

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

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 17, 2005

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

Staff briefing on San Antonio International Airport System Capital Improvement Program. [Presented by Kevin Dolliole, Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

The "B" Session adjourned at 11:46 am.

The Regular Meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward Garza, with the following members present: Flores, Williams, Segovia, Radle, Barrera, Perez, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

The Invocation was delivered by Rev. LaSalle R. Vaughn, District 4, New Life Christian Center.

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

CEREMONIAL ITEMS

Mayor Garza presented the following honorariums:

A Proclamation for the kick-off of the Code Compliance Awareness Campaign.

Presentation of the official City of San Antonio 2005 Fiesta Medal.

The minutes of the City Council meetings of January 20 and January 27, 2005 were approved as presented.

CONSENT AGENDA - CITIZEN'S COMMENTS

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke with regards to the mascots and the ceremonials and item 13 – Storm Water Revenue Bonds. He also spoke to the Councilmembers receiving campaign contributions.

Items 8, 11, 12, 13, 18, 24, 26 and 30B were addressed individually from the consent agenda. The remaining Items 5 through 30C were approved under the consent agenda upon motion made by Councilmember Haass and seconded by Councilmember Perez.

After consideration, the motion, carrying with it the passage of the Ordinances, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

AN ORDINANCE 100414

ACCEPTING THE LOW RESPONSIVE BIDS SUBMITTED BY DEMCO, INC., ITEMS 3, 8-10, 12-16, 36-40, 50-59 AND 61; BRODART COMPANY, ITEMS 1, 2, 6, 24-26, 29-33 AND 42; GAYLORD BROTHERS, ITEMS 17-20, 23, 27, 28, 41, 43-49 AND 62-65; SCHOOL SPECIALTY, ITEMS 21, 22, 34 AND 35; LIBRARY INNOVATIONS, ITEMS 4, 5, 11 AND 60 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARY DEPARTMENT WITH LIBRARY FURNITURE AND FIXTURES FOR A TOTAL COST OF \$48,602.76 FROM THE GRANTS IN AID TRUST FUND – LONE STAR GRANT.

AN ORDINANCE 100415

ACCEPTING THE BID SUBMITTED BY BABY JACK II AUTOMOTIVE LTD., D/B/A CALDWELL COUNTRY CHEVROLET TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT SWAT UNIT WITH A REPLACEMENT CUT-AWAY CAB AND CHASSIS WITH VAN BODY FOR A TOTAL COST OF \$48,755.00 FROM THE LOCAL LAW ENFORCEMENT BLOCK GRANT.

AN ORDINANCE 100416

ACCEPTING THE OFFER SUBMITTED BY WHEELED COACH INDUSTRIES, INC., UTILIZING THE TEXAS BUYBOARD CONTRACT, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH SIXTEEN (16) REPLACEMENT TYPE I AMBULANCES FOR A TOTAL COST OF \$1,235,312.00.

AN ORDINANCE 100417

ACCEPTING THE LOW, QUALIFIED BID ALTERNATE 1 DEDUCTION OF V.W. BROOKS, INC. (MBE/DBE) IN THE AMOUNT OF \$113,700.00 IN CONNECTION WITH THE CROCKETT PARK IMPROVEMENTS PHASE 2 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING THE TRANSFER OF PROJECT SAVINGS IN THE AMOUNT OF \$1,000.00 WITHIN THE PROJECT BUDGET; AUTHORIZING \$4,000.00 FOR ARCHITECTURAL FEES PAYABLE TO GOULD EVANS ASSOCIATES, P.L.L.C.; AUTHORIZING \$670.00 FOR ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$5,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$123,370.00; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100418

APPROVING FIELD ALTERATION NO. 13 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$46,272.00 TO CONSTRUCTORS & ASSOCIATES, INC. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE MUNICIPAL PLAZA EXTERIOR RENOVATION PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$29,728.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$76,000.00 FROM CERTIFICATES OF OBLIGATION; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100419

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE UNION PACIFIC RAILROAD

COMPANY; AUTHORIZING PAYMENT IN THE AMOUNT OF \$15,764.60 TO TEXAS DEPARTMENT OF TRANSPORTATION REPRESENTING THE CITY'S SHARE OF THE CONSTRUCTION COSTS OF THE RAILROAD CROSSING IN CONNECTION WITH THE MCCULLOUGH – UPRR TO BASSE MPO PROJECT, LOCATED IN COUNCIL DISTRICT 1; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100420

