

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, DECEMBER 20, 2001.

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2001-45 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: None.

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2001-45 Invocation by Rev. Paul Stevens, New Covenant Missionary Baptist Church.

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2001-45 Pledge of Allegiance to the flag of the United States.

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2001-45 **PRESENTATION OF CERTIFICATE TO TAP PILAM-COAHUILTECAN TRIBE**

Mayor Garza read a Proclamation of Recognition for the group, **TAP PILAM-COAHUILTECAN TRIBE**, in honor of the unique culture they represent in our City. The head of the delegation thanked the Mayor for the recognition, and spoke of the rich history of their culture, and the many contributions made by previous generations of the Coahuiltecan tribe. The representatives of the tribe then performed for the City Council.

Members of the City Council recognized them for their contribution to the heritage of the City and the State of Texas.

ONE AERIAL LADDER TRUCK FOR A TOTAL OF \$654,668.93 WHICH WILL BE PAID THROUGH AND IS CONTINGENT UPON A LEASE PURCHASE AGREEMENT OR OTHER FINANCIAL OBLIGATIONS.

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AN ORDINANCE 95073

ACCEPTING THE PROPOSAL FROM HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS FOR A CONTRACT WITH FERRARA FIRE APPARATUS, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FOUR (4) FIRE PUMPER TRUCKS FOR A TOTAL OF \$1,180,795.54 WHICH WILL BE PAID THROUGH AND IS CONTINGENT UPON A LEASE PURCHASE AGREEMENT OR OTHER FINANCIAL OBLIGATIONS.

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AN ORDINANCE 95074

ACCEPTING THE LOW BID SUBMITTED BY UTEC-WEST TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH UTILITY SERVICE BODIES FOR A TOTAL SUM OF \$33,219.00.

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AN ORDINANCE 95075

ACCEPTING THE LOW, QUALIFIED BID FROM COMMERCIAL BODY CORPORATION, A WBE COMPANY, TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH AERIAL VEHICLES FOR A TOTAL OF \$288,976.00.

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AN ORDINANCE 95076

ACCEPTING THE PROPOSAL FROM AT&T WIRELESS SERVICES TO PROVIDE THE CITY OF SAN ANTONIO POLICE, FIRE AND INFORMATION SERVICES

DEPARTMENT WITH CELLULAR DIGITAL PACKET SERVICE ON AN ANNUAL CONTRACT BASIS FOR THE ESTIMATED COST OF \$736,800.00.

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AN ORDINANCE 95077

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 \$264,000.00. (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 95078

RATIFYING PREVIOUSLY PERFORMED WORK, APPROVING THE TERMS AND CONDITIONS, AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH ART CONSERVATION SERVICES, IN THE AMOUNT OF \$34,928.00, TO PROVIDE CONSERVATION TREATMENT, MOUNTING, FRAMING, AND INSTALLATION OF FOUR (4) SALVAGED FRED SAMUELSON MURALS FOR THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$34,928.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95079

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID WITH ALTERNATES OF E-Z BEL CONSTRUCTION, LTD., IN THE AMOUNT OF \$1,812,313.63 IN CONNECTION WITH THE 1994 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND AND 24TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED FULTON AVENUE FROM BLANCO ROAD TO NORTH FLORES PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; AUTHORIZING A CONSTRUCTION CONTRACT;

AUTHORIZING \$159,711.31 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING AN ADDITIONAL \$30,508.00 PAYABLE TO ALAMO CONSULTING ENGINEERING & SURVEYING, INC. FOR ENGINEERING EXPENSES; AUTHORIZING \$3,050.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$27,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95080

AMENDING AN UNDERPASS MODIFICATION AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION, THE UNION PACIFIC RAILROAD COMPANY, AND THE CITY OF SAN ANTONIO, TO WIDEN THE ROADWAY UNDER THE RAILROAD STRUCTURE AT COLISEUM ROAD AND RELOCATE THE SIDEWALK WITHIN THE EXISTING HIGHWAY RIGHT OF WAY. (AMENDS ORDINANCE NO. 48986, JANUARY 26, 1978.)

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AN ORDINANCE 95081

AUTHORIZING ADDITIONAL FUNDS IN THE TOTAL AMOUNT OF \$109,518.37 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CHANGE ORDER NO. 1 IN THE AMOUNT OF \$54,750.00 AND CHANGE ORDER NO. 7 IN THE AMOUNT OF \$54,768.37, IN CONNECTION WITH THE S. FLORES FROM DURANGO TO FRANCISCAN PROJECT LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 91667, APRIL 27, 2000; ORDINANCE NO. 92848, NOVEMBER 9, 2000.)

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AN ORDINANCE 95082

AUTHORIZING THE EXECUTION OF A ONE-YEAR CONTRACT WITH WASTE MANAGEMENT OF TEXAS, INC., IN THE CALCULATED AMOUNT OF \$234,606.48, BASED ON A RESIDENTIAL UNIT PRICE, TO PROVIDE MUNICIPAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING

SERVICES IN THE STONE OAK AREA FOR THE PERIOD JANUARY 1, 2002, TO DECEMBER 31, 2002, WITH OPPORTUNITY FOR THREE (3) OPTIONAL ONE (1) YEAR TERMS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95083

AUTHORIZING A LICENSE AGREEMENT WITH THE SAN ANTONIO LIVING HISTORY ASSOCIATION, INC. FOR ITS USE OF ALAMO PLAZA FOR SEVERAL DAYS IN FEBRUARY AND MARCH OF THE YEARS 2002, 2003, 2004, 2005 AND 2006 FOR ACTIVITIES COMMEMORATING THE SIEGE AND FALL OF THE ALAMO FOR AN ANNUAL LICENSE FEE OF \$1,100.00 IN 2002 AND 2003 AND \$1,200.00 IN 2004, 2005 AND 2006.

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AN ORDINANCE 95084

AUTHORIZING PAYMENT IN THE AMOUNT OF \$415,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0026, CITY OF SAN ANTONIO VS. HIXON PROPERTIES, INC. ET AL, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT OF THE AMOUNT OF \$2,413.00 FOR COURT COSTS IN CONNECTION WITH THE BITTERS ROAD - WEST AVENUE TO HEIMER (MPO) PROJECT IN COUNCIL DISTRICT 9; FOR THE TOTAL SUM OF \$417,413.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95085

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,995.00 TO LAWYERS TITLE COMPANY OF SAN ANTONIO AS ESCROW AGENT FOR THE EDEN GROUP, INC. FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND (\$1,925.00) AND A 30-FOOT WIDE PERMANENT DRAINAGE EASEMENT (\$3,070.00), IN CONNECTION WITH THE ASHLEY ROAD - BASCUM TO SOUTH FLORES PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95086

AUTHORIZING THE EXPENDITURE OF \$2,919.80 PAYABLE TO LAWYERS TITLE COMPANY OF SAN ANTONIO FOR TITLE SERVICES IN CONNECTION WITH THE DELL PLACE DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, HARVARD TERRACE - YALE TO UNIVERSITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, AND HILLSIDE ACRES DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE EXPENDITURE OF \$75.00 PAYABLE TO ALAMO TITLE COMPANY FOR TITLE SERVICES IN CONNECTION WITH THE ELSMERE - MICHIGAN TO CAPITOL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95087

AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,000.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0030, CITY OF SAN ANTONIO VS. SAN ANTONIO #849 JOINT VENTURE, ET AL, FOR FEE SIMPLE TITLE TO ONE PARCEL AND PAYMENT IN THE AMOUNT OF \$891.00 FOR COURT COSTS IN CONNECTION WITH THE BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95088

AUTHORIZING PAYMENT IN THE AMOUNT OF \$105,655.99 TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES (\$137.00), BASSE ROAD AND SAN PEDRO INTERSECTION MPO PROJECT (\$5,492.50), BITTERS ROAD - WEST AVENUE TO HEIMER MPO PROJECT (\$13,227.97), BLANCO ROAD AT JACKSON-KELLER INTERSECTION MPO PROJECT (\$8.50), CALLAGHAN ROAD - OLD HWY. 90 TO COMMERCE PROJECT (\$8.50), CHERRY STREET DRAINAGE #15B, PHASE II PROJECT (\$34.00), ESCALON STREET #1008 DRAINAGE

PROJECT (\$1,977.33), FIRE STATION NO. 7 PROJECT (\$12,558.46), FIRE STATION NO. 25 PROJECT (\$5,308.47), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$13,895.46), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN MPO PROJECT (\$4,042.70), LARKSPUR - WEST AVENUE TO BALTIC PROJECT (\$32.00), LEONHARDT AT LOW WATER CROSSING PROJECT (\$572.00), MISSION TRAILS, PACKAGE II MPO PROJECT (\$17.00), MISSION TRAILS, PACKAGE IV MPO PROJECT (\$1,614.38), OCTAVIA PLACE DRAINAGE PROJECT #63 (\$81.58), PEARSALL ROAD LANDFILL REDEVELOPMENT PROJECT (\$4,959.39), PECAN VALLEY - I.H. 10 TO J STREET MPO PROJECT (\$866.10), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD MPO PROJECT (\$22,490.06), PRICE AVENUE RECONSTRUCTION PROJECT (\$601.95), SAN ANTONIO RIVER IMPROVEMENTS - HOUSTON TO LEXINGTON PROJECT (\$912.40), SAN PEDRO AVENUE - QUINCY TO ROMANA MPO PROJECT (\$85.00), SOUTH FLORES DRAINAGE #70-70A PHASE II - PART 3 PROJECT (\$370.00), UPPER SIX MILE CREEK DRAINAGE PROJECT #63 (\$17.00), W.W. WHITE PHASE I - RIGSBY TO LORD PROJECT (\$6,990.14), WESTERN AVENUE DRAINAGE PROJECT #74 (\$1,630.00), WURZBACH AT I.H. 10 AND IRONSIDE INTERSECTIONS MPO PROJECT (\$6,774.27), AND THE WURZBACH PARKWAY MPO PROJECT (\$951.83) FOR THE TOTAL SUM OF \$105,655.99; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95089

AUTHORIZING PAYMENT IN THE AMOUNT OF \$14,746.55 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO DE ZAVALA PROJECT (\$2,728.80), BASSE ROAD AND SAN PEDRO INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$135.00), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$2,313.40), FIRE STATION NO. 25 PROJECT (\$454.78), LOCKHILL SELMA - GEORGE ROAD TO WHISPERING PATH METROPOLITAN PLANNING ORGANIZATION PROJECT (\$63.80), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$1,628.80), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$5,373.50), AND THE SALADO CREEK

GREENWAY (HIKE & BIKE) PROJECT (\$2,048.47), FOR THE TOTAL SUM OF \$14,746.55; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95090

