

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, JANUARY 18 AND THURSDAY, JANUARY 19, 2006

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The City Council convened in an informal "B" Session at 3:00 p.m., on Wednesday, January 18, 2006, Municipal Plaza Building "B" Room, for the purpose of:

Interviews for future appointments to various Boards and Commissions.

The Council members present were: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. ABSENT: Perez.

The "B" Session adjourned at 4:18 p.m.

The Regular Meeting was called to order at 9 a.m. on Thursday, January 19, 2006 by the Presiding Officer, Mayor Phil Hardberger, with the following members present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. ABSENT: None.

The Invocation was led by Reverend Robert Emmitt, Community Bible Church, Guest of Councilmember Kevin Wolff, District 9.

Mayor Hardberger led the Pledge of Allegiance to the flag of the United States.

The minutes of the January 5, 2006 City Council meeting were approved as presented.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 2006-01-19-0076

AWARDING \$819,429.00 IN COMMUNITY AND VISITOR FACILITIES FUNDS TO SUPPORT THE OPERATIONS AND PROJECTS OF VARIOUS LOCAL ARTS AGENCIES AND THE PROVISION OF SERVICES; AUTHORIZING THE EXECUTION OF AMENDMENTS TO THE DELEGATE AGENCY CONTRACTS WITH THE LOCAL ARTS AGENCIES CURRENTLY RECEIVING OPERATIONAL FUNDING FROM THE CITY TO REFLECT THIS INCREASE; AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH LOCAL ARTS AGENCIES FOR PROJECT SUPPORT, INCLUDING THE \$22,205.00 IN FUNDING PREVIOUSLY ALLOCATED BY ORDINANCE NO. 101606 APPROVED ON NOVEMBER 3, 2005; IMPLEMENTING AND APPROVING GUIDELINES FOR THE NEW COLLABORATIONS PROGRAM AND THE INCUBATOR PROGRAM, INCLUDING OBJECTIVES, ELIGIBILITY AND REVIEW CRITERIA; AND PROVIDING FOR PAYMENT.

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

Mr. Felix Padron, Office of Cultural Affairs Director, narrated a slide presentation regarding the proposed Arts funding recommendations, a copy of which is on file with the Office of the City Clerk. He provided background information on the recommendations, noting the Cultural Arts Board (CAB) met and developed FY '06 arts funding recommendations that included an \$819,429 funding increase. He spoke to the operational support funding rationale, and outlined the one-time increase to fund twenty-six (26) agencies. He discussed the funding impact, and the project funding process. He listed the projects affected and described the Incubator Program, which provides assistance to emerging organizations. He spoke to the New Collaborative Program, and of future steps. He introduced Ms. Ruby Perez, Arts and Cultural Advisory Committee Chair, who stated the benefits of arts and cultural programs to the City. She stated that the board followed the directions given to it by Council. She stated that the recommendations offered provide a sound return on the City's tangible investment. She noted that an increase in arts funding is long overdue.

The following citizen(s) appeared to speak:

Mr. Bill Fitzgibbons, 205 Sheffield, stated that great cities strongly support community arts. He stated his support of the Office of Cultural Affairs (OCA) recommendations.

Mr. Rick Liberto, 621 S. Flores, stated that he and his family's business support OCA's recommendations and thanked Council for its continued support of arts funding.

Mr. Sonny Collins, 202 Madison, stated that by further expanding the River Walk from the Witte Museum to Mission Espada, San Antonio can easily become a cultural destination, with increased tourism revenues of \$50 million annually.

Mr. Mike Casey, 1212 S. Alamo, stated that Blue Star's success is largely attributable to OCA's support. He offered his endorsement of OCA's recommendations.

Ms. Penelope Speier, 116 Blue Star, '04 Arts Foundation for Arts in Education Director, stated her strong endorsement of OCA's recommendations.

Mr. Frank Vellone, 2951 Quail Oak, stated his appreciation to OCA for its hard work to distribute funds equitably to different arts groups. He requested that those arts organizations which previously received cutbacks and are now recommended for funding be reviewed to ensure they meet City criteria. He added that a criteria review is important. He stated that while his own organization was dramatically affected by funding reductions several years ago, the entire arts community benefitted by the funding reallocations.

