

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, NOVEMBER 15, 2001.

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2001-43 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following item(s):

- A.) **Boards and Commissions.** (Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager)

- B.) **Presentation of San Antonio Water System Quarterly Report.** (Introduced by Thomas G. Wendorf, Director of Public Works; Presented by retired Gen. Eugene Habiger, President/Chief Executive Officer of San Antonio Water System)

The "B" Session adjourned at 11:40 A.M.

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2001-43 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: AYES: Perez, Sanders, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Moorhouse.

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2001-43 Invocation by Reverend John Harp, Sunset Hills Church of Christ.

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2001-43 Pledge of Allegiance to the flag of the United States.

2001-43 CONSENT AGENDA – CITIZENS COMMENTS

Councilman Schubert asked to have Item #29 pulled for individual consideration.

Councilman Perez stated his abstention from voting on Item #47, and pulled it from the agenda for individual consideration.

Mr. Jack M. Finger, P.O. Box 12048, spoke regarding item whereby Sea World of Texas donated the statute of the late Mr. Henry B. Gonzalez.

Mr. Finger spoke about Item #9, and suggested certain members abstain from voting on this item.

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2001-43 CONSENT AGENDA

Mayor Garza asked to pull Item #48B for individual consideration.

Mr. Carpenter made a motion to approve Agenda Items 6 through 48A constituting the Consent Agenda, except for items 29, 47, and 48B, which were pulled for individual consideration. Mr. Schubert seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

AN ORDINANCE 94909

ACCEPTING THE LOW, QUALIFIED BIDS FROM JOHN H. SOROLA, INC., A WBE/MBE COMPANY, FOR ITEMS 1A AND 1B; AMC INDUSTRIES, FOR BID NO. 1, ITEM 2; PROFESSIONAL TURF PRODUCTS, INC., BID NO. 1, FOR ITEMS 3 AND 4; AND AUSTIN TURF & TRACTOR, FOR ITEM 5, TO PROVIDE THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH MOWING AND UTILITY EQUIPMENT FOR A TOTAL SUM OF \$169,645.02.

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AN ORDINANCE 94910

ACCEPTING THE LOW, QUALIFIED BIDS FROM SUNWEST SALES COMPANY, A WBE/MBE COMPANY, FOR ITEMS 1, 4 AND 5; AND SAFETY SUPPLY, INC., A WBE COMPANY, FOR ITEMS 3, 6 AND 7 TO PROVIDE THE CITY OF SAN ANTONIO HAZARDOUS MATERIALS DIVISION OF THE FIRE DEPARTMENT WITH PROTECTIVE SUITS AND ACCESSORIES FOR A TOTAL SUM OF \$37,267.66.

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AN ORDINANCE 94911

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 2001-2002 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$222,965.00. (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.)

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AN ORDINANCE 94912

SELECTING TURNER COLLIE & BRADEN INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE AVE MARIA DRAINAGE PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$195,470.00; AUTHORIZING \$19,547.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94913

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$10,500.00, FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$12,187.89 AND FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$40,383.00 PAYABLE TO SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION WITH THE BLUERIDGE STREET FROM GENERAL MCMULLEN TO 27TH STREET COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG PROJECT), LOCATED IN COUNCIL DISTRICT 7;

REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92226, AUGUST 3, 2000.)

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AN ORDINANCE 94914

APPROVING AND RATIFYING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$29,046.85 PAYABLE TO SERVICE STATION CONSTRUCTORS & FUELING SYSTEMS, INC. IN CONNECTION WITH THE LEONHARDT AT LOW WATER CROSSING PROJECT, LOCATED IN COUNCIL DISTRICT 10; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91754, MAY 11, 2000.)

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AN ORDINANCE 94915

APPROVING FIELD ALTERATION NO. 6-FINAL IN THE AMOUNT OF \$115,515.21 PAYABLE TO R.L. JONES COMPANY, INC. IN CONNECTION WITH THE MONTERREY - 36TH TO SAN JOAQUIN PROJECT, LOCATED IN COUNCIL DISTRICT 6; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92934, NOVEMBER 30, 2000).

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AN ORDINANCE 94916

AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH HOYT CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$7,610.00 IN CONNECTION WITH THE N. FLORES/BREEDEN/BEACON RAINAGE OUTFALL, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91422, MARCH 16, 2000).

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AN ORDINANCE 94917

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN

AMOUNT NOT TO EXCEED \$2,470.00 PAYABLE TO SINCLAIR & ASSOCIATES, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE ALTERNATIVE HOUSING SUBDIVISION FOR SAN ANTONIO ALTERNATIVE HOUSING CORPORATION COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 6; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 89095, JANUARY 21, 1999).

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AN ORDINANCE 94918

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS DON DURDEN, INC. IN AN AMOUNT NOT TO EXCEED \$14,750.00 IN CONNECTION WITH THE CLARK AVENUE FROM FAIR TO SOUTHCROSS METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 3; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92571, SEPTEMBER 28, 2000).

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AN ORDINANCE 94919

AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH GARCIA & WRIGHT CONSULTING ENGINEERS, INC. IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$6,698.00 AND AUTHORIZING \$70,000.00 TO EL PASO FIELD SERVICES FOR THE LOWERING OF APPROXIMATELY 100 FEET OF GAS PIPELINE IN CONNECTION WITH THE BLOSSOM/WOODBURY #1007, PHASES I AND II PROJECT, LOCATED IN COUNCIL DISTRICT 10. (AMENDS ORDINANCE NO. 81948, MARCH 30, 1995).

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AN ORDINANCE 94920

AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH HNTB CORPORATION IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$53,778.00 FOR ADDITIONAL ENGINEERING AND DESIGN FEES IN CONNECTION WITH THE ST. MARY'S FROM S. ALAMO TO PEREIDA AND S. ALAMO FROM DURANGO TO CEDAR METROPOLITAN PLANNING ORGANIZATION PROJECTS IN COUNCIL DISTRICT 1; APPROPRIATING

FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92426, NOVEMBER 22, 2000).

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AN ORDINANCE 94921

AMENDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH HDR ENGINEERING, INC. IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$49,250.47 IN CONNECTION WITH THE 36TH STREET FROM U.S. 90 TO GROWDON STREET METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING \$4,525.05 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 89422, MARCH 18, 1999).

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AN ORDINANCE 94922

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$5,224.42 PAYABLE TO SCIENCE APPLICATIONS INTERNATIONAL CORPORATION (SAIC) FOR ADDITIONAL ENVIRONMENTAL SERVICES IN CONNECTION WITH THE QUINTANA ROAD DRAINAGE #64 EXTENSION/KING STREET PHASE I & PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94923

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$7,624.00 PAYABLE TO AMEC EARTH AND ENVIRONMENTAL, INC. FOR AIR MONITORING AND ENVIRONMENTAL OVERSIGHT SERVICES IN CONNECTION WITH THE ST. FRANCIS FROM DOWDY TO PROBANDT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN

COUNCIL DISTRICT 5; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93347, FEBRUARY 1, 2001).

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AN ORDINANCE 94924

AMENDING A PROFESSIONAL SERVICES CONTRACT FOR A PUBLIC WORKS STREET MAINTENANCE OPERATING BUDGET FUNDED PROJECT IN THE ADDITIONAL AMOUNT OF \$93,550.00 WITH GOODPOINTE TECHNOLOGY CORPORATION, IN CONNECTION WITH COMPUTERIZED MAPPING AND SOFTWARE INTEGRATION OF THE PAVEMENT MANAGEMENT SYSTEM FOR THE CITY OF SAN ANTONIO WITH ENVIRONMENTAL SYSTEM RESEARCH INSTITUTE ARCVIEW SHAPE FORMAT, THE CITY'S GEOGRAPHIC INFORMATION SYSTEM; ACCEPTING A TRANSFER OF ASSIGNMENT OF CONTRACT FROM BRAUN INTERTEC CORPORATION TO GOODPOINTE TECHNOLOGY CORPORATION; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 82142, APRIL 27, 1995).

