issues

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

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99-15 Agenda Item 32, being a proposed ordinance approving a legal services contract in the amount of \$50,000.00 with The Kleberg Law Firm to provide services in connection with the recovery of costs arising from change orders on the Convention Center Expansion Project was earlier removed from consideration by the City Manager.

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99-15 The Clerk read the following Ordinance:

AN ORDINANCE 89614

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 4 BUDGET ACCOUNT IN THE TOTAL AMOUNT OF \$800.00 TO COUNCILMAN RAUL PRADO FOR AN ADMINISTRATIVE SERVICES CONTRACT WITH ISABEL R. CASTILLO (\$400.00 PER MONTH) FROM APRIL 1, 1999 THROUGH MAY 31, 1999; AS REQUESTED BY COUNCILMAN RAUL PRADO.

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

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99-15 City Council recessed its regular session at 2:35 P.M. in order to convene in "B" Session for **Presentation of the Air Quality Program.**

The "B" Session adjourned and City Council reconvened in regular session at 3:18 P.M.

The City Council then recessed the regular session at 3:19 P.M. in order to convene in Executive Session for Attorney/Client consultation regarding litigation case styled *Supervan, Inc. vs. City of San Antonio*, Case No. SA-94-CA-584 EP in the U.S. District Court for the Western District of Texas. The Executive Session was adjourned and City Council reconvened in regular session at 3:57 P.M., at which time Mayor Peak announced that City Council had been briefed on the above-styled matter and had given City staff direction, but had taken no official action.

99-15 **CITIZENS TO BE HEARD**

MS. NANCY ENGLEBERT

Ms. Nancy Englebert, representing the Heritage Neighborhood Association, stated that her organization will recognize Councilman Prado for his efforts and honor him at their neighborhood meeting. She noted that, at the same meeting, Police Chief Al A. Philippus will present Cellular On Patrol awards. She also spoke to her support for televising the Citizens to be Heard portion of City Council meetings, since she feels that there are many issues to which the ordinary citizen is not exposed. She then spoke about the air quality situation and the need to promote bus transportation as a means of maintain better air quality.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to the need for stronger ethical rules to cover lobbying of City Council members, commending the City Council for their work on behalf of the citizens.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, stated his opposition to any ban on state legislators lobbying City Council members for clients. He also spoke to his feeling that more employees need to be hired in the City Council offices to handle increased workload. He addressed several other issues including location of the Fiesta carnival.

There being no other citizens signed to speak at Citizens to be Heard and wishing to be heard prior to 5:00 P.M., the regular session was recessed at 4:15 P.M., reconvening at 5:00 P.M. for continuation of Citizens to be Heard.

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MS. THERESA BERLANGA

Ms. Theresa Berlanga spoke to her displeasure with the City Council vote approving SATRANS for the Airport Shuttle Concession contract, and with the Councilmembers who were not present to vote on this issue. She spoke against privatization of public utilities of any sort, and also spoke against term limits for City Council members, as well.

Mayor Peak noted that Mr. Webster was absent when that particular vote was taken, inasmuch as he was in Austin to testify before a legislative committee on behalf of the City of San Antonio.

Councilman Bannwolf stated that he was absent that day, attending an educational conference in Chicago.

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99-15 EXECUTIVE SESSION

City Council recessed its regular session at 3:19 P.M. to convene in Executive Session for the purpose of Attorney/Client consultation regarding the litigation case styled Supervan, Inc. vs. City of San Antonio. The Executive Session was adjourned and City Council reconvened in regular session at 3:57 P.M.

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99-15 There being no further business to come before the Council, the meeting was adjourned at 5:10 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