AUTHORIZING THE RATIFICATION OF A PROFESSIONAL SERVICES CONTRACT WITH ECKMANN, GROLL & RUNYAN, INC. FOR AN AMOUNT NOT TO EXCEED \$12,200.00 FOR THE PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS IN CONNECTION WITH THE STAHL AT O'CONNOR AND JUDSON RECONSTRUCTION METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 10; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95091

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS TENANT, AND SAN ANTONIO BUSINESS TECHNOLOGY CENTER, L.P., AS LANDLORD, FOR THE LEASE OF 2,808 RENTABLE SQUARE FEET OF OFFICE SPACE LOCATED IN THE ANNEX TO THE OFFICE TOWER OF THE SAN ANTONIO BUSINESS TECHNOLOGY CENTER AT 301 SOUTH FRIO, SUITES 112-114 FOR USE BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT FOR A FIVE-YEAR TERM, BEGINNING JANUARY 1, 2002 AT A MONTHLY RENTAL OF \$3,088.80 PER MONTH FOR THE FIRST YEAR AND INCREASING EACH YEAR TO \$3,650.40 PER MONTH IN THE FIFTH YEAR, SUBJECT TO ANNUAL APPROPRIATION OF FUNDS BY THE CITY COUNCIL, WITH AN OPTION TO RENEW FOR TWO FURTHER CONSECUTIVE ONE YEAR PERIODS ON TERMS AND CONDITIONS TO BE NEGOTIATED AT THE TIME OF RENEWAL AND SUBJECT TO APPROVAL BY THE CITY COUNCIL FOR EACH RENEWAL.

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AN ORDINANCE 95092

APPROVING THE PURCHASE OF THREE LOTS IN THE LOS ANGELES HEIGHTS AREA FOR THE SUM OF \$27,200.00, PLUS CLOSING COSTS AND RELATED EXPENSES NOT TO EXCEED \$2,000.00, IN CONNECTION WITH THE HOUSING ASSET RECOVERY PROGRAM; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT AND AUTHORIZING THE EXECUTION OF THE CLOSING DOCUMENTS.

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AN ORDINANCE 95093

APPROVING THE SAN ANTONIO HOUSING TRUST RESOLUTION EXTENDING THE TERM OF THE CITY'S LOAN AND SECURITY AGREEMENT ("AGREEMENT") WITH FANNIE MAE CORPORATION FOR THE AMERICAN COMMUNITIES FUND (ACF) LINE OF CREDIT FOR THE HOUSING ASSET RECOVERY PROGRAM (HARP) TO FIVE YEARS; AMENDING ORDINANCE NO. 92999 TO REFLECT THE FOREGOING EXTENSION; AMENDING ORDINANCE NO. 93694 BY MAKING AVAILABLE TO THE CITY THE AMOUNT OF \$312,500.00 IN TRUST FUNDS FOR USE AS SECURITY UNDER THE AGREEMENT AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRUST ASSISTANCE IN CONNECTION THEREWITH; ESTABLISHING A FUND; APPROVING THE SAN ANTONIO HOUSING TRUST RESOLUTION AUTHORIZING THE USE BY THE CITY OF TRUST FUNDS IN THE AMOUNT OF \$1 MILLION AS SECURITY UNDER THE AGREEMENT; ESTABLISHING A BUDGET RELATED TO THE HARP PROGRAM; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS RELATED TO THE HARP PROGRAM. (AMENDS ORDINANCE NOS. 92999, AND ORDINANCE NO. 93694)

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AN ORDINANCE 95094

AUTHORIZING THE EXECUTION OF A TWO (2) MONTH EXTENSION FROM DECEMBER 31, 2001 TO FEBRUARY 28, 2002 OF THE EXISTING INTERLOCAL AGREEMENT WITH THE BEXAR COUNTY HOSPITAL DISTRICT, D/B/A

UNIVERSITY HEALTH SYSTEM UNDER WHICH THE CITY OF SAN ANTONIO PROVIDES PUBLIC HEALTH SERVICES IN THE UNINCORPORATED AREAS OF BEXAR COUNTY.

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AN ORDINANCE 95095

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD IN THE AMOUNT OF \$109,506.00 FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION TO SUPPORT THE ONGOING KOMEN BREAST CANCER PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 26, 2001 THROUGH SEPTEMBER 30, 2002; AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SUSAN G. KOMEN BREAST CANCER FOUNDATION; ESTABLISHING A FUND AND BUDGET; APPROVING PAYMENTS TO PRIVATE PHYSICIANS IN CONNECTION WITH THIS PROJECT; AND APPROVING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 95096

APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO FOR EMERGENCY MEDICAL TECHNICIAN (EMT) TRAINING AND EMS MEDICAL DIRECTOR SERVICES FOR A THREE-YEAR PERIOD BEGINNING JANUARY 1, 2002 THROUGH DECEMBER 31, 2004, FOR AN ANNUAL FEE OF \$1,144,145.00, \$1,178,680.00 AND \$1,209,928.00, RESPECTIVELY.

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AN ORDINANCE 95097

AUTHORIZING EMERGENCY MANAGEMENT THROUGH THE SAN ANTONIO FIRE DEPARTMENT TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF JUSTICE THROUGH THE TEXAS ENGINEERING EXTENSION SERVICE FOR A GRANT IN THE ESTIMATED AMOUNT OF \$273,163.00.

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AN ORDINANCE 95098

AUTHORIZING FUNDING IN THE AMOUNT OF \$575,000.00 FOR THE THIRD AND FINAL YEAR OF THE EXCESS LIABILITY AND WORKERS' COMPENSATION INSURANCE POLICY FOR THE CITY OF SAN ANTONIO WITH NORTH RIVER INSURANCE COMPANY THROUGH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR THE PERIOD DECEMBER 31, 2001 TO DECEMBER 31, 2002.

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AN ORDINANCE 95099

RENAMING THE CITY OF SAN ANTONIO'S NORTHWOOD PARK, LOCATED AT 100 DALEWOOD IN CITY COUNCIL DISTRICT 10, THE CAMILLE PRICE MEMORIAL PARK IN RECOGNITION OF CAMILLE PRICE'S EXEMPLARY LIFE AND TRAGIC DEATH IN THE OCTOBER 1998 FLOOD.

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AN ORDINANCE 95100

AUTHORIZING THE ACCEPTANCE OF A CONTRACT MODIFICATION 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; AUTHORIZING THE CARRY FORWARD OF UNEXPENDED FUNDS IN THE AMOUNT OF \$1,370,073.00 FOR A CONTINUATION GRANT; ADOPTING A REVISED HEAD START PROGRAM BUDGET REFLECTING SAID FUNDS; AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT AWARDED CARRY FORWARD FUNDS IN THE AMOUNT OF \$1,370,073.00 WITH PARENT/CHILD, INCORPORATED, OPERATOR OF SAID PROGRAM. (AMENDS ORDINANCE NO. 93365, FEBRUARY 1, 2001.)

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AN ORDINANCE 95101

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH NATIONAL INSTITUTE OF SOBRIETY, EDUCATION, REHABILITATION AND RECOVERY (NISERR), INC., NOT TO EXCEED \$40,000.00 AND SAN ANTONIO SPORTS FOUNDATION NOT TO EXCEED \$60,000.00 FOR THE IMPLEMENTATION OF RECREATIONAL SPORTS PROGRAMS FOR INDIVIDUALS ENROLLED IN THE YOUTH OPPORTUNITY PROGRAM; AND APPROVING A REVISED BUDGET AND PERSONNEL COMPLEMENT FOR THE YOUTH OPPORTUNITY PROGRAM.

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AN ORDINANCE 95102

AMENDING ORDINANCE NO. 93703, APPROVED ON APRIL 5, 2001, AND AUTHORIZING AN ADDITIONAL APPROPRIATION FROM FUND NUMBER 43-405095, 1994 CERTIFICATE OF OBLIGATIONS BASEBALL STADIUM IMPROVEMENTS, TO PURCHASE AND INSTALL THREE (3) ADDITIONAL CLOSED CIRCUIT TELEVISION CAMERAS TO COVER THE INTERIOR SEATING AND FLOOR FOR THE ARENA AND STADIUM CONFIGURATIONS INSIDE THE ALAMODOME, IN AN AMOUNT NOT TO EXCEED \$20,766.00; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93703, APRIL 5, 2001.)

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AN ORDINANCE 95103

APPOINTING CHAYO F. ZALDIVAR (DISTRICT 5) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2003.

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AN ORDINANCE 95104

APPOINTING JOSH COPELAND (TRUSTEE-DISTRICT 8) AND BENNIE COLE (TRUSTEE-DISTRICT 6) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR TERMS OF OFFICE TO EXPIRE ON MAY 9, 2004.

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AN ORDINANCE 95105

APPOINTING GLORIA FLORES (CONSUMER OF H.S.-DISTRICT 8) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003.

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AN ORDINANCE 95106

REAPPOINTING ROBERT H. BOMER (DISTRICT 8) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2003.

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2001-45 The Clerk read the following Ordinance:

AN ORDINANCE 95107

APPROVING THE FULL AND FINAL SETTLEMENT AGREEMENT BETWEEN BETWEEN THE CITY OF SAN ANTONIO AND HENRIETTA RIVAS, ET AL, FOR FEE SIMPLE TITLE TO 21,488.04 SQUARE FEET (0.493 ACRES) OF LAND BEING THE REMAINING PORTION (AND THEREFORE ALL) OF LOT 2, BLOCK 8, NEW CITY BLOCK 8777, SOMERSET PLACE, SIXTH FILING, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 642, PAGE 188, DEED AND PLAT RECORDS, BEXAR COUNTY TEXAS IN THE TOTAL AMOUNT OF \$120,000.00; IN CONNECTION WITH THE FIRE STATION NO. 25 PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

Mr. Tom Wendorf, Director of Public Works, briefly explained the proposed Ordinance, a copy of which are 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, Garza. **NAYS:** None. **ABSENT:** Carpenter.

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2001-45 The Clerk read the following Ordinance, and noted the item was pulled to record the abstentions from Council members Perez and Castro:

AN ORDINANCE 95108

APPROVING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND HEB GROCERY COMPANY, L.P. ("HEB"), BY WHICH HEB WILL OFFER UP TO NINE (9) RESIDENTIAL STRUCTURES TO THE CITY OF SAN ANTONIO AS PART OF THE HOUSING ASSET RECOVERY PROGRAM AT NO CHARGE TO THE CITY AND DESIGNATING THE DIRECTOR OF THE NEIGHBORHOOD ACTION DEPARTMENT AS THE CITY'S REPRESENTATIVE TO EXERCISE THE OPTIONS PROVIDED IN THE AGREEMENT.

