

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

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, OCTOBER 11, 2006 AND THURSDAY, OCTOBER 12, 2006**

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The City Council convened in an informal "B" Session at 3:00 p.m., Wednesday, October 11, 2006, Municipal Plaza Building "B" Room, for the purpose of:

1. Staff briefing on the City of San Antonio's Legislative Plan for the 80th Session of the Texas Legislature.
2. Boards and Commissions Work Session to interview nominees for the following At-Large Commissions and Committee:
  - Planning Commission (4 slots, no categories)
  - Historic and Design Review Commission (1 slot, Business category)
  - Air Transportation Advisory Commission (1 slot, Business category)
  - Watershed Improvement Advisory Committee (2 slots, no categories)

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

The "B" Session adjourned at 5:00 p.m.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, October 12, 2006 at 9:00 a.m.

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum with the following Council members present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. ABSENT: Haass

The Invocation was led by Sarwat Husain, President, Council on American Islamic Relations, and Bob Galvan, Deacon, Our Lady of Guadalupe Catholic Church, guests of Councilmember Patti Radle, District 5.

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

**ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinances:

2006-10-12-1177

Item 7A. AN ORDINANCE APPROVING A TOTAL PROJECT AMOUNT OF \$56,788,781; AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND THE SAN ANTONIO RIVER AUTHORITY FOR MANAGEMENT, FUNDING, AND CONSTRUCTION OF THE SAN ANTONIO RIVER IMPROVEMENT PROJECT, LOCATED IN DISTRICTS 1, 3, AND 5; AUTHORIZING AN INCREASE OF THE CITY'S MONETARY COMMITMENT FROM \$37,788,781 TO \$56,788,781, AND APPROVING THE FUNDING PLAN; AND AUTHORIZING TERMINATION OF THE SEPTEMBER 30, 2004 MEMORANDUM OF UNDERSTANDING APPROVED BY ORDINANCE NO. 99826.

2006-10-12-1178

Item 7B. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF 394 SQUARE FEET OF REAL PROPERTY FROM THE SAN ANTONIO RIVER AUTHORITY IN CONNECTION WITH THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT.

2006-10-12-1179

Item 7C. AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND RIO PERLA PROPERTIES, L.P. IN CONNECTION WITH THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT; INCLUDING AND AUTHORIZING EXCHANGE AND CONVEYANCE OF 994 SQUARE FEET OF CITY REAL PROPERTY FOR 2,590 SQUARE FEET OF RIO PERLA REAL PROPERTY; AUTHORIZING A STAGE / AMPHITHEATRE JOINT USAGE AGREEMENT; AND ACCEPTING A FLOOD PLAIN EASEMENT AND A LICENSE TO USE A PORTION OF RIO PERLA'S PROPERTY TO CUT AND EXCAVATE THE RIVER BANK.

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

Ms. Jelynn Burley, Deputy City Manager, made a presentation on the San Antonio River Improvement Project, a copy of which is on file with the Office of the City Clerk. She stated this ordinance would authorize the interlocal agreement between the City, County and San Antonio River Authority (SARA) and terminate the memorandum of understanding approved on September 30, 2004. She noted that the City's monetary commitment would increase and cited the funding from the respective entities. She further delineated the public amenities and the private amenities.

Mr. Ben Gorzell, Director of Finance amplified on the funding alternatives noting that staff's recommendation was for the Certificates of Obligation supported by the \$1 increase to the river barge tickets, tax revenue in the debt plan – Fall 2007, and the contribution from Rio Perla Properties to the San Antonio River Foundation.

Mr. Tom Wendorf, Director of Public Works spoke to the execution of an agreement related to the development of the Pearl Brewery Property for the construction and operation of the Museum Reach Urban segment and the development of the Pearl Brewery property between the City and Rio Perla. He added the agreement would authorize certain exchanges between both parties as it relates to property and usage of certain public and private amenities. He stated that part of the project included a performance stage to be built on the San Antonio River which will be property of the City. He further stated that Rio Perla was building an amphitheatre on their property but granting the City usage of the amphitheatre in exchange for usage of the City stage. He presented various views of the subject property.