AUTHORIZING PAYMENT IN THE AMOUNT OF \$170.00 TO UTAH STATE RETIREMENT FUND C/O AMB INST REALTY ADVISORS FOR A PERMANENT DRAINAGE EASEMENT AND A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE JAMES PARK DEVELOPMENT AND HOLBROOK ROAD IMPROVEMENTS PROJECT, 1994-1999 DRAINAGE IMPROVEMENT BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100421

AUTHORIZING PAYMENT IN THE AMOUNT OF \$800.00 TO IQBALALI J. MOMIN FOR A PERMANENT DRAINAGE EASEMENT AND A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE HARDY OAK EXTENSION PROJECT, LOCATED IN COUNCIL DISTRICT 10; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100422

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CITY CODE SECTION 19-68(B) TO MAKE CERTAIN ADDITIONS TO AND DELETIONS FROM THE OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULE FOR "FULL TRAFFIC SIGNAL LOCATIONS", "ONE-WAY AT ALL TIMES" SIGNS, "CROSS STREET STOP" SIGNS, "CROSS STREET YIELD" SIGNS, "MAXIMUM SPEED LIMIT" SIGNS, "PARKING PROHIBITED AT ALL TIMES, INCLUDING SUNDAYS AND HOLIDAYS" SIGNS, "COMMERCIAL LOADING ZONE, 30 MINUTE LIMIT" SIGNS, AND "STUDENT LOADING SEVEN A.M. TO NINE A.M. AND TWO P.M. TO FOUR P.M. SCHOOL DAYS ONLY" SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND DECLARING VIOLATIONS OF THESE TRAFFIC

REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE MISDEMEANOR CRIMES PUNISHABLE BY A FINE AS ESTABLISHED IN CITY CODE SECTION 1-5, AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-225; ESTABLISHING AN EFFECTIVE DATE; AND DIRECTING PUBLICATION.

AN ORDINANCE 100423

AUTHORIZING THE ACCEPTANCE OF A CLINICAL STUDY AGREEMENT IN THE AMOUNT OF \$53,175.00 FROM MERCK & COMPANY, INC. FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN A STUDY TO EVALUATE A VACCINE AGAINST MEASLES, MUMPS AND RUBELLA DISEASES IN HEALTHY CHILDREN TWELVE TO EIGHTEEN MONTHS OF AGE BEGINNING ON JANUARY 10, 2005 AND CONTINUING FOR APPROXIMATELY TEN (10) MONTHS; AUTHORIZING THE EXECUTION OF A CLINICAL STUDY AGREEMENT WITH MERCK & COMPANY, INC.; ESTABLISHING A FUND; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100424

AUTHORIZING THE ACCEPTANCE OF \$100,000.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("TDSHS") TO AUGMENT SUPPORT AND REALLOCATE FUNDS PREVIOUSLY ACCEPTED FOR THE BIOTERRORISM PREPAREDNESS PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH TDSHS; AMENDING THE PROGRAM BUDGET; APPROVING THE TRANSFER OF \$119,215.00 OF SAID FUNDS TO THE BIOTERRORISM PREPAREDNESS LABORATORY RENOVATION PROGRAM; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100425

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ACCEPT A CASH DONATION IN THE AMOUNT OF \$1,000.00 FROM TARGET STORES TO THE FINANCIAL CRIMES UNIT, FORGERY DETAIL, OF THE SAN ANTONIO

POLICE DEPARTMENT; AMENDING THE BUDGET; AND APPROPRIATING FUNDS.

AN ORDINANCE 100426

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY, ON BEHALF OF THE ALAMO AREA COMMUNITY INFORMATION SYSTEM (AACIS) IN THE AMOUNT OF \$149,346.00 TO SUPPORT THE COMMUNITY TECHNOLOGY CENTERS AND ACADEMIC ENRICHMENT PROGRAM FOR THE PERIOD OF JANUARY 1, 2005 TO DECEMBER 31, 2005; AND APPROVING A BUDGET.