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

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation on the agreement with H.E.B. Grocery Company, a copy of which presentation is on file with the papers of this meeting. He outlined details of the proposed agreement, noting the lots of the subject area.

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

2001-45 MUNICIPAL FACILITIES CORPORATION BOARD OF
DIRECTORS MEETING

City Council recessed its regular meeting in order to convene the meeting of the Municipal Facilities Corporation Board of Directors. The following members were present: Perez, Sanders, Moorhouse, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: Martin.

The Clerk read the following Resolution:

A RESOLUTION
MFC 2001-6

ACCEPTING THE GUARANTEED MAXIMUM PRICE PROPOSAL IN THE AMOUNT OF \$8,695,177 SUBMITTED BY SOUTHERN PECAN JOINT VENTURE TO DESIGN, CONSTRUCT, AND EQUIP THE ONE STOP DEVELOPMENT AND BUSINESS SERVICES CENTER.

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

Ms. Rebecca Waldman, Director of Asset Management, narrated a slide presentation on the proposal to design, construct and equip the One Stop Development Center, a copy of which presentation is on file with the papers of this meeting. She outlined the background of the land acquisition, agreement with the project development, project update, guaranteed maximum price, project changes and the project budget. She further delineated the cost contingency, debt service reserve and financing costs, the building efficiency issue, project timeline and the zoning for the One Stop Center.

Mayor Garza noted that the One Stop Center would be most beneficial to the community. He added that staff would continue to monitor the costs.

Ms. Waldman assured the Council that a report on the costs would be made to them on a quarterly basis, however she also noted there should be no changes.

Ms. Moorhouse expressed concern that all staff be given the appropriate training in order to assure efficient and effective service to the community, specifically with regard to the Unified Development Code (UDC).

Mr. Chris Brady, Assistant City Manager, stated that the training was already underway.

City Manager Terry Brechtel stated that in addition to the staff training, the third component was the redesign and integrity of the software system to be implemented.

In response to Mr. Garcia, regarding the savings in the amount of \$20,000 for solar power, if it were not included. Ms. Waldman stated that she did not have any figures on the savings, noting that the payback was more on a long-term basis.

Mr. Garcia made an amendment to the motion to strike out the solar power provision. Mr. Sanders seconded the motion.

Mr. Perez stated that the solar power component was to serve as a means to showcase the building and encourage developers to utilize this means of power to enhance efforts to conserve energy. He stated the cost was one-time, and while it did not represent a return at this time, years from now it may be marketable.

Mayor Garza also emphasized the importance of the City making efforts to conserve energy and resources, and to demonstrate a commitment to the community. He encouraged that the City be more creative in developing future resources to meet those energy needs.

Mr. Garcia reiterated on the need to better utilize monies, and to put forth additional efforts towards conservation measures.

Ms. Waldman explained the number and type of services to be provided to the small business, and agencies that would be co-locating in the building to better serve the community.

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The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to the issue of solar energy, and also in opposition to the One Stop Service Center.

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

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

The Clerk read the following Resolution:

A RESOLUTION
MFC 2001-7

APPROVING THE FINAL DEVELOPMENT BUDGET IN THE AMOUNT OF \$15,607,429 SUBMITTED BY SOUTHERN PECAN JOINT VENTURE FOR TOTAL PROJECT COSTS ASSOCIATED WITH THE DEVELOPMENT OF THE ONE STOP DEVELOPMENT AND BUSINESS SERVICES CENTER.

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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, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Castro. **NAYS:** None. **ABSENT:** None.

* * * *

The Clerk read the following Resolution:

A RESOLUTION
MFC 2001-8

APPROPRIATING AND ENCUMBERING FUNDS FROM THE MFC PROJECT ACCOUNT IN THE AMOUNT OF \$13,486,294 FOR PROJECT COSTS AS SPECIFIED IN THE FINAL DEVELOPMENT BUDGET, WHICH INCLUDES NORMAL COSTS ASSOCIATED WITH A PROJECT SUCH AS DESIGN-PHASE SERVICES, CONSTRUCTION, LEGAL SERVICES, INSPECTING ARCHITECT, IMPACT FEES/SEWER LATERALS AND OTHER UTILITY RELATED FEES, COST OF SITE ACQUISITION, TITLE INSURANCE, REAL ESTATE TRANSACTION SERVICES AND FEES, DESIGN-BUILDER MANAGEMENT FEES AND RETURN, INTERIOR DESIGN SERVICES, FURNITURE AND

FURNISHINGS, AN ARCHAEOLOGICAL STUDY, AND OTHER ARCHITECTURAL, ENGINEERING AND PROFESSIONAL SERVICES FOR THE ONE STOP DEVELOPMENT AND BUSINESS SERVICES CENTER PROJECT.

* * * *

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, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Castro. **NAYS:** None. **ABSENT:** None.

The Mayor then adjourned the meeting of the Municipal Facilities Corporation Board of Directors and reconvened the Regular City Council meeting.

2001-45 THE ZONING CASE

5) CASE NUMBER #Z2001245 - From "I-1" Industrial District and "B-3 R" Restrictive Business District, to "C-3 NA" Commercial District Nonalcoholic Sales on Lots 5 thru 8, Block 8, NCB 2562; Lots 1 thru 12, and P-101, Block 3, NCB 2561; Lots 7 thru 12, Block 1, NCB 2560; Lot A-1 and P-100, NCB A-63 and from "I-1" Industrial District, "B-3" Business District, and "B-3 NA" Nonalcoholic Sales District, to "IDZ" with permitted uses including "MF-50" and "C-3" on Lots 1 thru 6, Block 1, NCB 2560, Lots 5 thru 11, Block 4, NCB 2561; Lots 11 thru 14, Block 5, NCB 2554; Lot A-12 and East 46 feet of Lot A-10, NCB 985.

Mr. Ray Lozano, Land Development Services, explained the proposed rezoning case.

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

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

* * * *

AN ORDINANCE 95109

FROM "I-1" INDUSTRIAL DISTRICT, "B-3" BUSINESS DISTRICT, AND "B-3 NA" NONALCOHOLIC SALES DISTRICT, TO "IDZ" INFILL DEVELOPMENT ZONE WITH PERMITTED USES INCLUDING "MF-50" MULTI-FAMILY DISTRICT AND "C-3" COMMERCIAL DISTRICT ON LOTS 1 THRU 6, BLOCK 1, NCB 2560, LOTS 5 THRU 11, BLOCK 4, NCB 2561; LOTS 11 THRU 14, BLOCK 5, NCB 2554; LOT A-12 AND EAST 46 FEET OF LOT A-10, NCB 985, NORTH CORNER OF ALAMO STREET AND SOUTH FLORES, FROM "I-1" INDUSTRIAL DISTRICT AND "B-3 R" RESTRICTIVE BUSINESS DISTRICT, TO "C-3 NA" COMMERCIAL DISTRICT NONALCOHOLIC SALES ON LOTS 5 THRU 8, NCB 2562; LOTS 1 THRU 12, AND P-101, BLOCK 3, NCB 2561; LOTS 7 THRU 12, BLOCK 1, NCB 2560; LOT A-1 AND P-100, NCB A-63.

— — — — —
2001-41 PUBLIC HEARING AND ORDINANCES: CLOSING UNIMPROVED ALLEY.

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, explained the proposed closure, notification process, total area involved, and financial impact, a copy of which papers are on file with this meeting.

* * * *

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

The Clerk read the following Ordinance:

AN ORDINANCE 95110

CLOSING, VACATING AND ABANDONING AN UNIMPROVED ALLEY OUT OF NEW CITY BLOCKS 419 AND 420, LOCATED BETWEEN MARTIN AND PECAN STREETS, AS REQUESTED BY THE PETITIONER, AND ABUTTING OWNER, ST. MARK'S EPISCOPAL CHURCH, FOR A TOTAL CONSIDERATION OF \$9,100.00.

* * * *

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.

— — —
2001-45 The Clerk read the following Ordinance:

AN ORDINANCE 95111

AUTHORIZING THE TRANSFER OF \$1,200,000.00 IN CITY GENERAL FUNDS TO THE DEPARTMENT OF COMMUNITY INITIATIVES, CHILDREN'S RESOURCES DIVISION GRANT FUND ACCOUNT TO BE USED AS MATCHING FUNDS; AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS WORKFORCE COMMISSION (TWC) THROUGH ALAMO WORKFORCE DEVELOPMENT, INC., (AWD) WHICH PLEDGES CERTIFICATION OF LOCAL EXPENDITURES UP TO THE AMOUNT OF \$1,200,000.00 TO BE USED AS MATCH TO GENERATE ADDITIONAL FEDERAL FUNDS UP TO THE AMOUNT OF \$1,812,805.00 IN THE CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM; AUTHORIZING CERTIFICATION OF SAID EXPENDITURES IN CONNECTION THEREWITH; AUTHORIZING THE ACCEPTANCE OF SAID ADDITIONAL FUNDS UP TO THE AMOUNT OF \$1,812,805.00 FOR THE PROVISION OF CHILD CARE SERVICES AND QUALITY INITIATIVES; AND ADOPTING A REVISED CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM BUDGET. (AMENDS ORDINANCE NO. 94646, SEPTEMBER 27, 2001.)

* * * *

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation on the Alamo ChildCare Delivery System (CCDS), a copy of which presentation is on file with the papers of this meeting. He delineated on the Alamo Workforce Development contracts, the proposed services being provided with the local share and federal match funds, guidelines, and history of the federal match funds. He further noted the Early Childhood Care and Education program, and the accountability measures adopted.

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.

— — —
2001-45 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-45-54

EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO REVIEW THE FINANCING APPLICATIONS SUBMITTED TO THE SAN ANTONIO HOUSING TRUST FINANCE CORPORATION FOR MULTI-FAMILY PROJECTS.

* * * *

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

Mr. David Garza, Director of Neighborhood Action, explained the proposed Resolution regarding the applications submitted to the San Antonio Housing Trust Finance Corporation, a copy of which papers are on file with this meeting. He outlined the background and amounts on the applications received for the multi-family mortgage revenue bonds, noting that the funding requests were for a combination of new debt and refinancing of debt for six multi-family projects.

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.

— — —
2001-45 The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-45-55

EXPRESSING THE CITY COUNCIL'S INTENT TO CREATE A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE FOR THE DECO DISTRICT ADJACENT TO FREDERICKSBURG ROAD FOR THE PURPOSE OF SUPPORTING MARKET-RATE HOUSING AND OTHER AMENITIES FOR THE AREA.

* * * *

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

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation on the City's intent to create a tax increment financing (TIF) reinvestment zone for the Deco District project, a copy of which presentation is on file with the papers of this meeting. He delineated on review of the application, compliance with City guidelines, expounding on the Deco District Project and its developer, the proposed development, public improvements, project boundaries, and community benefits of this project.

Mayor Garza noted that the area was ten acres of commercial stretch, and emphasized that the project would promote residential and commercial use.

Mr. David Garza, further explained the price of the single family unit noting there was no cap. He also spoke on the boundaries, which would be determined by the applicant and approved by the City Council.

The following citizen(s) appeared to speak:

Mr. Sam Aguirre, stated he looked forward to working with City staff on this project.

Mr. Noel Suniga, spoke in support of the TIP, noting this project would help the revitalization efforts of the commercial and residential mix use.

* * * *

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.

— — —
2001-45 The Clerk read the following Ordinance:

AN ORDINANCE 95112

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$10,000.00 WITH CHRISTOPHER C. MATHEWSON, PH.D., FOR CERTAIN ENVIRONMENTAL REVIEW SERVICES RELATED TO CIBOLO CANYON IMPROVEMENT DISTRICT.

* * * *

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

Mr. Chris Brady, Assistant City Manager, narrated a slide presentation on the environmental assessment for the Cibolo Canyon, a copy of which is on file with the papers of this meeting.. He elaborated on the criteria, which would be similar to the Zephyr project on the Kelly contamination. He outlined the consultant selection process, scope of work and timeline for the review.

Mr. Christopher Matthewson, spoke of his qualifications and experience, specifically in San Antonio, and highlighting on the work with the San Antonio Water System (SAWS), TNRCC, and his efforts to be as independent of a reviewer as possible.

The following citizen(s) appeared to speak:

Ms. Marlys Dietrick, 706 E. Guenther St., spoke to the development with the little amount of oversight. She urged the City Council to have developers assure there would be no pollutants to the Aquifer, and to include knowledge of regional experts during this review.

Mr. Jack M. Finger, P.O. Box 12048, spoke to the potential pollution to the Edwards Aquifer, and urged the City Council to spend more money on efforts to protect the Aquifer.

* * * *

In response to Mayor Garza regarding the reports to be utilized, Mr. Matthewson, stated he would take advantage of what is already available in assessment, being site specific, and further review the developers plans. He added he would provide information whenever there was a gap encountered, and also survey the geologic features.

Mayor Garza requested that a presentation be made before City Council, and to also have a public hearing in order to hear from the citizens. He further emphasized the need to have as much public input as possible, and to have the information shared with other environmental groups.

Mr. Perez made a substitute motion to move forward with the review and to also include Items A through D, and F as the scope of work. Mr. Carpenter seconded the motion.

Discussion continued on the review process to be initiated by Mr. Matthewson, information already available to be utilized, and the issue of the public hearing.

In response to Mr. Schubert regarding the environmental issue, Mr. Brady stated he had been in contact with the Fish and Wildlife Development, and confirmed they would do the review. He noted that the developers would have to meet with Fish and Wildlife representatives to negotiate any issues needed and that the City would not be involved with that process.

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

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

— — —
2001-45 The Clerk read the following Ordinance:

2001-45
December 20, 2001
yl/vaj

AN ORDINANCE 95113

AUTHORIZING THE EXPENDITURE OF \$500.00, FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE ST. CLARE CATHOLIC YOUTH LADY BOBCATS BASKETBALL ORGANIZATION, TO BE USED TO HELP DEFRAY THE COST OF REGISTRATION FEES, EQUIPMENT AND UNIFORMS; AS REQUESTED BY COUNCILMAN ENRIQUE "KIKI" 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, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Conner, Carpenter.

— — —
2001-45 The Clerk read the following Ordinance:

AN ORDINANCE 95114

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE ROY MAAS' YOUTH ALTERNATIVE, INC., BIKES-FOR-TYKES PROJECT, TO BE USED TO HELP PURCHASE BICYCLES FOR UNDERPRIVILEGED CHILDREN IN THE SAN ANTONIO AREA DURING THE HOLIDAY SEASON; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

* * * *

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, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Conner, Carpenter.

— — —
2001-45 The Clerk read the following Ordinance:

AN ORDINANCE 95115

AUTHORIZING THE CITY MANAGER OR HER DESIGNATED REPRESENTATIVE TO EXECUTE AN UPPER HUEBNER CREEK DEVELOPMENT AGREEMENT WITH DE ZAVALA CAPITAL ASSOCIATES 1992-1 LTD., FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH A REGIONAL STORM WATER FACILITY AND RELATED DRAINAGE IMPROVEMENTS AT PRUE ROAD AND HUEBNER CREEK LOCATED IN COUNCIL DISTRICT 8.

* * * *

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, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Carpenter.

— — —
2001-45 **PUBLIC HEARING AND ORDINANCES: UNITED HEALTHCARE SERVICES, INC. REINVESTMENT ZONE**

Mayor Garza declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development Department, narrated a slide presentation on the tax phase-in agreement, a copy of which presentation is on file with the papers of this meeting. He explained the five business units of United, project information, project location, eligibility criteria for the tax phase-in, and financial impact to the City.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the living wage.

Mr. Mario Hernandez, President, Economic Development Foundation, spoke in support of the project, noting there were five other cities with this similar type of project.

Mr. Gerald Hersman, United Health Group, welcomed the opportunity to work on this project with City staff and the community.

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

The Clerk read the following Ordinance:

AN ORDINANCE 95116

DESIGNATING THE UNITED HEALTHCARE SERVICES, INC. REINVESTMENT ZONE CONSISTING OF 7.460 ACRES AT UNIVERSITY PARK TECH CENTER III, 5959 N.W. PARKWAY IN SAN ANTONIO, BEXAR COUNTY, TEXAS.

* * * *

Ms. Moorhouse made a motion to approve the proposed Ordinance. Ms. Conner 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, Garza. **NAYS:** None. **ABSENT:** Schubert, Carpenter.

— — —
2001-45 PUBLIC HEARING AND ORDINANCES: EXECUTION OF AN AGREEMENT TO EXEMPT AD VALOREM TAXATION.

Mayor Garza declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development Department, narrated a slide presentation on the execution of the agreement, a copy of which presentation is on file with the papers of this meeting.

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

The Clerk read the following Ordinance:

AN ORDINANCE 95117

APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT TO EXEMPT AD VALOREM TAXATION ON SPECIFIED REAL PROPERTY IMPROVEMENTS FOR UNITED HEALTHCARE SERVICES, INC. AND TODAY UNIVERSITY PARK TECH CENTER III, L.P.

* * * *

Ms. Moorhouse made a motion to approve the proposed Ordinance. Mr. Martin 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, Garza. **NAYS:** None. **ABSENT:** Perez, Schubert, Carpenter.

— — —
2001-45 CITY MANAGER'S REPORT

City Manager Terry Brechtel, announced the appointments of Mr. Dan Cardenas as the Director of Environmental Services, and Ms. Gayle McDaniel, as the Assistant to the City Council.

Mr. Dan Cardenas, Director of Environmental Services, thanked the City Manager for the opportunity to continue serving the community.

Ms. Gayle McDaniel, Assistant to the City Council, thanked the City Council and the Manager for the opportunity to serve in this capacity, and further acknowledged City staff for the assistance given to her these past few months.

Members of the City Council congratulated them both for their outstanding work and contributions to the community as well as to the City of San Antonio.

2001-36

CITIZENS TO BE HEARD

MR. MARLIN LYTLE

Mr. Martin Lytle, 18816 Lytle Lane, spoke to the City Council about the homeless situation in San Antonio and how it is impacting their neighborhood. He stated that the Homeland missions should be located outside the City limits or at the former Kelly Air Force Base site.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the City Council about various current event issues. He also recited the Ten Commandments and the need for the observance of the Commandments at this time.

* * * *

MR. JOHNNY PEREZ

Mr. Johnny Perez, 617 Linares, spoke to the City Council about his plans for a project on the southside, which he would address at a later time.

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MR. JOSE A. PEREZ

Mr. Jose A. Perez, 1502 Holbrook #6, asked the City Council to set up a special venue to address questions that the Small Business Community might have.

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PGA VILLAGE DISCUSSION

Mrs. Janet Francis, former President of the San Antonio Conservation Society, stated that the highest and best use of the property being proposed for the PGA village is to protect the quality of San Antonio's water supply. She urged that this property be bought by a governmental entity so that it can be protected.

Ms. Michele Petty, Sierra Club member, spoke in opposition to the PGA Village and stated her reasons for the opposition.

Mr. Gert Artz, Sierra Club member, also spoke about their concern on the possibility of contamination of the City's water supply if the PGA village is allowed to be built on this area. He spoke to the increased water consumption caused by golf courses.

Mr. Jerry Morrissey, 19631 Encino Way, also spoke about his opposition and stated that all issues should be addressed including the endangered species issue.

Ms. Anne Alexander, 206 Emporia, spoke about the need to protect San Antonio's water supply from terrorist and the possibility of having the City's water supply contaminated.

Mr. Larry Hoffmann, 16206 Silver Spur, urged the City Council to think about the implications of polluting the Edwards Aquifer, and the repercussions if this affects the springs in areas where the endangered species must be protected.

Mr. David Hooser, stated that the PGA Village developers have lied to the City Council and urged the City Council not to work with these individuals who lie. He spoke to what he perceives to be lies. He urged that the City Council deny this project.

Mr. Darby Riley, President of the Texas Environmental Democrats, took exception to statements made by the developers of the PGA Village, that if the PGA Village does not go in, thousands of homes will be built on the subject property. He also took exception to the developers paying for the new study.

Mr. Mike Carabetta, 2102 W. Travis, stated that he owns property in the subject area. He also spoke to the proposed acreage to be donated and that the developers have reneged on their original proposals.

Ms. Diane Lang, 143 Walton, reiterated statements made by previous speakers. She stated that her main concern was about pollution of the City's water supply.

Mr. Allen Townsend, 143 Walton, expressed his opposition to the proposed PGA Village development. He particularly expressed his concern that this is only the beginning, and stated that they will be organizing groups to prohibit the development of the project.

Ms. Deanna Frisk, President of the League of Women Voters, stated that the City should not encourage development over the Aquifer by giving tax incentives. He urged that the City not grant the PGA Village the opportunity to develop this land.

Mr. David Klar, also spoke about the project and the potential to have it pollute the water supply of the City of San Antonio. He took issue with the project being an economic generator. He stated the developers should not be given any tax incentives. He also urged the City Council to vote no on this project.

2001-45 EXECUTIVE SESSION

The City Council recessed its regular session at 5:45 P.M. in order to convene in Executive Session for the purpose of:

- A. Attorney-Client consultation regarding the lawsuit styled Richard Garansuay, et al, vs. City of San Antonio, Civil Action No. SA-2000-CA-0808-EP.

The City Council adjourned the Executive Session at 6:01 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.

2001-45 There being no further business to come before the City Council, the meeting was adjourned at 6:02 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