Mr. Jack M. Finger, P.O. Box 12048, read aloud a San Antonio Express-News column on the matter of allocating general revenue funds for arts projects rather than hiring more police officers. He stated that of those organizations slated for funding, three are "pro-homosexual arts agencies."

Ms. René Saenz, 922 San Pedro, Westside Arts Coalition, stated her appreciation for an arts increase for the first time in 20 years.

Ms. Gloria Ramirez, 922 San Pedro, Esperanza Peace and Justice Center, stated her appreciation for the funding increase.

Councilmember Radle made a motion to amend the proposed Ordinance to restore funding levels to the Collaborative Programs by up to 25 percent to six organizations which received reductions in 2004, thereby restoring their funding to 2004 levels: Arts San Antonio, \$4,990; Esperanza Center for Peace and Justice, \$7,798; Gemini Ink, \$6,105; Centro Cultural Aztlan, \$8,655; San Antonio Cultural Arts, \$7,334, Dance Umbrella, \$2,992. Councilmember Perez seconded the motion.

After consideration, the motion to amend prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hardberger. **NAYS:** Flores, Hall, Wolff, Haass. **ABSENT:** None.

Councilmember Flores made a motion to amend the proposed Ordinance to allocate \$22,000 for Shakespeare in the Park. Councilmember Haass seconded the motion.

After consideration, the motion to amend prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Haass, Hardberger. **NAYS:** Radle, Herrera, Guajardo, Hall, Wolff. **ABSENT:** None.

Councilmember Guajardo made a motion to amend the proposed Ordinance to allow Cultural Aztlan to use funding for operational support. Councilmember Radle seconded the motion.

After consideration, the motion to amend the proposed Ordinance failed by the following vote: **AYES:** Flores, Radle, Herrera, Guajardo, Hardberger. **NAYS:** McNeil, Gutierrez, Perez, Hall, Wolff, Haass. **ABSENT:** None.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** Wolff. **ABSTAIN:** Flores. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0077

AMENDING THE CURRENT PROFESSIONAL SERVICE CONTRACT WITH BEATY & PARTNERS ARCHITECTS, INC. FOR ADDITIONAL WORK IN CONNECTION WITH THE LEVI STRAUSS PARKS AND RECREATION OPERATIONS HEADQUARTERS AND COMMUNITY CENTER PROJECT LOCATED IN DISTRICT 6 FOR AN AMOUNT NOT TO EXCEED \$535,275.00; AUTHORIZING \$53,527.00 FOR ARCHITECT CONTINGENCY, AND \$1,800.00 FOR BID ADVERTISING AND PRINTING FOR A TOTAL AMOUNT OF \$590,602.00; APPROPRIATING \$590,602.00 FROM 1999-2004 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding the amendment to the current professional service contract with Beaty & Partners Architects, Inc. for additional work in conjunction with the Levi Strauss Parks and Recreation Operations Headquarters and Community Center Project, a copy of which is on file with the Office of the City Clerk. He stated the City acquired the Levi Strauss manufacturing facility on Highway 90 in City Council District 6 for the relocation and

centralization of the Parks and Recreation Department field operations and development of a community center. He spoke to the 1999 Park Bond issue, and the selection of Beaty & Partners Architects, Inc. to do the architectural plans for a new landscaped parking lot for the City Nursery located at Brackenridge Park. He stated that it was determined that the City Nursery, permanent field headquarters, maintenance yard and other scattered offices would be combined into one relocation effort to create a central location with shared resources. He noted this action was consistent with the approved 1999 Park Bond Issue.

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

ITEM NO. 5

An Ordinance selecting Unison-Maximus, Inc. to provide leasing, marketing and management of retail, food, beverage and service concessions at the San Antonio International Airport; authorizing the negotiation and execution of a concession management contract agreement for a primary term of three years commencing on February 1, 2006, with two one-year renewal options upon mutual agreement and subject to City Council approval, for an annual sum not to exceed 13.25% of all collected concession revenues, for a total estimated cost of approximately \$1,863,102.00 for the three year primary term.

Mr. Mark Webb, Interim Director of Aviation Department, narrated a slide presentation regarding the Concession Management RFP Selection, a copy of which is on file with the Office of the City Clerk. He stated the Concession Redevelopment Study was completed in 1999, and further outlined the goals of the recommended Concession Program. He then discussed the role of the Concession Manager, which was recommended by the study. He spoke to the selection process, and provided a score summary. He delineated the draft agreement, and possible enhancements to the Concession Program benefiting current tenants in good standing.

The following citizen(s) appeared to speak:

Mr. Frank Burney, 300 Convent, Unison-Maximus representative, introduced the Unison-Maximus development team to Council. He stated that this is the second RFP process the City has solicited for the airport, and Unison-Maximus was recommended by City staff both times. He stated that the company presented a history of experience and an attractive financial prospective to the City. He said the company plans to incorporate local businesses into the airport plan, and to reflect and maintain the uniqueness of San

Antonio in development. He noted that this process has lasted eight months and urged Council to approve a contract with Unison-Maximus.

Ms. Diane Yoo, Houston, JDDA Concession Management, stated that the company, while not the most experienced, is dedicated to staffing qualified individuals. She stated that JDDA oversees Bush Intercontinental Airport Terminal C concessions in Houston, and monitors the vendors to seek improved performance and sales. She said that as a locally-owned minority business, JDDA is dedicated to the needs and challenges of minority-owned businesses. She stated the City will save over \$500,000 during the three-year contract span by awarding JDDA the airport concessions standards over competing businesses, as its management fee, 10 percent, was the lowest. She noted that the company founder has many personal ties to San Antonio. She also stated that the company provides a scholarship fund for its employees and gives to many Houston charities.

Mr. Bobby Perez, 600 Navarro, representing JDDA Concession Management, stated that during his Council tenure he voted for Unison-Maximus to develop an airport concessions plan five years ago. He presented a slide of total airport concessions to Council, which reflected that airport concessions have been successful but that 13 of 14 local business enterprises are failing. He stated this is an example of Unison-Maximus planning. He stated that he endorsed Unison's 1999 plan, and it is clear that the plan did not work, and urged Council to consider this in its decision-making. He noted that with a local business support team in place, JDDA offered a strong team and proposal, but these factors are not always reflected in scoring. He asked Council to consider the policy ramifications, or to consider granting marketing and logistics to JDDA.

Mr. George Guiaquinto, Westfield Concession Management Airport Division Vice President, stated that six years ago the City chose Westfield to develop airport concessions. He noted in the last six years, Westfield implemented several services to vendors: customer service training, a job bank recruitment website, and visual merchandising assistance. He stated that by the 1999 measurement goals, Westfield has succeeded. He said revenues to the City have doubled, local participation is 52 percent and Westfield has received many industry awards for its work at the airport. He stated that the scoring process results contain anomalies affecting Westfield's scores: experience and financial stability. He continued to thank Council for the opportunity afforded Westfield, and asked for a debriefing on the scoring.

Councilmember Flores made a motion to table the proposed Ordinance to January 26, 2006. Councilmember Haass seconded the motion.

After consideration, the motion to table prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Haass. **NAYS:** Perez, Hall, Wolff, Hardberger. **ABSENT:** None.

Item 5 was tabled for one week.

EXECUTIVE SESSION

The Mayor recessed the Regular Session at 12:40 p.m. in order to convene in Executive Session for the purpose of:

Discuss legal issues related to *Matthew Jackson and Steve Christian, et al. v City of San Antonio*, Cause No. SA-03-CA-0049-RF, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to collective bargaining negotiations with the San Antonio Police Officers' Association, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

The Mayor reconvened the Regular Session from Executive Session at 2:21 p.m., 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.

POINT OF PERSONAL PRIVILEGE

Councilmember McNeil acknowledged Captain LeRon Hudgins of the 99th Flying Training Squadron, which was the original Tuskegee Airmen Squadron, for his participation in the City's Martin Luther King, Jr. Day March. Captain Hudgins, stationed at Randolph AFB, was the lead pilot during the military flyover. She also thanked Mr. Calvin King for his assistance with MLK activities.

PUBLIC HEARING AND ORDINANCE: APACHE CREEK RIGHT-OF-WAY

Mayor Hardberger declared the Public Hearing to be open.

Asset Management Director Rebecca Waldman presented a slide presentation on a Public hearing and consideration of an Ordinance closing, vacating, and abandoning a 0.305 acre tract out of the Apache Creek right-of-way adjacent to NCB 8267 in District 5 for

the consideration of \$15,480. She stated the previous owner was issued a license to use this space as a fire lane to comply with City Fire Code. She showed several slides referencing the area. She noted that all City Departments and utility providers were contacted and agreed to the closure. She noted that the Planning Commission recommended approval of the item.

Mayor Hardberger declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0078

CLOSING, VACATING, AND ABANDONING A 0.305 ACRE TRACT OUT OF THE APACHE CREEK RIGHT-OF-WAY ADJACENT TO NCB 8267 IN DISTRICT 5 FOR THE CONSIDERATION OF \$15,480.

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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

CONSENT AGENDA

Consent agenda items 8, 12, 13, 14, 16 and 17 were pulled for individual consideration. The remaining items 7 through 26N were approved upon motion made by Councilmember Perez and seconded by Councilmember Haass.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, stated it is ironic Council planned to approve another contract with Rainforest Café, when it recently stated concern over restaurant chains on the River Walk. He also noted campaign contribution amounts from the business to Council members. He also mentioned cost overruns on the USS San Antonio, for which the Mayor requested travel authorization to visit.

Mr. Robert B. Martinez, 114 Roberts, River Walk vendor, spoke on Ordinance 95001, passed December 13, 2001, which affects vendors on the River Walk. He stated that he is working with the City to assure his right to continue to vend. He also thanked the Mayor,

City Manager and Council for listening to local merchants, which are important to the local tourism industry.

Mr. Robert Contreras, Jr., 607 E. Guenther, River Walk vendor, stated that while vendors such as he are often told they are integral to the San Antonio experience and that the City and associations will work with them, such is not the case. He noted that he fears vending on the River Walk as Park Police conduct stings to cite sidewalk merchants for offenses. He mentioned that New York City and San Francisco work cooperatively with sidewalk vendors and their city websites offer information on the topic.

Ms. Lisa Lopez, Office of the City Clerk, read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Mr. Faris Hodge, Jr., 140 Dora, related to Item 9, Main Plaza expansion. He stated that it is a bad idea and will create traffic problems and safety issues. He also urged Council to consider lowering taxes and to offer more Library services.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Hardberger. **NAYS:** None. **ABSENT:** Wolff.

AN ORDINANCE 2006-01-19-0079

ACCEPTING THE LOW BID SUBMITTED BY JOE HARRISON MOTOR SPORTS TO PROVIDE THE POLICE DEPARTMENT WITH TEN REPLACEMENT POLICE MOTORCYCLES FOR A TOTAL AMOUNT OF \$178,600.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

AN ORDINANCE 2006-01-19-0081

ACCEPTING A PROPOSAL FROM PAPE-DAWSON ENGINEERS, INC. FOR TRAFFIC ENGINEERING SERVICES IN THE AMOUNT OF \$111,000.00 IN CONNECTION WITH THE CENTRAL BUSINESS DISTRICT (CBD) TRAFFIC SIGNAL MODIFICATION PROJECT, UNDER A PREVIOUSLY AUTHORIZED INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENT FOR CITY-WIDE TRAFFIC ENGINEERING SERVICES, LOCATED IN DISTRICT 1, APPROPRIATING FUNDS, ESTABLISHING A PROJECT BUDGET, AND AUTHORIZING PAYMENT FROM ADVANCED TRANSPORTATION DISTRICT (ATD) FUNDS.

AN ORDINANCE 2006-01-19-0082

APPROVING FIELD ALTERATION NO.1 IN THE DEDUCTIVE AMOUNT OF \$114,243.31 TO THE CONTRACT WITH SAN ANTONIO CONSTRUCTORS, LTD., IN CONNECTION WITH THE GENERAL MCMULLEN AREA DRAINAGE – DEXTER TO ROSELAWN PROJECT, AN AUTHORIZED 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND PROJECT, LOCATED IN DISTRICT 5.

AN ORDINANCE 2006-01-19-0083

AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH THE SAN ANTONIO MUSEUM OF ART IN AN AMOUNT NOT TO EXCEED \$100,000.00 FROM THE COMMUNITY AND VISITOR FACILITIES FUND FOR ROOF REPLACEMENT AT THE SAN ANTONIO MUSEUM OF ART, IN DISTRICT 1, AND PROVIDING FOR PAYMENT.

AN ORDINANCE 2006-01-19-0087

AUTHORIZING THE EXECUTION OF AN AGREEMENT TERMINATING THE SAN ANTONIO INTERNATIONAL AIRPORT CONCESSION AGREEMENT NO.133008, WITH FRESQUEZ CONCESSIONS TEXAS, INC. FOR SPACE 242 IN TERMINAL 2 AT THE SAN ANTONIO INTERNATIONAL AIRPORT, EFFECTIVE OCTOBER 31, 2005.

AN ORDINANCE 2006-01-0089

GRANTING A LICENSE TO USE PUBLIC RIGHT-OF-WAY ON, OVER, AND UNDER EAST CROCKETT AND LOSOYA STREETS FOR NUMEROUS ENCROACHMENTS AT THE RAINFOREST CAFE IN NCB 914 IN DISTRICT 1 FOR A 25-YEAR TERM AND THE CONSIDERATION OF \$52,792.50.

AN ORDINANCE 2006-01-19-0090

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE TEXAS COMMISSION FOR THE ARTS IN THE AMOUNT OF \$34,127.00 TO SUPPORT THE PROJECTS OF FIVE LOCAL ARTS AGENCIES; AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH THESE AGENCIES;

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE TEXAS COMMISSION FOR THE ARTS IN THE AMOUNT OF \$2,294.00 TO SUPPORT THE CULTURAL COLLABORATIVE'S ART IN EDUCATION STRATEGY; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 2006-01-19-0091

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE FY 2006 CHILD CARE LOCAL MATCH CONTRIBUTION AGREEMENT WITH ALAMO WORKFORCE DEVELOPMENT, INC., D/B/A ALAMO WORKSOURCE (AWS) IN THE AMOUNT OF \$290,654.00 TO BE USED AS LOCAL MATCH, IN ORDER TO GENERATE ADDITIONAL FEDERAL FUNDS IN THE AMOUNT OF \$560,214.00, FOR THE PROVISION OF ADDITIONAL QUALITY IMPROVEMENT ACTIVITIES WITHIN THE ALAMO AREA CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM THROUGH SEPTEMBER 30, 2006; AUTHORIZING ACCEPTANCE OF SAID ADDITIONAL FUNDS; AUTHORIZING EXECUTION OF AMENDMENTS AND CONTRACTS WITH ALAMO AREA DEVELOPMENT CORPORATION, FAMILY SERVICE ASSOCIATION OF SAN ANTONIO, INC., ALAMO PUBLIC TELECOMMUNICATIONS COUNCIL D/B/A KLRN, AND UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY, IN THE AMOUNTS OF \$50,197.39, \$82,600.00, \$220,000.00, AND \$50,000.00, RESPECTIVELY, FOR THE PROVISION OF QUALITY IMPROVEMENT ACTIVITIES FOR THE PERIOD ENDING SEPTEMBER 30, 2006; AND APPROVING A REVISED FY 2006 CCDS PROGRAM BUDGET.

AN ORDINANCE 2006-01-19-0092

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE ALAMO COMMUNITY COLLEGE DISTRICT IN THE AMOUNT OF \$129,870.00 FOR THE IMPLEMENTATION OF A TEXAS WORKFORCE COMMISSION SELF-SUFFICIENCY FUND WORKPLACE SKILLS TRAINING PROGRAM FOR THE PERIOD FEBRUARY 13, 2006 THROUGH AUGUST 10, 2007; AND ADOPTING A BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 2006-01-19-0093

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE AT&T FOUNDATION IN THE AMOUNT OF \$49,000.00 TO SUPPORT THE VOLUNTEER

INCOME TAX ASSISTANCE PROGRAM; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS; AND ADOPTING THE BUDGET.

AN ORDINANCE 2006-01-19-0094

RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR OPERATION OF THE 2006 HEAD START-EARLY CHILD CARE PROGRAM OF SAN ANTONIO AND BEXAR COUNTY FOR THE PERIOD FEBRUARY 1, 2006 THROUGH JANUARY 31, 2007; AUTHORIZING ACCEPTANCE OF AN AWARD IN AN AMOUNT UP TO \$46,272,738.00; AUTHORIZING THE EXECUTION OF A CONTRACT WITH PARENT CHILD INCORPORATED (PCI) IN THE AMOUNT OF \$45,802,738.00 TO OPERATE THE HEAD START PROGRAM; AND ADOPTING A BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 2006-01-19-0095

APPROVING THE FINAL PROJECT AND FINANCING PLANS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF SAN ANTONIO, TEXAS ("ZONE"), KNOWN AS THE LACKLAND HILLS TIRZ, AUTHORIZING THE PAYMENT OF ALL INCREMENTAL AD VALOREM TAXES IN THE ZONE INTO THE ZONE'S TAX INCREMENT FUND, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE BOARD OF DIRECTORS FOR THE ZONE ("THE BOARD") AND BEXAR COUNTY, AND A DEVELOPMENT AGREEMENT WITH THE BOARD AND LACKLAND HILLS JOINT VENTURE.

AN ORDINANCE 2006-01-19-0096

APPROVING THE FINAL PROJECT AND FINANCING PLANS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF SAN ANTONIO, TEXAS ("ZONE"), KNOWN AS THE SKY HARBOR TIRZ, AUTHORIZING THE PAYMENT OF ALL INCREMENTAL AD VALOREM TAXES IN THE ZONE INTO THE ZONE'S TAX INCREMENT FUND, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE INTERLOCAL AGREEMENTS WITH THE BOARD OF DIRECTORS FOR THE ZONE ("THE BOARD") AND BEXAR COUNTY AND ALAMO COMMUNITY COLLEGE DISTRICT, AND A DEVELOPMENT AGREEMENT WITH THE BOARD AND HLH DEVELOPMENT, LP.

TRAVEL AUTHORIZATION

CONFIRMATION OF A TRAVEL AUTHORIZATION REQUEST FOR MAYOR PHIL HARDBERGER TO ATTEND THE "USS SAN ANTONIO COMMISSIONING CEREMONY EVENTS" IN CORPUS CHRISTI, TEXAS FROM JANUARY 13, 2006 THROUGH JANUARY 15, 2006.

AN ORDINANCE 2006-01-19-0097

REAPPOINTING ANTOINETTE FRANKLIN (DISTRICT 2) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE (CATEGORY: PERFORMING ARTIST/DANCE) FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0098

REAPPOINTING EDWARD RIOJAS (DISTRICT 2) TO THE PORT AUTHORITY OF SAN ANTONIO (*PREVIOUSLY KNOWN AS THE GREATER KELLY DEVELOPMENT AUTHORITY*) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2007.

AN ORDINANCE 2006-01-19-0099

REAPPOINTING BERNICE WILLIAMS (DISTRICT 2) TO THE HISTORIC AND DESIGN REVIEW COMMISSION (CATEGORY: GENERAL/CITIZEN-AT-LARGE) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2007.

AN ORDINANCE 2006-01-19-0100

REAPPOINTING RODERIC FITZGERALD (DISTRICT 2) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0101

REAPPOINTING THURMAN SARGENT (DISTRICT 2) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0102

REAPPOINTING PATRICE BARNES (DISTRICT 2) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0103

REAPPOINTING BARRY BANKLER (DISTRICT 2) TO THE PLUMBING APPEALS AND ADVISORY BOARD (CATEGORY: LAYMAN/CONSUMER) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 20, 2007.

AN ORDINANCE 2006-01-19-0104

REAPPOINTING DARRELL LEWIS (DISTRICT 2) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0105

REAPPOINTING MARGARET J. ROBINSON (DISTRICT 2) TO THE CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 15, 2007.

AN ORDINANCE 2006-01-19-0106

REAPPOINTING MICHAEL KHADEM (DISTRICT 2) TO THE TRANSPORTATION ADVISORY BOARD (CATEGORY: CONVENTION AND VISITORS COMMISSION) FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0107

APPOINTING ELYSE DUBROFF (DISTRICT 2) TO THE DISABILITY ACCESS ADVISORY COMMITTEE (CATEGORY: CONSUMER OF HANDICAPPED SERVICES) FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-01-19-0108

APPOINTING DAN MARTINEZ (DISTRICT 2) TO THE HOME IMPROVEMENT ADVISORY BOARD (CATEGORY: LAYPERSON) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JUNE 23, 2006.

AN ORDINANCE 2006-01-19-0109

APPOINTING ALEX SAUCEDO (DISTRICT 2) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC., DBA SOUTH TEXAS BUSINESS FUND (CATEGORY: TRUSTEE) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JULY 23, 2006.

AN ORDINANCE 200601-19-0110

REAPPOINTING LORITA C. DANIELS (DISTRICT 8) TO THE KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 22, 2007.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0080

AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH GIVLER ENGINEERING, INC., FOR PROFESSIONAL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$1,054,875.00, IN CONNECTION WITH THE DAM REPAIRS PROJECT, AN AUTHORIZED 2003-2007 STORM WATER REVENUE BOND FUNDED PROJECT LOCATED IN DISTRICTS 5 AND 9; ACCEPTING A PROPOSAL AND APPROPRIATING FUNDS; AND AUTHORIZING \$105,488.00

FOR PROJECT CONTINGENCY AND \$81,225.00 FOR CAPITAL ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$1,241,588.00.

Councilmember Perez made a motion to approve the proposed Ordinance. 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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** McNeil.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0084

ACCEPTING A PROPOSAL AND AUTHORIZING EXECUTION OF A STAND-BY ASBESTOS ABATEMENT ENVIRONMENTAL CONSTRUCTION SERVICES AGREEMENT FOR ASBESTOS REMEDIATION TO BE PERFORMED BY TLI & ENVIRONMENTAL SERVICES, INC. (TLI), FOR COMPENSATION IN AN AMOUNT NOT TO EXCEED \$330,000.00 ANNUALLY, ON AN AS-NEEDED BASIS FOR VARIOUS ASBESTOS ABATEMENT PROJECTS, FOR A PERIOD OF ONE YEAR, WITH OPTIONS, IN FAVOR OF THE CITY, TO EXTEND THE TERM OF THE AGREEMENT FOR TWO (2) ADDITIONAL ONE (1) YEAR PERFORMANCE PERIODS UNDER THE SAME TERMS AND CONDITIONS, ONE OR BOTH OF WHICH OPTIONS MAY BE EXERCISED UPON THE APPROVAL OF THE DIRECTOR OF ENVIRONMENTAL SERVICES; AND PROVIDING FOR PAYMENT.

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

Councilmember Perez made a motion to amend the proposed Ordinance to transfer approval authority for agreement extensions from the Director of Environmental Services to City Council. Councilmember Hall seconded the motion.

After consideration, the motion for amendment prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Wolff, Haass. **NAYS:** Guajardo, Hall, Hardberger. **ABSENT:** None.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0085

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH NATIONAL FLIGHT SERVICES, INC. FOR 11,988 SQUARE FEET OF UNDEVELOPED, NON-AIRFIELD ACCESS, GROUND SPACE LOCATED AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TERM OF FIVE (5) YEARS, COMMENCING DECEMBER 15, 2005, FOR A TOTAL YEARLY RENTAL OF \$3,398.60.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez 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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0086

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH GENESIS AIRCRAFT SUPPORT, INC. FOR 7,680 SQUARE FEET OF CARGO SPACE LOCATED IN THE AIR CARGO BUILDING WEST AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TERM OF THIRTY-THREE (33) MONTHS COMMENCING FEBRUARY 1, 2006, FOR A MONTHLY RENTAL OF \$4,875.29.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez 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, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Haass.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0088

APPROVING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR THE ASSIGNMENT OF A SAN ANTONIO INTERNATIONAL AIRPORT LEASE, AND AN AIRPORT CAR RENTAL LEASE AND CONCESSION AGREEMENT FROM JIM DUNWORTH, INC. D.B.A. NATIONAL CAR RENTAL & ALAMO RENT A CAR TO VANGUARD CAR RENTAL USA, INC. EFFECTIVE SEPTEMBER 1, 2005.

Councilmember Perez made a motion to table the proposed Ordinance until such time that parking fees are paid. Councilmember Hall seconded the motion.

After discussion, the motion to table indefinitely the proposed Ordinance was withdrawn by Councilmember Perez. Councilmember Hall withdrew his second.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Guajardo 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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-01-19-0089

GRANTING A LICENSE TO USE PUBLIC RIGHT-OF-WAY ON, OVER, AND UNDER EAST CROCKETT AND LOSOYA STREETS FOR NUMEROUS ENCROACHMENTS AT THE RAINFOREST CAFE IN NCB 914 IN DISTRICT 1 FOR A 25-YEAR TERM AND THE CONSIDERATION OF \$52,792.50.

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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

ZONING CASES

Z-1. ZONING CASE #Z2005259 (District 6): An Ordinance changing the zoning boundary from "R-6" Residential Single-Family District to "R-5" Residential Single-Family District on 92.37 acres out of NCB 18288, 8788 Reed Road as requested by Regent Communities Partners, L. P., Applicant, for Frank G. Persyn, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to approve the proposed Ordinance. Councilmember Hall 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, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 2006-01-19-0111

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 92.37 ACRES OUT OF NCB 18288 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

BOND UPDATE

Councilmember Haass asked City Manager Sheryl Sculley for a progress update on future Bond Initiatives. Ms. Sculley stated that weekly meetings are held with Acting Finance Director Ben Gorzell and this item is on their agenda. She stated that a timeline is not available at present, but she will present Council a Fiscal Capacity Analysis and alternatives in early February.

Mayor Hardberger recessed the regular session at 3:49 p.m., and announced that Council would convene at 5 p.m.

Mayor Hardberger reconvened the regular session at 5 p.m.

CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

- Certificates of Appreciation to City Year San Antonio, Taco Cabana, Vida Youth, and New Reach Christian Fellowship Church in recognition of their invaluable assistance to the staff of the Mayor and Council for “Operation Open Arms”, a celebration for child victims of Hurricanes Katrina and Rita.
- Citation to Holy Cross Cheerleaders for their 7th National Title in the Parochial Division at the NCA National Cheerleading competition.
- Proclamation for “Give Kids a Smile Day” to San Antonio District Dental Society.
- Certificate of Congratulations to Fuerza Unida for 15 years of community service.

CITIZENS TO BE HEARD

Ms. Julie Iris Oldham, 4523 Allegheny Dr., spoke on financial needs of senior citizens and the homeless.

Mr. Michael John, 238 Tansyl Dr., spoke on delayed responses to his Open Records requests, particularly by Parks & Recreation. He stated that repeatedly his requests are referred to the Texas Attorney General. He also recommended that Citizens to be Heard be televised.

Mr. Faris Hodge, Jr., 140 Dora, stated that Council “hot topics” should be discussed in the evening. He stated that if Council adopts a Main Plaza expansion plan, bus riders will voice opposition at Council meetings. He added that if Council had discussed the new tow policy at a better time, the public might have pointed out the loopholes now visible. He further added that public hearings should be held at a more convenient time for the public.

Mr. Hal McClosky, 920 Camden, thanked City Attorney Michael Bernard for actions taken to curb prevalent and random River Walk vendor violation enforcement, as it suddenly ceased. He also requested the City actively involve River Walk vendors when planning new ordinances that would affect them.

There being no further business to discuss, Mayor Pro Tem Wolff adjourned the meeting at 6:20 p.m.

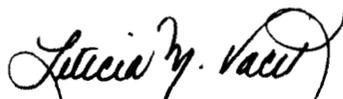
A P P R O V E D



PHIL HARDBERGER

MAYOR

Attest:



LETICIA M. VACEK

CityClerk