AN ORDINANCE 100427

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO AND UPON AWARD, THE ACCEPTANCE OF A CRIMINAL JUSTICE PLANNING (421) FUND GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$45,230.00 TO EXPAND THE TEEN COURT PROGRAM FOR THE PERIOD SEPTEMBER 1, 2005 TO AUGUST 31, 2006; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

AN ORDINANCE 100428

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$120,000.00 FROM THE ANNIE E. CASEY FOUNDATION (AECF) FOR THE CONTINUATION OF THE "MAKING CONNECTIONS - NEIGHBORHOOD TRANSFORMATION/FAMILY DEVELOPMENT" INITIATIVE AND FOR SUPPORT OF THE FAMILY ECONOMIC SECURITY PROGRAM BEGINNING JANUARY 1, 2005 AND ENDING DECEMBER 31, 2005; AUTHORIZING ACCEPTANCE OF A TECHNICAL ASSISTANCE GRANT IN THE AMOUNT OF \$5,000.00 FROM THE AECF TO SUPPORT THE VOLUNTEER INCOME TAX ASSISTANCE PROGRAM BEGINNING JANUARY 1, 2005 AND ENDING DECEMBER 31, 2005; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTATION WITH AECF IN CONNECTION WITH SAID GRANTS; AUTHORIZING THE TRANSFER OF THE REMAINING FUND BALANCE FROM THE 2004 MAKING CONNECTIONS PROJECT TO THE 2005 MAKING CONNECTIONS PROJECT; AUTHORIZING THE TRANSFER OF \$34,000.00 FROM THE 2005 MAKING CONNECTIONS PROJECT TO THE FAMILIES SAVE

PROGRAM; REVISING THE FAMILIES SAVE PROGRAM BUDGET; AND ADOPTING A BUDGET FOR THE 2005 MAKING CONNECTIONS PROJECT.

AN ORDINANCE 100429

AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH SAN ANTONIO METROPOLITAN MINISTRIES IN THE AMOUNT OF \$119,025.00 AND CHRISTIAN ASSISTANCE MINISTRIES IN THE AMOUNT OF \$30,910.00 FOR THE PROVISION OF HOMELESS SUPPORTIVE SERVICES FOR THE PERIOD MARCH 1, 2005 THROUGH SEPTEMBER 30, 2005, WITH THE OPTION TO RENEW FOR AN ADDITIONAL TWELVE (12) MONTHS; AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE DELEGATE AGENCY CONTRACT WITH CORAZON MINISTRIES TO INCLUDE AN ADDITIONAL \$92,248.00 FOR A TOTAL ALLOCATION OF \$275,100.00 FOR THE PROVISION OF HOMELESS SUPPORTIVE SERVICES FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, WITH AN OPTION TO RENEW FOR AN ADDITIONAL TWELVE (12) MONTHS.

AN ORDINANCE 100430

ORDINANCE AUTHORIZING A FIREWORKS DISPLAY FOR UTSA'S "ROWDY RAMPAGE HOMECOMING" TO BE HELD AT 6900 N. LOOP 1604 AT APPROXIMATELY 8:00 P.M. ON FEBRUARY 24, 2005, WITH NO RAIN DATE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

AN ORDINANCE 100431

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR DOWNTOWN FOR A RUN/WALK EVENT IN CONNECTION WITH THE GRAND MASTER'S VISIT TO THE ALAMO TO BE HELD FROM 9:30 A.M. UNTIL 11:00 A.M. SATURDAY, MARCH 5, 2005, SPONSORED BY THE MASONIC GRAND LODGE OF TEXAS.

AN ORDINANCE 100432

REAPPOINTING LOUIS A. VIDAURRI (DISTRICT 1) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100433

AMENDING ORDINANCE NO. 100344, DATED JANUARY 27, 2005, TO CHANGE MARY E. ROGERS TERM OF OFFICE TO FEBRUARY 22, 2006 FOR HER APPOINTMENT AS A REGULAR MEMBER TO THE BOARD OF ADJUSTMENT.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100434

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY TANSECO SYSTEMS TO PROVIDE THE CITY OF SAN ANTONIO HEALTH, ENVIRONMENTAL SERVICES AND CUSTOMER SERVICE/311 DEPARTMENTS WITH A CLOSED CIRCUIT TELEVISION SYSTEM IN SUPPORT OF THE CITY'S CASH HANDLING INITIATIVE FOR A TOTAL COST OF \$99,520.00.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100435

SELECTING C.A. LANDRY PARTNERS, LTD, (SBE) TO PROVIDE DESIGN BUILD SERVICES IN CONNECTION WITH THE GROWDEN ROAD VEHICLE STORAGE ADMINISTRATION FACILITY PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE EXECUTION OF A DESIGN BUILD SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$271,600.00; AUTHORIZING \$13,400.00 FOR ARCHITECTURAL, ENGINEERING AND CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$285,000.00 FROM THE GENERAL FUND SPECIAL ONE-TIME PROJECTS GROWDEN POUND BUDGET AND THE GROWDEN POUND VEHICLE STORAGE CAPITAL PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100436

AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$12,317.00 FROM 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS TO REIMBURSE THE ENVIRONMENTAL INDEFINITE DELIVERY CONSULTING SERVICES FUND FOR ENVIRONMENTAL CONSULTING SERVICES PAID TO ATC ASSOCIATES, INC., UNDER AN ON-CALL PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES AGREEMENT, IN CONNECTION WITH THE LINDA LOU – PRESA TO HACKBERRY PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100437

AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$20,942.00 FROM 2003 STORM WATER REVENUE BOND FUNDS TO REIMBURSE THE ENVIRONMENTAL INDEFINITE DELIVERY CONSULTING SERVICES FUND FOR ENVIRONMENTAL CONSULTING SERVICES PAID TO POST, BUCKLEY, SCHUH & JERNIGAN, INC., UNDER AN ON-CALL PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES AGREEMENT, IN CONNECTION WITH THE MILITARY DITCH #65 PROJECT, LOCATED IN COUNCIL DISTRICT 4; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100438

AUTHORIZING THE EXECUTION OF A MASTER LEASE PURCHASE AGREEMENT WITH BANC OF AMERICA LEASING & CAPITAL, L.L.C., TO FUND VARIOUS PERSONAL PROPERTY ACQUISITION REQUIREMENTS, WITH A TERM BEGINNING ON FEBRUARY 24, 2005 AND ENDING ON FEBRUARY 23, 2006, WITH OPTIONS TO RENEW FOR FOUR (4) ADDITIONAL ONE (1) YEAR TERMS, PROVIDING FOR AN ANNUAL LEASE FINANCING AMOUNT NOT TO EXCEED \$5,000,000.00, AND AN AMORTIZATION PERIOD BETWEEN TWO (2) AND FIVE (5) YEARS AT THE CITY'S DISCRETION; AUTHORIZING AN INITIAL LEASE FINANCING OF \$2,606,436.85 FOR THE ACQUISITION OF SELF-CONTAINED BREATHING APPARATUS COMPONENTS, A MAINFRAME COMPUTER SYSTEM, AND SOFTWARE LICENSES AT AN INTEREST RATE OF 3.11% FOR A 60 MONTH TERM, AND TO PAY THE COSTS OF FINANCING; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

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

The City Clerk read the following resolution:

A RESOLUTION 2005-08-06

AUTHORIZING THE REIMBURSEMENT OF FUNDS PREVIOUSLY EXPENDED FROM THE PROCEEDS OF THE LEASE PURCHASE AGREEMENT ENTERED INTO BETWEEN THE CITY OF SAN ANTONIO AND BANC OF AMERICA

LEASING & CAPITAL, L.L.C.; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS RESOLUTION.

Councilmember Perez made a motion to approve the proposed Resolution. Councilmember Williams seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100439

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO AND UPON AWARD, THE ACCEPTANCE OF A SAFE AND DRUG FREE SCHOOLS AND COMMUNITY'S GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS, BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$179,954.00 FOR THE SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES GRANT TO SUPPORT THE EXPANSION OF THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS ("START") PROGRAM IN THREE ADDITIONAL SCHOOLS IN THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FROM SEPTEMBER 1, 2005 TO AUGUST 31, 2006; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100440

ORDINANCE REAPPOINTING KATHLEEN A. MCGOWAN (ANIMAL SHELTER OPERATOR CATEGORY - DISTRICT 1) TO THE ANIMAL CARE SERVICES

ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100441

AUTHORIZING EXECUTION OF A FUNDING AGREEMENT WITH THE SAN ANTONIO EDUCATION PARTNERSHIP IN THE AMOUNT OF \$60,000.00 FOR STAFF SERVICES TO PROVIDE PROGRAM OUTREACH AND SCHOLARSHIP ELIGIBILITY DETERMINATION FOR STUDENTS ATTENDING TOM C. CLARK, WINSTON CHURCHILL AND JAMES MADISON HIGH SCHOOLS FOR THE PERIOD FEBRUARY 27, 2005 THROUGH SEPTEMBER 30, 2005.

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

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100442

ESTABLISHING COMPENSATION FOR J. ROLANDO BONO IN HIS CAPACITY AS INTERIM CITY MANAGER IN THE AMOUNT OF \$16,666.66 PER MONTH EFFECTIVE IMMEDIATELY, AS REQUESTED BY MAYOR ED GARZA.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, San Antonio addressed the Council on items 31, 34, and 38.

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

Mayor Garza spoke to the excellent performance of Interim City Manager Rolando Bono, adding there was a consensus of the City Council to increase the salary of Mr. Bono.

Members of the City Council also expressed their approval of Mr. Bono's performance and concurred with the proposed salary increase.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100443

APPROVING TWO APPOINTMENTS TO THE ALAMO WORKFORCE DEVELOPMENT BOARD A/K/A ALAMO WORKSOURCE.

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

Ms. Dianne Quaglia, Community Initiatives Department, made a presentation on the proposed appointments to the Alamo Workforce Development Board, a copy of which is on file with the Office of the City Clerk. Ms. Quaglia spoke to the function of the Alamo WorkSource, the appointment process of the Board, the Board composition, the current vacancies and proposed recommendations for appointment. She added that the nominees needed to be approved by the three principal entities, those being the Area Rural Judges, Bexar County Commissions Court and the City Council.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100444

AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR FEDERAL REPRESENTATION SERVICES WITH LOEFFLER TUGGEY PAUERSTEIN ROSENTHAL, L.L.P. IN AN AMOUNT NOT TO EXCEED \$14,400 PER MONTH FOR THE TERM OF MARCH 1, 2005 THROUGH SEPTEMBER 30, 2006, WITH A ONE (1)-YEAR RENEWAL OPTION; AND PROVIDING FOR PAYMENT.

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

Mr. Ray Baray, Intergovernmental Relations Manager, made a presentation on the Federal Representation Services Contract, a copy of which is on file with the Office of the City Clerk. He stated the contract would be for an 18-month period for an amount not to exceed \$14,400 per month. He further outlined background information on the RFP process, the proposals received, the evaluation process, evaluation criteria, evaluation results, and the recommendation approved by the Intergovernmental Relations Committee.

Councilmember Haass made a motion for Amendment 1 to send this contract to staff and enter into an agreement with two groups and give consideration to the federal initiatives and spread those amongst the firms in order to achieve greater success in Washington. Councilmember Perez seconded the motion with a friendly amendment to proceed with the law firm of Holland Knight as the second group in order for staff to work out the initiatives amongst the two firms and which will be given to each firm with additional monies of \$8,000 - \$10,000 per month for a value added amount on a separate contract.

Councilmember Williams made a motion for Amendment 2 to send the entire issue back to the Intergovernmental Relations Committee for a recommendation for the selection of a firm. Councilmember Flores seconded the motion.

After consideration, the motion on Amendment 2 failed by the following vote: **AYES:** Williams, Segovia, Radle. **NAYS:** Flores, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza. **ABSENT:** None.

After consideration, the motion on Amendment 1 prevailed by the following vote: **AYES:** Flores, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** Williams, Segovia, Schubert. **ABSENT:** None.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100445

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ALAMO COMMUNITY COLLEGE DISTRICT AT PALO ALTO COLLEGE FOR THE COST OF UP TO \$250,000.00 IN 2003-2007 PARK BOND FUNDS TO DESIGN AND CONSTRUCT A SOCCER FIELD ON THE PALO ALTO CAMPUS, LOCATED IN COUNCIL DISTRICT 4; AND AUTHORIZING JOINT USE OF THE FACILITY BY THE CITY AND ACCD; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Malcolm Matthews, Director of Parks and Recreation Department, made a presentation on the use and participation agreement with Palo Alto College for District 4 Soccer Field development, a copy of which is on file with the Office of the City Clerk. He outlined the projects in the 2003 Parks and Recreation Bond Program, the required agreements for the approved bond funds, and the agreement terms with Alamo Community College District (ACCD) for the soccer field. He further delineated the ACCD schedule and related fiscal impact.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100446

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$2,193,018.19 WITH THE BROOKS DEVELOPMENT AUTHORITY TO COMPLETE THE RENOVATION OF FACILITY SPACE AT BROOK CITY-BASE FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AS A BIOSAFETY LEVEL THREE LABORATORY; AND AUTHORIZING PAYMENTS FOR

CONTRACTUAL SERVICES FROM GRANT FUNDS, CERTIFICATES OF OBLIGATION AND OTHER AVAILABLE FUNDS; AND AUTHORIZING THE REIMBURSEMENT OF FUNDS THAT HAVE BEEN PREVIOUSLY BEEN EXPENDED FROM THE PROCEEDS OF CERTIFICATES OF OBLIGATION FOR ANY CITY EXPENDITURES MADE PRIOR TO RECEIPT OF SAID FUNDS FOR THIS PROJECT; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

(At this point, Mayor Garza was obliged to leave the meeting at 5:15 pm. Mayor Pro Tem Haass presided.)

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District narrated a slide presentation on the laboratory renovation project, a copy of which is on file with the Office of the City Clerk. Dr. Guerra outlined background information on the contract for the renovation of facility space at Brooks City-Base for a BSL-3 Laboratory and spoke to the need for such a laboratory. He further noted the reasons for securing such a location for the laboratory citing the proximity of the laboratory to the future Emergency Operations Center. He cited lab comparisons of BSL-2 Lab and the BSL-3 Lab, the activities completed to date, the funds expended to date, views of the area to be renovated, budget status, potential funding and staff's recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100447

AUTHORIZING \$75,000.00 FROM CITY FUNDS APPROPRIATED IN THE FY 2005 BUDGET TO SUPPORT THE SAN ANTONIO MILITARY MISSIONS TASK FORCE IN ITS EFFORTS TO DEVELOP AND IMPLEMENT A COMMUNITY-WIDE STRATEGY FOR THE NEXT ROUND OF MILITARY BASE REALIGNMENT AND CLOSURE IN 2005; AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE GREATER SAN ANTONIO CHAMBER OF COMMERCE, AN ADMINISTRATIVE AGENT FOR THE SAMM, FOR THE EXPENDITURE OF THESE FUNDS.

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

Mr. Ramiro Cavazos, Director of Economic Development Department, made a presentation on the funding for the San Antonio Military Missions (SAMM) Task Force, a copy of which is on file with the Office of the City Clerk. He outlined background information on the next round of BRAC for 2005, the establishment of the SAMM Task Force by community stakeholders to implement a community-wide strategy for BRAC 2005, the BRAC 2005 timelines, the community BRAC strategy, the SAMM budget, and funding sources. He further spoke to the business terms with the Greater San Antonio Chamber of Commerce and the fiscal impact.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100448

ACCEPTING THE BID SUBMITTED BY INTERSPIRO, INC. UTILIZING THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH SELF CONTAINED BREATHING APPARATUS EQUIPMENT FOR A TOTAL COST OF \$1,882,182.00.

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

Fire Chief Robert Ojeda made a presentation on the bid submitted by Interspiro for the self-contained breathing apparatus (SCBA), a copy of which is on file with the Office of the City Clerk. He spoke to the SCBA components, the current equipment and its condition, the requirement of the Department of Transportation with respect to replacement of the SCBA cylinders, and the upgraded features. He amplified on the evaluation process, the proposed recommendation, the cost and funding sources, and staff's recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100449

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH PROJECT LEARN TO READ DECREASING THEIR ALLOCATION FROM \$67,628.00 TO \$34,738.00 FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AND REDUCING THE ALLOCATION FOR HELPING HANDS LIFELINE FOUNDATION FROM \$47,350.00 TO \$25,140.00 FOR THE PERIOD OF OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, IN CONNECTION WITH THE HUMAN DEVELOPMENT SERVICES CONSOLIDATED FUNDING PROCESS.

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

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the proposed amendment of the delegate agency allocations. He spoke to the recommendations of the Economic and Human Development Committee regarding the implementation of a consolidated funding process for human development services. He spoke to the contract monitoring, de-obligation of funds, reallocation of funds, and the FY 2006 timeline for the funding recommendations.

Councilmember Schubert made a motion to re-direct the excess money to provide funding for the federal representation services contract. Motion died due to lack of a second.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100450

AMENDING ORDINANCE NO. 99725, THE FY 2005 ADOPTED BUDGET, BY DECREASING THE ALLOCATION TO THE CONSOLIDATED FUNDING POOL BY \$55,100.00 AND INCREASING THE ALLOCATION OF HUMAN DEVELOPMENT SERVICES FUNDS FOR THE MAYOR AND EACH COUNCIL MEMBER FROM \$41,818.00 TO \$46,827.00.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100451

AUTHORIZING THE SAN ANTONIO HOUSING FINANCE CORPORATION TO ISSUE TAX EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$13,800,000.00 TO PROVIDE FINANCING FOR THE CONSTRUCTION OF THE WILLOW BEND APARTMENTS PROJECT, LOCATED AT 8330 POTRANCO ROAD IN COUNCIL DISTRICT 6; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

Mr. Drew Cameron, Director of Housing and Community Development, made a presentation on the authorization to issue tax exempt multi-family housing revenue bonds for the Willow Bend Apartments Project, a copy of which is on file with the Office of the City Clerk. He delineated the project profile, project revenues, noting that the project was 100% affordable which had been an issue with projects proposed in southern sections of the City in areas with high concentrations of affordable housing. He further added that there would be no adverse impact with the proposed development, nor would it impact the City HOME, CDBG or General Fund budgets.

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

Item 40 being an ordinance authorizing the execution of a contract and certain amendments thereto, with Waste Management of Texas, Incorporated (WMI) in the amount of \$8,000.00 for the WMI Annual College Scholarship Program during the period February 17, 2005 through September 30, 2005; and authorizing the allocation and expenditure of Human Development Services funds in the amount of \$3,000.00 from

Council District 4 and \$5,000.00 from Council District 6 for a total amount of \$8,000.00 for the WMI Annual College Scholarship Program; as requested by Councilman Enrique Barrera, District 6, was pulled from consideration.

The City Clerk read the following ordinance:

AN ORDINANCE 100452

AUTHORIZING THE EXECUTION OF A CONTRACT AND CERTAIN AMENDMENTS THERETO, WITH CONGREGATION BETH-EL IN THE AMOUNT OF \$28,000.00 FOR THE CONGREGATION BETH-EL KIMMELMAN CHILDCARE SCHOLARSHIP GRANT PROGRAM DURING THE PERIOD FEBRUARY 17, 2005 THROUGH SEPTEMBER 30, 2005; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$1,000.00 FROM THE MAYOR'S OFFICE, \$20,000.00 FROM COUNCIL DISTRICT 1, \$3,000.00 FROM COUNCIL DISTRICT 3, \$1,000.00 FROM COUNCIL DISTRICT 4, \$1,000.00 FROM COUNCIL DISTRICT 9, AND \$2,000.00 FROM COUNCIL DISTRICT 10 FOR A TOTAL AMOUNT OF \$28,000.00 FOR THE CONGREGATION BETH-EL KIMMELMAN CHILDCARE SCHOLARSHIP GRANT PROGRAM; AS REQUESTED BY MAYOR EDWARD D. GARZA, COUNCILMAN ROGER FLORES, DISTRICT 1, COUNCILMAN RON SEGOVIA, DISTRICT 3, COUNCILMAN RICHARD PEREZ, DISTRICT 4, COUNCILMAN CARROLL SCHUBERT, DISTRICT 9, AND COUNCILMAN CHRISTOPHER "CHIP" HAASS, DISTRICT 10.

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

Councilman Schubert made a friendly amendment to add \$1,000 from the District 9 Human Development Services Funds.

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

CITIZENS TO BE HEARD

Mr. Rhett Smith, 10010 Broadway, addressed the Council with regards to proposing a Candidate's Weekend for the City's Election process.

On a point of personal privilege, Councilmember Williams asked Mr. Charles English to present their Jefferson Heights Neighborhood Association Report.

EXECUTIVE SESSION

Mayor Pro Tem Haass recessed the Regular Session at 6:17 pm in order to convene in Executive Session for the purpose of:

Deliberate the offer of financial or other incentives related to economic development negotiations with the Texas A&M University System and a business prospect, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

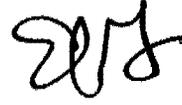
Deliberate the offer of financial or other incentives related to economic development negotiations with a business prospect the City Council seeks to have locate in or near San Antonio, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

(Mayor Garza returned at 6:20 and presided.)

Mayor Garza reconvened the Regular Session from Executive Session at 7:36, at which time he stated City Council had been briefed on the above-styled matters and given staff direction, but had taken no official action.

There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 7:37 pm.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk