

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, NOVEMBER 21, 2002.

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2002-43 The City Council convened in an informal "B" Session at 9:00 A.M., Municipal Plaza Building "B" Room, to consider the following item(s):

A.) Interlocal Agreement for Regional Flood Control Management.
(Presented by Tom Wendorf, Director of Public Works).

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

The "B" Session adjourned at 11:00 A.M.

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2002-43 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

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2002-43 Invocation by Rev. Dennis Thompson, Highland Terrace Methodist Church.

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2002-43 Pledge of Allegiance to the flag of the United States.

2002-43 PRESENTATION OF CONGRATULATORY CERTIFICATE FOR FIREFIGHTER, MS. BODEIL WIGEN-BURKE

Mayor Garza presented a Certificate of Congratulations to Bodeil Wigen-Burke upon her retirement from the Fire Department after twenty-two years of service. Ms. Burke was honored as one of the first two female fire fighters in San Antonio.

Ms. Burke thanked the City Council for honoring her and spoke briefly to her future plans.

2002-43 PRESENTATION OF CONGRATULATORY CERTIFICATE TO PUBLIC WORKS DEPARTMENT, STREET MAINTENANCE DIVISION

Mayor Garza spoke to the outstanding accomplishment of the Public Works Department's Street Maintenance Division. He read a Certificate of Congratulations and noted that, in spite of three flooding events in the City this past year, the Street Maintenance Division was able to complete all of its projects within the fiscal year.

Mr. Tom Wendorf, Director of Public Works, accepted the Certificate on behalf of his department's over 300 employees. He noted that these men served the community regardless of the weather conditions, and particularly recognized the leadership of Mr. Rocky Aranda.

Members of the City Council congratulated Mr. Wendorf and his staff on behalf of the City of San Antonio.

2002-43 PRESENTATION OF PROCLAMATION FOR "SMALL, MINORITY AND WOMEN BUSINESS OWNERS DAY"

Mayor Garza read a Proclamation proclaiming December 11, 2002, as "Small, Minority and Women Business Owners Day" and invited Ms. Renee Watson, Program Manager for the Small, Minority, and Women Business Enterprise, to come forward to accept the proclamation.

Ms. Watson accepted the proclamation and introduced Mr. Dan Barrett, Ms. Olivia Salome and Ms. Grace Luna, who spoke to the upcoming 2nd Annual SMWBE Conference to be held on Wednesday, December 11, 2002, at the Henry B. Gonzalez Convention Center. They spoke to the conference's planned events.

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2002-43 At this time, reference was made to Item #46.

Councilman Enrique Barrera made a motion to consider Item 46 at this time. Councilman Perez seconded the motion.

The motion for consideration of this Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Carpenter.

The Clerk read the following Ordinance:

AN ORDINANCE 96754

REPEALING THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY (SBEDA) PROGRAM POLICY ORDINANCES AND SUBSTITUTING WITH A NEW ORDINANCE TO INCLUDE REVISED POLICY PROVISIONS RELATING TO THE ESTABLISHMENT OF NEW SBEDA CONTRACTING GOALS FOR FISCAL YEARS 2002 TO 2003 AND 2003 TO 2004, CLARIFYING THE PERFORMANCE STANDARD PERCENTAGE POINT SYSTEM ON DISCRETIONARY AND PROFESSIONAL SERVICE CONTRACTS, CHANGING THE TIME FRAME FOR SUBMITTAL OF THE GOOD FAITH EFFORT PLAN ON CITY PUBLIC WORKS CONSTRUCTION PROJECTS, CONSOLIDATING CERTAIN SBEDA FORMS USED FOR ADMINISTERING THE PROGRAM, CLARIFYING LANGUAGE REGARDING PROJECT-SPECIFIC GOALS, REDUCING THE ADVERTISING PERIOD ON PROCUREMENT BIDS FROM 30 DAYS TO 15 DAYS AND CHANGING THE NAME OF THE SBEDA CITIZENS ADVISORY COMMITTEE TO THE SMALL BUSINESS ADVOCACY COMMITTEE.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Manuel Longoria, Assistant Director, Economic Development Department, narrated a slide presentation, which provided information on the Small Business Economic Development Advocacy Program (SBEDA), including its purpose, history, successes, revised goals, and amendments to its policy, a copy of which presentation is on file with the papers of this meeting. He noted that staff recommended approval of the revised

contracting goals and amendments to SBEDA policy and that the SBEDA Citizens Advisory Committee also recommended approval of the amendments.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to reports about the possible resignation of Councilman David Carpenter and asked him not to resign. Mr. Hodge then spoke to Agenda Items 7, 9, and 10, in addition to various other issues.

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Councilman Garcia spoke to the work that the SBEDA Citizens Advisory Committee had done for the Council.

In response to Councilman Perez, Mr. Longoria requested that he be apprised of the women and minorities goals by other municipal facilities, especially the transit entity.

In response to Councilman Schubert, Mr. Longoria spoke to the certification requirements to qualify for HUE points. Councilman Schubert stated that he wanted to assure that no prime contractors picked subcontractors just to qualify for HUE points.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96755

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT FEDERAL GRANT FUNDS IN THE AMOUNT OF \$137,648.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UNDER THE FIRE ACT GRANT PROGRAM, FOR A PERIOD BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; WHICH PROGRAM REQUIRES A CITY MATCH IN THE AMOUNT OF \$58,992.00 FOR A TOTAL AMOUNT OF \$196,640.00.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Fire Chief Robert Ojeda narrated a slide presentation which provided background information on grant funds from the Federal Emergency Management Agency (FEMA) under the FIRE Act Grant Program, the scope of the grant, the project's goals and financial impact, a copy of which presentation is on file with the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Ron Castleman, representing FEMA, spoke to the grant being awarded to the City of San Antonio and its intended use. He noted that San Antonio's grant proposal was one of the most innovative received by the panel reviewing requests for grants.

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Mayor Garza thanked the Federal Emergency Management Agency for the grant and spoke to the Fire Department's excellent work.

Councilman Garcia also thanked FEMA for making these monies available to the City.

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

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2002-43 Minutes of the Regular City Council Meeting of September 26, 2002 were approved.

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2002-43 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack Finger, P. O. Box 12048, spoke to Agenda Item 24, asked certain Council members to abstain from voting on various items and addressed their campaign contributions.

2002-43 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 6 through 36, constituting the Consent Agenda, except for Items 11, 25, 30, 31, and 35, which were pulled for individual consideration. Councilman Sanders seconded the motion.

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

AN ORDINANCE 96756

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH TRUCK & INDUSTRIAL TIRES, AUTOMOTIVE STORAGE BATTERIES AND LAMP BALLASTS ON AN ANNUAL CONTRACT BASIS FOR FY 2002-2003 FOR A TOTAL COST OF APPROXIMATELY \$389,679.00

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AN ORDINANCE 96757

DESIGNATING THE FIRM OF CLAUNCH & MILLER, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PERIMETER ROAD RECONSTRUCTION AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$17,050.00; AUTHORIZING \$2,000.00 FOR ENGINEERING CONTINGENCIES; AUTHORIZING \$6,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; ESTABLISHING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96758

DESIGNATING THE FIRM OF BEATY AND PARTNERS ARCHITECTS, INC. TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE NEW OFFICE, CLASSROOM AND ADMINISTRATION BUILDING PROJECT AT STINSON MUNICIPAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$194,229.00; AUTHORIZING \$19,423.00 FOR ARCHITECTURAL CONTINGENCIES; \$6,000.00 FOR ADMINISTRATIVE EXPENSES;

APPROPRIATING FUNDS; ESTABLISHING THE BUDGET AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96759

DESIGNATING THE FIRM CHESNEY MORALES & ASSOCIATES, INC. TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE NEW FREIGHT FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT FOR AN AMOUNT NOT TO EXCEED \$20,816.00; AUTHORIZING \$2,500.00 FOR ENGINEERING CONTINGENCIES; AUTHORIZING \$6,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96760

AUTHORIZING THE SELECTION OF GOULD EVANS ASSOCIATES, P.L.L.C., TO PROVIDE PROFESSIONAL DESIGN SERVICES IN CONNECTION WITH THE COMANCHE LOOKOUT IMPROVEMENTS PHASE 2 PROJECT; APPROPRIATING \$62,000.00 IN 1999 PARK BOND FUNDS; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$55,000.00; ESTABLISHING A PROJECT BUDGET; ALLOCATING FUNDS FOR ASSOCIATED PROJECT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96761

ACCEPTING THE LOW BID SUBMITTED BY GG&G GENERAL CONSTRUCTION, INC., A SBE FIRM, TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE EISENHOWER PARK PLAYGROUND IMPROVEMENTS PROJECT IN THE AMOUNT OF \$109,820.07; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; PROVIDING FOR CONSTRUCTION CONTINGENCY COSTS IN THE AMOUNT OF \$3,651.31; APPROPRIATING \$113,471.38 IN 1999 PARK BOND FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96762

SELECTING REHLER VAUGHN & KOONE, INC. TO PROVIDE PROFESSIONAL DESIGN SERVICES IN CONNECTION WITH THE LORENCE CREEK LINEAR PARK/UPPER SALADO CREEK IMPROVEMENTS PROJECT IN CITY COUNCIL DISTRICTS 8 AND 9; AUTHORIZING THE NEGOTIATION OF A CONTRACT UP TO \$92,000.00 FOR PROFESSIONAL SERVICES; APPROPRIATING \$136,396.00 FROM 1999 PARK BOND FUNDS AND ESTABLISHING THE PROJECT'S BUDGET; ALLOCATING FUNDS FOR PROJECT CONTINGENCY, ARCHEOLOGICAL SERVICES FEE, TOPOGRAPHIC SURVEY FEE, AND BID ADVERTISING/PRINTING; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96763

AN ORDINANCE AUTHORIZING THE USE OF REPROGRAMMED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS PREVIOUSLY APPROVED FOR THE PEARSALL PARK COMMUNITY CENTER PROJECT ("PROJECT") IN ORDINANCE NO. 95356 ON FEBRUARY 21, 2002; AMENDING THE BUDGET FOR THE PROJECT BY APPROPRIATING \$25,000.00 IN 27TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR CONSTRUCTION CONTINGENCY EXPENSES TO COMPLETE CONSTRUCTION OF THE PROJECT, LOCATED IN COUNCIL DISTRICT 4.

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AN ORDINANCE 96764

RESCINDING ORDINANCE NO. 95630, PASSED AND APPROVED ON APRIL 18, 2002, AND ACCEPTING THE LOW, QUALIFIED BID OF BRODBECK GENERAL CONTRACTING, INC. IN THE AMOUNT OF \$66,217.00 IN CONNECTION WITH THE NELSON W. WOLFF MUNICIPAL STADIUM CONCESSION BUILDING PROJECT, LOCATED AT 5757 NEW HIGHWAY 90 WEST IN COUNCIL DISTRICT 6; AUTHORIZING \$9,066.86 FOR CONSTRUCTION CONTINGENCY EXPENSES AND \$866.14 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96765

AUTHORIZING THE UNIVERSITY OF THE INCARNATE WORD TO WIDEN HILDEBRAND AVENUE NEAR ITS INTERSECTION WITH U.S. HIGHWAY 281 IN COOPERATION WITH THE CITY'S CAPITAL IMPROVEMENT PROGRAM AND ACKNOWLEDGING THE VALUE OF THIS IMPROVEMENT IS APPROXIMATELY \$70,000.00.

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AN ORDINANCE 96766

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A LEASE WITH CESSNA AIRCRAFT INCORPORATED ("CESSNA"), TO ADD AN ADDITIONAL 4,375 SQUARE FEET OF GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT; INCREASING THE TOTAL GROUND SPACE UNDER THE LEASE FROM 221,269.09 SQUARE FEET TO 225,644.09 SQUARE FEET, AND INCREASING THE ANNUAL GROUND RENTAL FROM \$50,294.47 TO \$51,288.91, ACCEPTING THE REIMBURSEMENT OF \$14,827.73 FROM CESSNA FOR THE CONSTRUCTION OF ITS EXPANDED EMPLOYEE PARKING LOT.

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AN ORDINANCE 96767

AUTHORIZING THE EXECUTION OF A NEW TWENTY-YEAR LEASE AGREEMENT WITH NAYAK AVIATION CORPORATION ("NAYAK") FOR 123,274 SQUARE FEET OF GROUND SPACE AT AN ANNUAL RENTAL OF \$49,309.60, FOR THE DEVELOPMENT OF A NEW ABOVE-GROUND FUEL STORAGE FACILITY AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 96768

AUTHORIZING THE EXECUTION OF LEASE NO. DTFA07-03-L-01400 WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION ("FAA") FOR GROUND SPACE; AND A TRANSFER AGREEMENT FOR THE OWNERSHIP, OPERATION AND MAINTENANCE BY THE FAA OF THE PRECISION APPROACH PATH INDICATOR ("PAPI") AND RUNWAY END IDENTIFIER LIGHTS ("REIL")

NORTH AND SOUTH SITES FOR RUNWAY 12L, AND THE ASSOCIATED RIGHT-OF-WAY NECESSARY TO INSTALL AND MAINTAIN THE UNDERGROUND CABLE ROUTES AT SAN ANTONIO INTERNATIONAL AIRPORT; FOR A ONE-YEAR TERM TERMINATING SEPTEMBER 30, 2003, WITH AN AUTOMATIC RENEWAL FROM YEAR TO YEAR NOT TO EXTEND BEYOND 2022.

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AN ORDINANCE 96769

AUTHORIZING RATIFICATION OF THE EXECUTION OF A SHORT-TERM OCCUPANCY AGREEMENT WITH BART B. BROWN, ET AL, FOR SAPD'S USE OF 7,210 SQUARE FEET IN THE 1909 HORMEL-BUILDING FROM FEBRUARY 13, 2002 THROUGH SEPTEMBER 30, 2002; AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR LEASE OF 14,560 SQUARE FEET, FOR A ONE-YEAR TERM COMMENCING OCTOBER 1, 2002 AT A MONTHLY RENT OF \$5,714.80, (EXPENSES INCLUDED) WITH A RIGHT TO RENEW, SUBJECT TO CITY COUNCIL APPROVAL, FOR TWO (2) ONE (1) YEAR TERMS, UPON THE SAME LEASE TERMS AND CONDITIONS; AND RATIFYING PAYMENT OF THE RENT FOR THE PERIOD FEBRUARY 13, 2002 THROUGH OCTOBER 31, 2002 IN THE AMOUNT OF \$23,698.55; AND AUTHORIZING PAYMENT FOR THE BALANCE OF THE LEASE TERM.