Mr. Jack M. Finger, P.O. Box 12048, spoke to items 5, 6, and 7. In relation to items 7A-7C he stated that the voters of San Antonio rejected the improvement project. He stated that there was a conflict of interest with item 5 because of campaign contributions received by Council members. He spoke to Item 6 stating that voters did not agree with placing the golf resort above the Aquifer.

Councilmember Haass entered the meeting at this time.

Councilmember Wolff moved to make an amendment to utilize a portion of the river barge revenues to bring down the General Fund to \$720,000 in certificates of obligations affecting the 2008 Budget. Councilmember Hall seconded the motion.

The motion to amend failed by the following vote: **AYES:** McNeil, Herrera, Hall, Wolff, Haass. **NAYS:** Flores, Gutierrez, Radle, Guajardo, Mayor Hardberger. **ABSENT:** Perez.

The main motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Perez.

Councilwoman Radle moved that the fee increase for the river barges for seniors and children be reduced by 50 cents. After a brief discussion, Councilwoman Radle withdrew her amendment with the understanding that staff would come back in 2 weeks with the proposed fees keeping in mind a reduction for seniors and children.

The City Clerk read the following Ordinances:

2006-10-12-1180

Item 6A. AN ORDINANCE APPROVING AMENDMENTS TO THE AGREEMENT FOR SERVICES IN LIEU OF ANNEXATION WITH FORESTAR (USA) REAL ESTATE GROUP, INC., (FORMERLY LUMBERMEN'S INVESTMENT CORPORATION), ET AL, INCLUDING BUT NOT LIMITED TO CHANGES AMENDING DEADLINES FOR COMMENCEMENT AND COMPLETION OF CONSTRUCTION OF THE HOTEL AND THE GOLF COURSES, TO PROVIDE FOR A PUBLIC LINEAR PARK AND PLACING A PRECONDITION ON THE CITY'S OBLIGATIONS UNDER THE FIREFIGHTING SERVICES AGREEMENT; CHANGES TO THE DECLARATION OF RESTRICTIVE COVENANTS IMPOSING RESTRICTIONS ON USE OF PROPERTY DESIGNATED FOR GOLF COURSES AND THE LINEAR PARK AND REMOVING THE FIREFIGHTING IMPROVEMENTS FROM THE RESTRICTIVE COVENANTS IN SOME CIRCUMSTANCES; AND CHANGES TO THE WAGE STANDARDS AGREEMENT TO CONTINUE INCREASES IN THE MINIMUM WAGE AND IMPOSING A MINIMUM LIVING WAGE.

2006-10-12-1181

Item 6B. AN ORDINANCE APPROVING THE AMENDED AND RESTATED WATER PROVISION AGREEMENT BETWEEN THE SAN ANTONIO WATER SYSTEM (SAWS) AND FORESTAR (USA) REAL ESTATE GROUP, INC., (FORMERLY LUMBERMEN'S INVESTMENT CORPORATION) TO PROVIDE WATER AND WASTEWATER SERVICE FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITHIN A 2,861-ACRE TRACT LOCATED NORTHEAST OF THE INTERSECTION OF EVANS ROAD AND BULVERDE ROAD; AND APPROVING THE ACTIONS OF THE SAWS BOARD OF TRUSTEES PURSUANT TO RESOLUTION 06-289, DATED SEPTEMBER 7, 2006.

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

Mr. Wayne Choate presented the revisions to the PGA Documents, a copy of which is on file with the Office of the City Clerk. He advised City Council that the overall non-annexation term was not increased, however noted certain deadlines being extended such as the commencement of hotel construction, commencement of golf course construction, and completion of the 2 golf courses and the completion of the hotel. He addressed other changes which included the increase in the number of hotel guestrooms, a Force Majeure provision, and creation of a public linear park of approximately 130 acres, the declaration of restrictive covenants and the required wage standard provision.

Mr. Frank Stenger-Castro, Vice Present and General Counsel, San Antonio Water System, spoke to the Water Provision Agreement approved in December 2002. He outlined the proposed Water Provision Agreement, noting the advantages of the amended Water Provision Agreement which highlights SAWS having right of first refusal regarding Trinity Wells and Offsite Irrigation Facilities; SAWS having right to acquire 1000 acre/ft. of water at end of grow-in period at average cost to developer or less; and the Environmental plan and water quality restrictions remaining in place.

The following citizen(s) appeared to speak:

Mr. Steve Seidel, 602 E. Commerce, Greater San Antonio Chamber of Commerce, urged Council to support the amendments regarding the PGA tour. He also spoke to the positive reputation of the Marriott, noting that their involvement with the project will help make it a success. Lastly, he stated that the resort will be one of the finest in the country and will add to San Antonio's image as a destination City.

Mr. Milton Guess, 602 E. Commerce, San Antonio Tourism Council, spoke in support of the project. He stated that it is the best alternative plan to protect the Aquifer. Lastly, he stated that of the three plans, the Cibolo Canyon was the best solution, and the only one the San Antonio Tourism Council supported.

Mr. Seth Mitchell, 100 dolorosa, Suite 120, Bexar County Chief of Staff, spoke in support of the Cibolo Canyon project. He stated that the development would bring economic benefits to the San Antonio community.

Mr. Chris Rose, 100 W. Houston, Senior Vice President of Marriott International, urged Council to continue to support the project. He stated that this resort will be one of the most dynamic and impressive resorts in the country. Lastly, he thanked Council for their support thus far.

Ms. Amy Kastely, 314 E. Commerce, spoke in opposition to the amendments. She stated that it was wrong to make changes to a contract that was already adopted. She noted that the changes were not minor, and they were only made to acquire Edwards Aquifer water. She expressed concern for the quality of firefighters that would be used by the resort since they would not be City of San Antonio firefighters. She spoke to the risks involved with the amendments that will affect the Aquifer. Lastly, she urged Council to deny the amendments.

Ms. Graciela Sanchez, 922 San Pedro-Esperanza, spoke to the danger this project will bring to San Antonio's sole source of water. She stated that the community wants to take care of water. She also stated that despite disapproval from the citizens of San Antonio, the City still approved the PGA project. She urged Council to deny the amendments.

Mr. Enrique Valdivia spoke in opposition to the project because there was no vote by the people of San Antonio. He stated that the project lead to a tax increase for citizens that they did not approve. He also stated that the Aquifer needed to be protected.

Mr. Elginio Rodriguez stated that there are many loopholes in the contract concerning this project. He spoke in opposition to the changes in the firefighting agreement. He also expressed concern for the conditions of the Aquifer and asked Council to keep that in mind when making a decision.

Ms. Julie Oldham spoke in opposition to the project. She expressed concern with the process in which the PGA contract was originally accepted. Lastly, she stated that the citizens of San Antonio should have been given the right to protest the confirmation of the City Manager.

Ms. Maria Berriozbal, spoke in opposition to the amendments. She stated that the citizens of San Antonio opposed the Special Taxing District. She cited the process utilized to ultimately produce the non annexation agreement. She expressed concern for amending a contract that had so much passion and controversy behind it. Lastly, she expressed concern for the affects this project will have on the Aquifer. She urged Council to deny the amendments.

### **CONSENT AGENDA 9- 24H**

Consent agenda item 18 was pulled for individual consideration. Councilmember Gutierrez made a motion to approve the remaining Consent Agenda Items. Councilmember Haass seconded the motion.

Mayor Hardberger recessed the Regular Session at 12:15 p.m. and announced that Council would reconvene at 1:30 p.m.

Mayor Hardberger reconvened the meeting at 1:35 pm.

The motion to pass Items 6A and 6B prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** Radle, Herrera, Guajardo. **ABSENT:** None.

**Board Appointments:**

The City Clerk read the following:

Item 3. Appointing and/or reappointing four (4) members to the Planning Commission for terms of office to expire October 12, 2008.

She presented the nominees below:

Francine Romero (seeking reappointment)  
Murray Van Eman (seeking reappointment)  
Jose Limon (seeking reappointment)  
Ivy Ruth Taylor  
Andrew Ozuna

A roll call vote was taken where the following four individuals were selected to serve on the Planning Commission.

Councilmember Hall made a motion to approve the selected candidate. Councilmember McNeil seconded the motion.

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

Ordinance Number 2006-10-12-1182 is Void.

The City Clerk read the following Ordinances:

2006-10-12-1183

Item 4. AN ORDINANCE APPROVING A TOTAL ESTIMATED CONSTRUCTION PROJECT COST OF \$42,757,487.06, AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$36,963,350.06 TO ARCHER WESTERN

CONTRACTORS, LTD., IN CONNECTION WITH PROJECT 6 – ROADWAYS & UTILITIES AND PROJECT 10 – VOLUME 2 – HYDRONIC LINES RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT, AN AUTHORIZED AVIATION FUNDED PROJECT IN DISTRICT 9; ESTABLISHING A BUDGET AND APPROPRIATING FUNDS.

2006-10-12-1184

Item 5. AN ORDINANCE APPROVING A TOTAL ESTIMATED CONSTRUCTION, PRECONSTRUCTION AND REDESIGN PROJECT COST OF \$52,314,030.00, AMENDING THE PROFESSIONAL DESIGN SERVICES CONTRACT WITH HNTB CORPORATION IN THE AMOUNT OF \$1,462,530.00 FOR REDESIGN SERVICES ASSOCIATED WITH THE PARKING GARAGE RECONFIGURATION, AND EXECUTING A CONSTRUCTION CONTRACT WITH THE JOINT VENTURE FIRM OF BARTLETT COCKE/WALBRIDGE FOR CONSTRUCTION OF THE NEW PARKING FACILITY AT SAN ANTONIO INTERNATIONAL AIRPORT, SUCH AWARD BEING CONTINGENT UPON NEGOTIATION TO BRING THE CONSTRUCTION COST FOR THE REDESIGNED GARAGE WITHIN A BUDGETED AMOUNT NOT TO EXCEED \$46,315,500.00; ESTABLISHING A BUDGET AND APPROPRIATING FUNDS.

Mr. Mark Webb, Director of Aviation, made a presenttion on the Airport Expansion Roadway Project and Parking Facility, a copy of which is on file with the Office of the City Clerk. He stated this project consisted primarily of new bi-level roadway system and utility infrastructure, noting that utilities included storm drain, gas, sanitary sewer, and water lines and appurtenances, street lighting and hydronic line encasements. He spoke to the base bid and additive alternatives, the SBEDA Good Faith Effort Plan, fiscal impact citing the source and use of funds. He also addressed the parking facility project noting that the Competitive Sealed Proposal (CSP) process was used due to the importance of experience, qualifications, proposed plan as well as the price. He spoke to the evaluation process, the CSP scores of the respective bidders, budget comparison, issues and alternatives, and fiscal impact.

Councilmember Hall made a motion to approve the proposed Ordinances. Councilmember Wolff seconded the motion.

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

The City Clerk read the following Ordinance:

2006-10-12-1185

Item 8. AN ORDINANCE AMENDING CHAPTER 16 ARTICLE XII OF THE CITY CODE TO ALLOW INDIVIDUALS TO HOLD FOUR GARAGE SALES PER CANENDAR YEAR AND WAIVING THE GARAGE SALE OPERATOR'S FEE FOR THE FOURTH GARAGE SALE HELD DURING A CALENDAR YEAR.

Ms. Liz Garcia, Assistant Director of Neighborhood Services, made a presentation on the Garage Sale Permit Fee, a copy of which is on file with the Office of the City Clerk. She provided background information and the various options highlighting on staff's recommendation to maintain the fee at \$16 and offer one waiver of permit requirement on a designated day during the year. She added this would have minimal impact on the budget and reflect favorably with the community.

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

Ms. Liz Garcia, Assistant Director of Neighborhood Services, made a presentation on the Garage Sale Permit Fee, a copy of which is on file with the Office of the City Clerk. She provided background information and the various options, highlighting on staff's recommendation to maintain the fee at \$16 and offer one waiver of permit requirement on a designated day during the year. She added this would have minimal impact on the budget and reflect favorably with the community.

Councilmember Gutierrez made a motion to amend the ordinance by allowing individuals a fourth garage sale permit on a day of their choice. Councilmember McNeil seconded the motion.

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

The motion, as amended, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Perez.

**CONSENT AGENDA: ITEMS 9-24H**

A motion was made by Councilmember Gutierrez and seconded by Councilmember Haass to approve the consent agenda except for Item 18. See Page 6 of 17.

The following citizen(s) appeared to speak:

City Clerk Leticia M. Vacek read the written testimony for Item 9 submitted by Faris Hodge Jr. stating that the Alamodome should be named the Faris Hodge Jr. Dome. He added that it is normal for buildings to be named after deceased people who are recognized for their good achievements and efforts to helping the community.

City Clerk Leticia M. Vacek read a written testimony from Faris Hodge, Jr. for Item 21 stating that the City continues to annex more land which is costing the City's taxpayers more money. He added that the City continues to pay high wages to the police and fire departments. He also mentioned the tax breaks that companies like Toyota receive that do not save the City money. He added that Bexar County is not doing their share when it comes to working together with the City and should combine their police forces. Lastly, he added that with all the new houses that are being built, the school tax should decrease.

City Clerk Leticia M. Vacek read a written testimony submitted by Faris Hodge, Jr. stating that the police officers are taking advantage of other city employees. He mentioned that the police contract is the worst contract in San Antonio's history. He expressed that the percentages of increases were not fair to city employees versus police officers. Lastly, he added that the San Antonio Police Officers are the 5<sup>th</sup> or 6<sup>th</sup> highest paid police department in the US.

The motion, passing with it items 9-24H except item 18, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Perez.

2006-10-12-1186

Item 9. AN ORDINANCE AWARDED A CONTRACT TO FULL COMPASS SYSTEM TO PROVIDE THE ALAMODOME DEPARTMENT WITH PORTABLE AUDIO EQUIPMENT AND COMPONENTS FOR A TOTAL COST OF \$28,413.85, FROM THE HOTEL MOTEL TAX FUND.

2006-10-12-1187

Item 10. AN ORDINANCE AWARDED A CONTRACT TO KRAFTSMAN PLAYGROUND & PARK EQUIPMENT TO PROVIDE THE PARKS AND RECREATION DEPARTMENT WITH PLAYGROUND EQUIPMENT FOR THE COLISEUM OAKS PARK FOR A TOTAL COST OF \$195,657.38, FROM HUD 108 PROGRAM FUNDS.

2006-10-12-1188

Item 11. AN ORDINANCE APPROVING A TOTAL ESTIMATED CONSTRUCTION PROJECT COST OF \$2,770,925.00, AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$2,409,500.00 TO CONSTRUCTORS & ASSOCIATES, INC., TO PROVIDE CONSTRUCTION SERVICES FOR PROJECT 3 – VOLUME 1 – TERMINAL 2 TENANT RELOCATION & SELECTIVE DEMOLITION AT SAN ANTONIO INTERNATIONAL AIRPORT; AN AUTHORIZED AVIATION FUNDED PROJECT IN DISTRICT 9; AND APPROPRIATING FUNDS.

2006-10-12-1189

Item 12. AN ORDINANCE APPROVING A TOTAL ESTIMATED UTILITY RELOCATION PROJECT COST OF \$948,798.43, AND ACCEPTING PROPOSALS OF ESTIMATED COSTS FROM CPS ENERGY IN AN AMOUNT NOT TO EXCEED \$256,537.48; TIME WARNER CABLE SAN ANTONIO IN AN AMOUNT NOT TO EXCEED \$35,879.00; AND AT&T IN AN AMOUNT NOT TO EXCEED \$573,388.95, FOR UTILITY SERVICE RELOCATIONS ASSOCIATED WITH THE AIRPORT EXPANSION PROGRAM AT THE SAN ANTONIO INTERNATIONAL AIRPORT; AN AUTHORIZED AVIATION FUNDED PROJECT IN DISTRICT 9; AND APPROPRIATING FUNDS.

2006-10-12-1190

Item 13. AN ORDINANCE APPROPRIATING \$150,000.00 FOR PAYMENT OF SUBDIVISION PLATTING FEES, SAWS IMPACT FEES AND “IN LIEU” STORM WATER DETENTION FEES, FOR THE PURPOSE OF SECURING PLAT APPROVAL IN CONNECTION WITH VARIOUS ONGOING PLATTING ACTIVITIES AT SAN ANTONIO INTERNATIONAL AND STINSON MUNICIPAL AIRPORTS.

2006-10-12-1191

Item 14. AN ORDINANCE APPROVING THE NEGOTIATION AND EXECUTION OF TWO INDEFINITE DELIVERY PROFESSIONAL SERVICES CONTRACTS FOR A TOTAL AMOUNT FOR BOTH CONTRACTS NOT TO EXCEED \$150,000.00 WITH MADELINE ANZ SLAY ARCHITECTURE, P.L.L.C., AND KINNISON AND ASSOCIATES, ARCHITECTS, TO PROVIDE BUILDING EVALUATION SERVICES FOR CITY-OWNED BUILDINGS AT BOTH SAN ANTONIO INTERNATIONAL AND STINSON MUNICIPAL AIRPORTS; AND APPROPRIATING FUNDS.

2006-10-12-1192

Item 15. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CIVIL AIR PATROL FOR 13,307 SQUARE FEET OF GROUND SPACE AND 10,621 SQUARE FEET OF HANGAR SPACE AT STINSON MUNICIPAL AIRPORT FOR A FIVE (5) YEAR TERM IN CONSIDERATION OF IN-KIND SERVICES.

2006-10-12-1193

Item 16. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE AIR TRAFFIC CONTROL TOWER AT STINSON MUNICIPAL AIRPORT FOR A TWENTY (20) YEAR TERM.

2006-10-12-1194

Item 17. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ASSIGNMENT, ASSUMPTION AND AMENDMENT TRANSFERRING THE INTEREST IN THE LEASED PREMISES KNOWN AS THE STINSON AIRFIELD PATIO CAFÉ FROM CARLOS P. DELGADO AND ALMA A. RICO TO JOE AND ELIZABETH RODRIGUEZ; AND EXTENDING THE LEASE TERM UNTIL COMPLETION OF CONSTRUCTION AT THE STINSON MUNICIPAL AIRPORT TERMINAL FACILITY.

2006-10-12-1195

Item 19. AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT AWARD TOTALING \$40,000.00 FROM THE CANCER THERAPY AND RESEARCH CENTER TO RENEW SUPPORT FOR THE ONGOING BREAST CANCER SCREENING PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FROM OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

2006-10-12-1196

Item 20. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TOTALING \$429,812.00 TO FUND THE ONGOING INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

2006-10-12-1197

Item 21. AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE VOLUNTARY ANNEXATION OF APPROXIMATELY 38 ACRES OF LAND KNOWN AS THE CULEBRA/LOOP 1604 AREA AND APPROVING A SERVICE PLAN FOR SUCH AREA.

2006-10-12-1198

Item 22. AN ORDINANCE AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$13,000,000.00 TO PROVIDE FINANCING FOR THE CONSTRUCTION OF THE COSTA MIRADA PROJECT LOCATED IN DISTRICT 4; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

2006-10-12-1199

Item 23. AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED ENCORE VIDEO V. CITY OF SAN ANTONIO, CAUSE NO. SA-97-CA-1139-FB AND AUTHORIZING PAYMENT OF \$80,000.00.

**BOARD APPOINTMENTS: Items 24A-24H**

Item 24. Consideration of At-Large and District Board, Commission and Committee Appointments:

A. Appointing Marsha Hendler (At-Large) to the Air Transportation Advisory Commission (Category: Business) for a term of office to expire May 31, 2007.

B. Reappointing Walter Ague (At-Large) to the Watershed Improvement Advisory Committee for the remainder of an unexpired term of office to expire April 1, 2007.

C. Appointing Jessica S. Garza (District 3) and Taylor Patmon (Mayor) to the San Antonio Youth Commission for terms of office to expire May 31, 2007.

D. Appointing Eileen L. Mueller (District 4) to the Commission for Children and Families for a term of office to expire May 31, 2007.

E. Appointing Charlie Urbina Jones (Mayor) to the San Antonio Public Library Board of Trustees for the remainder of an unexpired term of office to expire September 30, 2008.

F. Appointing Rey Salinas (Mayor) to the San Antonio Local Development Company, Inc. (d/b/a South Texas Business Fund) (Category: Trustee) for the remainder of an unexpired term of office to expire May 9, 2009.

G. Appointing Stephen Ramirez (Mayor) (Category: AACOG Representative) and Dan Martinez (Mayor) (Category: Community Organization) to the Greater San Antonio Crime Prevention Commission for the remainder of unexpired terms of office to expire November 30, 2007.

H. Reappointing Della Guidry (Mayor) to the Convention and Visitor's Commission for a term of office to expire May 31, 2007.

[CONSENT ITEMS CONCLUDED]

### **CONSENT Agenda Items Pulled for Individual Consideration**

The City Clerk read the following Ordinance:

2006-10-12-1200

Item 18. AN ORDINANCE AUTHORIZING A LICENSE BETWEEN THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT AND THE BROOKS DEVELOPMENT AUTHORITY, TO STORE OBSOLETE COMPUTERS AND ACCESSORIES IN AN APPROXIMATELY 2,000 SQUARE FOOT AREA OF BUILDING 627, SUITE 2, LOCATED AT 8015 CROUCH ROAD, BROOKS CITY-BASE, AT NO COST TO THE CITY.

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

The motion carried the passage of the Ordinance by the following vote: **AYES:** Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, McNeil, Gutierrez, Perez.

### **City Manager's Report**

City Manager Sheryl Sculley recognized the Procurement Division of the Administrative Services Department for receiving the Annual Achievement of Excellence in Procurement Award from the National Purchasing Institute. She then noted that part of the Animal Care Services five year strategic plan was to conduct a community survey within the first year. She informed Council that UTSA staff is assisting with creating the survey and it should be ready for distribution after the first of the year. Lastly, she informed Council of the Fiscal Year 2007 budget fiscal tracking report. She explained that the report would monitor the timely implementation of the initiatives of the new budget and ensure that all policies in the budget will be followed.

Mayor Hardberger recessed the meeting at 4:00 pm.

Mayor Hardberger reconvened the regular session at 5:35.

### **CEREMONIAL ITEMS**

Mayor Hardberger presented the following honorariums:

- Representatives from the San Antonio SPURS will received their annual proclamation wishing the SPURS a successful 2006-2007 season.
- A proclamation for Med Week. The UTSA Small Business Development Center and the San Antonio Minority Business Enterprise Center is celebrating "Minority Enterprise Development (MED) Week" October 23-27, 2006. This observance recognizes the obstacles and challenges minority firms face, and advocates for their growth and development.

Mayor Pro Tem Perez recessed the meeting at 5:55 pm.

Mayor Pro Tem Perez reconvened the regular session at 6:00 pm.

## **CITIZENS TO BE HEARD**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Ave., spoke to contaminated water in San Antonio. He also asked City Employees to participate in volunteer activities with the County. Lastly, he spoke to Revelations 17:7-17 regarding the end of the world.

Mr. Daniel Gonzales, 6900 San Pedro, Roses by Dan Dan, asked for a vending permit on the street level of the Riverwalk. He stated that his original permit from 2002 was a street level permit. He added that he did not wish to sell on the Riverwalk.

Mr. Mark Perez, 119 Hardeman, spoke on a Certificate of Occupancy at 3410 E. Houston. He stated that Mission Petroleum had not applied for a Certificate of Occupancy with the City of San Antonio since their existence.

Mr. Glen Alan Graham, 6900 N. Vandiver, J-106, spoke to the Walk to Aneas, a spiritual renewal movement. He recommended the walk to individuals who wish to strengthen their relationship with God.

Mr. Nick Calzoncia, 66 Breeze #114, reflected on the recent student deaths in schools around the country. He asked that schools in San Antonio be renamed to honor individuals who strived for peace such as Cesar E. Chavez and Willie Velasquez. He encouraged San Antonians to vote in November, especially Latinos.

Mr. Michael John, 238 Tawsyl Dr., Riverwalk Vendors Association, spoke to the vending ordinance and its prospective date of implementation. He stated that he has been on a waiting list for a vending permit since 2003 and asked about the appeal process in relation to the permits. Lastly, he expressed concern with the process for obtaining a permit.

Mr. Hal McClosky, 920 Camaron, spoke to a newspaper article that featured his picture. He noted the tremendous support that vendors receive from individuals in San Antonio.

## **ADJOURNMENT**

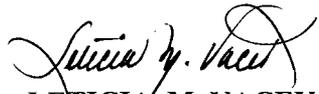
There being no further business to discuss, Mayor Prot Tem Perez adjourned the meeting at 6:33 p.m.

A P P R O V E D



**PHIL HARDBERGER**  
MAYOR

Attest:



**LETICIA M. VACEK**  
City Clerk