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AN ORDINANCE 94925

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$550,990.51 IN CONNECTION WITH THE 1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND AND 24TH AND 26TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED HILLSIDE ACRES PHASE I PROJECT; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$53,721.28 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; \$684.14 FOR BID ADVERTISING EXPENSES; AND \$5,000.00 FOR ENGINEERING SERVICES PAYABLE TO S.M. GALINDO ENGINEERS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94926

AUTHORIZING THE EXPENDITURE OF \$50,000.00 OUT OF DISTRICT 10'S ONE-TIME IMPROVEMENT FUNDS, AUTHORIZING PAYMENT OF SAID FUNDS TO

THE MCNAY ART MUSEUM AND AUTHORIZING EXECUTION BY THE CITY MANAGER OR HER DESIGNEE OF AN AGREEMENT WITH THE MCNAY ART MUSEUM FOR THE USE OF SAID FUNDS FOR CONSTRUCTION OF WROUGHT IRON FENCING AND OTHER IMPROVEMENTS ALONG AUSTIN HIGHWAY AT THE MCNAY ART MUSEUM.

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AN ORDINANCE 94927

AMENDING ORDINANCE NUMBER 94833, PASSED AND APPROVED ON NOVEMBER 1, 2001, BY SUBSTITUTING THE PROPER ALLOCATIONS OF \$1,000,524.10 FOR SAID CONTRACT, \$50,026.21 FOR MISCELLANEOUS CONSTRUCTION EXPENSES, \$750.00 FOR ADVERTISING EXPENSES, AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, ALL PAYABLE TO CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE SINGLE COURSE BITUMINOUS SLURRY SEAL-2001 PACKAGE "C" STREET MAINTENANCE PROJECT. (AMENDS ORDINANCE NO. 94833, NOVEMBER 1, 2001).

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AN ORDINANCE 94928

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT WITH C.A.N. INDUSTRIES, INC. FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF APPROXIMATELY 6,363 SQUARE FEET OF OFFICE SPACE LOCATED IN SUITE 104 AT 1325 NORTH FLORES STREET, AT A MONTHLY RATE OF \$6,000.00, COMMENCING ON THE DATE ON WHICH LESSEE OBTAINS A CERTIFICATE OF OCCUPANCY, REPLACING THE LEASE CURRENTLY IN EXISTENCE; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH. (AMENDS ORDINANCE NO. 92149, JULY 27, 2000).

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AN ORDINANCE 94929

AUTHORIZING PAYMENT IN THE AMOUNT OF \$129,750.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR MABEL GUSSEN FOR FEE SIMPLE TITLE TO ONE PARCEL IN CONNECTION WITH THE TEZEL - TIMBER

PATH TO RIDGE PATH METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94930

AUTHORIZING PAYMENT IN THE AMOUNT OF \$482.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0012, CITY OF SAN ANTONIO VS. JOAN CALDERON VALDEZ, ET AL, AS ADDITIONAL COMPENSATION FOR THE FEE SIMPLE TITLE TO ONE PARCEL, IN CONNECTION WITH THE PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94931

AUTHORIZING PAYMENT IN THE AMOUNT OF \$52,518.12 TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH THE BASSE ROAD AND SAN PEDRO INTERSECTION (MPO) PROJECT (\$1,233.50), BITTERS ROAD - WEST AVENUE TO HEIMER (MPO) PROJECT (\$5,834.72), ESCALON STREET #1008 DRAINAGE PROJECT (\$280.50), FIRE STATION NO. 7 PROJECT (\$4,608.70), FIRE STATION NO. 25 PROJECT (\$3,860.59), HIGGINS ROAD - NACOGDOCHES TO STAHL ROAD PROJECT (\$182.00), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$5,159.98), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN (MPO) PROJECT (\$1,637.77), LEONHARDT AT LOW WATER CROSSING PROJECT (\$263.50), MILITARY DRIVE WEST CONNECTION TO REED ROAD PROJECT (\$195.50), PEARSALL ROAD LANDFILL REDEVELOPMENT PROJECT (\$3,977.85), PECAN VALLEY - I.H. 10 TO J STREET (MPO) PROJECT (\$4,314.30), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD (MPO) PROJECT (\$8,163.44), SAN ANTONIO RIVER IMPROVEMENTS - HOUSTON TO LEXINGTON PROJECT (\$317.15), SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II-PART 3 (\$280.50), W.W. WHITE PHASE I - RIGSBY TO LORD PROJECT, PHASE I (\$11,462.27), WESTERN AVENUE DRAINAGE PROJECT #74 (\$107.00), WURZBACH PARKWAY (MPO) PROJECT (\$382.50), WURZBACH ROAD AT I.H. 10 INTERSECTION (MPO) PROJECT AND THE WURZBACH AT IRONSIDE INTERSECTION (MPO)

PROJECT (\$256.35) FOR THE TOTAL SUM OF \$52,518.12; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94932

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A PERMANENT EASEMENT AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS OVER, ACROSS, UPON, AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY BEING LOCATED ON AN APPROXIMATE 0.1310 OF AN ACRE OF LAND OR 5,704 SQUARE FEET, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, COMPRISED OF 0.0523 ACRES BEING OVER A PORTION OF LOT 5, NEW CITY BLOCK 16332, STONE OAK-PLAZA-SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9539, PAGE 57, AND FURTHER COMPRISED OF 0.0787 ACRES BEING OVER A PORTION OF LOT 2, NEW CITY BLOCK 16332, STONE OAK BOULEVARD LTD. OFFICE SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9717, PAGE 6, PLAT RECORDS OF BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY A 16 FOOT WIDE WATER REUSE EASEMENT FOR THE LOOP 1604 - BLANCO TO SIGMA DRIVE PHASE II PROJECT; FURTHER DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A PERMANENT EASEMENT AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY BEING LOCATED ON AN APPROXIMATE 0.0740 OF AN ACRE OF LAND OR 3,221 SQUARE FEET, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING OVER A PORTION OF A 1.789 ACRE TRACT BEING OUT OF A PORTION OF LOT 5, NEW CITY BLOCK 16332, STONE OAK-PLAZA-SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9539, PAGE 57, PLAT RECORDS OF BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY A 16 FOOT WIDE WATER REUSE EASEMENT FOR THE LOOP 1604 - BLANCO TO SIGMA DRIVE PHASE II PROJECT; AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM (SAWS) IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH NEEDED PERMANENT EASEMENTS TO PROPERTIES AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS, AND EMPLOYEES ACTING FOR THE SAN ANTONIO WATER SYSTEM TO ACQUIRE SUCH PROPERTY RIGHTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, CLARIFY, DEFINE, AND ACQUIRE THE NECESSARY PROPERTY

RIGHTS; AND DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 94933

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A PERMANENT EASEMENT AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS OVER, ACROSS, UPON, AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY BEING LOCATED ON AN APPROXIMATE 0.0719 ACRE TRACT FRONTING ON THE FRONTAGE ROAD ON THE SOUTH SIDE OF U.S. 90 HIGHWAY WEST BETWEEN S.W. LOOP 410 AND S.W. MILITARY DRIVE OUT OF THE REMAINING PORTION OF LOT 2, BLOCK 1, NEW CITY BLOCK 15601, 90 WEST R.V. PARK SUBDIVISION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE NAMELY A PERMANENT WATER AND SANITARY SEWER EASEMENT FOR THE U.S. HIGHWAY 90 WEST-S.W. LOOP 410 TO MILITARY DRIVE 20 INCH WATERLINE BAPTIST CHILD AND FAMILY SERVICES (BAPTIST CHILDREN'S HOME) PROJECT; AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM (SAWS) IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH NEEDED PERMANENT EASEMENT AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS, AND EMPLOYEES ACTING FOR THE SAN ANTONIO WATER SYSTEM TO ACQUIRE SUCH PROPERTY RIGHTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, CLARIFY, DEFINE, AND ACQUIRE THE NECESSARY PROPERTY RIGHTS; AND DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 94934