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AN ORDINANCE 96770

TERMINATING THE LICENSE APPROVED BY ORDINANCE NO. 57818, AND GRANTING A LICENSE TO GEORGE N. NEWTON FOR THE CONTINUED USE OF EAST COMMERCE AND NORTH PRESA STREETS PUBLIC RIGHT OF WAY FOR AN EXISTING BASEMENT, AWNINGS, A CLOCK AND ROOF CORNICES AT THE ABUTTING COMMERCE BUILDING A/K/A VAULT BUILDING LOCATED AT 314 E. COMMERCE STREET, IN NCB 156, FOR A TEN (10) YEAR TERM AND THE CONSIDERATION OF \$5,000.00.

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AN ORDINANCE 96771

AUTHORIZING A LICENSE AGREEMENT FOR THE USE OF PUBLIC RIGHT OF WAY FOR AN EXISTING OVERHEAD PASSAGEWAY OVER AND ACROSS

NOLAN STREET AT THE BUDCO FACILITY LOCATED AT 611 NOLAN STREET, AS REQUESTED BY THE PETITIONER, BUDCO, INC., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH MIS HERMANOS, L.L.C., ITS GENERAL PARTNER, FOR THE CONSIDERATION OF \$5,000.00 AND A TERM OF TEN (10) YEARS.

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AN ORDINANCE 96772

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR SIXTY-FOUR MONTHS WITH MACK-CALI PROPERTY, L.P. FOR USE BY THE OFFICE OF THE CITY AUDITOR OF 8,302 SQUARE FEET OF OFFICE SPACE LOCATED AT 111 SOLEDAD STREET AND TWO PARKING SPACES IN THE RAND GARAGE AT A MONTHLY RENT OF \$9,685.67 OR AN ANNUAL RENTAL RATE OF \$14.00 PER SQUARE FOOT FOR MONTHS 5 THROUGH 28, INCREASING PERIODICALLY TO MONTHLY RENT OF \$10,204.54 OR AN ANNUAL RENTAL RATE OF \$14.75 PER SQUARE FOOT FOR MONTHS 29 THROUGH 52, INCREASING TO A MONTHLY RENT OF \$10,723.42 OR AN ANNUAL RENTAL RATE OF \$15.50 PER SQUARE FOOT FOR MONTHS 53 THROUGH 64, INCLUDING ALL OPERATING EXPENSES SUBJECT TO ESCALATION AFTER THE BASE YEAR OF THE TERM, AND \$78.25 PER MONTH PER PARKING SPACE, FOR THE PERIOD OF JANUARY 1, 2003 TO APRIL 30, 2008 WITH RENT ABATED FOR THE FIRST FOUR MONTHS AND WITH A RIGHT TO RENEW THE TERM OF THE LEASE AGREEMENT FOR ONE (1) ADDITIONAL RENEWAL PERIOD OF THREE YEARS SUBJECT TO CITY COUNCIL APPROVAL; AND AUTHORIZING PAYMENT TO MACK-CALI PURSUANT TO THE LEASE AGREEMENT.

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AN ORDINANCE 96773

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,025.17 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES PROJECT (\$472.22), BLANCO ROAD & JACKSON KELLER INTERSECTION MPO PROJECT (\$1,856.40), ESCALON STREET #1008 DRAINAGE PROJECT (\$324.00), FIRE STATION NO. 7 (\$1,062.00), FIRE STATION NO. 25 PROJECT (\$36.00), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$1,577.95), OCTAVIA DRAINAGE PROJECT #63, PHASE II, PART I (\$1,929.60), PEDESTRIAN BRIDGE AT HIDDEN COVE ELEMENTARY PROJECT (\$1,008.00), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD MPO PROJECT (\$126.00), SAN PEDRO AVENUE -

QUINCY TO ROMANA MPO PROJECT (\$18.75), TEZEL - RIDGE PATH TO OLD TEZEL MPO PROJECT (\$30.00), W. W. WHITE PHASE I - RIGSBY TO LORD PROJECT (\$504.75), AND THE WESTERN AVENUE DRAINAGE PROJECT #74 (\$79.50),; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 96774

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD IN THE AMOUNT OF \$115,000.00 FROM THE CANCER THERAPY AND RESEARCH CENTER (CTRC) TO SUPPORT THE ONGOING BREAST CANCER SCREENING PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNIVERSITY HEALTH SYSTEM (UHS) FOR THE USE OF FACILITIES AND EQUIPMENT; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UNIVERSITY PHYSICIANS GROUP (UPG) FOR THE PROVISION OF DIAGNOSTIC RADIOLOGICAL PROCEDURES; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 96775

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD IN THE AMOUNT OF \$100,000.00 FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION TO SUPPORT THE ONGOING BREAST CANCER PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SUSAN G. KOMEN BREAST CANCER FOUNDATION; ESTABLISHING A FUND AND BUDGET; APPROVING PAYMENTS TO PRIVATE PHYSICIANS IN CONNECTION WITH THIS PROJECT; AND APPROVING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 96776

AUTHORIZING THE ACCEPTANCE OF AN AWARD OF \$124,000.00 IN CASH FROM THE TEXAS DEPARTMENT OF HEALTH ("TDH") TO RENEW THE ON-GOING BREAST AND CERVICAL CANCER CONTROL PREVENTION (BCCCP) PROGRAM OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) FOR THE PERIOD OCTOBER 1, 2002 THROUGH JUNE 30, 2003; AUTHORIZING THE EXECUTION OF A CONTRACT WITH TDH; REVISING THE BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 96777

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD OF \$25,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND THE ONGOING SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) CHILDHOOD LEAD POISONING PREVENTION PROGRAM FOR THE PERIOD JULY 1, 2002 THROUGH JUNE 30, 2003; APPROVING THE EXECUTION OF A CONTRACT WITH TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2002/2003 ESTABLISHED IN ORDINANCE NO. 95200 PASSED AND APPROVED JANUARY 24, 2002; AND APPROVING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 96778

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$59,819.00 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TO FUND THE SIXTH YEAR OF THE ADMINISTRATIVE AND COORDINATION EFFORTS OF THE CRISIS ASSISTANCE TEAM ADMINISTRATION OF THE VICTIMS ADVOCACY SECTION.

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AN ORDINANCE 96779

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$80,000.00 TO THE OFFICE OF THE GOVERNOR, CRIMINAL

JUSTICE DIVISION, WHICH, IF AWARDED, WILL FUND THE SEVENTH YEAR OF THE ADMINISTRATIVE AND COORDINATION EFFORTS OF THE CRISIS ASSISTANCE TEAM ADMINISTRATION OF THE VICTIMS ADVOCACY SECTION.

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AN ORDINANCE 96780

AUTHORIZING THE ACCEPTANCE OF A \$401,748.00 ALLOCATION FROM THE BEXAR METRO 911 NETWORK DISTRICT FOR FISCAL YEAR 2002-2003.

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AN ORDINANCE 96781

REAPPOINTING CHARLIE M. PENA, JR. (DISTRICT 5) TO THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2004.

