

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MAY 30 2002.

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2002-22 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A.) **Staff update on the Historic Civic Center Master Plan and Related Projects.** (Presented by Chris Young, Downtown Special Projects Coordinator and Rebecca Waldman, Asset Manager Director)

The Council members present were: Perez, Moorhouse, Garcia, Barrera, Conner, Schubert, Garza. ABSENT: Sanders, Martin, Castro, Carpenter.

The "B" Session adjourned at 11:30 A.M.

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2002-22 The regular meeting was called to order at 1:20 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

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2002-22 Invocation by Rev. Franciszek Kursaj, Holy Name Catholic Church, and Pledge of Allegiance.

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2002-22 Pledge of Allegiance to the flag of the United States.

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2002-22 **PRESENTATION OF PROCLAMATION IN HONOR OF "STAND FOR CHILDREN DAY."**

Mayor Garza read a Proclamation in honor of "Stand for Children Day" recognizing children as the country's most precious resource.

Mr. Henry Ross, Assistant Director of the Community Initiatives Department, came forward to speak to the Stand for Children Day observance. Members of various children's care groups and the respective children came forward to discuss Children's Health Insurance Program (CHIP) outreach activities, and thanked the Council for their support.

Council members thanked the Department of Community Initiatives Department staff for their work with this project and their concern for San Antonio's youth.

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2002-22 **CONSENT AGENDA – CITIZEN COMMENTS**

Mr. Faris Hodge, Jr., 140 Dora, spoke to the consent agenda and the City Manager's request for departments to cut their budget. He also spoke to various items on the agenda.

Mr. Jack M. Finger, P.O. Box 12048, spoke to items on the agenda, and campaign contributions to Council members.

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2002-22 **CONSENT AGENDA**

Mr. Perez made a motion to approve Agenda Items 5 through 27F, constituting the Consent Agenda, except for Item 27D, which was pulled for individual consideration. Mr. Carpenter seconded the motion.

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

AN ORDINANCE 95819

ACCEPTING THE LOW BID SUBMITTED BY CRISTAL VISION TO PROVIDE THE CITY OF SAN ANTONIO BRANCH LIBRARY SYSTEM WITH TWENTY (20) CLOSED CIRCUIT TELEVISION MAGNIFICATION DEVICES FOR A TOTAL SUM OF \$35,560.00.

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AN ORDINANCE 95820

ACCEPTING THE PROPOSAL FROM ORACLE CORPORATION, USING SIGMA SOLUTIONS (SBE), IN ACCORDANCE WITH THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES AGREEMENT TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH DATABASE SOFTWARE AND LICENSES FOR AN ESTIMATED COST OF \$517,127.72.

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AN ORDINANCE 95821

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES, INCLUDING VEHICLE AND EQUIPMENT PARTS AND SERVICE, AUTOMATED CATALOGING, PUBLICATIONS SERVICES, FLEX BEAMS, GUARD POSTS AND ALLIED ITEMS, ALUMINUM SIGN BLANKS, AND RED BURNING FUSEES, ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2002-2003 FOR A TOTAL SUM OF APPROXIMATELY \$1,794,238.00.

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AN ORDINANCE 95822

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH JAMES T. RODRIGUEZ CONSULTING ENGINEERS, INC. IN CONNECTION WITH THE TOWER OF THE AMERICAS STRUCTURAL, ARCHITECTURAL, MECHANICAL AND ELECTRICAL ANALYSIS PROJECT IN CITY COUNCIL DISTRICT 1; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$68,650.00; APPROPRIATING

\$74,650.00 FROM FISCAL YEAR 2000-2001 FIMP FUNDS; ESTABLISHING THE PROJECT BUDGET; AND ENCUMBERING \$68,650.00 FOR ENGINEERING FEES AND \$6,000.00 FOR ENGINEERING CONTINGENCY.

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AN ORDINANCE 95823

ACCEPTING LOW BID SUBMITTED BY GG&G GENERAL CONSTRUCTION, INC. TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE DISTRICT 3 PARKS IMPROVEMENTS PROJECT IN THE AMOUNT OF \$206,520.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; PROVIDING FOR CONSTRUCTION CONTINGENCY AND PERMIT FEES; APPROPRIATING \$225,795.00 IN 1999 PARK BOND FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95824

SELECTING WEST EAST DESIGN GROUP, L.L.C. (DBE) TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE NEW REGIONAL COL. VICTOR J. FERRARI LEARNING AND LEADERSHIP DEVELOPMENT CENTER, LOCATED AT 103 E. RAMPART; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$117,500.00 FROM 1989 GENERAL OBLIGATION LIBRARY IMPROVEMENT BONDS; AUTHORIZING \$11,000.00 TO WEST EAST DESIGN GROUP, L.L.C. (DBE) FOR ADDITIONAL SERVICES; AUTHORIZING \$17,500.00 FOR ASSOCIATED PROJECT FEES AND EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$11,700.00 MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95825

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CHIANG, PATEL & YERBY, INC. (MBE) AND AUTHORIZING ADDITIONAL FUNDS IN AN

AMOUNT NOT TO EXCEED \$60,461.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE TEZEL FROM OLD TEZEL TO TIMBER PATH METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICTS 6 AND 7; AUTHORIZING THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT TO PROVIDE DEMOLITION SERVICES FOR AN AMOUNT NOT TO EXCEED \$35,314.49; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 87886, JUNE 6, 1998; ORDINANCE NO. 93603, MARCH 22, 2001; ORDINANCE NO. 92058, JUNE 29, 2000.)

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AN ORDINANCE 95826

AMENDING A PROFESSIONAL SERVICES CONTRACT BY AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$16,557.26 PAYABLE TO GARCIA & WRIGHT CONSULTING ENGINEERS, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE FAY STREET/ST. JOSEPH FROM CREIGHTON TO NEW LAREDO HIGHWAY PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 92231, AUGUST 3, 2000.)

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AN ORDINANCE 95827

APPROVING STREETS AND DRAINAGE MAINTENANCE AND IMPROVEMENTS FUNDED FINAL FIELD ALTERATION NOS. 3 AND 4 IN THE INCREASED AMOUNTS OF \$121,768.05 AND \$3,303.19, RESPECTIVELY, IN CONNECTION WITH THE NEIGHBORHOOD IMPROVEMENT PROGRAM (NIP) 2000 INDEFINITE DELIVERY OF SIDEWALK CONSTRUCTION PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 94834, NOVEMBER 1, 2001.)

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AN ORDINANCE 95828

RATIFYING ADDENDUM 3 & 4 TO THE AGREEMENT WITH THE NATURAL RESOURCE CONSERVATION SERVICE (NRCS), APPROVED THROUGH ORDINANCE NO. 91296, PASSED ON FEBRUARY 17, 2002, WHICH AUTHORIZES SUPPLEMENTAL FUNDING IN THE AMOUNT OF \$112,278.17 FROM STORM WATER OPERATING FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 91296, FEBRUARY 17, 2000; ORDINANCE NO. 92849, NOVEMBER 9, 2000.)

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AN ORDINANCE 95829

SELECTING CHESNEY MORALES/BEATY & PARTNERS, A JOINT VENTURE (MBE), TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE FIRE DEPARTMENT RENOVATION MASTER PLAN OF FACILITIES LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE NEGOTIATION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$295,000.00 FROM 2000A FIRE STATION IMPROVEMENTS CERTIFICATES OF OBLIGATION FUNDS; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95830

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH DFSA/NGSI - SAN ANTONIO PARTNERSHIP, A DBE PARTNERSHIP COMPOSED OF DUTY FREE OF SAN ANTONIO, INC. (DFS A) AND NEWS & GIFT SHOPS INTERNATIONAL, L.L.C. (NGSI), FOR USE OF APPROXIMATELY 800 SQUARE FEET FOR A THIRD NEWS AND GIFT FACILITY IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT. DFSA/NGSI WILL PAY THE GREATER OF A MINIMUM ANNUAL GUARANTEE OF \$68,000.00 PER YEAR FOR THE FIRST TWO (2) YEARS AND \$72,080.00 PER YEAR FOR THE REMAINING THREE YEARS OR A PERCENTAGE PAYMENT OF FOURTEEN PERCENT (14%) OF

GROSS REVENUES FOR ALL NEWS RELATED ITEMS AND TWENTY FIVE PERCENT (25%) OF GROSS REVENUES FOR ALL GIFT AND SOUVENIR ITEMS.

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AN ORDINANCE 95831

AUTHORIZING THE EXECUTION OF A NEW AIRLINE/AIRPORT USE AND LEASE AGREEMENT WITH AMERICAN AIRLINES, INC. FOR THE USE AND LEASE OF PREMISES AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TERM BEGINNING ON OCTOBER 1, 2001 AND ENDING ON SEPTEMBER 30, 2005.

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AN ORDINANCE 95832

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH HOST INTERNATIONAL, INC. FOR THE USE OF 816 SQUARE FEET OF OFFICE SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A MONTHLY RENTAL OF \$1,700.00.

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AN ORDINANCE 95833

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,896.55 TO BRACEWELL & PATTERSON FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES PROJECT (\$1,666.80), BASSE ROAD AND SAN PEDRO INTERSECTION MPO PROJECT (\$15.52), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$473.15), ESCALON STREET #1008 DRAINAGE PROJECT (\$36.00), FIRE STATION NO. 7 PROJECT (\$306.00), FIRE STATION NO. 25 PROJECT (\$99.00), FUNSTON STREET PROPERTIES PROJECT (\$461.25), HILIONS DRAINAGE PROJECT #80, PHASES III & V (\$4,907.79), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN METROPOLITAN PLANNING ORGANIZATION PROJECT (\$3,667.23), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$556.45), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT (\$509.36), SAN ANTONIO RIVER IMPROVEMENTS - HOUSTON TO

LEXINGTON PROJECT (\$18.00), WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C (\$72.00), AND THE W.W. WHITE PHASE I - RIGSBY TO LORD PROJECT (\$108.00); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95834

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE EXISTING LEASE AND LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO ("LANDLORD") AND FRANK SEPULVEDA D/B/A PANCHITO'S RESTAURANT ("TENANT") TO, AMONG OTHER THINGS, CLARIFY THE CITY'S RIGHT TO ACCESS TO THE LOADING DOCK, SECURING A LEASE TERMINATION OPTION, CLARIFYING THE TOTAL LEASED SQUARE FOOTAGE AND APPROVING THE ADDITION OF 178 SQUARE FEET OF NEW SPACE.

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AN ORDINANCE 95835

AMENDING THE CAPITAL IMPROVEMENT FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE GUADALUPE CULTURAL ARTS CENTER APPROVED THROUGH ORDINANCE NO. 91178, PASSED ON JANUARY 27, 2000, TO INCREASE FISCAL YEAR 2002 FACILITIES AND IMPROVEMENTS MAINTENANCE PROGRAM (FIMP) FUNDS IN THE AMOUNT OF \$38,500.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91178, JANUARY 27, 2000.)

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AN ORDINANCE 95836

AUTHORIZING THE AMENDMENT OF THE CONCESSION AGREEMENT WITH MCDONALD'S CORPORATION FOR OPERATION OF A FOOD AND BEVERAGE FACILITY IN THE TERMINAL 2 FOOD COURT AT SAN ANTONIO INTERNATIONAL AIRPORT TO PROVIDE FOR ANNUAL PAYMENTS TO THE CITY OF SAN ANTONIO OF THE GREATER OF THE MINIMUM ANNUAL GUARANTEE OF \$90,000.00 PER YEAR OR INCREMENTAL SALES - TEN PERCENT (10%) OF ALL SALES FROM \$0 TO \$1,000,000.00, TWELVE PERCENT

(12%) OF ALL SALES FROM \$1,000,001.00 TO \$1,500,000.00 AND FOURTEEN PERCENT (14%) OF ALL SALES OVER \$1,500,000.00.

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AN ORDINANCE 95837

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AMERICAN APPRAISAL ASSOCIATES, INC. TO PROVIDE THE CITY OF SAN ANTONIO GASB STATEMENT NO. 34 CAPITAL ASSET INVENTORY AND VALUATION SERVICES FOR A TOTAL FEE OF \$163,000.00; DELEGATING AUTHORITY TO THE DIRECTOR OF FINANCE TO APPROVE ANY CONTINGENCY COSTS FOR ADDITIONAL WORK REQUIRED BY THE CITY IN AN AMOUNT NOT TO EXCEED TEN (10) PERCENT, OR \$16,300.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95838

AUTHORIZING THE NEGOTIATION AND EXECUTION OF COOPERATIVE AGREEMENTS WITH LOCAL SCHOOL DISTRICTS FOR THE OPERATION OF PROGRAM SITES UNDER PARKS AND RECREATION DEPARTMENT AFTER SCHOOL CHALLENGE PROGRAM DURING THE SCHOOL YEARS 2001-2002 AND 2002-2003.

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AN ORDINANCE 95839

APPROVING AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF SAN ANTONIO AND THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT FOR IMPROVEMENTS TO MILITARY DRIVE WEST PARKWAY, PROVIDING THE DISTRICT WITH CERTAIN FEE CREDITS TO RECOUP ITS COST OF RIGHT OF WAY CONSTRUCTION, AND PROVIDING FOR EXECUTION OF NECESSARY DOCUMENTS.

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AN ORDINANCE 95840

AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE STATE OF TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT (TXED) FOR \$500,000.00 IN STATE GRANT FUNDS AVAILABLE THROUGH THE DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT (DEAAG) PROGRAM; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH TXED IF ANY GRANT FUNDS ARE AWARDED TO THE CITY AND TO ENTER INTO A SUBGRANT CONTRACT WITH THE GREATER KELLY DEVELOPMENT AUTHORITY (GKDA) FOR EXECUTION OF THE GRANT PROJECT.

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AN ORDINANCE 95841

APPOINTING ELENA GUAJARDO (DISTRICT 8) AND JOSE MACIAS (DISTRICT 6) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 31, 2004.

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AN ORDINANCE 95842

APPOINTING JULIO RUIZ (LICENSED MECHANICAL TECHNICIAN - (OPEN SHOP) CATEGORY - DISTRICT 4) AND ED TALAMANTEZ (AIR CONDITIONING MAINTENANCE CATEGORY - DISTRICT 6) TO THE MECHANICAL BOARD OF APPEALS FOR TERMS OF OFFICE TO EXPIRE ON MARCH 20, 2003.

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AN ORDINANCE 95843

APPOINTING JACK LAPPEUS (LAYMAN CATEGORY - DISTRICT 6) TO THE BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2003.

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AN ORDINANCE 95844

REAPPOINTING IRVIN PADGETT (DISTRICT 6) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON JUNE 11, 2004.

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AN ORDINANCE 95845

REAPPOINTING WILLIAM HOAGLAND-FUCHS (COMMUNITY REPRESENTATIVE - DISTRICT 1) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 2003.

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2002-22 The Clerk read a proposed Ordinance appointing Steven B. Grau (District 10) and reappointing Jerry F. Morell (District 8) to the Zoning Commission for terms of office to expire on June 30, 2004.

Mr. Carpenter made a motion to approve the proposed Ordinance with the deletion of the appointment of Mr. Steven Grau. Mr. Sanders seconded the motion.

The Clerk then read the following Ordinance:

AN ORDINANCE 95846

REAPPOINTING JERRY F. MORELL (DISTRICT 8) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004.

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

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2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95847

ACCEPTING THE PROPOSAL AND AUTHORIZING THE EXECUTION OF AN ON-CALL PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL REMEDIATION AND ENVIRONMENTAL CONSTRUCTION WITH EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P., IN AN AMOUNT NOT TO EXCEED AN ANNUAL BUDGET OF \$1,500,000.00, AS NECESSARY TO MEET THE CITY'S REGULATORY OBLIGATIONS, FOR A TERM OF ONE (1) YEAR, WITH OPTIONS TO EXTEND FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS; AND PROVIDING FOR PAYMENT.

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

Mr. Dan Cardenas, Director of Environmental Services Department, presented background, anticipated scope of work, comparison of the on-call professional services contracts, on call professional services agreements for environmental construction and environmental remediation services for a term of 1 year with Eagle Construction and Environmental, Inc., a copy of which is on file with these papers.

In response to Councilman Garcia's inquiry regarding a funding cap, Mr. Cardenas responded that there is money that has been allocated for environmental concerns. He stated the goal of the project is to have an on going group of individuals handle the physical aspects of the contract.

Mr. Cardenas noted that sites have been identified for this clean-up effort. He also informed the Council that there would be no costs incurred by the City if the contractor's services are not used.

Councilman Castro thanked Mr. Cardenas for the work on this project. He added that the remediation of contaminated areas has been a concern.

In response to Councilman Castro regarding contract liability issues, Mr. Cardenas said the contract would be approved only after issues have been identified using the best-qualified contractor.

Mr. Castro requested that the City Attorney's Office review the contract regarding liability issues.

Mr. Cardenas added the contract does include indemnity.

The Mayor and Council thanked Mr. Cardenas 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, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse.

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2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95848

AMENDING THE LAND USE PLAN CONTAINED IN THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE CITY'S MASTER PLAN, BY CHANGING THE USE OF A 12.82 ACRE TRACT OF LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF VILLAGE PARK AND TIMBER PATH FROM COMMERCIAL USE TO SINGLE FAMILY RESIDENTIAL USE.

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

Mr. Emil Moncivais, Director of Planning, presented a briefing purpose, master plan amendment, evaluation criteria, consistency with Northwest Community Plan Goals, and staff recommendations, 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:** Sanders, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Moorhouse.

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2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95849

AUTHORIZING THE PURCHASE OF A CONSERVATION EASEMENT OVER A 1,163.81 ACRES TRACT OF LAND KNOWN AS THE KALLISON RANCH IN

WESTERN BEXAR COUNTY FROM THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE AMOUNT OF \$2,910,000.00 AS PART OF THE PROPOSITION THREE EDWARDS LAND ACQUISITION PROGRAM.

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

Ms. Susan Crane, Special Projects Officer, presented discussion on Government Canyon.

Mr. Robert L. Cook, State Park Director, spoke to the Government Canyon State Natural Area, aquifer protection, Habitat protection, endangered species, responsible recreation, current educational & interpretive programming, project history, land acquisition phases, lower 700 acres, facilities & recreation opportunities, interpretive and education center/design, day use area, camping area, multi-use trail system, 41 miles of trails, Zizelmann House, research station & volunteer office, current research, Government Canyon Natural History Association, community outreach, support for Texas Parks & Wildlife Staff, volunteer opportunities, capital fundraising, project awards, Texas Tech University Study, Texas A&M University study, COSA partnership, Kallison acquisition, and Government Canyon State Natural Area Master Plan, a copy of which is on file with the papers of this meeting.

Representatives from the Government Canyon Staff Resource Team were recognized and thanked for their efforts.

Mayor Garza thanked the staff for their work on this important environmental project.

Council members expressed their appreciation for the efforts on this project.

In response to Councilman Perez's question regarding a time line, Mr. Robert Cook stated actual construction is scheduled to begin in October, and be completed by fall of 2003.

In response to Councilman Schubert regarding whether there would be controlled access within the fall of 2003, Mr. Cook stated that there would be a controlled access, with fees not yet set, and added the possibility of rates charging for individuals' as well as groups.

There was discussion regarding citizens' concern over the possibility of park fees. Mr. Cook added that those issues would be resolved between the City of San Antonio and Texas Wildlife Parks in the Master Plan.

Mr. Schubert congratulated the group for their work on this project.

Ms. Crane presented the Kallison Ranch Conservation Easement item. She discussed action requested, status of acquisitions, current acquisition map, Kallison Ranch Site, acquisition costs, proposed agreement, conservation easement, land management for Kallison, timeline for acquisition, target acreage, program totals, and staff recommendations.

Mayor Garza congratulated the staff for a project that will serve as a model to other cities.

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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2002-22 The clerk read a proposed ordinance authorizing a Yanaguana Cruises, Inc. Ticket and Boarding Station on the San Antonio Riverwalk Presidio Plaza area in City Council District 1 with an adjacent photography concession on Presidio property and authorizing an additional shuttle stop location at Portal San Fernando.

Mr. Perez made a motion to postpone the proposed ordinance. Mr. Garcia seconded the motion.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to this item.

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After discussion, the motion to postpone passage of this ordinance prevailed by the following vote: **AYES:** Perez, Garcia, Barrera, Castro, Conner, Garza. **NAYS:** None. **ABSENT:** Sanders, Moorhouse, Martin, Schubert, Carpenter.

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2002-22 **PUBLIC HEARING AND ORDINANCE: CLOSING, VACATING AND ABANDONING PORTIONS OF WOODRUFF AVENUE.**

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, narrated a slide presentation, on the proposed closure of an unimproved portion of Woodruff Avenue, a copy of which is on file with the papers of this meeting. She explained the purpose of the proposed closure, presented the site map, notification process and financial impact.

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

The Clerk read the following Ordinance:

AN ORDINANCE 95850

CLOSING, VACATING AND ABANDONING AN UNIMPROVED THIRTY-FOOT (30') PORTION OF PUBLIC RIGHT-OF-WAY, OUT OF A FORTY-FOOT (40') PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS WOODRUFF AVENUE LOCATED BETWEEN PECAN VALLEY DRIVE AND LASSES BOULEVARD, AS REQUESTED BY THE PETITIONER, TERRA VISTA PARTNERS-PECAN MANOR, LTD., AS OWNER, FOR THE CONSIDERATION OF A CLOSURE FEE OF \$6,944.00 AND AN ADDITIONAL FEE OF \$144.00 FOR THE POSTING OF TWO (2) PUBLIC NOTIFICATION SIGNS.

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

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2002-22 PUBLIC HEARING AND ORDINANCE: CLOSING, VACATING AND ABANDONING PORTIONS OF CROWNPOINT DRIVE RIGHT OF WAY A/K/A BLADAU BISHOP RIGHT OF WAY.

Mayor Garza declared the Public Hearing to be open.

Mrs. Rebecca Waldman, Director of Asset Management, narrated a slide presentation, on the proposed closure of an unimproved portion of Crownpoint Drive, a copy of which is on file with the papers of this meeting. She outlined details on the area involved, maps of the proposed site, notification process, and financial impact.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke in regard to the City's master plan, and the lack of communication with the affected residents. He added that the City must adhere to the master plan.

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

The Clerk read the following Ordinance:

AN ORDINANCE 95851

CLOSING, VACATING AND ABANDONING AN UNIMPROVED PORTION OF CROWNPOINT DRIVE RIGHT OF WAY (A/K/A THE BLADAU-BISHOP RIGHT OF WAY), IT BEING THE NORTHEAST ONE-HALF AND SOUTHWEST ONE-HALF OF THE RIGHT OF WAY, LOCATED BETWEEN INTERSTATE HIGHWAY-35 NORTH AND RANDOLPH BOULEVARD, AS REQUESTED BY THE PETITIONER, SIRIZZOTI FAMILY LIMITED PARTNERSHIP, FOR THE CONSIDERATION OF \$34,146.00 INCLUDING A FEE OF \$144.00 FOR THE POSTING OF THE PUBLIC NOTIFICATION SIGNS.

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

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2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95852

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT FOR THE USE OF ONE (1) SHOWMOBILE, WITH SOUND SYSTEM, BY ST. FRANCIS ACADEMY ALUMNAE ASSOCIATION FOR ITS FESTIVAL TO BE HELD SATURDAY, JUNE 1, 2002 FROM 11:00 A.M. TO 10 P.M.; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA.

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Mr. Garcia made a motion to approve the proposed Ordinance. Mr. Sanders 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, Carpenter. **NAYS:** None. **ABSENT:** Castro, Garza.

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(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Moorhouse presided.)
— — —

2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95853

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT (COUNCIL DISTRICT NO. 7 FOR OFFICE SPACE) BETWEEN THE CITY OF SAN ANTONIO, AS TENANT, AND AP-KNIGHT, LP, A DELAWARE LIMITED PARTNERSHIP, ACTING BY AND THROUGH KOGER REALTY SERVICES, INC., ITS DESIGNATED AGENT, FOR APPROXIMATELY 724 RENTABLE SQUARE FEET OF OFFICE SPACE, LOCATED AT 4415 PIEDRAS DRIVE WEST, SUITE 256 IN THE AUSTIN BUILDING (07) IN THE KOGER CENTER AT A RENTAL OF \$900.00 PER MONTH FOR A 3 -YEAR TERM COMMENCING JULY 1, 2002 THROUGH JUNE 30, 2005, CONTINGENT UPON THE ANNUAL APPROPRIATION OF BUDGET FUNDS IN SUBSEQUENT CITY FISCAL YEARS, WITH A 1 YEAR

RENEWAL OPTION, SUBJECT TO CITY COUNCIL APPROVAL BY PASSAGE OF A FUTURE ORDINANCE AND FUNDING, SUCH AUTHORIZATION, AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Sanders 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, Carpenter. **NAYS:** None. **ABSENT:** Castro, Garza.

— — —

2002-22 The Clerk read the following Resolution:

A RESOLUTION
NO. 2002-22-22

EXPRESSING CITY COUNCIL SUPPORT FOR GOVERNOR RICK PERRY'S "CONTROLLING OUR DESTINY" PROGRAM, WHICH ADDRESSES THE ISSUES OF PROTECTING AND PRESERVING THE WATER QUALITY AND QUANTITY OF THE STATE OF TEXAS; AS REQUESTED BY COUNCILWOMAN BONNIE CONNER, DISTRICT 8.

* * * *

Ms. Conner made a motion to approve the proposed Resolution. Mr. Schubert 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. **NAYS:** None. **ABSENT:** Castro, Garza.

— — —

2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95854

AUTHORIZING THE ADDITIONAL EXPENDITURE OF \$500.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, PAYABLE TO MADISON HIGH SCHOOL PROJECT GRADUATION, TO ASSIST WITH THE COST OF ITS ANNUAL, SAFE, DRUG-FREE PARTY HELD FOR SENIORS, ON THEIR GRADUATION NIGHT; AS REQUESTED BY DAVID CARPENTER.

* * * *

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Garcia 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. **NAYS:** None. **ABSENT:** Castro, Garza.

— — —
2002-22 The Clerk read the following Ordinance:

AN ORDINANCE 95855

AUTHORIZING THE ADDITIONAL EXPENDITURE OF \$500.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND, PAYABLE TO MACARTHUR HIGH SCHOOL PROJECT GRADUATION, TO ASSIST WITH THE COST OF ITS ANNUAL, SAFE, DRUG-FREE PARTY HELD FOR SENIORS, ON THEIR GRADUATION NIGHT; AS REQUESTED BY DAVID CARPENTER.

* * * *

Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Perez 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. **NAYS:** None. **ABSENT:** Castro, Garza.

— — —
(Mayor Garza returned to the meeting and presided.)

— — —
2002-22 EXECUTIVE SESSION

The City Council recessed its regular session at 4:38 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-client consultation regarding the lawsuit styled Farmco Trust, Richard Schaeffer and John Schaeffer vs. City of San Antonio, 2000-CI-04602, and R. Brooks Hardee, et al, vs. City of San Antonio, et al, 2000-CI-17663.

- B.) Personnel Matter regarding required annual written performance evaluation of City Manager Terry M. Brechtel.

The City Council adjourned the Executive Session at 3:45 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.

— — —
2002-22 CITIZENS TO BE HEARD

MR. MARLIN LYTLE

Mr. Marlin Lytle, 1131 Austin Hwy, spoke to the housing issues, and urged the City Council to find ways to resolve this problem.

* * * *

MS. PATRICIA RODRIGUEZ

Ms. Patricia Rodriguez, ARA Association, commended the City Council for the work they have done in efforts to improve the quality of life in the City, citing the many positive programs. She further expressed concern on the lack of any real salary for City Council members, and encouraged that this issue be addressed.

* * * *

MS. MARIA DOMINGUEZ

Ms. Maria Dominguez, expressed concern on the City's contract process.

* * * *

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, expressed concern on the bond approval for Trinity University, and cited the contributions made to religious groups.

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MR. RALPH RANSOM

Mr. Ralph Ransom, 311 S. St. Mary's, #14A, spoke in opposition to the location of the Torch of Friendship sculpture, noting there were other locations where the art work could be placed such as the HemisFair area.

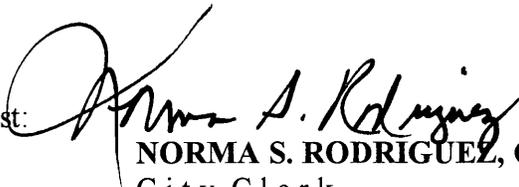
— — —
2002-22 There being no further business to come before the City Council, the meeting was adjourned at 6:45 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AEE
City Clerk