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF EASEMENTS, TEMPORARY AND PERMANENT, AND ANY OTHER NECESSARY OR

DESIRABLE PROPERTY RIGHTS OVER, ACROSS, UPON, AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY BEING LOCATED ON THE FOLLOWING TRACTS: AN APPROXIMATE 0.070 ACRE TRACT AND AN APPROXIMATE 0.042 ACRE TRACT OUT OF THE JUAN MONTES GRANT NO. 6, COUNTY BLOCK NO. 4007, PART OF DIVISION 19, BEXAR COUNTY, TEXAS; AN APPROXIMATE 0.128 ACRE TRACT, AND AN APPROXIMATE 0.077 ACRE TRACT OUT OF THE JUAN MONTES GRANT NO. 6, COUNTY BLOCK 4007, PART OF DIVISION 19, BEXAR COUNTY, TEXAS; AN APPROXIMATE 0.752 ACRE TRACT AND AN APPROXIMATE 0.408 ACRE TRACT OUT OF THE JUAN MONTES DE OCA (JUAN MONTEZ) 4 LEAGUE GRANT DIVISION NO. 4, ABSTRACT NO. 11, COUNTY BLOCK 4007, BEXAR COUNTY, TEXAS; AN APPROXIMATE 1.280 ACRE TRACT, AN APPROXIMATE 0.772 ACRE TRACT AND AN APPROXIMATE 0.044 ACRE TRACT OUT OF THE JUAN MONTES DE OCA (JUAN MONTES) ORIGINAL SURVEY NO. 6, ABSTRACT 11, COUNTY BLOCK 4007-7, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE NAMELY THE SALADO CREEK AND DOS RIOS WATER RECYCLING CENTERS INTERCONNECTING LINE PROJECT; AUTHORIZING ALL APPROPRIATE ACTION OF THE SAN ANTONIO WATER SYSTEM (SAWS) IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH NEEDED PERMANENT AND TEMPORARY EASEMENTS TO PROPERTIES AND ANY OTHER NECESSARY OR DESIRABLE PROPERTY RIGHTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS, AND EMPLOYEES ACTING FOR THE SAN ANTONIO WATER SYSTEM TO ACQUIRE SUCH PROPERTY RIGHTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, CLARIFY, DEFINE, AND ACQUIRE THE NECESSARY PROPERTY RIGHTS; AND DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID.

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AN ORDINANCE 94935

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES CONTRACT, IN AN AMOUNT NOT TO EXCEED \$250,000.00, WITH THE SAN ANTONIO SPORTS FOUNDATION FOR BID RELATED EXPENDITURES ASSOCIATED WITH THE SOLICITATION OF THE 2007 PAN AMERICAN

GAMES TO SAN ANTONIO; AUTHORIZING THE CITY MANAGER TO ENTER SAID CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94936

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$150,000.00, WITH THE SAN ANTONIO SPORTS FOUNDATION TO SUPPORT THE SOLICITATION OF AMATEUR INTERNATIONAL AND REGIONAL COMPETITIVE SPORTING EVENTS, AND CONVENTIONS AND MEETINGS OF SPORTS-RELATED ASSOCIATIONS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 94937

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$18,808.00 IN CASH FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT THE ONGOING SAN ANTONIO METROPOLITAN HEALTH DISTRICT SPECIAL TB OUTREACH PROJECT; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH AND REVISING THE BUDGET AND THE PERSONNEL COMPLEMENT FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2001/2002-STATE ESTABLISHED IN ORDINANCE NO. 94558, PASSED AND APPROVED ON SEPTEMBER 20, 2001.

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AN ORDINANCE 94938

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OUR LADY OF THE LAKE UNIVERSITY TO CONDUCT A PROGRAM EVALUATION OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S HEALTHY START INITIATIVE PROGRAM AND AUTHORIZING PAYMENTS FOR SERVICES IN AN AMOUNT NOT TO EXCEED \$33,000.00 FOR THE PERIOD OCTOBER 1, 2001 THROUGH JUNE 30, 2002.

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AN ORDINANCE 94939

ACCEPTING FUNDS IN AN AMOUNT OF \$20,000.00 FROM THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT (SAISD) FOR THE REIMBURSEMENT OF ADMINISTRATION COSTS IN CONNECTION WITH THE URBAN SMARTS PROGRAM, ADMINISTERED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, YOUTH SERVICES DIVISION, AT THREE 21ST CENTURY COMMUNITY LEARNING CENTERS; AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND SAISD FOR THE PERIOD BEGINNING SEPTEMBER 20, 2001 AND ENDING MAY 24, 2001; ESTABLISHING A FUND, AND APPROVING A FY 2001-2002 BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 94940

AUTHORIZING AN AMENDMENT TO THE CURRENT LEGAL SERVICES CONTRACTS FOR THE BROOKS CITY-BASE PROJECT WITH THE LAW OFFICES OF DAVIDSON & TROILO IN ASSOCIATION WITH ESCAMILLA AND PONEK, TO PROVIDE FOR: (1) THE ALLOCATION OF AN AVAILABLE BUDGET OF \$150,000.00 FOR FISCAL YEAR 2002; AND (2) THE PAYMENT OF AN ADDITIONAL \$25,256.59 FOR LEGAL SERVICES INCURRED BY THE CITY THROUGH SEPTEMBER 30, 2001.

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AN ORDINANCE 94941

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR FUTURE SERVICES AND RATIFYING SERVICES PERFORMED BY THE LAW OFFICES OF MILLER, CANFIELD, PADDOCK & STONE P.L.C. TO PROVIDE LEGAL ASSISTANCE RELATED TO TELECOMMUNICATIONS, CABLE, BROADBAND OR INTERNET MATTERS, INCLUDING FRANCHISE RENEWAL AND REOPENER NEGOTIATIONS FOR AN AMOUNT NOT TO EXCEED \$40,000.00; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 94942

AUTHORIZING THE FIRST AMENDMENT TO THE PRESUBSCRIPTION TELEPHONE AGREEMENT (DEFAULT LONG DISTANCE) WITH QWEST, FORMERLY U.S. LONG DISTANCE, INC.; ACCEPTING A \$650,000.00 PAYMENT TO THE CITY OF SAN ANTONIO IN SATISFACTION OF THE MINIMUM ANNUAL GUARANTEE REQUIREMENT; MODIFYING THE METHOD OF COMPENSATION BY TERMINATING THE MINIMUM ANNUAL GUARANTEE REQUIREMENT EFFECTIVE MAY 11, 2001, BUT REQUIRING THE CONTINUED PAYMENT OF 41 PERCENT OF BILLED GROSS REVENUES; MODIFYING THE TERM OF THE AGREEMENT TO A MONTH-TO-MONTH TERM; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AMENDMENT. (AMENDS ORDINANCE NO. 82853, SEPTEMBER 21, 1995.)

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AN ORDINANCE 94943

APPROVING AMENDMENTS TO THE FINAL PROJECT AND FINANCING PLAN FOR THE BROOKSIDE PROJECT LOCATED IN COUNCIL DISTRICT 3, WHICH DECREASES THE NUMBER OF SINGLE-FAMILY HOMES FROM 390 TO 371, AS APPROVED BY THE REINVESTMENT ZONE NUMBER SEVEN BOARD OF DIRECTORS.

* * * *

AN ORDINANCE 94944

APPROVING AMENDMENTS TO THE FINAL PROJECT AND FINANCING PLAN FOR THE ROSEDALE PROJECT LOCATED IN COUNCIL DISTRICT 7, WHICH DECREASES THE NUMBER OF MULTI-FAMILY HOMES FROM 217 TO 92, DECREASES THE NUMBER OF ELDERLY UNITS FROM 30 TO 0 AND INCREASES THE NUMBER OF SINGLE-FAMILY HOMES FROM 64 TO 67; AS APPROVED BY THE REINVESTMENT ZONE NUMBER TWO BOARD OF DIRECTORS.