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2002-43 INDIVIDUAL ITEMS – CITIZEN COMMENTS

Mr. Jack Finger, P. O. Box 12048, spoke to various Items on the Agenda and asked that the Council not consider certain Items.

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96782

SELECTING REHLER, VAUGHN & KOONE, INC., TO PROVIDE ARCHITECTURAL AND ADDITIONAL SERVICES IN CONNECTION WITH THE NEW COMANCHE LOOKOUT BRANCH LIBRARY, LOCATED AT THE SOUTHWEST CORNER OF THE PARK FACING JUDSON ROAD IN COUNCIL DISTRICT 10; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT OF \$220,000.00; AND

AUTHORIZING \$20,000.00 FOR MISCELLANEOUS CONTINGENCY, REIMBURSABLE AND PRINTING EXPENSES AND PROVIDING FOR PAYMENT.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

Ms. Kay Lennox and Ms. Pat Flynn requested that the City Council give favorable consideration to this Ordinance.

Councilman Carpenter thanked both women and everyone else in the community who had worked on this project.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96783

AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION TO EXECUTE A MIRACLES COMPUTER LAB PROGRAM AGREEMENT WITH SAN ANTONIO INNER-CITY GAMES TO IMPLEMENT A COMPUTER TECHNOLOGY PROGRAM AT SAN JUAN - BRADY COMMUNITY CENTER IN CITY COUNCIL DISTRICT 5.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Garcia seconded the motion.

Councilman Garcia commended Mr. Malcolm Matthews, Director of the Parks and Recreation Department, for his role in bringing a computer technology-training program to District 5, which would serve under-privileged youth in the San Juan - Brady Community Center area.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96784

AUTHORIZING THE ACCEPTANCE OF \$435,154.00 IN CASH FROM THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY (ATSDR) FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO CONTINUE THE ONGOING ENVIRONMENTAL HEALTH AND WELLNESS CENTER PROJECT TO ASSESS THE STATUS AND HEALTH CONCERNS OF RESIDENTS NEAR THE FORMER KELLY AIR FORCE BASE DURING THE PERIOD SEPTEMBER 30, 2002 THROUGH SEPTEMBER 29, 2003; ESTABLISHING A FUND; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Garcia seconded the motion.

Councilman Garcia stated that this cash grant award would enable the San Antonio Metropolitan Health District to continue the Environmental Health and Wellness Center project, a program that assesses the status and health concerns of residents near the former Kelly Air Force Base area.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96785

AUTHORIZING THE EXECUTION OF A VENDOR AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG), BEXAR AREA AGENCY ON AGING (BAAA), ALLOWING THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION, TO PROVIDE HOME DELIVERED MEALS AND HOMEMAKER SERVICES TO THE ELDERLY REIMBURSABLE ON A FEE-FOR-SERVICE BASIS FOR THE PERIOD BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003; AND ESTABLISHING A FUND FOR SAID PROJECT.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Mr. Henry Ross, Assistant Director, Department of Community Initiatives, spoke to the vendor agreement and noted that under the proposal the Alamo Area Council of Governments would reimburse the City of San Antonio for home-delivered meals and homemaker services to the elderly.

In response to questions from Councilman Martin, Mr. Ross spoke to improvements with the timeliness and temperature of the food delivered to the elderly.

Councilman Martin noted that some of the elderly had expressed displeasure with receiving juice in lieu of milk at some of their meals. He requested a report on the types of complaints raised by nutrition center participants and the actions taken to resolve the complaints.

Councilman Sanders requested information on the number of meals provided to our elderly.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96786

APPROVING AN ADDENDUM TO THE CITY'S LEGISLATIVE PROGRAM FOR THE 78TH TEXAS LEGISLATURE THAT WAS ADOPTED ON SEPTEMBER 12, 2002, BY ORDINANCE NO. 96336.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation in which he provided information on the City's proposed addition to the State Legislative Program for the 78th Legislature, a copy of which is on file with the papers of this meeting. He spoke, in part, to the legislative initiatives and endorsements, and noted that staff recommended approval.

Mayor Garza thanked Councilwoman Conner for her leadership and work on the legislative package.

Council members Conner and Schubert spoke to the coordinated effort by all those involved in putting this legislative package together.

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

— — —
2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96787

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$69,930,000 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2002"; PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND

RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE PROVISIONS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilwoman Conner seconded the motion.

Mr. Milo Nitschke, Director of the Finance Department, narrated a slide presentation on Agenda Items 4A and 4B, which provided information on the General Improvement and Refunding Bonds and Certificates of Obligation, including, in part, the bond ratings, general fund balance, underwriter syndicate, transaction summary, and entities with whom this was coordinated, a copy of which presentation is on file with the papers of this meeting.

Mr. Frank Reed, representing Ramirez & Company, briefly reported on the status of the bond market and the successful sale of the bonds. He thanked the Mayor, City Council, and the Finance Department for the opportunity to serve as Senior Manager.

Mayor Garza noted that the City of San Antonio was faring better than most cities with relation to bond ratings. He thanked City management and staff for their guidance and for making difficult decisions when needed. He spoke to his support of both Items 4A and 4B.

Several Council members made congratulatory remarks to staff and expressed their support of the two Ordinances.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to his research of certificates of obligation, to Kelly USA, VIA and ADA violations in the City.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96788

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$55,850,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2002"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, ESCROW AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS IMPOSED BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Garcia seconded the motion.

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

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At this time, reference was made to Annexation Items #44A - P.

2002-43 SECOND AND FINAL READING AND CONSIDERATION OF ANNEXATION ORDINANCES:

The Clerk read a proposed ordinance providing for the extension of the San Antonio City Limits by the full purpose annexation of approximately 6,025 acres of land known as the

Galm Road/Loop 1604 area property, establishing an effective date and approving a service plan.

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Barrera seconded the motion.

Mr. Emil Moncivais, Director of the Planning Department, and Mr. Lou Lendman, Director of the Office of Management & Budget, narrated a slide presentation in which the 2002 Annexation Plan was presented which included, in part, the data on the areas considered for annexation, the full purpose annexation areas, the limited purpose annexation provisions, service plan deliveries and staff recommendations, a copy of which presentation is on file with the papers of this meeting.

Mayor Garza narrated a slide presentation entitled, "Towards Balanced Growth: The Southside Initiative," in which he reported, in part, on the historical growth of the City, the history of the south side, the five principles for growth: Comprehensive Planning, Comprehensive Design, Comprehensive Financing, Comprehensive Learning, and Comprehensive Living, the 2002 annexation study areas, the limited purpose annexation and the steps to be taken to get results, a copy of which is on file with the papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Philip Ross spoke in opposition to the annexations. He stated his opinion that not one property owner on the south side was in favor of the plan. He further spoke to his concern with proposed annexation notices being published in the Commercial Recorder, of which he does not consider a newspaper of general circulation. He requested a roll call vote on the annexation ordinances.

Mr. Marty Wender, representing the Greater San Antonio Chamber of Commerce, spoke to the Board of Directors' endorsement of the annexations. He spoke to present and future developments on the south side of the City that would benefit the citizens.

Mr. Anthony Garcia, representing the Hispanic Chamber of Commerce, spoke in favor of the Southside Initiative and to the need for continued development.

Mr. Sonny Mayfill spoke against the annexation package.

Mr. Gary Patterson, Superintendent, East Central Independent School District, spoke in support of annexation.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the proposed annexations, to the limited resources available to provide City services to areas already in the City, and to the need to repair sidewalks that are presently in violation of the American Disabilities Act.

Mr. Ken Brown, representing Rick Shelton, entered a letter into the record which referred to the Sheldon Tract Annexation Area and to the statute in the Texas Local Government Code that protects a property owner's right to continue to use or to develop property in the manner that was planned prior to annexation. He asked that when zoning is discussed for this particular tract, that the zoning be consistent with the uses that were already planned for the property prior to annexation.

Mr. Habib Ercon, 111 Soledad, representing Continental Homes and ABG, Inc., stated that his clients had not had an opportunity to participate in the development of a service plan as they were only notified three months ago of the proposed annexation. He requested that the proposed annexation of land known as the Kyle Seale/Loop 1604 area be removed from this year's annexation package and moved to annexation plans for the year 2005.

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Councilman Castro spoke to a compromise that had been made with residents of the Galm Road/Loop 1604 area regarding a 25-foot strip of land. He added that portions of the area would need to be annexed in the near future.

Councilman Castro offered an amendment to remove Item 44A from the annexation package, which is the Galm Road/Loop 1604 area except for a 25-foot strip of land east and parallel to Galm Road from the City limits line at FM 471 to Government Canyon State Park as indicated in voluntary annexation petition and to include the adjacent right of way of Galm Road. His amendment also included the removal from consideration of Item 44D, which is the annexation of an area known as Stanton Run Subdivision Area Property. Councilman Barrera seconded the motion.

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

Councilman Sanders spoke to areas within the inner City whose basic needs are not being addressed. He noted that police and fire services are being stretched and that he would not support the annexation plan.

(Mayor Garza returned to the meeting and presided.)

Councilman Martin spoke to the reasons why he could not support full purpose annexations.

In response to his questions, Mr. Moncivais explained the process for limited purpose annexations and stated that at the end of three years, the City would make a determination whether to annex the areas.

Councilman Martin stated that he would support limited purpose annexations.

Councilwoman Conner offered a second amendment to the Ordinance pulling Items 44E, F, and H from this year's annexation package. Councilwoman Moorhouse seconded the motion.

Councilman Perez spoke in support of the Mayor's Initiative.

Councilwoman Moorhouse stated that limited purpose annexations would have a positive effect on certain areas, enhancing the quality of life. She then read a letter for the record from Congressman Ciro Rodriguez in which he spoke of the plans developed at a recent Southern Sector Strategic Summit and to the Southside Initiative bringing positive growth to the south side.

Councilman Barrera spoke to his support of the Southside Initiative, as it would afford a great opportunity to direct growth to the south side of the City.

Councilman Garcia stated that he could not support full annexation. He noted that, at this point, because of budget shortfalls, the City would need to find some other source of funds.

In response to a question by Councilman Schubert, Mr. Moncivais stated that property owners in the areas that would be affected by limited purpose annexations would continue enjoying the privileges they are presently enjoying. He also added that, at the end of three years if the properties were not annexed, they would go back to their original zoning. Councilman Schubert stated that he would not support full annexation at this time.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P. O. Box 12048, spoke against the annexation package.

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After consideration, the City Council approved Amendment 1 by the following vote: **AYES:** Perez, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Sanders, Moorhouse, Martin, Garcia. **ABSENT:** None.

The City Council then approved Amendment 2 by the following vote: **AYES:** Perez, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Sanders, Moorhouse, Martin, Garcia. **ABSENT:** None.

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

AN ORDINANCE 96547

AN AMENDMENT TO ORDINANCE 96547 ON SECOND AND FINAL READING PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS, AS HEREIN AMENDED, BY THE ANNEXATION OF APPROXIMATELY 22 ACRES OF LAND KNOWN AS THE GALM ROAD/LOOP 1604 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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Agenda Items 44D (approximately 73 acres of land known as the Stanton Run Subdivision Area Property), 44E (approximately 1,312 acres of land known as the Kyle Seale/Loop 1604 Area Property), 44F (approximately 146 acres of land known as the Helotes Park Terrace and the Park at French Creek Area Property), and 44H (approximately 1,473 acres of land known as the Cielo Vista Area Property) were removed from the annexation package.

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96548

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 10,283 ACRES OF LAND KNOWN AS THE GOVERNMENT CANYON/CITY PROPERTIES; ESTABLISHING AN EFFECTIVE DATE AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Conner seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96549

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 244 ACRES OF LAND KNOWN AS THE SHELDON TRACT; ESTABLISHING AN EFFECTIVE DATE AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 At this time, reference was made to Item #44G.

The Clerk read the following Ordinance:

AN ORDINANCE 96553

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 1,279 ACRES OF LAND KNOWN AS THE THRIFT TRACT/CITY PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 At this time, reference was made to Item #44I.

The Clerk read the following Ordinance:

AN ORDINANCE 96555

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 142 ACRES KNOWN AS THE STAGE RUN AREA PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

— — —
2002-43 The Clerk read a proposed ordinance, providing for the extension of the San Antonio City Limits by the full purpose annexation of approximately 2,694 acres of land known as the Lumberman Tracts; establishing an effective date and approving a service plan for such area.

Councilman Schubert made a motion to remove this Agenda Item from the annexation package. Councilman Perez seconded the motion.

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

Agenda Item 44J, approximately 2,694 acres of land known as the Lumberman Tracts, was removed from the annexation package.

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2002-43 At this time, reference was made to Item #44K.

The Clerk read the following Ordinance:

AN ORDINANCE 96557

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 8,358 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 1 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96558

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 3,762 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 2 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96559

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 9,796 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 3 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96560

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 2,936 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 4 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96561

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 3,104 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 5 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96562

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 8,502 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 6 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

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2002-43 Ms. Nancy Englebert and Ms. Lee Brettner, representing the Heritage Neighborhood Association, spoke to Agenda Item 50 and, referred to recent reports in the media regarding travel by certain Council members. They stated that the Association was in favor of all the Councilmen that had expressed an interest in attending the National League of Cities Conference in Salt Lake City, Utah be eligible to attend.

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2002-43 **EXECUTIVE SESSION**

The City Council recessed its regular session at 5:15 P.M. in order to convene in Executive Session for the purpose of:

A.) Attorney-client consultation pursuant to §551.071 of the Texas Gov't Code to discuss legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association.

B.) Attorney-client consultation pursuant to §551.071 of the Texas Gov't Code to discuss legal issues related to the Agreement between the City of San Antonio and Lumberman's Investment Corporation for Services in Lieu of Annexation concerning the Lumbermen's property in Bexar County, Texas.

C.) Attorney-client consultation pursuant to §551.071 of the Texas Gov't Code regarding *Save Our Aquifer, et al, v. City of San Antonio, et al*, Cause No. SA-02-CA-618, United States District Court, Western District, San Antonio Division.

The City Council adjourned the Executive Session at 6:37 P.M. and reconvened in regular session with Mayor Pro Tem Garcia presiding, at which time Mayor Pro Tem Garcia stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2002-43 **At this time, reference was made to Item #37.**

The Clerk read the following Ordinance:

AN ORDINANCE 96789

ESTABLISHING THE FILING PROCEDURES FOR CANDIDATES FOR THE CITY OF SAN ANTONIO CITY COUNCIL AND REPEALING ORDINANCE NO. 92954, PASSED ON NOVEMBER 30, 2000.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Sanders seconded the motion.

Acting City Clerk Yolanda Ledesma explained to the City Council that this proposed Ordinance established the filing procedures and outlined the qualifications for the May, 2003 City Council election. She added that it also included information on the applications, filing fees, and the cost of the candidates' packets. She further added that similar Ordinances are adopted for every election and they denote filing dates, last day to file for office, early voting dates along with a tentative date if a run-off election is necessary.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96790

DESIGNATING THE FIRM OF 3D/INTERNATIONAL TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE TERMINAL EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING NEGOTIATION OF A PROFESSIONAL SERVICES AGREEMENT.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

Mr. Kevin C. Dolliole, Aviation Director, narrated a slide presentation on the concourse B & C design services at the San Antonio International Airport, a copy of which is on file with the papers of this meeting. He provided information, in part, on the scope of the work, background, selection process, selection results, and project team.

In response to various questions, Mr. Dolliole responded to the selection process and Mr. Manuel Longoria, Assistant Director, Economic Development Department, explained how the Small Business Economic Development Advocacy (SBEDA) is scored.

Several members of the Council thanked the staff for their role in the selection process.

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

2002-43 The Clerk read a proposed ordinance accepting proposals from various vendors to provide services in the airport terminals at the San Antonio International Airport, for terms of five and seven years and providing for annual payments to the City of San Antonio of the greater of four percent to sixty-one percent of gross revenue, or minimum annual guarantee payments of between \$7,500.00 and \$170,000.00.

Councilman Schubert noted that the caption of this proposed Ordinance incorrectly identified Security Service Federal Credit Union as a duty free company.

Mr. Kevin C. Dolliole, Aviation Director, narrated a slide presentation on the concessionaire selection at the San Antonio International Airport, a copy of which is on file with the papers of this meeting. He provided information, in part, on the evaluation process, evaluation criteria, first and second phase selections, selection process, locations of various concessions, minority goals, and total program participation.

Councilman Schubert offered an amendment to remove from this Ordinance approval of Stellar Partners Texas, L.L.C., the duty-free company being proposed, to allow more time for review and to open up the Request For Proposal (RFP) process. Councilman Martin seconded the motion.

In response to questions by Councilman Barrera, Mr. Dolliole spoke to the point difference between Stellar Partners Texas, L.L.C. and Duty Free Americas. He added that the current vendor, Duty Free Americas, has been operating at the airport for approximately 10 years and throughout these years, the association between this vendor and the City has been successful.

Councilman Castro concurred with Councilman Schubert's amendment provided that the review and RFP were done in a timely manner. He also noted that there should be a policy statement in place with respect to the participation of state legislators as participants with ownership interests in contracts that are coming up for bid before the City Council. He added that the Council should discourage their participation as bidders before the City of San Antonio.

Several Council members spoke in agreement with Councilman Castro's comments and requested additional clarification with regard to both vendors.

Councilman Perez spoke in support of the Ordinance, as amended.

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

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

AN ORDINANCE 96791

ACCEPTING THE PROPOSALS OF NEVER TOO LATE BUSINESS AND COMMUNICATION CENTERS, L.L.C., FARIAS, INC., D.B.A. TEXAS TAX BACK, THE CLOTHES HANGAR, INC. D.B.A. LANDING GEAR, SECURITY SERVICE FEDERAL CREDIT UNION, THE SWATCH GROUP U.S., D.B.A. SWATCH WATCHES, NGS/DFSA-SAN ANTONIO JOINT VENTURE, ALICE S. PEREZ D.B.A. TEXAS EXECUTIVE, LE PETIT BISTRO, INC., LA TRELLE'S MANAGEMENT CORPORATION D.B.A. MARBLE SLAB CREAMERY, K & M CONCESSIONS GROUP, INC. D.B.A. POPEYES CHICKEN & BISCUITS, AND CREATIVE HOST SERVICE, INC. D.B.A. LAS PALAPAS; AUTHORIZING THE CITY MANAGER TO EXECUTE STANDARD CONCESSION AGREEMENTS, PURSUANT THERETO, FOR THE RESPECTIVE OPERATION OF A CLOTHING BOUTIQUE, FIVE (5) SECURITY SERVICE FEDERAL CREDIT UNION ATM LOCATIONS, A FASHION WATCH AND JEWELRY FACILITY, A NEWS AND GIFT SHOP, A GOLF SHOP, A SPECIALTY RETAIL BOUTIQUE, A BISTRO, AN ICE CREAM AND YOGURT SHOP, POPEYES CHICKEN AND A LAS PALAPAS FULL SERVICE RESTAURANT IN AIRPORT TERMINALS AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR TERMS OF FIVE (5) AND SEVEN (7) YEARS AND PROVIDING FOR ANNUAL PAYMENTS TO THE CITY OF SAN ANTONIO OF THE GREATER OF FOUR PERCENT (4%) TO SIXTY-ONE PERCENT (61%) OF

GROSS REVENUE, OR MINIMUM ANNUAL GUARANTEE PAYMENTS OF BETWEEN \$7,500.00 AND \$170,000.00.

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96792

ACCEPTING THE PROPOSAL OF CUTTING EDGE COMMUNICATIONS, INC. TO PROVIDE MEDIA CONSULTATION AND TARGETED ADVERTISING SERVICES FOR THE RACIAL AND ETHNIC ADULT DISPARITIES IMMUNIZATION INITIATIVE OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD DECEMBER 1, 2002 THROUGH MARCH 31, 2003; AUTHORIZING THE EXECUTION OF A CONTRACT WITH CUTTING EDGE COMMUNICATIONS, INC. FOR AN AMOUNT NOT TO EXCEED \$150,000.00; AND AUTHORIZING PAYMENTS FOR SERVICES.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Dr. Fernando Guerra, Director of the Metropolitan Health Department, narrated a slide presentation on the media consultation and targeted advertising services in support of the Racial and Ethnic Adult Disparities Immunization Initiative (READII), a copy of which is on file with the papers of this meeting. He provided information, in part, on the READII Program's purpose, the Request for Proposal (RFP) and committee timelines, the project's background, proposal submittals, evaluation committee and criteria, and evaluation scores. He further added that Cutting Edge Communications, Inc. was recommended to provide media consultation and targeted advertising services.

In response to Councilman Sanders, Ms. Denise Herrera-Wieters, President of Cutting Edge Communications, Inc., provided information on the company and its employee breakdown.

Councilman Sanders requested that Dr. Guerra provide him with a report on what the City is doing outside of this project to reach other minority groups in the community.

Dr. Guerra responded to other questions by several Council members with regard to this project's targeted population and the full coverage that is being provided to the City of San Antonio by the Centers for Medicare and Medicaid Services.

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

— — —
2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96793

APPROVING A SCHEDULE OF CHARGES FOR CHILLED WATER AND STEAM SERVICE AT KELLYUSA; AMENDING CHAPTER 34 OF THE CITY CODE TO INCORPORATE SUCH SCHEDULE OF CHARGES; AND AUTHORIZING THE IMPLEMENTATION OF SUCH SCHEDULE OF CHARGES FOR CHILLED WATER AND STEAM SERVICES AT KELLYUSA BEGINNING ON DECEMBER 1, 2002.

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Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

Mr. Ben Gorzell, Jr., CPA, Public Utilities Supervisor/Assistant Director, Finance Department, introduced Mr. Alex Hinojosa, SAWS Director of Finance, who narrated a slide presentation on the proposed KellyUSA rate adjustments for chilled water and steam service, a copy of which is on file with the papers of this meeting.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96794

AMENDING CITY ORDINANCE NO. 90734 IN ORDER TO REVISE THE COMMODITY CHARGE METHODOLOGY FOR CHILLED WATER AND STEAM SERVICE IN THE DOWNTOWN AREA; AMENDING CHAPTER 34 OF THE CITY CODE TO INCORPORATE SUCH REVISIONS; AND AUTHORIZING THE IMPLEMENTATION OF SUCH REVISIONS TO THE COMMODITY CHARGE

METHODOLOGY FOR THE DOWNTOWN AREA ON DECEMBER 1, 2002.
(AMENDS ORDINANCE NO. 90734, OCTOBER 21, 1999.)

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Alex Hinojosa, SAWS Director of Finance, narrated a slide presentation on the proposed downtown area adjustments for chilled water and steam service, a copy of which is on file with the papers of this meeting.

Mr. Ben Gorzell, Jr., CPA, Public Utilities Supervisor and Assistant Director, Finance Department, spoke to some inadvertent over billing over the past three years and the impact to the budget.

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

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2002-43 At this time, reference was made to Item #45.

The Clerk read a proposed Ordinance reallocating \$702,117.00 included in the FY 2003 Adopted Budget for the provision of services to four areas anticipated to be removed from the Annexation Plan as a result of November 21, 2002 Council action; reducing the Advance Life Support I fee from \$350.00 to \$300.00 per transport and the Ambulance Service Mileage Fee from \$9.00 to \$6.00 per mile; increasing the Brooks City-Base Fund professional services budget by \$135,000.00 for 24-hour security operations at the Brooks City-Base Office at a cost of \$65,000.00; increasing the General Fund transfer to the Emergency Medical Services Fund by \$476,505.00; and increasing the General Fund transfer to the Brooks City-Base Fund by \$200,000.

Councilman Castro made a motion to approve the proposed Ordinance. Councilman Schubert seconded the motion.

Mr. Lou Lendman, Director, Management & Budget Office, narrated a slide presentation which included the background on the monies to be reallocated, the areas where these funds would be reallocated, and the staff's recommendation for approval of the Ordinance, a copy of which is on file with the papers of this meeting.

Councilwoman Moorhouse amended the proposed Ordinance to include reallocation of the \$702,117.00 in the following manner: 1) Add \$135,000 for 24-hour security operations at Brooks City Base; 2) Add one Economic Development Manager position to the Economic Development Department at a cost of \$65,000.00; 3) Keep life support and ambulance fees specified in Item 45 the same with no change; and 4) Council to discuss and determine how the allocated amount in Item 45 to the Fire Department should be expended. Additionally, to direct staff to come back to Council on December 12, 2002, with the proposed budget amendment for reallocation of the remainder. Councilman Sanders seconded the motion.

On a point of clarification by Councilman Castro, Mr. Lendman stated that these monies are available because the Council annexed fewer areas than were originally anticipated.

In response to questions by Councilmen Castro and Garcia, Mr. Lendman explained the intent of the amendment and the direction given to staff.

A discussion ensued on the amendments and the reallocation of the monies.

Councilman Schubert stated that he would vote against the amendment, as he did not think that all the monies should go to only one particular department at this time.

Councilman Castro offered a substitute motion to continue this item to December 12, 2002 until more information is provided. Councilman Schubert seconded the motion.

Councilwoman Moorhouse withdrew her motion and Councilman Sanders concurred.

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

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

Agenda Item #45 was moved for consideration to the December 12, 2002, City Council meeting.

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2002-43 At this time, reference was made to Item #47.

The Clerk read the following Ordinance:

AN ORDINANCE 96795

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT FOR THE INSTALLATION OF FOUR (4) ALL-WAY STOP SIGNS AT THE INTERSECTION OF ROGERS RANCH PARKWAY AND CROSTIMBER/FALLING BROOK; AS REQUESTED BY COUNCILMAN CARROLL W. SCHUBERT, DISTRICT 9.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

Mr. Thomas Wendorf, P.E., Director of Public Works, narrated a slide presentation on the Rogers Ranch and Crosstimber/Falling Brook installation of an all-way stop sign, a copy of which is on file with the papers of this meeting. He provided information on the background of this area, requirements for an all-way stop installation, existing conditions, study results, financial impact, and staff recommendation.

Councilman Schubert spoke to the danger at this intersection and asked fellow Council members for affirmative votes on this item.

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

— — —
2002-43 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Mayor Edward D. Garza who will travel to Austin, Texas to attend the Urban Texas, Inc. 2002 Urban Policy Conference on Thursday, November 21, 2002.

Councilman Barrera made a motion to approve the proposed Travel Authorization. Councilman Schubert seconded the motion.

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

— — —
2002-43 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Mayor Edward D. Garza who will travel to Guadalajara and Monterrey, Mexico for an official visit to Casa San Antonio in Guadalajara and Monterrey, Mexico from Sunday, November 24, 2002 to Thursday, November 28, 2002.

Councilman Barrera made a motion to approve the proposed Travel Authorization. Councilwoman Conner seconded the motion.

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

— — —
2002-43 TRAVEL AUTHORIZATION - Granted:

Travel Authorization for Councilmembers David A. Garcia, District 5, Carroll W. Schubert, District 9, who will travel to Salt Lake City, Utah to attend the 79th Congress of City and Exposition (National League of Cities Conference) the week of Monday, December 2, 2002 through Saturday, December 7, 2002.

Councilman Perez made a motion to approve the proposed Travel Authorization. Councilwoman Conner seconded the motion.

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

— — —
2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96796

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO SAN ANTONIO MARATHON - MARATHON OF THE AMERICAS ®, TO BE USED TO HELP DEFRAY EXPENSES ASSOCIATED WITH THE SAN ANTONIO MARATHON THAT WAS

HELD ON NOVEMBER 9-10, 2002; AS REQUESTED BY MAYOR EDWARD GARZA.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

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

— — —
2002-43 The Clerk read a proposed ordinance authorizing the expenditure of \$200 from the Mayor's Contingency Account Fund, payable to Beat-Aids, Inc., to be used to help individuals and families with AIDS/HIV with emergency situations.

Councilman Perez, on behalf of Councilman Garcia, pledged \$200.00 from District 5's contingency account funds.

Councilman Perez made a motion to approve the Ordinance with additional funds from District 5 - \$200. Councilwoman Moorhouse seconded the motion.

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

AN ORDINANCE 96797

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND AND \$200.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND PAYABLE TO BEAT-AIDS, INC., TO BE USED TO HELP INDIVIDUALS AND FAMILIES WITH AIDS/HIV WITH EMERGENCY SITUATIONS (I.E. UTILITY ASSISTANCE, FOOD, TRANSPORTATION VOUCHERS AND/OR RENTAL ASSISTANCE); AS REQUESTED BY MAYOR EDWARD D. GARZA AND DISTRICT 5 COUNCILMAN DAVID A. GARCIA.

2002-43 The Clerk read a proposed ordinance authorizing the expenditure of \$1,000.00 from the Mayor's Contingency Account Fund, payable to Chuy's Comida Deluxe, to be used to help defray expenses associated with the Children's Parade to be held on December 7, 2002.

Several Council members pledged monies from their contingency accounts towards defraying expenses for this event.

Councilman Castro made a motion to approve the proposed Ordinance with additional funds from the following districts: District 1 - \$1,000; District 3 - \$200; District 4 - \$200; District 5 - \$200; District 6 - \$200; District 7 - \$200; District 9 - \$250; District 10 - \$200. Councilman Perez seconded the motion.

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

AN ORDINANCE 96798

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, \$1,000.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, \$200.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, \$200.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND, \$200.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, \$200.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, \$200.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND, \$250.00 FROM THE DISTRICT 9 CONTINGENCY ACCOUNT FUND, AND \$200.00 FROM THE DISTRICT 10 CONTINGENCY ACCOUNT FUND PAYABLE TO CHUY'S COMIDA DELUXE, TO BE USED TO HELP DEFRAY EXPENSES ASSOCIATED WITH THE CHILDREN'S PARADE TO BE HELD ON DECEMBER 7, 2002, WHICH WILL COLLECT TOYS FOR THE ELF LOUISE CHRISTMAS PROJECT; AS REQUESTED BY MAYOR EDWARD D. GARZA, DISTRICT 1 COUNCILMAN BOBBY PEREZ, DISTRICT 3 COUNCILWOMAN ANTONIETTE MOORHOUSE, DISTRICT 4 COUNCILMAN ENRIQUE "KIKE" MARTIN, DISTRICT 5 COUNCILMAN DAVID A GARCIA, DISTRICT 6 COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 7 COUNCILMAN JULIAN CASTRO, DISTRICT 9 COUNCILMAN CARROLL W. SCHUBERT, AND DISTRICT 10 COUNCILMAN DAVID CARPENTER.

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2002-43 The Clerk read a proposed ordinance authorizing expenditure of \$1,000 from the District 1 contingency account fund, payable to the Little Church of La Villita, to be used to help defray the costs associated with providing food to the needy during the holiday season.

Several Council members pledged monies from their contingency accounts to help defray the costs associated with this activity.

Councilman Perez made a motion to approve the proposed Ordinance with additional funds from the following districts: District 1 - \$1,000; District 3 - \$250; District 4 - \$500; District 5 - \$500; District 6 - \$250; District 7 - \$500; District 8 - \$500; District 9 - \$500; District 10 - \$500. Councilwoman Moorhouse seconded the motion.

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

AN ORDINANCE 96799

AUTHORIZING THE TOTAL EXPENDITURE OF \$4,500.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE LITTLE CHURCH OF LA VILLITA, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH PROVIDING FOOD TO THE NEEDY DURING THE HOLIDAY SEASON; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

— — —
2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96800

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE INTERAGENCY ADVISORY BOARD OF THE CLAUDE BLACK CENTER, TO BE USED TO HELP DEFRAY EXPENSES ASSOCIATED WITH SANTA'S SOUL DAY, TO BE HELD ON MONDAY, DECEMBER 23, 2002; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

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

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2002-43 The Clerk a proposed ordinance authorizing expenditure of \$100.00 from the District 3 Contingency Account Fund, payable to the Highlands High School VICA Booster Club, to be used to help defray the cost of travel expenses for VICA club members to attend District and State competitions.

Councilwoman Moorhouse requested that the expenditure be raised from \$100.00 to \$200.00.

Councilman Perez made a motion to approve the proposed Ordinance with additional funds added by Councilwoman Moorhouse. Councilman Martin seconded the motion.

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

AN ORDINANCE 96801

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE HIGHLANDS HIGH SCHOOL VICA BOOSTER CLUB, TO BE USED TO HELP DEFRAY THE COST OF TRAVEL EXPENSES FOR VICA CLUB MEMBERS TO ATTEND DISTRICT AND STATE COMPETITIONS; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

— — —

2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96802

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PALM HEIGHTS NEIGHBORHOOD ASSOCIATION, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH THE ASSOCIATION'S ANNUAL CHRISTMAS PARTY TO

BE HELD AT THE TESORO PARTY HOUSE ON TUESDAY, DECEMBER 3, 2002,
AS REQUESTED BY COUNCILMAN DAVID A GARCIA.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96803

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE CABLE WESTWOOD NEIGHBORHOOD ASSOCIATION, TO BE USED TO PURCHASE GOODS AND SUPPLIES FOR THE ASSOCIATION'S ANNUAL HOLIDAY MEMBERSHIP DRIVE DINNER THAT WAS HELD ON NOVEMBER 19, 2002; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 6.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96804

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND (\$500.00) AND THE DISTRICT 6

CONTINGENCY ACCOUNT FUND (\$500.00), PAYABLE TO THE NATIVE AMERICAN CENTER OF TEXAS, INC. TO BE USED TO HELP DEFRAY COSTS ASSOCIATED WITH THE NATIONAL AMERICAN INDIAN HERITAGE MONTH CELEBRATIONS; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 6.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

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

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96805

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND (\$250.00) AND DISTRICT 7 CONTINGENCY ACCOUNT FUND (\$250.00), PAYABLE TO THE MISTY OAKS HOMEOWNERS ASSOCIATION, TO BE USED TO SUPPORT THE YOUTH SWIM TEAM THROUGH INCREASED COACHING AND YOUTH PARTICIPATION; AS REQUESTED BY COUNCILMEN ENRIQUE M. BARRERA, DISTRICT 6, AND JULIAN CASTRO, DISTRICT 7.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

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

— — —
2002-43 The Clerk read a proposed ordinance authorizing the total expenditure of \$250.00 from the District 7 Contingency Account Fund, payable to the Holy Family

Nutrition Program, to be used to help defray expenses associated with the Seniors Dance that was held on September 5, 2002; as requested by Councilman Julián Castro.

Councilman Perez made a motion to approve the proposed Ordinance with additional funds from the following districts: District 6 - \$250.00; District 7 - \$250.00. Councilman Carpenter seconded the motion.

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

AN ORDINANCE 96806

AUTHORIZING THE TOTAL EXPENDITURE OF \$500.00 FROM THE VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE HOLY FAMILY NUTRITION PROGRAM, TO BE USED TO HELP DEFRAY EXPENSES ASSOCIATED WITH THE SENIORS DANCE THAT WAS HELD ON SEPTEMBER 5, 2002; AS REQUESTED BY COUNCILMAN JULIÁN CASTRO.

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2002-43 The Clerk read the following Ordinance:

AN ORDINANCE 96807

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE NUECES BEND AT TWO RIVERS PLACE SENIOR APARTMENT COMMUNITY, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH ITS UPCOMING HOLIDAY DINNERS; AS REQUESTED BY COUNCILMAN JULIÁN CASTRO.

* * * *

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

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

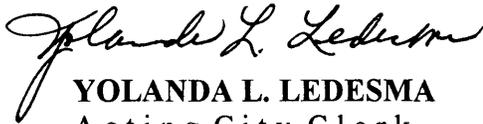
2002-43 There being no further business to come before the Council, the meeting was adjourned at 8:39 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



YOLANDA L. LEDESMA
Acting City Clerk