The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, 103 Main Plaza, San Antonio, Texas 78205.

The Council members present were: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. ABSENT: Hall.

Mayor Garza recessed the "B" Session at 10:21 am in order to convene in Executive Session for the purpose of:

Discuss legal issues relating to Summerglen Property Owner’s Assoc., et al v. COSA, 2005-CI-02005, pursuant to Texas Government Code Section 551.071 (consultation with attorney) and discuss legal issues related to negotiation of service agreements with representatives of areas included in the City’s Three Year Annexation Plan, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the "B" Session from Executive Session at 11:15 pm, at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

The “B” Session adjourned at 11:16 pm.

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: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. ABSENT: None.

The Invocation was delivered by Reverend James Galloway-Edgar, District 8, Oxford Methodist Church.

Mayor Garza led the Pledge of Allegiance to the flag of the United States.
CEREMONIAL ITEMS

Mayor Garza presented a proclamation for National HIV Testing Day.

The Spanish Cultural & Historical Society made a special presentation to Mayor Garza in recognition of his service to the City of San Antonio.

Mayor Garza presented outgoing Councilmembers Julian Castro and Enrique Barrera with an honorary plaque for their service and contributions to the City of San Antonio.

Councilmember Roger Flores presented outgoing Mayor Edward D. Garza with an honorary plaque for his service and contributions to the City of San Antonio.

The minutes of the City Council meeting of May 26, 2005 were approved as presented.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 101023

AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE INTO FIFTEEN (15) TAX PHASE-IN AGREEMENTS WITH COMPANIES LOCATING TO THE TOYOTA SUPPLIER PARK. SAID AGREEMENTS TO BE FOR A TERM OF 10 YEARS AND ABATING 100% OF AD VALOREM TAXES ON ALL REAL AND PERSONAL PROPERTY IMPROVEMENTS, INVENTORY AND SUPPLIES FOR COMPANIES PAYING NO LESS THAN $11.03 TO EMPLOYEES AND ABATING 80% OF AD VALOREM TAXES ON ALL REAL AND PERSONAL PROPERTY IMPROVEMENTS, INVENTORY AND SUPPLIES FOR COMPANIES PAYING NO LESS THAN $9.06 TO EMPLOYEES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Ramiro Cavazos, Director of Economic Development made a presentation on the tax phase-in agreements with the fifteen Toyota supplier companies, a copy of which is on file with the Office of the City Clerk. He outlined background information on the Toyota project citing the economic impact to the community, City incentives, other public incentives, and the proposed supplier park project proposed in late 2003. He stated that it was estimated that the supplier park would add approximately 1,000 jobs and $100
million in capital investment. He cited the City’s incentive page, the County’s offer, noting that on December 16, 2004, it was officially announced by Toyota and the Governor that the Supplier Park would be established adding that the park would include 18 suppliers, 1,500 jobs and $150 million in capital investment. He further expounded on the current status of the Supplier Park, economic projections, tax phase-in terms, the listing of the 15 suppliers that have applied for the tax phase-in, tax phase-in criteria, recapture provisions and total economic impact.

The following citizen(s) appeared to speak:

The President of Toyota addressed the City Council and thanked them for their support for Toyota and the suppliers.

Mr. Marty Wender of the Greater San Antonio Chamber of Commerce also addressed the Council and stated their support for the suppliers.

Mr. Jack M. Finger, PO Box 12048, stated Toyota is the best-made car in the world. He added the city gave them land, among other incentives, but opposed this item.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Barrera, Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101024

AUTHORIZING THE EXPENDITURE OF UP TO $1,000,000.00 FROM THE ECONOMIC DEVELOPMENT INCENTIVE FUND TO SUPPORT WORKFORCE TRAINING FOR FIFTEEN (15) TOYOTA SUPPLIER COMPANIES WHO ARE LOCATING BUSINESS OPERATIONS AT THE TOYOTA SUPPLIER PARK; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE SEPARATE WORKFORCE TRAINING GRANT AGREEMENTS WITH THE FIFTEEN (15) TOYOTA SUPPLIER COMPANIES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Ramiro Cavazos, Director of Economic Development, made a presentation on the proposed ordinance that would authorize the approval of the Training Grant Agreements with the fifteen (15) Toyota Tier 1 suppliers, a copy of which is on file with the Office of
with the fifteen (15) Toyota Tier 1 suppliers, a copy of which is on file with the Office of the City Clerk. He spoke to the dollars identified and the funding from the Economic Development Incentive Fund (EDIF) to help fund the initial workforce training requirements of the Toyota suppliers who have agreed to locate at the Supplier Park. He further outlined the training grant terms, policy analysis, training options and fiscal impact.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Barrera, Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101025

APPOINTING DIANE CORTEZ, ALLISON ELDER, JESS JENKINS, ORLANDO SALAZAR, STEVE TILLOTSON AND CHARLES VILLAFRANCA TO THE BOARD OF DIRECTORS FOR THE CITY SOUTH MANAGEMENT AUTHORITY ("CSMA") FOR TERMS OF OFFICE TO EXPIRE JUNE 30, 2007, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE, CHAPTER 375, MUNICIPAL MANAGEMENT DISTRICTS, SUBCHAPTER O, KNOWN AS THE DAMA ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE; AS REQUESTED BY MAYOR EDWARD D. GARZA.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Barrera, Hall.

(At this point, Mayor Garza was obliged to leave the meeting at 3:05 pm. Councilmember Flores presided.)

3:00 PM – HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING AND ABANDONING THE EASTERN PORTION OF AN UNIMPROVED ALLEY PUBLIC RIGHT OF WAY

20050616
June 16, 2005
YU/dl
Councilmember Flores declared the public hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, made a presentation on the proposed closure of the unimproved alley public right of way, a copy of which is on file with the Office of the City Clerk. She outlined the area involved on the closure and the purpose which was to construct a mini-storage facility on the owner’s abutting property. She further spoke to the process followed for the proposed closure and the fiscal impact.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, 140 Dora, asked that staff state the need for the closure required on the land appraisal, and how staff came up with the $2,000 figure. He felt the City was giving away the land.

Council member Flores declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 101026

CLOSING, VACATING AND ABANDONING THE EASTERN PORTION OF AN UNIMPROVED ALLEY PUBLIC RIGHT OF WAY CONSISTING OF 6,267 SQUARE FEET, 414 FEET IN LENGTH AND 15 FEET IN WIDTH, LOCATED BETWEEN DURHAM DRIVE AND SANTA GERTRUDIS STREET ADJACENT TO NCB 15707 IN COUNCIL DISTRICT 10, FOR CONSTRUCTION OF A MINI-STORAGE FACILITY, AS REQUESTED BY THE PETITIONER, MADISON SELF STORAGE, LTD., FOR THE TOTAL CONSIDERATION OF $2,085.00.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass. NAYS: None. ABSENT: Hall, Garza.

CONSENT AGENDA

Consent agenda items 6, 7, 8, 9, 11, 13, 15, 19, 22, 23, and 27A were pulled for individual consideration. The remaining items 6 through 27C were approved upon motion made by Councilmember Perez and seconded by Councilmember Haass.
After consideration, the motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass. **NAYS:** None. **ABSENT:** Hall, Garza.

**AN ORDINANCE 101027**

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING PAYMENT IN THE AMOUNT OF $273,800.00 TO REHLER VAUGHN & KOONE, INC. (SBE) TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE HAUSMAN ROAD BRANCH LIBRARY PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING $72,000.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING $50,000.00 FOR ENVIRONMENTAL CONTINGENCY EXPENSES; AUTHORIZING $2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF $397,800.00 FROM 1999-2004 GENERAL OBLIGATION LIBRARY IMPROVEMENT BOND FUNDS ($228,600.00), 2003-2007 GENERAL OBLIGATION LIBRARY IMPROVEMENT BOND FUNDS ($144,200.00) AND 2003-2007 GENERAL OBLIGATION PARK BOND FUNDS ($25,000.00); APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

**AN ORDINANCE 101028**

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING PAYMENT IN THE AMOUNT OF $102,169.95 TO CLAUNCH & MILLER, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE BLANCO ROAD FROM HILDEBRAND TO SUMMIT PROJECT, INCLUDING ADDITIONAL SERVICES FOR A PROPOSED ROUNDBOXT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING $10,217.00 FOR DESIGN CONTINGENCY EXPENSES; AUTHORIZING $7,152.00 FOR CAPITAL ADMINISTRATIVE COSTS; AUTHORIZING $2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF $121,538.95 FROM 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

**AN ORDINANCE 101029**

AMENDING ORDINANCE NO. 97550, PASSED AND APPROVED ON MAY 1, 2003, TO AUTHORIZE PAYMENT OF THE ADDITIONAL SUM OF $302,506.00 FROM 2001 CERTIFICATES OF OBLIGATION TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2004-ED-0004, CITY OF SAN ANTONIO, VS. GUARANTY CENTER, LTD., FOR
ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT, A SANITARY SEWER EASEMENT AND A DRAINAGE EASEMENT IN CONNECTION WITH THE LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENT PROJECT LOCATED IN COUNCIL DISTRICTS 9 AND 10; REVISING THE BUDGET; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

AN ORDINANCE 101030

ACCEPTING TITLE TO TWELVE TRACTS OF LAND WHICH INCLUDES FOUR PARCELS OF LAND FROM METHODIST HEALTHCARE SYSTEMS OF SAN ANTONIO, LTD, L.L.P; ONE PARCEL FROM DIAGNOSTIC-IRONWOOD PARTNERS, LTD & DIAGNOSTIC-MERIT LTD.; ONE PARCEL FROM METHODIST HEALTHCARE MINISTRIES OF SOUTH TEXAS, INC.; TWO PARCELS FROM SAN ANTONIO MEDICAL FOUNDATION; AND FOUR PARCELS FROM BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, ALL IN CONNECTION WITH THE MEDICAL CENTER ALLIANCE AND IMPROVEMENTS RELATED TO THE MEDICAL CENTER INTERSECTION IMPROVEMENTS PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 8.

AN ORDINANCE 101031

AUTHORIZING PAYMENT IN THE AMOUNT OF $13,550.00 FROM GENERAL OBLIGATIONS OF THE CITY TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR MARIA Y. WILDER, FOR FEE SIMPLE TITLE TO ONE PARCEL ($3,950.00) AND ROGER A. DEMERS AND WIFE, GWEN M. DEMERS FOR FEE SIMPLE TITLE TO ONE PARCEL ($9,000.00), AND TITLE FEES ($600.00); AUTHORIZING PAYMENT IN THE AMOUNT OF $100.00 TO MARIA Y. WILDER FOR A RIGHT OF ENTRY AGREEMENT; AUTHORIZING PAYMENT IN THE AMOUNT OF $100.00 TO ROGER A. DEMERS AND WIFE, GWEN M. DEMERS FOR A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE STAHL AT O'CONNOR AND JUDSON RECONSTRUCTION METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 10; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.
AN ORDINANCE 101032

AUTHORIZING THE ACCEPTANCE OF A PERMANENT EASEMENT DEDICATION FROM THE SA SPANISH TRAIL, LTD., A TEXAS LIMITED PARTNERSHIP, FOR A PERMANENT DRAINAGE EASEMENT CONSISTING OF THREE TRACTS OF LAND BEING A 0.062 ACRE TRACT OF LAND, A 0.044 ACRE TRACT OF LAND, AND A 0.010 ACRE TRACT OF LAND OUT OF LOT 86, LOCATED IN NEW CITY BLOCK 11627, WITHIN THE TUSCANY APARTMENTS SUBDIVISION, LOCATED IN COUNCIL DISTRICT 8.

AN ORDINANCE 101033

AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT AMENDMENT WITH SAN ANTONIO URBAN MINISTRIES EXTENDING THE TERM OF THE CONTRACT FROM JUNE 30, 2005 TO JUNE 30, 2006 TO OPERATE THE FAIRWEATHER LODGE, A PERMANENT HOUSING FACILITY FOR MENTALLY ILL HOMELESS WOMEN WITH CHILDREN IN CONNECTION WITH THE 2001 SUPPORTIVE HOUSING PROGRAM; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

AN ORDINANCE 101034

AUTHORIZING THE ACCEPTANCE OF $500,000.00 FROM BEXAR COUNTY, FROM THE FY2004 URBAN AREA SECURITY INITIATIVE (USAI) STATE HOMELAND SECURITY GRANT RECEIVED BY BEXAR COUNTY, IN ORDER TO REIMBURSE THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE ACQUISITION OF A HEATING, VENTILATING AND AIR-CONDITIONING SYSTEM FOR THE SAMHD BIOTERRORISM PREPAREDNESS LABORATORY, BSL-3 LAB PROJECT, AT BROOKS CITY-BASE; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY; AMENDING THE PROGRAM BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 101035

APPROVING THE TEMPORARY STREET CLOSURE OF NORTHBOUND LEGEND LANE FROM CAMP BULLIS TO WITTENBURG AND SOUTHBOUND LEGEND LANE FROM CAMP BULLIS TO SINGING FOREST AND LA SIERRA
BOULEVARD FROM CAMP BULLIS ROAD TO WITTENBURG ON MONDAY, JULY 4, 2005 FROM 6:00 P.M. UNTIL 11:59 P.M., AS REQUESTED BY CROWNRIDGE OF TEXAS OWNERS ASSOCIATION.

AN ORDINANCE 101036

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE DOWNTOWN AREA IN CONNECTION WITH THE GOVERNMENT FINANCE OFFICERS ASSOCIATION 5K RUN BEING HELD FROM 7:00 A.M. UNTIL 10:30 A.M., SUNDAY, JUNE 26, 2005.

AN ORDINANCE 101037

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE NORTHWOOD JULY 4TH PARADE BEING HELD FROM 9:30 A.M. UNTIL 11:30 A.M., MONDAY, JULY 4, 2005; SPONSORED BY OAK PARK – NORTHWOOD NEIGHBORHOOD ASSOCIATION.

AN ORDINANCE 101038

APPOINTING EVA Y. ESQUIVEL (GENERAL/CITIZEN-AT-LARGE – DISTRICT 5) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 101039

APPOINTING JIM GRAY (MAYOR) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, addressed the Council relating to the trucks being purchased and noted the 4-wheel drive specification. He added that other factors are cost
of maintenance, repairs, fuel and the varied brands of trucks. With regards to item 13, he noted the amount and campaign contributions.

The City Clerk read the following ordinance:

AN ORDINANCE 101040

ACCEPTING THE LOW RESPONSIVE BIDS SUBMITTED BY GUNN DODGE, LTD., ITEMS 1A, 1B, 3A, 3B, 3C, 3F, 3H, 3I, 4D, AND 4E; ROGERS DODGE OF ALVIN, ITEMS 3D & 3G; GUNN CHEVROLET, LTD., ITEMS 2A, 3E, 4A, 5B, 5C, AND 6; BABY JACK II AUTOMOTIVE, LTD., CALDWELL COUNTY, ITEM 2C; BABY JACK II FORD AUTOMOTIVE, LTD., COLUMBUS COUNTRY FORD MERCURY, ITEMS 2D, 2F, 2G, 5A, 5D, 7D AND 10; PHILPOTT MOTORS, LTD., ITEMS 2E, 4C, 4F, 4G, 4H, 4J, 7A, 7B, AND 7C; TOM BENSON CHEVROLET, INC., (BID #1), ITEM 2H; GRANDE FORD TRUCK SALES, INC., D/B/A GRANDE TRUCK CENTER, ITEM 8; AND NORTHSIDE FORD, ITEMS 4B & 9 TO PROVIDE LIGHT DUTY TRUCKS FOR VARIOUS CITY OF SAN ANTONIO DEPARTMENTS FOR A TOTAL OF $3,319,801.95.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Radle, Barrera, Castro, Wolff, Haass. NAYS: None. ABSENT: Perez, Hall, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 101041

ACCEPTING A PROPOSAL AND AUTHORIZING THE EXECUTION OF A STAND-BY PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL REMEDIATION AND ENVIRONMENTAL CONSTRUCTION WITH PRUDENT TECHNOLOGIES, INC., D/B/A PRUDENT ENVIRONMENTAL SERVICES, INC., IN AN AMOUNT NOT TO EXCEED $500,000.00 PER YEAR, FOR A ONE (1) YEAR TERM, WITH OPTIONS FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS; AND PROVIDING FOR PAYMENT.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.
The following citizen(s) appeared to speak:

Mr. David Arevalo addressed the Council and stated the company has only been in existence for 3 months. He added the Council has to be very careful being this agreement did not make very much sense. He asked the Council to table said item.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass. NAYS: None. ABSENT: Hall, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 101042

AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A PROFESSIONAL CONSULTING SERVICES AGREEMENT IN THE AMOUNT OF $124,900.00 FROM THE CONVENTION CENTER CAPITAL PROJECTS FUND WITH FORD, POWELL & CARSON ARCHITECTS AND PLANNERS, INC. FOR A FEASIBILITY STUDY AND RECOMMENDATIONS REGARDING REDEVELOPMENT OPTIONS FOR THE LILA COCKRELL THEATRE; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff. NAYS: Gutierrez. ABSENT: Hall, Haass, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 101043

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH CLAUNCH & MILLER, INC. FOR AN AMOUNT NOT TO EXCEED $90,922.00 FOR THE PERIMETER ROAD RECONSTRUCTION PHASE 2 PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING $10,000.00 FOR CONTINGENCY EXPENSES; AUTHORIZING $3,000.00 FOR ADMINISTRATIVE EXPENSES, FOR A TOTAL AMOUNT OF $103,922.00; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.
(Mayor Garza returned to the meeting at 4:20 pm and presided.)

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101044

AUTHORIZING FUNDS IN THE AMOUNT OF $579,064.93 PAYABLE TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR ESTIMATED CONSTRUCTION/ENGINEERING COSTS IN CONNECTION WITH THE MAYFIELD: I.H. 35 TO ZARZAMORA PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING $86,859.74 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING $11,581.30 FOR CONSTRUCTION CAPITAL ADMINISTRATIVE COSTS; AUTHORIZING $5,000.00 FOR DESIGN CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF $682,505.97 FROM 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Gutierrez, Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101045

AUTHORIZING PAYMENT IN THE AMOUNT OF $57,687.89 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO DAVIDSON & TROILO, P.C. FOR LEGAL SERVICES FOR REAL ESTATE ACQUISITIONS OF THE FOLLOWING PROJECTS: BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO
DEZAVALA PROJECT, LOCATED IN COUNCIL DISTRICT 8; BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; THE CULEBRA/LOOP 410 DETENTION POND PROJECT, LOCATED IN COUNCIL DISTRICT 6; LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENT PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10; AND THE MISSION TRAILS PACKAGE IV PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3, AND 5; REVISIONING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Gutierrez, Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101046

ACCEPTING BY GIFT DEED AND/OR OTHER NECESSARY DOCUMENTS FROM VHS SAN ANTONIO PARTNERS, L.P., D/B/A BAPTIST HEALTH SYSTEM CONSISTING OF A 0.1243 ACRE TRACT OF LAND OUT OF A 12.94 ACRE TRACT OF LAND OUT OF NEW CITY BLOCK 19221, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A RIGHT OF WAY DEDICATION WITHIN THE STONE OAK CENTRE SUBDIVISION, LOCATED IN COUNCIL DISTRICT 9.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Wolff seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Perez, Radle, Barrera, Wolff, Haass, Garza. NAYS: None. ABSENT: McNeil, Gutierrez, Hall. ABSTAINED: Castro.

The City Clerk read the following ordinance:

AN ORDINANCE 101047

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE ALAMO WORKFORCE DEVELOPMENT, INC., D/B/A ALAMO WORKSOURCE (AWS) IN 20050616
AN AMOUNT UP TO $1,632,635.00 FOR CONTINUATION OF THE YOUTH OPPORTUNITY PROGRAM FOR THE PERIOD JULY 1, 2005 THROUGH JUNE 30, 2006; ACKNOWLEDGING A UNILATERAL MODIFICATION TO THE YOUTH OPPORTUNITY GRANT CONTRACT WITH THE AWS WHICH INCREASES SAID CONTRACT IN AN AMOUNT UP TO $1,632,635.00 AND EXTENDS THE CONTRACT TERM TO JUNE 30, 2006; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING THE RENEWAL OF A ONE YEAR LEASE AGREEMENT WITH THE MEXICAN AMERICAN UNITY COUNCIL, INC., FOR $2,078.10 PER MONTH FOR OFFICE SPACE AT 2300 W. COMMERCE STREET FOR THE PERIOD JULY 1, 2005 THROUGH JUNE 30, 2006.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Radle seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: McNeil, Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 101048

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT WITH HAY GROUP AT AN ESTIMATED ANNUAL AMOUNT OF $200,000.00 TO PROVIDE BENEFITS AND COMPENSATION CONSULTING SERVICES FOR A TERM TO BEGIN UPON THE DATE OF EXECUTION AND ENDING ON DECEMBER 31, 2006, WITH AN OPTION TO EXTEND THE CONTRACT FOR ONE (1) YEAR, SUBJECT TO AND CONTINGENT UPON FUNDING AND APPROVAL BY CITY COUNCIL.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Hall.

The City Clerk read the following ordinance:
AN ORDINANCE 101049

(1) AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AN AGREEMENT TO PROVIDE PREFERRED AUDIO/VISUAL SERVICES WITH AUDIO VISUAL SERVICES GROUP, INC. D/B/A AUDIOVISUAL HEADQUARTERS ("AVHQ") AT THE HENRY B. GONZALEZ CONVENTION CENTER ("CENTER), LILA COCKRELL THEATRE ("THEATRE") AND MUNICIPAL AUDITORIUM ("AUDITORIUM") FOR A TERM OF THREE YEARS WITH A TWO YEAR RENEWAL OPTION; AND (2) AMENDING ORDINANCE NO. 99745 REGARDING RENTAL POLICIES AT THE CENTER, THEATRE AND CENTER (COLLECTIVELY REFERRED TO AS "CONVENTION FACILITIES") BY REMOVING THE PROVISION OF A COMPLIMENTARY MICROPHONE PER ROOM RENTAL.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff, Garza. NAYS: None. ABSENT: Gutierrez, Hall, Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 101050

APPOINTING MICHAEL ARIENS (DISTRICT 3) TO THE ETHICS REVIEW BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 25, 2008.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff, Garza. NAYS: None. ABSENT: Gutierrez, Hall, Haass.

CITIZENS TO BE HEARD

Mr. Faris Hodge, 140 Dora, spoke in regards to a police officer who was robbed he then sang a song to the Mayor. He stated he would miss Councilmembers Barrera, Castro and Mayor Garza.
Major Eric T. Robinson addressed the City Council relating to the drill competition for the Thomas Edison HS JROTC to use the Alamodome. He stated they did not have the ability to raise the required $12,000 cost, and asked for the City Council’s assistance.

Ms. Patricia Rodriguez, 906 W. Huisache, thanked the Council for their hard work and dedication. She recognized the Council’s long hours into the night and stated the Mayor’s Office has assisted people in paying their bills. She also noted how hard Mrs. Garza would always help students at Jefferson High School with lunch money and soft drinks.

Ms. Elodia Flores Zuniga, 130 Hearne, addressed the Council relating to an employee at City Public Service.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the Council relating to City Management working with the union. He referenced a bible passage.

Ms. Julie Iris Oldham, Citizen’s Advisory Council, stated Mr. Faris Hodge would work under her as a Project Investigator. She referenced an article filed with the City Clerk relating to Zachry Construction.

Ms. Theresa Berlanga, PO Box 12816, thanked the Council and wished all the outgoing members well. She read several definitions and stated she has promoted better housing in the City. She mentioned people that are late in paying their rent are charged an additional fee of $85.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following ordinance:

**AN ORDINANCE 101051**

APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT WITH FAULKNER USA, INC., A DELAWARE CORPORATION (“DEVELOPER”), SETTING FORTH CERTAIN OBLIGATIONS OF THE CITY AND THE DEVELOPER WITH RESPECT TO: (A) THE CREATION OF A TWO (2) UNIT COMMERCIAL CONDOMINIUM REGIME ON THE SITE OF THE NEW CONVENTION CENTER HOTEL PROJECT THAT WILL INCLUDE A LOWER COMMERCIAL UNIT FOR THE NEW CONVENTION CENTER HOTEL AND A MULTI-FLOOR COMMERCIAL UNIT LOCATED ABOVE SUCH HOTEL WHICH MAY BE FURTHER SUBDIVIDED BY DEVELOPER INTO RESIDENTIAL CONDOMINIUM UNITS PURSUANT TO A SEPARATE, SUBORDINATE
RESIDENTIAL CONDOMINIUM REGIME SO THAT CONDOMINIUM UNITS MAY BE SOLD BY DEVELOPER; (B) THE SALE OF THE CITY'S INTERESTS IN SUCH COMMERCIAL UPPER UNIT TO THE DEVELOPER, SUBJECT TO COMPLIANCE WITH CHAPTER 272 OF THE TEXAS LOCAL GOVERNMENT CODE OR EXCEPTIONS THERERO; AND (C) THE DEVELOPER’S OBLIGATION TO TIMELY DESIGN, DEVELOP AND CONSTRUCT CERTAIN IMPROVEMENTS WITHIN SUCH COMMERCIAL UPPER UNIT AND THE ASSOCIATED LIMITED AND COMMON ELEMENTS, ALL OF THE FOREGOING BEING SUBJECT TO CITY COUNCIL’S APPROVAL OF THE FINAL PROJECT DOCUMENTS AND AMENDMENTS TO EXISTING PROJECT DOCUMENTS FOR THE NEW CONVENTION CENTER HOTEL PROJECT PREVIOUSLY APPROVED BY CITY COUNCIL PURSUANT TO ORDINANCE NO. 100686 ON APRIL 14, 2005; DECLARING RELATED PROPERTIES SURPLUS TO THE CITY’S NEEDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT UPON THE INCLUSION OF THE SUBJECT PROPERTY WITHIN THE BOUNDARIES OF THE INNER CITY TIRZ #11.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

Mr. Chris Brady, Assistant City Manager, made a presentation on the proposed ordinance approving the terms and conditions of the purchase and sale agreement with FaulknerUSA and setting forth the obligations, a copy of which is on file with the Office of the City Clerk. He outlined the developer’s obligations, details on the Convention Center Hotel, the proposed condominiums, the disposal of surplus property and the Inner City TIRZ #11. He stated that the Board of Directors for the TIRZ would be asked to amend the Project Plan to add the Hotel and Condominiums project, the costs associated with the proposed purchase and sale of the upper condominium unit, adding that there would be no delays with the opening of the hotel.

The following citizen(s) appeared to speak:

Mr. Faris Hodge Jr., 140 Dora, spoke against the hotel project. He also expressed concern on funds going to the arts.

Mr. Brad Pittenger, Faulkner USA, addressed the City Council in support of the project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Haass, Garza. NAYS: None. ABSENT: Hall. ABSTAINED: Wolff.
(At this point, Mayor Garza was obliged to leave the meeting at 6:10 pm. Mayor Pro Tem Flores presided.)

Ms. Leticia Vacek, City Clerk, presented the nominees for the Noise Abatement Advisory Committee.

**Neighborhood Association slot:**
Orline Kolm (reappointment – Districts 1, 3, 9 and 10)
Alex San Martin (Districts 1, 3 and 10)
John S. McConnell (Districts 1, 8 and 10)

**Aviation Industry slot:**
Patrick Dempsey (Districts 1, 3, 9 and 10)
Rand P. Goldstein (Districts 1, 3, 7, 9 and 10)
Gary L. Pape (Districts 1, 3, 9 and 10)
Scott Shepherd (Districts 1, 3, 9 and 10)

**Air Transportation Advisory Commission slot:**
Mark Tafolla (Districts 1, 3, 9 and 10)

Councilmember Perez made a motion to approve the proposed Ordinance appointing all nominees presented for the respective categories. Councilmember Gutierrez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Gutierrez, Perez, Radle, Barrera, Wolff, Haass. **NAYS:** None. **ABSENT:** McNeil, Castro, Hall, Garza.

AN ORDINANCE 101052

REAPPOINTING ORLINE KOLM (NEIGHBORHOOD ASSOCIATION CATEGORY – DISTRICTS 1, 3, 9, AND 10), AND APPOINTING ALEX SAN MARTIN (NEIGHBORHOOD ASSOCIATION CATEGORY – DISTRICTS 1, 3, AND 10), JOHN S. MCCONNELL (NEIGHBORHOOD ASSOCIATION CATEGORY – DISTRICTS 1, 8, AND 10), PATRICK DEMPSEY (AVIATION INDUSTRY CATEGORY – DISTRICTS 1, 3, 9, AND 10), RAND P. GOLDBEIN (AVIATION INDUSTRY CATEGORY – DISTRICTS 1, 3, 7, 9, AND 10), GARY L. PAPE (AVIATION INDUSTRY CATEGORY – DISTRICTS 1, 3, 9, AND 10), SCOTT SHEPHERD (AVIATION INDUSTRY CATEGORY – DISTRICTS 1, 3, 9, AND 10), AND MARK TAFOILLA (AIR TRANSPORTATION ADVISORY COMMISSION CATEGORY – DISTRICTS 1, 3, 9, AND 10) TO THE NOISE ABATEMENT ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.
The City Clerk read the following ordinance:

AN ORDINANCE 101053

EXTENDING THE CITY LIMITS INTO THE TIMBERWOOD PARK AREA FOR LIMITED PURPOSES AND ADOPTING A REGULATORY PLAN AND AUTHORIZING AN EFFECTIVE DATE OF JUNE 20, 2005 UPON PASSAGE BY EIGHT VOTES.

(Mayor Garza returned to the meeting at 6:19 pm and presided.)

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Emil Moncivais, Director of Planning, made a presentation on the proposed limited purpose annexation and the adoption of the regulatory plan, a copy of which is on file with the Office of the City Clerk. He outlined background information, the public hearings that were held on May 12 and May 19, 2005, and provisions to the limited purpose annexation. He further expanded on the regulatory plan and the extension of certain Municipal Codes, the full purpose annexation procedures for limited purpose areas, and the limited purpose annexation plan schedule.

The following citizen(s) appeared to speak:

Mr. Habib Erkan, Earl & Associates, addressed the City Council and asked them to oppose said item. He urged Council to allow residents self-determination.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Hall.

The City Clerk read the following resolution:

A RESOLUTION 2005-26-29

AUTHORIZING THE ACCEPTANCE OF THE URBAN LAND INSTITUTE (ULI) AVENIDA GUADALUPE REPORT.

Councilmember Perez made a motion to approve the proposed Resolution. Councilmember McNeil seconded the motion.
Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the Urban Land Institute Advisory Services Panel Report for the Avenida Guadalupe, a copy of which is on file with the Office of the City Clerk. He presented the timeline of the report process, study area, existing conditions of the subject area, objectives of the report, focus area, and the long term development plan. He explained the implementation recommendations by categories which included organizational development, marketing, development infrastructure, open space and quality of life.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Garza. NAYS: None. ABSENT: Hall, Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 101054

AUTHORIZING THE COMAL STREET RAILROAD RELOCATION PROJECT, LOCATED IN COUNCIL DISTRICT 5 AND IN CONNECTION THEREWITH, THE EXECUTION OF AN AGREEMENT WITH UNION PACIFIC RAILROAD.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Mr. Doug Yerkes, City Engineer, presented information on the agreement with Union Pacific Railroad in connection with the Comal Street Railroad Relocation project, a copy of which is on file with the Office the City Clerk. He stated the railroad relocation would improve railroad operations and increase traffic safety, outlined details on the agreement, proposed plan for an ordinance to close Morales Street near Salado Street, and the fiscal impact.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McNeil, Perez, Radle, Barrera, Castro, Wolff, Garza. NAYS: None. ABSENT: Gutierrez, Hall, Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 101055

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE SAN ANTONIO EDUCATION PARTNERSHIP IN AN AMOUNT NOT
TO EXCEED $71,500.00 FOR PROGRAM ADMINISTRATION AND OVERSIGHT IN SUPPORT OF THE SAN ANTONIO AMBASSADOR PROGRAM FOR THE PERIOD JUNE 16, 2005 THROUGH SEPTEMBER 1, 2005; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the San Antonio Ambassador Program, a copy of which is on file with the Office of the City Clerk. He provided information on the ambassador program noting that it was in partnership with the San Antonio Education Partnership, Alamo WorkSource, Alamo Community College District and local businesses. He spoke to the duration of the internships, hours to be worked by student per week, compensation and industry partners. He further outlined the higher education institutions being represented and the program operations.

Councilmember Perez made an amendment to the motion to have one intern assigned to each Councilmember, and for the Council to have the flexibility to hire from the pool of applicants. Councilmember Wolff seconded the motion.

After consideration, the motion on the amendment prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Hall. ABSTAINED: Radle.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance prevailed by the following vote: AYES: Flores, McNeil, Gutierrez, Perez, Barrera, Castro, Wolff, Haass, Garza. NAYS: None. ABSENT: Hall. ABSTAINED: Radle.

The City Clerk read the following ordinance:

AN ORDINANCE 101056

RATIFYING THE SUBMISSION OF A CONTINUATION GRANT APPLICATION AND AUTHORIZING ACCEPTANCE OF A GRANT, UPON AWARD, IN THE AMOUNT OF $90,500.00 FROM THE TEXAS EDUCATION AGENCY FOR CONTINUATION OF THE ENGLISH LITERACY - CIVICS EDUCATION PROJECT AT THE MARGARITA HUANTES AND THE WILLIE VELASQUEZ COMMUNITY FAMILY RESOURCE AND LEARNING CENTERS FOR THE PERIOD JULY 1, 2005

20050616
THROUGH JUNE 30, 2006; APPROVING THE BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THERewith; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS IN CONNECTION THERewith.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Flores seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the English Literacy-Civics Education Continuation Grant, citing the program description, class duration, number of students enrolled per class, and accountability measures.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** Hall.

There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 7:25 pm.

APPROVED

EDWARD D. GARZA
MAYOR

Attest: LETICIA M. VACEK
City Clerk

20050616
June 16, 2005
YL/di