* * * *

AN ORDINANCE 94945

AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, BRIDLE BIT CORPORATION AND REINVESTMENT ZONE NUMBER SEVEN (7), CITY OF SAN ANTONIO, TEXAS, FOR THE BROOKSIDE DEVELOPMENT LOCATED IN DISTRICT 3 WITH A TAX INCREMENT REINVESTMENT ZONE TERMINATION DATE OF SEPTEMBER 30, 2013; FOR A POTENTIAL TOTAL PAYMENT TO DEVELOPER OF AVAILABLE TAX INCREMENT FUNDS OF \$3,604,864.00.

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AN ORDINANCE 94946

AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT, BETWEEN THE CITY OF SAN ANTONIO, SAN ANTONIO ALTERNATIVE HOUSING CORPORATION NUMBER EIGHT (8) AND REINVESTMENT ZONE NUMBER TWO (2), CITY OF SAN ANTONIO, TEXAS, FOR THE ROSEDALE DEVELOPMENT LOCATED IN DISTRICT 2; WITH A TAX INCREMENT REINVESTMENT ZONE TERMINATION DATE OF SEPTEMBER 30, 2019; FOR A POTENTIAL TOTAL PAYMENT TO DEVELOPER OF AVAILABLE TAX INCREMENT FUNDS OF \$1,737,216.00.

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AN ORDINANCE 94947

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A CONTRACT WITH THE SALT LAKE CITY OLYMPIC COMMITTEE IN CONNECTION WITH THE SALT LAKE CITY 2002 OLYMPIC TORCH RELAY.

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AN ORDINANCE 94948

AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE FREE TRADE ALLIANCE

SAN ANTONIO IN THE AMOUNT OF \$150,000.00 FOR THE FISCAL YEAR 2001-2002.

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AN ORDINANCE 94949

ADOPTING AND APPROVING THE URBAN RENEWAL PLAN FOR THE FIVE POINTS/PROJECT RENEW AREA LOCATED IN COUNCIL DISTRICT 1.

* * * *

AN ORDINANCE 94950

ACCEPTING FUNDS IN THE AMOUNT OF \$25,000.00 FROM CITICORP FOR THE BENEFIT OF THE INDIVIDUAL DEVELOPMENT ACCOUNT (IDA) FAMILIES SAVES PROGRAM; AUTHORIZING AGREEMENTS WITH WELLS FARGO BANK TEXAS AND SECURITY SERVICE FEDERAL CREDIT UNION AND ANY FUTURE FINANCIAL INSTITUTIONS IN CONNECTION WITH THE IDA FAMILY SAVINGS PROGRAM; AMENDING ORDINANCE NO. 93760 AUTHORIZING CERTAIN CITY PERSONNEL TO SIGN CHECKS FOR DISBURSEMENT OF CITY OF SAN ANTONIO TEXAS FUNDS; AND AUTHORIZING THE EXECUTION OF ANY DOCUMENTS AND AGREEMENTS IN CONNECTION THEREWITH. (AMENDS ORDINANCE NO. 93760, APRIL 12, 2001.)

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AN ORDINANCE 94951

APPOINTING JESSE ZUNIGA (DISTRICT 6) TO THE SAN ANTONIO HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2003.

— — — — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94952

AUTHORIZING THE SAN ANTONIO WATER SYSTEM (SAWS) TO FILE LAWSUITS, WHEN DEEMED NECESSARY AGAINST THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTIES, TO GAIN ACCESS TO THESE PROPERTIES FOR THE PURPOSES OF SURVEYING, APPRAISING AND ENVIRONMENTAL TESTING THE PROPERTIES IN CONNECTION WITH THE ASR PIPELINE PROJECT, TO WIT: (I) COUNTY BLOCK 5097, PARCELS P-3A, P-10 AND P-11, ABSTRACT 190, BEXAR COUNTY, TEXAS; (II) COUNTY BLOCK 17978, PARCEL P-3C, ABSTRACT 743, BEXAR COUNTY, TEXAS; AND (III) COUNTY BLOCK 5098, PARCEL P-1, ABSTRACT 743, BEXAR COUNTY, TEXAS; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OF THE SAN ANTONIO WATER SYSTEM AND THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES' COUNSEL TO PURSUE ANY NECESSARY LITIGATION THROUGH FINAL JUDGMENT AND ALL NECESSARY APPEALS TO OBTAIN ACCESS TO THE AFOREMENTIONED PROPERTIES IN CONNECTION WITH THE SYSTEM'S ASR PIPELINE PROJECT.

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

In response to Councilman Schubert's question regarding those individuals who would be affected by this lawsuit, Mr. Tom Wendorf, Director of Public Works, stated the lawsuit would affect the owners of those properties mentioned in the Ordinance.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94953

AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO STREET BETWEEN HOUSTON AND COMMERCE, FROM 5:00 P.M. TO 8:00 P.M. ON FRIDAY, NOVEMBER 23, 2001, SO THAT THE CITY OF SAN ANTONIO AND HEB MAY CONDUCT THE ANNUAL CHRISTMAS TREE LIGHTING CEREMONY IN

ALAMO PLAZA AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON THE PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Perez. **NAYS:** None. **ABSENT:** None.

— — —
2001-43 The Mayor asked that (Item #48B) be discussed at this time:

The Clerk read the following Ordinance:

AN ORDINANCE 94954

AN ORDINANCE APPOINTING AND REAPPOINTING 27 MEMBERS TO THE GREATER SAN ANTONIO CRIME PREVENTION COMMISSION FOR THE FOLLOWING CATEGORIES AND FOR STAGGERED TERMS OF OFFICE AS NOMINATED BY MAYOR EDWARD GARZA. [NOMINEES: DAVID A. GARCIA (CHAIRMAN); PATRICIA CASTILLO (MAYOR'S DESIGNEE); ANDY MIRELES (JUDICIAL MEMBER - STATE); ALBERT ORTIZ (LAW ENFORCEMENT) TOM DECHANT (NEIGHBORHOOD REPRESENTATIVE); COL. RAY HAMILTON (COMMUNITY ORGANIZATION); COL. ETHEL NELSON (NEIGHBORHOOD REPRESENTATIVE); STEPHANIE LOPEZ (YOUTH COMMISSION); GILBERT CANDIA (NEIGHBORHOOD REPRESENTATIVE); DR. KENNETH THOMPSON (RELIGIOUS COMMUNITY); RAUL ZAMORA (EDUCATION REPRESENTATIVE); SUSAN D. REED (DISTRICT ATTORNEY); JOSEPH VICTOR BARTH (RETIRED SECTOR); ROSCOE MACK (NEIGHBORHOOD REPRESENTATIVE); JEANNE A. PAUL (NEIGHBORHOOD REPRESENTATIVE); CONNIE SONNEN (SAN ANTONIO HOUSING AUTHORITY); ROBERT W. DAVIS (COMMUNITY ORGANIZATION); DR. KATHLEEN FLETCHER (AT-LARGE); KAREN CHALKEY (AT-LARGE); SHERRY GOEBLE (AT-LARGE); JON GARY HERRERA (PROFESSIONAL JOURNALISM); REV. JIMMY DRENNAN (RELIGIOUS COMMUNITY); CEASAR GARCIA (BEXAR COUNTY REPRESENTATIVE); MAJOR DAVID C. PATAK (MILITARY REPRESENTATIVE); RAY LOPEZ (EDUCATION REPRESENTATIVE); JUDGE

ALFREDO TAVERA (JUDICIAL MEMBER - MUNICIPAL); AND TINO DURAN (PROFESSIONAL JOURNALISM)]

* * * *

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

Mr. Carpenter then made a motion to amend the proposed Ordinance by removing himself as Chair and naming Mr. David Garcia as Chair. Mr. Perez seconded the motion.

The amendment to the motion prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

After consideration, the main motion, as amended, carrying with it the passage of the Ordinance by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to his concern on the posting of items for City Council.

— — —

2001-43 PUBLIC HEARING AND ORDINANCES: THE REPROGRAMMING OF \$90,533.00 IN 2000 EMERGENCY SHELTER GRANT (ESG) FUNDS.

Mayor Garza declared the Public Hearing to be open.

Mr. Dennis Campa, Director of Community Initiatives, discussed funding for Fy 2000 emergency shelter grant re-programming to the San Antonio Metropolitan Ministry (SAMB). He presented the purpose, background information, proposed action, accountability and Ordinance summary. A copy of the power point is attached to these papers.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to the St. Mary's University School of Law giving legal assistance to certain groups of people.

* * * *

Councilman Perez thanked Mr. Campa for implementing the program.

There being no other citizens to speak the Mayor declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 94955

AUTHORIZING THE REPROGRAMMING OF \$90,533.00 IN 2000 EMERGENCY SHELTER GRANT (ESG) FUNDS AVAILABLE FROM THE CITY OF SAN ANTONIO DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION OF APPROPRIATE PROJECTS AND PROJECT BUDGETS; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$59,273.00 TO THE SAN ANTONIO METROPOLITAN MINISTRY (SAMM) TO OPERATE THE DWYER AVENUE CENTER OVERFLOW SHELTER; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF \$31,260.00 TO ST. MARY'S UNIVERSITY SCHOOL OF LAW TO PROVIDE LEGAL SERVICES TO THE HOMELESS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

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

After consideration, the motion presented by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94956

APPROVING THE REPORT OF THE BEXAR COUNTY CANVASSING AUTHORITY AND DECLARING THE RESULTS OF THAT AUTHORITY'S CANVASS OF THE CONSTITUTIONAL AMENDMENT AND SPECIAL ELECTION, HELD ON TUESDAY, NOVEMBER 6, 2001.

* * * *

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

Assistant City Clerk Yolanda Ledesma discussed the Canvass Authority Report, outlining results by Council districts for each proposition, vote tabulation, and staff recommendations, a copy of which presentation is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94957

AUTHORIZING THE APPROPRIATION OF \$2,000,000.00 OF HOTEL/MOTEL OCCUPANCY TAX FUNDS TO THE CONVENTION AND VISITORS BUREAU FOR AN ENHANCED LEISURE TRAVEL MARKETING CAMPAIGN ADDRESSING CITYWIDE VISITOR INDUSTRY ECONOMIC LOSSES RESULTING FROM THE EVENTS OF SEPTEMBER 11, 2001.

* * * *

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

Mr. Steve Moore, Director of Convention & Visitor's Bureau, discussed the Convention & Visitors Bureau visitor industry recovery plan which is intended to encourage tourism in San Antonio after the September 11, 2001 tragedy in New York City. He discussed the plan's background, policy analysis, industry impacts, hotel occupancy tax fund, 9/11 impact on nationwide travel, destination marketing, visitor marketing plan, media plan,

and e-mail campaign; policy analysis on incremental plan/strategic approach, post 9/11 visitor magazines, summary & outlook and summary & recommendation, a copy of which is on file with the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Henry Feldman, Hotel Association, spoke about the private and public sector's desire to encourage the revitalization and promotion of tourism after the September 11 events.

Mr. Mike Sawaya, Chairman, Convention Bureau Commission, reiterated the cooperative efforts to promote the economy of San Antonio with this plan to encourage tourism back to San Antonio and to secure the growth of San Antonio with positive results.

Ms. Jamie Rochelle, Chairman, the Greater San Antonio Chamber of Commerce, supports the plan for additional funding for the health of our local hospitality industry which employs over 80,000 residents. The chamber has supported the tourism industry and Ms. Rochelle stated the plan is necessary for the stability of San Antonio.

In response to Mayor Garza's question about the economic impact and the effects on hotel employees, Mr. Moore stated efforts are being made not to lay off hotel employees.

In response to Mayor Garza's question about the national marketing budget and its comparability to San Antonio, Steve Moore stated that while San Antonio is competitive, the Convention and Visitors Bureau is in need of additional funding for this campaign..

In response to Mayor Garza's question, City Manager Brechtel spoke to the impact of revenue sources in terms of the hotel/motel tax and its support of various industries, such as the arts and cultural and international relations departments. Ms. Brechtel stated that it has been noted that 15% of city sales tax revenue comes from the tourism industry.

Councilmembers thanked Mr. Moore and the tourism industry in developing the plan to address any shortfalls.

In response to Councilman Castro's question, Mr. Moore stated that while the City could see an increase for November and December, October reflected a 33% loss of tourism revenue.

Councilman Castro discussed accountability as to how many jobs San Antonio has lost since September 11, 2001; how the money is to be spent.

Mr. Castro also spoke to the amount of monies in the approximate amount of \$25 million being spent on advertising in 54 other cities, in contrast to San Antonio spending \$2

million. Mr. Moore responded that this effort is a regional promotion in a national market index.

Councilman Castro would like to see the employment stabilized, which would make him support this plan.

In response to Councilman Castro's question regarding the number of hotel employees who had been laid off, Mr. Feldman responded he would supply the information.

Councilman Perez stated he is wholly supportive of this plan and appreciates the time staff has dedicated to this plan.

Councilmembers thanked staff and stated their appreciation of Councilman Castro's concerns about the employees of the tourism industry.

Councilwoman Moorhouse requested from Mr. Moore, a list of all the different events starting January 2002 through 2005.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94958

AUTHORIZING THE CITY MANAGER OR A DESIGNEE TO EXECUTE BOTH A FIFTEEN (15) YEAR LEASE AGREEMENT AND A \$1,400,000.00 FUNDING AGREEMENT WITH THE JEFFERSON/WOODLAWN LAKE COMMUNITY DEVELOPMENT CORPORATION FOR THE REDEVELOPMENT OF THE CITY-OWNED TRAVIS BUILDING LOCATED AT 1800 - 1814 FREDERICKSBURG ROAD.

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

Mr. David D. Garza, Director, Neighborhood Action Department, discussed the Travis Building lease and funding agreements. He presented a summary, background, public

investment, private investment, development process, Jefferson/Woodlawn Lake CDC, goals to be accomplished, elements of funding agreement, funding agreement performance measures, elements of lease agreement, lease agreement performance measures, and recommendation, a copy of which is on file with the papers of this meeting.

Councilmembers applauded the efforts of staff in developing this agreement.

Mr. Garza gave Council his assurance to make this project a top priority. He also stated a marketing plan will be available for budget and analysis and marketing activities will go towards commercial arts and business groups.

Mr. Noel Zuniga, Director, Jefferson/Woodlawn Neighborhood Association, thanked Council for their support for this district.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Garcia, Barrera, Castro, Conner, Garza. **NAYS:** None. **ABSENT:** Martin, Schubert, Carpenter.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94959

AUTHORIZING THE EXECUTION OF A SEVEN-YEAR LEASE AGREEMENT WITH C.A.N. INDUSTRIES, INC., AS LANDLORD, FOR USE BY THE NEIGHBORHOOD ACTION DEPARTMENT (“NAD”), HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (“H & CD”), AND SAN ANTONIO DEVELOPMENT AGENCY (“SADA”) OF 28,242 GROSS SQUARE FEET OF OFFICE SPACE LOCATED AT 1400 SOUTH FLORES STREET, AT A MONTHLY RENT OF \$34,286.00, INCLUDING UTILITIES AND JANITORIAL SERVICE, FOR THE PERIOD FROM APRIL 15, 2002 THROUGH APRIL 14, 2009 WITH (1) A RIGHT TO RENEW THE TERM OF THE LEASE AGREEMENT FOR TWO ADDITIONAL CONSECUTIVE RENEWAL PERIODS OF THREE YEARS EACH AT A RENEGOTIATED RENT AND (2) BOTH A RIGHT OF FIRST REFUSAL AND A RIGHT TO PRESENT AN OFFER TO PURCHASE THE LEASED PREMISES AND LAND AT 1400 SOUTH FLORES STREET, SUCH RENEWALS AND EXERCISE OF THE RIGHT OF FIRST REFUSAL AND RIGHT TO PRESENT AN OFFER TO PURCHASE SUBJECT TO APPROVAL BY THE CITY COUNCIL; AMENDING A PORTION OF SADA’S COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) BUDGET TO REIMBURSE THE CITY FOR RENTAL

EXPENSES IN THE AMOUNT OF \$118,090.00 FOR USE OF THE LEASED PREMISES; AND AUTHORIZING PAYMENT TO C.A.N. INDUSTRIES, INC, PURSUANT TO THE LEASE AGREEMENT.

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

Mr. Mark Webb, Assistant Director Neighborhood Action Department, discussed the lease agreement with C.A.N. Industries. He presented the overview, background, lease summary, financial impact and recommendation for this project, a copy of which is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Moorhouse, Garcia, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Sanders, Martin, Barrera, Castro, Carpenter.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94960

RATIFYING WORK PREVIOUSLY PERFORMED AND COMPLETED, RESOLVING DISPUTES ASSOCIATED WITH DELAYS AND INEFFICIENCIES, ADDRESSING AND CLOSING OPEN ISSUES, AUTHORIZING ADDITIONAL NEGOTIATED CHANGE ORDERS, AMENDING THE CONSTRUCTION CONTINGENCY AND APPROVING THE TERMS AND CONDITIONS RELATED TO THE FINAL FISCAL CLOSEOUT AND SETTLEMENT OF CONTRACTED WORK, IN THE TOTAL AMOUNT OF \$5,380,073.87, PAYABLE TO CLARK/JT, A JOINT VENTURE, FOR WORK ASSOCIATED WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT-PHASE 1B; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86015, MAY 8, 1997.)

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

Ms. Jelynn LeBlanc Burley, Director of Convention Center Expansion Office, discussed funding for a field alteration payable to Clark/JT construction for work associated with the Henry B. Gonzales Convention Center Expansion Project- Phase 1B, a copy of which is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Moorhouse, Garcia, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Sanders, Martin, Carpenter.

— — —
2001-43 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-43-47

SETTING TIMES, DATES AND LOCATIONS FOR TWENTY (20) NEIGHBORHOOD PARTICIPATION MEETINGS AND TWO (2) CITY COUNCIL PUBLIC HEARINGS REQUIRED FOR THE CITY'S ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME (HOME INVESTMENT PARTNERSHIPS), HOPWA (HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS), AND ESG (EMERGENCY SHELTER GRANT) CONSOLIDATED PLAN/BUDGET PROCESS FOR FY 2002-2003.

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

Mr. Andrew Cameron, Director, Housing and Community Development spoke about the twenty (20) neighborhood participation meetings and two (2) City Council Public Hearings required for the City's annual consolidated plan and budget process for FY 2002-2003, a copy of which is on file with the papers of this meeting.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Moorhouse, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Sanders, Martin.

— — —
2001-43 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-43-48

DIRECTING CITY PUBLIC SERVICE (CPS) TO ESTABLISH A UTILITY CONVERSION PROJECT TO BE KNOWN AS THE ONE-STOP DEVELOPMENT SERVICES CENTER PROJECT AND TO SPEND AN ESTIMATED \$763,551.00 FROM THE CPS OVERHEAD CONVERSION FUND TO ACCOMPLISH THE CONVERSION OF OVERHEAD ELECTRIC SERVICE TO UNDERGROUND SERVICES AT THIS LOCATION.

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

Mr. Tom G. Wendorf, Public Works Director, presented the Resolution on the utility conversion project for the one-stop development services center. He discussed the purpose, one stop conversion, utility conversion program update, conversion fund allocations by City Council district since program inception, future conversion projects, and recommendation, a copy of the Resolution is on file with the papers of this meeting.

In response to Councilwoman Conner's question regarding CPS' policy on deciding where to install underground utility conversion, Mr. Wendorf stated CPS' policy included developer's costs, location of underground points.

In response to Ms. Conner's question regarding CPS policy in establishing line burial locations, Mr. Wendorf responded that efforts are made to tie into capital projects and MPO projects. He stated that as opportunities arise, CPS takes advantage of this for underground conversion.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Moorhouse, Garcia, Barrera, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Sanders, Martin, Castro.

— — —
2001-43 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-43-49

EXPRESSING THE CITY COUNCIL'S SUPPORT OF THE COUNTYWIDE CITIZENS WATERSHED MASTER PLAN COMMITTEE WORK; ACCEPTING THE COUNTYWIDE CITIZENS WATERSHED MASTER PLAN COMMITTEE "ACTION PLAN" FOR IMPLEMENTATION OF THE FINAL REPORT RECOMMENDATIONS RELATED TO THE DEVELOPMENT OF A MASTER PLAN FOR AND IMPLEMENTATION OF PROPOSED FLOOD CONTROL AND RELATED IMPROVEMENTS WITHIN THE SALADO CREEK, LEON CREEK, CIBOLO CREEK, MEDINA RIVER AND SAN ANTONIO RIVER WATERSHEDS; REESTABLISHING THE COUNTYWIDE CITIZENS WATERSHED MASTERPLAN COMMITTEE BY APPOINTING TEN (10) PERSONS TO SERVE ON THE COMMITTEE, ALONG WITH TEN (10) PERSONS TO BE APPOINTED BY THE BEXAR COUNTY COMMISSIONERS COURT, TO SERVE AS ADVISORS TO THE CITY OF SAN ANTONIO AND BEXAR COUNTY; AND SUPPORTING CONTINUING EFFORTS BETWEEN THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND THE SAN ANTONIO RIVER AUTHORITY FOR IMPLEMENTATION OF FLOOD CONTROL PROJECTS.

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Ms. Moorhouse made a motion to approve the proposed Resolution. Mr. Garcia seconded the motion.

Mr. Tom G. Wendorf, Director of Public Works, presented the action plan, a copy of which is on file with the papers of this meeting.

(At this time Mayor Garza was obliged to leave the meeting. Councilman, Mayor Pro Tem Schubert presided in the Mayor's temporary absence.)

In response to Councilwoman Conner's question regarding funding, Mr. Wendorf responded that on a county-wide basis, it would take about \$700-\$750 million range to bring San Antonio up to par to include regional storm water facilities, water retention facilities, needed improvements in channelization, and improvements to crossings passable in the 100 year flood plain.

Councilmembers applauded staff efforts to develop the plan.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Perez, Sanders, Garza.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94961

APPROVING THE FISCAL YEAR 2001-2002 PROJECT WINTER ASSISTANT RELIEF MOBILIZATION (WARM) PLAN, WHICH IS PROJECTED TO PROVIDE APPROXIMATELY \$300,000.00 IN UTILITY ASSISTANCE TO ELIGIBLE CITY PUBLIC SERVICE RATE PAYERS IN THE SAN ANTONIO AREA; AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY AND CITY PUBLIC SERVICE (CPS) TO IMPLEMENT SUCH PLAN; AND AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH BEXAR COUNTY HOUSING AND HUMAN SERVICES IN THE AMOUNT OF \$14,200.00; DAUGHTERS OF CHARITY IN THE AMOUNT OF \$5,680.00; GREATER RANDOLPH AREA SERVICE PROGRAM IN THE AMOUNT OF \$7,100.00; SAN ANTONIO AIDS FOUNDATION IN THE AMOUNT OF \$8,520.00; AND CITY PUBLIC SERVICE IN THE AMOUNT OF \$6,000.00.

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

Mr. Dennis Campa, Director, Department of Community Initiatives, discussed Project Warm Plan FY 2002, the purpose, background, proposed project warm priority populations, eligibility criteria, and federal poverty guidelines, and current status, and staff recommendation, a copy of which is on file with the papers of this meeting.

Several councilmembers commended Project Warm, and their contributions to various agencies.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Martin, Garcia, Barrera, Castro, Conner, Schubert. **NAYS:** None. **ABSENT:** Moorhouse, Carpenter, Garza.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94962

AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL FUNDS IN THE AMOUNT OF \$5,639,329.00 FOR A CONTINUATION GRANT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE OPERATION OF THE HEAD START-EARLY CHILD CARE PROGRAM FOR THE PERIOD FEBRUARY 1, 2001 THROUGH JANUARY 31, 2002; ADOPTING A REVISED HEAD START PROGRAM BUDGET REFLECTING SAID ADDITIONAL FUNDS; AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT AWARDED ADDITIONAL FUNDS IN THE AMOUNT OF \$5,530,752.00 WITH PARENT/CHILD, INCORPORATED, OPERATOR OF SAID PROGRAM. (AMENDS ORDINANCE NO. 93365, FEBRUARY 1, 2001).

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

Mr. Dennis Campa, Director, Department of Community Initiatives, discussed the head start supplemental funds – FY 2002, its purpose, background, support for better jobs, high-quality early education, raising early education standards, a copy of which is on file with the papers of this meeting.

(Mayor Garza returned to the meeting.)

The following citizen(s) appeared to speak:

Mr. Juan F. Solis, III, Director, American Federation of State-County Municipal County Employees, stated the living wage Ordinance should include the salary to the workers providing care for the children attending Head Start facilities. Mr. Solis asked for support towards those salaries.

In response to Councilman Schubert's questions regarding in-kind match, and the goals of the 37% of those people who are not trained, and any long-term plan for those individuals, Mr. Campa responded that his department will come back to City Council with a report in about two months.

Mr. Campa added that as teachers gain their accreditation, their salaries would increase.

Mr. Campa spoke to partnering with some school districts with regard to childcare. His department has issued an RFP for a design for that type of partnership. Mr. Campa will return and present that information upon completion of the RFP.

In response to Councilwoman Conner's question concerning PCI offers instructors to go back and complete their accreditation, Mr. Campa responded that PCI pays for their education.

Other councilmembers agreed the issue of salaries is vital to the success of this program and thanked staff for their work on this project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Schubert.

2001-43 The Clerk read a proposed Ordinance amending Ordinance No. 52612 approved by the City Council on August 7, 1980, by amending the criteria by which an employee association may be eligible to receive payroll deduction of association dues.

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

Ms. Elisa Bernal, Director, Human Resources Department, discussed payroll deduction of employee association dues, background, amendment provisions and staff recommendation, a copy of which is on file with the papers of this meeting.

Councilman Castro stated that the Ordinance stipulates that the Employee Association Program have a minimum employee membership level requirement from 7.5 % to 5% of the total number of employees in the classified services necessary to be eligible to receive payroll deduction of association dues. After passage of this Ordinance, the associations shall be given sixty (60) days to bring their membership up to the 5% requirement. Councilman Castro's amendment would give the association 75 days instead of 60 days.

In response to Councilman Schubert's questions regarding the 7.5% criteria, Ms. Bernal responded that there was a sixty (60) day period to meet that criteria.

Mr. Castro made a motion to amend the proposed Ordinance by making a change from 60 days to 75 days to allow the association to bring their membership up to the 5% requirement. Mr. Perez seconded the motion.

The amendment to the motion as presented by Councilman Perez was approved by the following roll call vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** Schubert. **ABSENT:** None.

After consideration, the main motion, as amended, carrying with it the passage of the following Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Carpenter, Garza. **NAYS:** Schubert. **ABSENT:** None.

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AN ORDINANCE 94963

AMENDING ORDINANCE NO. 52612 APPROVED BY THE CITY COUNCIL ON AUGUST 7, 1980, BY AMENDING THE CRITERIA BY WHICH AN EMPLOYEE ASSOCIATION MAY BE ELIGIBLE TO RECEIVE PAYROLL DEDUCTION OF ASSOCIATION DUES; AS REQUESTED BY COUNCILMAN BOBBY PEREZ, DISTRICT 1. (AMENDS ORDINANCE NO. 52612, AUGUST 7, 1980.)

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2001-43 The Clerk read the following Ordinance the second and final time:

AN ORDINANCE 94499

ON SECOND READING AS AMENDED PROVIDING FOR EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE VOLUNTARY ANNEXATION OF APPROXIMATELY 95 ACRES OUT OF A 122.6 ACRE COMMERCIAL TRACT, REFERRED TO AS THE I.H. 10 WEST/BOERNE STAGE ROAD PROPERTY, ESTABLISHING AN EFFECTIVE DATE AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

Mr. Emil Moncivais, Director of Planning Department, discussed the City of San Antonio 2001 annexations referred to as the IH 10 West/Boerne Stage Road Property, and the 2nd reading of the Ordinance.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Martin, Garcia. **ABSENT:** None.

2001-43 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-43-50

SUPPORTING CITY PUBLIC SERVICE AND SAN ANTONIO WATER SYSTEM IN A PROGRAM, INVOLVING DEPOSIT REFERRALS, LONG TERM PAY AGREEMENTS AND PAYMENT EXTENSIONS, TO ASSIST FAMILIES OF RESERVISTS WHO ARE IN FINANCIAL DIFFICULTY AS A RESULT OF ONE OR MORE OF THE FAMILY "BREAD WINNERS" BEING CALLED UP FOR ACTIVE SERVICE, IN RESPONSE TO THE EVENTS OF SEPTEMBER 11, 2001; AS REQUESTED BY COUNCILWOMAN ANTONIETTE "TONI" MOORHOUSE, DISTRICT 3.

* * * *

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

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

— — —
2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94964

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE SAN ANTONIO WHEELCHAIR ATHLETIC ASSOCIATION, TO BE USED TO HELP PURCHASE CHILDREN'S ATHLETIC RACING WHEELCHAIRS AND, IN TURN, ENABLE DISABLED CHILDREN TO PARTICIPATE IN ATHLETIC EVENTS; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94965

AUTHORIZING THE EXECUTION OF A RENEWAL OF A LEASE AGREEMENT (STYLED "COUNCILMAN'S OFFICE LICENSE AGREEMENT") BETWEEN THE CITY OF SAN ANTONIO AND SOPARK LTD., A LIMITED PARTNERSHIP, FOR USE OF APPROXIMATELY 310 SQUARE FEET FOR THE DISTRICT 4 COUNCILPERSON'S CONSTITUENT OFFICE SPACE AT SOUTH PARK MALL, 2310 S.W. MILITARY DRIVE FOR A ONE (1) YEAR TERM BEGINNING SEPTEMBER 1, 2001 AND ENDING AUGUST 31, 2002, AT A RENTAL OF \$500.00 PER MONTH; AS REQUESTED BY COUNCILMAN ENRIQUE "KIKE" MARTIN.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94966

AUTHORIZING THE TOTAL EXPENDITURE OF \$250.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, PAYABLE TO NORTHWEST RAIDERS FOOTBALL AND CHEERLEADING, TO BE USED TO OFFSET TRAVEL EXPENSES TO AND FROM REGIONAL AND NATIONAL COMPETITIONS IN BEAUMONT, TEXAS AND ORLANDO, FLORIDA, RESPECTIVELY; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

* * * *

Mr. Martin 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, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94967

AUTHORIZING THE TOTAL EXPENDITURE OF \$300.00 THE DISTRICT 5, DISTRICT 5, 6 AND 7 CONTINGENCY ACCOUNT FUNDS, PAYABLE TO OUR LADY OF THE LAKE UNIVERSITY, FOR SUPPLIES AND MATERIALS ASSOCIATED WITH THE 1ST ANNUAL LATINA YOUTH LEADERSHIP CONFERENCE, THAT WAS HELD ON NOVEMBER 10, 2001, AT OUR LADY OF THE LAKE UNIVERSITY; AS REQUESTED BY COUNCILMEMBERS DAVID A. GARCIA, ENRIQUE M. BARRERA, AND JULIAN CASTRO.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Mayor Edward Garza and Councilmembers Bobby Perez, District 1, John H. Sanders, District 2, Antoniette Moorhouse, District 3, David A. Garcia, District 5, Enrique M. Barrera, District 6, Julian Castro, District 7, and Carroll W. Schubert, District 9, who will attend the 89th Annual Texas Municipal League Conference in Houston, Texas from Tuesday, November 27, 2001 through Saturday, December 1, 2001.

Mr. Sanders made a motion to approve the proposed Travel Authorization. Ms. Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Mayor Edward Garza and Councilmembers Bobby Perez, District 1, John H. Sanders, District 2, Antoniette Moorhouse, District 3, Enrique Martin District 4, David A. Garcia, District 5, and Julian Castro, District 7, who will attend the National League of Cities Conference in Atlanta, Georgia from Monday, December 3, 2001 through Sunday, December 9, 2001.

Mr. Perez made a motion to approve the proposed Travel Authorization. Mr. Barrera seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2001-43 The Clerk read the following Ordinance:

AN ORDINANCE 94968

AUTHORIZING THE EXECUTION OF CONTRACTS TO PROVIDE THIRD PARTY ADMINISTRATION SERVICES, UTILIZATION REVIEW, AND PREFERRED PROVIDER ORGANIZATION SERVICES FOR ACTIVE CIVILIAN EMPLOYEES, ACTIVE FIRE AND POLICE EMPLOYEES, AND RETIREES IN THE CITIMED SELF FUNDED HEALTH PLAN FOR A TERM OF THREE (3) YEARS, BEGINNING JANUARY 1, 2002, AND ENDING DECEMBER 31, 2004, IN AN ESTIMATED AGGREGATED ANNUAL AMOUNT OF \$1,545,170.00, FOR EACH OF THE

THREE YEARS OF THE CONTRACTS, AND WITH AN OPTION FOR THE CITY TO EXTEND SAID CONTRACTS FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS, SUBJECT TO FUNDING AND APPROVAL BY CITY COUNCIL.

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

Ms. Elisa Bernal, Director, Human Resources, discussed third party administrator contracts, its background, RFP process, selection committee, selection criteria, scoring, negotiations, budget/contract cost, and staff recommendation, a copy of which is on file with the papers of this meeting.

In response to Councilman Garcia, Ms. Bernal stated that this contract had not been brought before the Audit and Contract Committee.

Councilman Garcia stated that the health plan of the City employees and a contract this large should have gone through the Audit and Contract Committee. He will vote on this contract, but is not due to the reflection on any one party.

Mr. Travis Bishop, Assistant City Manager, and Mr. Erik Walsh, Assistant to the City Manager, stated that at an earlier meeting, all three groups were working on the contracts, internal audit, human resources and the City Council.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Sanders, Garcia, Carpenter.

The following citizen(s) appeared to speak:

Mr. Omar Rodriguez, discussed the total impact of health costs, and what is the financial stability of the third party administrator. He stated that benefit planners has been stable, and that over \$18 million dollars were lost in aggregated losses.

Mr. Mike Robertson discussed fees, and recommended hiring an independent consultant to complete an analysis on the fees.

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to "Is God with the U.S.A".

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MS. MARIA DOMINGUEZ

Ms. Maria Dominguez, complained about the cost of mortgages.

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MR. RUBEN ESPRONCEDA

Mr. Ruben Espronceda, S.O.S Organization and homeowner in District 3, discussed an Ordinance passed a few weeks ago on rezoning on Division Street. He is trying to avoid taking legal action on this matter, and has asked the City Attorney to meet with him in the next ten days.

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MS. MARLYS DIETRICK

Ms. Marlys Dietrick, 706 E. Guenther, Resident of District 1, discussed the need for the Edwards Aquifer Recharge to be protected, and asked for a scientific analysis of water safety.

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MR. MICHAEL BERRIER

Mr. Michael Berrier, 202 Lavaca, discussed the future of the Edwards Aquifer and the future of the citizens of San Antonio. The development in the aquifer area can have a devastating outcome.

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MR. DARBY RILEY

Mr. Darby Riley, representing Texas Environmental Democrats, spoke against the PGA Village.

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MS. ROWENA RODGERS

Ms. Rowena Rodgers, League of Women Voters, opposed the PGA Village over the recharge zone.

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MR. ALLAN TOWNSEND

Mr. Allan Townsend, from District 5, stated San Antonio has precious resources, second more precious is our water. Mr. Townsend asked for an appraisal of the land on which the proposed PGA Village is planned.

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MS. MARIA BERRIOZABAL

Ms. Maria Berriozabal, spoke against the PGA Village and spoke to the various projects which have proven profitable for San Antonio. She stated the PGA Village as a project is not considered an asset to San Antonio, but rather building a golf course over the recharge does not help protect our water supply. Ms. Berriozabal asked Council to seriously look at stopping this project.

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MS. SUSAN SKAER

Ms. Susan Skaer, Citizen from District 4, expressed concern on the protection of the Edwards Aquifer, and urged the City Council to continue to protect the lands over the aquifer.

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MS. BELINDA ZUNIGA

Ms. Belinda Zuniga, spoke on the need to construct sidewalks in her area and her dreams to improve her neighborhood.

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MR. DAVID KLAR

Mr. David Klar, 3925 Chimney Springs, Citizens Sierra Club, spoke in opposition of the PGA Village, and recommends it not be developed over the aquifer. Mr. Klar stated the PGA Village is not appropriate for this area.

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MR. GEORGE RICE

Mr. George Rice, 414 E. Fetch, spoke in opposition of the PGA Village and its potential effects on the Edwards Aquifer. Mr. Rice is in possession of an environment assessment of this property, which was conducted to protect water quality and secondly, help establish the fair market value of this property.

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MS. ANALISA PEACE

Ms. Analisa Peace, 247 Jenny, Blossom Park Neighborhood Association, would like an investigation of the City's purchase for the PGA Village. Ms. Peace spoke regarding her opposition against PGA Village, and recommends the City condemn the property where the PGA Village is proposed to be built.

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MR. JERRY MORRICY

Mr. Jerry Morricy, 19631 Encino Way, Sierra Club, opposes the PGA Village due to the chemicals and pesticides which will lead to the contamination of ground water. To help water quality issues, Ms. Morricy recommends organic management to improve water usage. The PGA Village would encourage further development, which would in turn further destroy the aquifer.

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MS. LAURA CLARK ARGUILLO

Ms. Laura Clark Arguillo, Hicks Avenue, spoke to her concern on harming the aquifer. She said that the most critically sensitive area of the aquifer is where there are plans to build three golf courses, apartments and condos. Ms. Arguillo stated there are plenty of other options where the PGA Village may be built without endangering species living in the aquifer and nearby springs.

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2001-43 EXECUTIVE SESSION

The City Council recessed its regular session at 6:36 P.M. in order to convene in Executive Session for the purpose of:

A. Attorney-Client consultation regarding terms and conditions of a Project Agreement with Sheraton Riverwalk, L.P. for the construction of a convention headquarters hotel adjacent to the Henry B. Gonzalez Convention Center.

B. Attorney-Client consultation regarding the application of terms of a City Council resolution approved June 1996 expressing the City Council's intent to enter into a Tax Phase-In Agreement with BABN Technologies, Corp. (now known as Oberthur Gaming Technologies), upon the annexation of related property into the City limits and subject to said companies compliance at that time with the terms of an existing Tax Phase-In Agreement with Bexar County.

C. Attorney-Client consultation regarding the status of the negotiations associated with the Time Warner Cable franchise renewal and Grande Communications reopener process.

D. Attorney-Client consultation regarding negotiation of terms and conditions of proposed purchase of approximately 1100 acres within Cibolo Canyon Conservation District.

The City Council adjourned the Executive Session at 9:25 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2001-43 There being no further business to come before City Council, the meeting was adjourned at 9:26 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk