

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 6, 2002.

* * * *

2002-23 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A.) **Boards And Commissions Work Session.** (Presented by Norma S. Rodriguez, City Clerk.)

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

The "B" Session adjourned at 11:30 A.M.

— — —

2002-23 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

— — —

2002-23 Invocation by Rev. Vallilea Seilheimer of Chapel Hills Methodist Church.

— — —

2002-23 Pledge of Allegiance to the flag of the United States.

2002-23 **PRESENTATION OF RESOLUTION OF RESPECT FOR ERNANI
"NANI" FALCONE.**

Mayor Garza spoke of the many contributions to the community of Mr. Nani Falcone, his service on the various Boards and Commissions, the organization of the Northwest Neighborhood Alliance, highlighting his contribution in formulating the Tree Preservation Ordinance as well as his involvement in numerous other City-wide programs and projects.

Mayor Garza then read a Resolution of Respect, and asked that the Resolution be made a part of the minutes of the meeting, and presented it to Mrs. Falcone.

A RESOLUTION
NO. 2002-23-23

**RESOLUTION OF RESPECT
ERNANI FALCONE**

Whereas, Life came to a close for Ernani C. Falcone on May 13, 2002; and

Whereas, "Nani", as he was affectionately known, was born in suburban Philadelphia where he completed his secondary education; He then completed his secondary education; He then received a full scholarship to Princeton University and graduated in 1950; in addition to his exceptional education, Nani Falcone proudly served his country in the U.S. Army during the Korean War, which ultimately resulted in a full career in the U.S. Army Reserves where he later retired as a full colonel; and

Whereas, Nani Falcone was a political activist; he coordinated John F. Kennedy's presidential campaign in Delaware County, Pennsylvania; he was a delegate for the 1964 democratic convention and an elector in the electoral college, and also served as the democratic party chairman in Delaware County from 1964 – 1978; and

Whereas, while in San Antonio, Nani Falcone's compassion for *all* people led him to head up amnesty international in San Antonio; in addition, he worked closely with Habitat for Humanity and was instrumental in the passage of the tree preservation Ordinance; and

Whereas, Nani Falcone was a propelling force in the political realm of neighborhood associations, where he helped organize the Northwest Neighborhood

Alliance and was a member of the Braun Station West Neighborhood Association; he served on an advisory committee that focused on revising the City of San Antonio's Unified Development Code, and was appointed to the Zoning Commission for District 7 on July 24, 1997, and was still serving at the time of his untimely death; and

Whereas, Nani Falcone was a respected member of the community; he positively touched the lives of all those who knew him and managed to merge his love of family, friends and city into a complete and well-rounded life of commitment to all; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That with the death of Nani Falcone, the City of San Antonio has lost a valuable asset to its past, present, and future.

SECTION 2. That the City Council joins with his family and friends in their sorrow over his death, and extends its sincerest sympathy and prayers of comfort to those who were near him.

SECTION 3. It is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof be presented to his family as a token of our deepest sympathy.

* * * *

Members of the City Council spoke of their association with Mr. Falcone, acknowledging the commitment and dedication that he always demonstrated for the community, and for the many issues he was always involved in to help the young people especially in achieving their educational goals.

Mr. Perez made a motion to approve the proposed Resolution of Respect. Mr. Carpenter seconded the motion.

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

2002-23 PRESENTATION OF CITATION FOR MEDAL OF HONOR RECIPIENT.

Mayor Garza read a Citation to honor Mr. Louis Rocco for his distinguished service when he volunteered to accompany a medical evacuation team on an urgent mission during the Vietnam War. His unselfish heroic efforts saved the lives of three of his comrades, and resulted in being awarded the Medal of Honor from the President of the United States.

Mr. Rocco spoke of his love of City and country, and spoke of the dedication and honor of the service men and women. He spoke of the opportunities that the youth of our City must recognize, and the many opportunities presented by the Veterans in efforts to serve as role models for the young citizens of the community.

Members of the City Council extended their appreciation for his service and sacrifice for the country. They further recognized his bravery and commitment to service as a tribute to the hundreds of Hispanic service men and women, and applauded his continuing dedication to the community in efforts to assist fellow veterans and the youth of the community.

— — —

2002-23 PRESENTATION OF SAN ANTONIO POLICE DEPARTMENTS ACCREDITATION STATUS

Ms. Dorris Certain, Commissioner of Commission on Accreditation for Law Enforcement Agencies (CALEA), spoke of the history of the accreditation status. She spoke of the compliance standards and requirements, and the review and assessment of the San Antonio Police Department, noting it was recommended that the SAPD retain their accredited status.

Chief Albert Ortiz spoke of the accreditation process, and the dedication and hard work of the police officers in order to maintain this status. He further acknowledged the support of the City Manager, the Management Team, and specifically the City Council.

Members of the City Council congratulated Chief Ortiz on the department's achievement, and further recognized the outstanding leadership he has demonstrated during his brief tenure as Police Chief.

2002-23 Minutes of the regular City Council meeting of May 2, 2002 were approved.

— — —

2002-23 **SWEARING-IN OF MR. JOHN SANDERS**

City Clerk Norma Rodriguez administered the Oath of Office to Councilman John Sanders as the Mayor Pro Tem

— — —

2002-23 **REPORT FROM THE CITY CLERK CERTIFYING THE RESULT OF EXAMINATION OF PETITION TO REPEAL OR SUBMIT ORDINANCE NO. 95579.**

City Clerk Norma Rodriguez outlined the verification process, commended the many individuals who assisted with the process, specifically noting the contributions and support of the City Manager, IT Department, City Clerk's staff and other City employees and temporary employees. She delineated each of the steps taken, identified the criteria reviewed in order to qualify the electors, highlighting on the extra measures taken in order to double check those individuals who had been invalidated, and the financial impact of the project. She reported on totals for signatures required, total petition signatures submitted to the City Clerk's Office, the invalidated signatures, and ultimately the total number of validated signatures as 49,513, noting the insufficient number as 13,493. She then outlined the next steps available pursuant to Section 38 of the City Charter with regard to Amendment of Petitions.

The following citizen(s) appeared to speak:

Sister Gabrielle, spoke of the petition process, acknowledging the deficiency of the petition, further stating that their supporters were ready to collect the remaining signatures.

Father Deehan, spoke of the commitment of COPS/METRO, and requested copies of the signatures rejected, and again reiterated their commitment to save the Aquifer, and collect more signatures in order to either have the ordinance rescinded or to have an election to allow the San Antonio voters to make the decision.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the issue of the community's request in regard to the PGA.

Mr. Tom Wetzler, spoke to the democratic process in our community, and expressed concern on the water quality, and wage issues.

Ms. Jan Ruzza, spoke to the area being considered for the PGA, and urged City Council to consider locating the golf resort in the south side of the City.

Mr. Charles English, recognized the thousands of individuals who signed the petition, and recognized the democratic process, and reiterated their commitment to defeat the PGA taxing district.

Ms. Ann Alexander, spoke of their commitment to continue working to address the water quality in order to protect the water and community.

Ms. Jolene Garza, Esperanza Center, thanked the thousands of citizens who signed the petition, and spoke of their commitment to continue acquiring the necessary signatures required rescinding the ordinance.

* * * *

Mayor Garza spoke of the individuals who had signed the petition, and noted that there were many who signed because they were against the development, others that want a different development agreement, or others that just want to have an election on the matter. He noted the critical period to follow, and the efforts by petitioners to collect additional signatures. He further spoke of the opportunity to achieve environmental protection while also striving to achieve the best development agreement. He re-emphasized his commitment to continue working to achieve this goal, and encouraged dialogue within the community. He noted this issue was an emotional one for the community, and added that this would continue regardless of what happens with the PGA. Mayor Garza thanked City Clerk Rodriguez for the comprehensive report, professionalism, and due diligence in the verification process, and for continuing to maintain the integrity of the process, in accordance with the Charter and state rules.

Mr. Castro also commended City Clerk Rodriguez and the staff for the work and dedication to get the job done. He further recognized the expertise and knowledge of the City Clerk's staff, and also recognized the petition collectors and signers for their efforts to achieve the numbers.

In response to Mr. Castro regarding the invalid signature, Ms. Rodriguez outlined the specific number of signatures that were invalidated and the reasons they were considered invalid.

In response to Mr. Castro regarding the state law with regard to the birth date and error on date of signing. City Attorney Andrew Martin stated that the purpose of the laws was to ascertain that the signer is a qualified voter and to help the validation process in identifying that signer.

Mr. Castro commended leadership of the Mayor, and urged the Council to develop a PGA Commission to evaluate other sites with the advice of financial experts in order to determine if there is another site for the PGA. He added that an election is the last thing that should be held, due to the divisiveness in the community with this issue. He stated that the City should allow the community to express their sentiments even if it requires the election.

Mr. Garcia spoke on the democratic exercise through this petition, and commended City Clerk Rodriguez for her professionalism and integrity in the process, and commended the City Manager for her support in this process to assure that the City Clerk's office received the support needed to validate the petitions.

Mr. Schubert commended the City Clerk and staff, for the professionalism and integrity, and the great job in the verification process and the fairness exemplified by the staff.

Members of the City Council further commended City Clerk's staff, and all workers involved with the process.

Ms. Conner further noted that she was open to input from the community in order to come up with the ideal solution to address the environmental issues in the community.

2002-23 CONSENT AGENDA

Mr. Sanders made a motion to approve Agenda Items 8 through 23H, constituting the Consent Agenda. Ms. Moorhouse seconded the motion.

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

AN ORDINANCE 95856

ACCEPTING THE LOW, QUALIFIED BIDS FROM ALAMO AG-CON EQUIPMENT (MBE) ITEMS 13 AND 14; PROFESSIONAL TURF PRODUCTS, INC.; MENCO, INC. D/B/A GRAVELEY SALES & SERVICES, BID NO. 1 ITEMS 6, 8 AND 10; VERMEER EQUIPMENT OF TEXAS, INC., TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME, AVIATION, HEALTH, PUBLIC WORKS AND PARKS AND RECREATION DEPARTMENTS WITH TRACTOR MOWING EQUIPMENT FOR A TOTAL SUM OF \$844,112.96.

* * * *

AN ORDINANCE 95857

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE KELL MUNOZ PROFESSIONAL SERVICES CONTRACT FOR THE CONVENTION CENTER EXPANSION PROJECT'S EXTERIOR AND FAÇADE RENOVATION PROJECT IN AN AMOUNT NOT TO EXCEED \$476,000.00; RATIFYING PREVIOUSLY PERFORMED SERVICES; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95858

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH SUNLAND ENGINEERING COMPANY FOR SERVICES RELATED TO ESTIMATING AND QUALITY ASSURANCE FOR THE ALAMO STREET EXTERIOR AND THE ADMINISTRATION AREA INTERIOR RENOVATIONS OF THE CONVENTION CENTER EXPANSION PROJECT; RATIFYING SERVICES PREVIOUSLY PERFORMED AND COMPLETED; APPROPRIATING AN AMOUNT NOT TO EXCEED \$118,286.47 FOR SERVICES RELATED TO ESTIMATION, PLAN REVIEW, QUALITY CONTROL, SCHEDULING AND OTHER MISCELLANEOUS SERVICES AS REQUIRED IN RELATION TO THE PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95859

APPROVING STREETS MAINTENANCE AND IMPROVEMENT FUNDED FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$113,872.41 IN CONNECTION WITH THE 2000/2001 SPEED HUMP INSTALLATION - INDEFINITE PROJECT LOCATED CITYWIDE. (AMENDS ORDINANCE NO. 95640, APRIL 18, 2002.)

* * * *

AN ORDINANCE 95860

SELECTING CADY & ASSOCIATES TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE LOVETT FROM FLEMING TO OREGON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 26TH AND 27TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$20,240.00; AUTHORIZING \$1,950.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$2,024.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95861

SELECTING CADY & ASSOCIATES TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE FLEMING FROM NEW LAREDO HIGHWAY TO GERALD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 26TH AND 27TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$17,440.00; AUTHORIZING \$1,850.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$1,744.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95862

SELECTING CADY & ASSOCIATES TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE GERALD AVENUE FROM NEW LAREDO HIGHWAY TO FLEMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 27TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$12,400.00; AUTHORIZING \$1,850.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$1,240.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95863

SELECTING SLAY ENGINEERING COMPANY, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE HURON FROM FITCH TO SOUTHCROSS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 27TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$50,900.00; AUTHORIZING \$1,950.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$5,285.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 95864

APPROVING FIELD ALTERATION NO. 9 IN THE AMOUNT OF \$47,096.70 PAYABLE TO SAN ANTONIO CONSTRUCTORS, LTD. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE SOUTH FLORES STREET 70-70A, PHASE II, PART 3 PROJECT, LOCATED IN DISTRICT 4; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91743, MAY 4, 2000.)

* * * *

AN ORDINANCE 95865

AUTHORIZING THE RENEWAL OF A LICENSE AGREEMENT FOR A THREE-YEAR TERM WITH RICHARD V. GARCIA TO USE THE PROPERTY UNDER AND ADJACENT TO THE DURANGO BOULEVARD (JOE WEBB) OVERPASS ACROSS FROM THE ALAMODOME FOR PARKING PURPOSES FOR THE AMOUNT OF \$12,600.00 FOR THE ENTIRE 3-YEAR TERM, TO BE PAID ON A MONTHLY BASIS AT \$350.00 PER MONTH.

* * * *

AN ORDINANCE 95866

APPROVING THE PURCHASE OF A LOT LOCATED AT LOT 12 AND THE WEST 1.3 FEET OF LOT 13, BLOCK 2, NCB 1964 (1936 W. MISTLETOE) FOR THE SUM OF \$12,500.00, PLUS CLOSING COSTS AND RELATED EXPENSES NOT TO EXCEED \$800.00, IN CONNECTION WITH THE HOUSING ASSET RECOVERY PROGRAM; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT AND AUTHORIZING THE EXECUTION OF THE CLOSING DOCUMENTS.

* * * *

AN ORDINANCE 95867

AUTHORIZING THE ACCEPTANCE OF A \$6,720.00 SUPPLEMENT GRANT FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR THE SOUTH TEXAS HIDTA INTELLIGENCE CENTER FOR THE GRANT PERIOD JANUARY 1, 2002, THROUGH DECEMBER 31, 2002.

* * * *

AN ORDINANCE 95868

AMENDING ORDINANCE NO. 95020, DATED DECEMBER 13, 2001, WHICH SUBMITTED A \$91,060.00 GRANT TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION BY SPECIFYING THE GRANT'S AUTHORIZED OFFICIAL, SPECIFYING THE CITY MATCH, AND INCLUDING NEW LANGUAGE AS REQUIRED BY THE TEXAS ADMINISTRATIVE CODE,

SUBCHAPTER D, SECTION 3.2021. (AMENDS ORDINANCE NO. 95020, DECEMBER 13, 2001.)

* * * *

AN ORDINANCE 95869

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$29,677.08 IN CASH FROM THE NATIONAL OPINION RESEARCH CENTER TO EXTEND FUNDING OF THE UNITED STATES DEPARTMENT OF JUSTICE ARRESTEE DRUG ABUSE MONITORING PROGRAM CONDUCTED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH JUNE 30, 2002; AUTHORIZING EXECUTION OF THE SUBCONTRACT MODIFICATION WITH THE NATIONAL OPINION RESEARCH CENTER; AND REVISING THE PROJECT BUDGET ESTABLISHED THROUGH ORDINANCE NO. 94848 PASSED AND APPROVED ON NOVEMBER 1, 2001.

* * * *

AN ORDINANCE 95870

ACCEPTING A \$7,000.00 GRANT FROM THE TEXAS FOREST SERVICE FOR THE USE OF REMOTE SENSING TO DEVELOP A TREE INVENTORY DATA FILE FOR SAN ANTONIO; AND ESTABLISHING A FUND, BUDGET AND PERSONNEL COMPLEMENT FOR THE TREE INVENTORY DATA FILE IN THE DEPARTMENT OF DEVELOPMENT SERVICES.

* * * *

AN ORDINANCE 95871

APPOINTING CONNIE PRADO TO THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 18, 2002.

* * * *

AN ORDINANCE 95872

REAPPOINTING SANDRA REEDY BLISS TO THE TRANSPORTATION ADVISORY BOARD (CONSUMER CATEGORY - DISTRICT 1) FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2004.

* * * *

AN ORDINANCE 95873

REAPPOINTING JULIAN OVIEDO TO THE CITY COMMISSION ON VETERANS AFFAIRS (DISTRICT 1) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 11, 2004.

* * * *

AN ORDINANCE 95874

APPOINTING SAMUEL LUNA TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2005.

* * * *

AN ORDINANCE 95875

REAPPOINTING ROBERT E. SALVATORE TO THE GREATER KELLY DEVELOPMENT AUTHORITY (DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2003.

* * * *

AN ORDINANCE 95876

APPOINTING RODGER PACHECO TO THE CLEAN-UP CITY COMMISSION (DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 2003.

* * * *

AN ORDINANCE 95877

REAPPOINTING JOSEPH HUMBERT BONUGLI TO THE PLUMBING APPEALS AND ADVISORY BOARD (MASTER PLUMBER (UNION) - DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2003.

* * * *

AN ORDINANCE 95878

APPOINTING BILLY W. CHAMBERLAIN TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD (MASTER ELECTRICIAN (UNION) - DISTRICT 10) FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 2003.

— — — — —
2002-23 PUBLIC HEARING AND CONSIDERATION OF RESOLUTION RELATING TO THE ISSUANCE AND SALE OF SAN ANTONIO HOUSING TRUST FINANCE CORP SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2002 ("SERIES 2002 BONDS").

Mayor Garza declared the Public Hearing to be open.

Mr. John Kinney, Executive Director of San Antonio Housing Finance Corporation, narrated a slide presentation on the 2002 single family mortgage revenue bond and mortgage credit certificate program, a copy of which presentation is on file with the papers of this meeting. He outlined the purpose of the programs, the 2002 Mortgage Revenue Bond (MRB) program, the target area, the priority set-aside area, and presented the federally targeted census tracts within Bexar County. He further noted the 2002 single family mortgage revenue bond priority areas, adding that the MRB program will be marketed with down payment assistance available through Bexar County and City's programs.

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the membership on the Housing Trust Fund, noting the inappropriateness of Council members serving on the Board, and then voting as a Council on this issue.

In response to Mr. Perez regarding the posting of this item on the agenda, Mr. Michael Spade, stated there would be no adverse impact on this project.

Mr. Perez further clarified the process to be taken in two weeks where the City Council would recess the regular Council meeting in order to convene as members of the San Antonio Housing Trust Fund and approve the project as two separate actions. He urged that staff keep Council members abreast of all issues to this action, and continue with regular updates.

(Mayor Garza returned to the meeting and presided.)

There being no further citizens to speak the Mayor declared the Public Hearing to be closed.

* * * *

The Clerk read the following Resolution:

A RESOLUTION
NO. 2002-23-24

APPROVING FORM, CONTENT AND DISTRIBUTION OF THE OFFERING DOCUMENTS, INCLUDING SAN ANTONIO HOUSING TRUST FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE BONDS PRIVATE PLACEMENT MEMORANDUM RELATING TO THE ISSUANCE AND SALE OF SAN ANTONIO HOUSING TRUST FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2002 ("SERIES 2002 BONDS"); THE IMPLEMENTATION OF A SAN ANTONIO HOUSING TRUST FINANCE CORPORATION MORTGAGE CREDIT CERTIFICATE ("MCC") PROGRAM (THE FINAL AMOUNTS OF THE SERIES 2002 BONDS AND THE MCC'S, NOT TO EXCEED \$25,000,000.00 IN THE AGGREGATE, TO BE DETERMINED AT THE PRICING OF THE SERIES 2002 BONDS); NAMING THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. TO PROVIDE STAFF FUNCTIONS FOR THE CORPORATION; AND AUTHORIZING THE EXECUTIVE DIRECTOR OF THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC., THE DIRECTOR OF THE NEIGHBORHOOD ACTION DEPARTMENT, THE DIRECTOR OF FINANCE, THE CORPORATION'S CO-FINANCIAL ADVISORS, AND BOND COUNSEL TO

TAKE ALL ACTIONS THEY DEEM NECESSARY TO PREPARE FOR THE SALE OF THE SERIES 2002 BONDS AND IMPLEMENTATION OF AN MCC PROGRAM.

* * * *

Mr. Perez made a motion to approve the proposed Resolution. Ms. Moorhouse seconded the motion.

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

2002-23 **PRESENTATION OF FY 2002-FY 2007 CITY OF SAN ANTONIO FINANCIAL FORECAST**

Mr. Lou Lendman, Director of Management and Budget, narrated a slide presentation on the Five-Year Financial Forecast for Fiscal years 2003-2007, a copy of which presentation is on file with the papers of this meeting. He outlined the purpose of the forecast, implementation status of FY 2002 budget priorities, delineating the various tiers and corresponding projects, strategic issues for existing infrastructure, housing and neighborhood planning, economic development, public safety, human development, Charter review/governance, environment customer service, and parks and libraries. He further spoke to the economic perspective and outlook. He expounded on the general fund forecast, mandates, and means utilized to address shortfalls, and other funds forecast; and the proposed budget schedule.

Mayor Garza spoke to the challenging budget ahead, and the need to scrutinize dollars, review mandates closely, and to prioritize and identify those issues. He noted the recent events, which has affected the City's revenues, and urged the City Council to approach the process knowing that there are many tough decisions to be made. He added there may not be too many changes in categories, priorities and strategic issues.

In response to Mr. Castro, Mr. Lendman, spoke to the amount of the shortfall, and noted the costs of the self-insurance assessment, and the projected employment growth issue.

2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95879

AUTHORIZING A YANAGUANA CRUISES, INC. TICKET AND BOARDING STATION ON THE SAN ANTONIO RIVER WALK PRESIDIO PLAZA AREA IN CITY COUNCIL DISTRICT 1 WITH AN ADJACENT PHOTOGRAPHY CONCESSION ON PRESIDIO PROPERTY AND AUTHORIZING AN ADDITIONAL SHUTTLE STOP LOCATION AT PORTAL SAN FERNANDO.

* * * *

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the Yanaguana Cruises, Inc. incentive ticket location and taxi shuttle stop, a copy of which presentation is on file with the papers of this meeting. He outlined the background on the Riverwalk barge concessionaire, the three approved ticket sales and boarding locations, view of the loading sites, the proposed incentive ticket and boarding location at the Presidio Plaza, the Portal San Fernando Taxi Stop, and the financial impact.

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

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, spoke to the accessibility of the locations and the costs of tickets for senior citizens.

Mr. Patrick Kennedy, La Mansion Hotel, spoke to the amenities and assets of this hotel, noting it was a valuable asset to the City. As a stakeholder, whose 2001 sales tax and occupancy exceeded \$1.6 million, Mr. Kennedy expressed concern on the lack of notification that this issue was being brought before the City Council. He requested that he be part of the process, and urged the City Council to further review the proposed project before making any decision.

In response to Ms. Moorhouse with regard to the person boarding at the current location, Mr. Matthews stated there was approximately 180,000 during the business time of operation which takes place at the curb, adding that the new location would be a better situation. Mr. Matthews stated there was no study of optimum location to address future expansion, and that a review would take place with the San Antonio River Improvement site.

Mr. Gilbert Hernandez, Parks and Recreation, added that a meeting has been held with all partners.

In response to Mr. Perez, Mr. Hernandez stated that ticket sales and queuing meandered into the patio area, and that Link's employees would group the customers' in-groups of 10.

Mr. Perez recognized that the large percentage of issues on the Riverwalk were associated with the queuing and noise, and also stated that the City needs to find opportunities to increase revenue. He stated he appreciated the stewardship of the Riverwalk by the stakeholders, noting that the revenue to the City was large and also recognized that their businesses were looking for opportunities to help the City.

He then made an amendment to Section 3 as follows: "If Yanaguana Cruises, Inc. or The Links Grille fail to comply with any of the terms or conditions of this Ordinance whether such failure concerns the sale of tickets, the boarding or unloading of passengers, photography services, or any other term or condition established by this ordinance, the City Council, on the recommendation of the City Manager, shall conduct a public hearing to determine if cause exists to revoke the authority to operate the ticket station and photography services at the locations authorized by this Ordinance. Upon finding sufficient cause, the City Council may by ordinance revoke the authority granted by this ordinance." Mr. Garcia seconded the motion.

Mr. Garcia reiterated that the proposed action would alleviate some problems with the queuing and loading of citizens unto the boats.

Mr. Schubert expressed concern on the input to the project process.

In response to Mr. Schubert's question, Mr. Kennedy stated that La Mansion had entered into this project, where negotiations included the sensitivity to the River. He reiterated his concern on the lack of inclusion in the negotiation process being that he is one of the stakeholders, and again requested that the issue be postponed until further review took place.

Mr. Schubert stated he appreciated Mr. Kennedy's concern as a business owner, and that his concern was the additional pressure to the Riverwalk, and the number of people. He urged City Council to use this project as a trial basis and allow opportunity to come back and re-address this issue, noting that there should be an opportunity to allow individuals directly impacted to discuss this issue further with the City Council.

Discussion continued on the queuing issues, and the trial period of this project.

City Clerk Rodriguez re-read the amendment as presented by Mr. Perez.

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

After discussion, the main motion, as amended, 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.

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95880

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE BROOKS DEVELOPMENT AUTHORITY (BDA) FOR THE PURPOSE OF SUPPORTING EFFORTS FOR REQUIRED UPGRADES AND IMPROVEMENTS OVER A TWENTY (20) YEAR PERIOD TO THE ELECTRIC AND GAS UTILITY SYSTEMS (SYSTEMS) AT THE BROOKS CITY-BASE TECHNOLOGY AND BUSINESS CENTER (CENTER), AND IF NECESSARY, PROVIDING FUNDING OF \$3.4 MILLION FOR SUCH IMPROVEMENTS OVER THE TWENTY (20) YEAR PERIOD WITH A MAXIMUM OBLIGATION OF UP TO \$6.3 MILLION.

* * * *

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

Mr. Tom Rumora, Director of Brooks City Base Project, narrated a slide presentation on the agreement to support the required upgrade and improvements to the gas and electric utility systems at Brooks City Base, a copy of which presentation is on file with the papers of this meeting. He explained that the negotiation and legal documents for the property conveyance were near to completion, background on the negotiations and legal documents for the conveyance.

(Mayor Garza returned to the meeting and presided.)

Mr. Ben Gorzell, Public Utilities Supervisor, outlined the interlocal agreements with CPS and City of San Antonio, elements of the agreements, SAWS update, and utility term's summary.

Mayor Garza acknowledged the work of Mr. Rumora, the various entities involved, and Congressman Ciro Rodriguez who have assisted in turning this agreement into tangible results in order to produce a successful project for the City and cultivate more industry and growth in the southern sector.

In response to Ms. Conner regarding the financial obligations to City budget, Mr. Gorzell explained the incremental revenue and the first payment to be made in 2004.

City Manager Terry Brechtel added that the Brooks Development Authority would be responsible for making payments based on revenue collected by the City.

Ms. Moorhouse commended staff for the work on this effort, which would be a good beginning for the future of the South side.

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.

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95881

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH ADAMS ENVIRONMENTAL, INC. TO PREPARE A LAND USE AND MANAGEMENT PLAN FOR PROPOSITION 3 PROPERTIES IN THE AMOUNT OF \$100,000.00; APPROPRIATING AND ENCUMBERING FUNDS AND AUTHORIZING PAYMENT.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Moorhouse seconded the motion.

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation on the land use and management plan for Proposition 3 properties over the Edwards

Aquifer, a copy of which presentation is on file with the papers of this meeting. He delineated the project description, purpose of the Proposition 3 program, the scope of work, consultant team, highlighting the expertise of the consultant team, fiscal impact timeline.

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

— — —
2002-23 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Mayor Edward D. Garza who will attend the 2002 American Public Power Association National Conference in Dallas, Texas from Saturday, June 8, 2002 through Tuesday, June 11, 2002.

Mr. Perez made a motion to approve the proposed Travel Authorization. Mr. Garcia seconded the motion.

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

— — —
2002-23 The Clerk read the following Ordinance

AN ORDINANCE 95882

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO INNERCITY WITH STYLE, A CHILDREN'S MUSICAL GROUP THAT PERFORM AT FREE CITY-WIDE EVENTS, TO BE USED TO BUY A SOUND SYSTEM FOR THEIR ORGANIZATION; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

* * * *

Mr. Martin made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

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

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95883

AUTHORIZING THE EXPENDITURE OF \$200.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO CITY PUBLIC SERVICE FOR THE RENTAL OF LA VILLITA ASSEMBLY BUILDING IN CONJUNCTION WITH RACE UNITY DAY ON SATURDAY, JULY 6, 2002; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

* * * *

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

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

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95884

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT, FOR THE USE OF ONE (1) SHOWMOBILE, WITH SOUND SYSTEM, BY THE TOBIN HILL NEIGHBORHOOD ASSOCIATION, IN CONNECTION WITH ITS COMMUNITY HEALTH FAIR, THAT WAS HELD ON MAY 25, 2002; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

* * * *

Mr. Martin made a motion to approve the proposed Ordinance. Mr. Garcia seconded the motion.

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

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95885

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT, FOR THE USE OF ONE (1) SHOWMOBILE, WITH SOUND SYSTEM, BY MISSION SAN JUAN CAPISTRANO CHURCH, FOR ITS PARISH FESTIVAL TO BE HELD ON SUNDAY, AUGUST 4, 2002; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

Mr. Garcia made a motion to approve the proposed Ordinance. Mr. Sanders 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, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Barrera, Schubert.

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95886

AUTHORIZING THE EXPENDITURE OF \$5,000.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO CINESA, TO BE USED TO OFFSET COSTS FOR AUDITORIUM RENTAL, LUNCHESES FOR ATTENDEES, TRAVEL FOR GUEST PRESENTERS, SUPPLIES FOR ATTENDEES AND PRINTING EXPENSES FOR CINESA'S ANNUAL FILM FOCUS WORKSHOP TO BE HELD ON SUNDAY, JULY 27, 2002 AT SAN ANTONIO COLLEGE; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

Mr. Martin made a motion to approve the proposed Ordinance. Ms. 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, Castro, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Barrera, Schubert.

— — —
2002-23 The Clerk read the following Ordinance:

AN ORDINANCE 95887

AUTHORIZING THE REALLOCATION OF \$20,132.00 FROM THE DISTRICT 10 FISCAL YEAR 2000 ONE-TIME PROJECTS BUDGET FOR TRAFFIC SIGNAL - JUNG ROAD TO THE DISTRICT 10 ADMINISTRATIVE ASSISTANT FUND BUDGET; AS REQUESTED BY COUNCILMAN DAVID CARPENTER.

* * * *

Mr. Garcia made a motion to approve the proposed Ordinance. Mr. 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, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Barrera.

— — —
2002-23 **CITY MANAGER'S REPORT**

City Manager Terry Brechtel, announced the appointment of Ms. Jelynn LeBlanc Burley as the new Assistant City Manager for Neighborhoods and Revitalization. She spoke of her vast experience and involvement with large and complex projects.

Ms. Burley thanked the City Manager for the vote of confidence, and spoke of her commitment to work with neighborhoods and revitalization. She further recognized staff members and family.

City Manager Brechtel further spoke of the reorganization and outlined those departments that have been assigned under her leadership. She noted that functional groups would be working together in efforts to enhance the preservation of buildings while also demolishing those that need to be removed.

Members of the City Council congratulated Ms. Burley and commended Frances Gonzales for her assistance during the past nine months.

— — —

2002-23

CITIZENS TO BE HEARD

MS. JANET RUZZA

Ms. Janet Ruzza, spoke to the neighborhood in the area of the Dios Rios plant, and expressed concern on the sewer plants becoming a nuisance like the Rilling Road plant.

— — —

2002-23

EXECUTIVE SESSION

The City Council recessed its regular session at 5:53 P.M. in order to convene in Executive Session for the purpose of:

- A.) Attorney-client consultation regarding the lawsuit styled Richard Garansuay, et. al. vs. City of San Antonio, Cause No. SA-2000-CA-0808-EP, in the United States District Court, Western District of Texas.

The City Council adjourned the Executive Session at 6:11 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

— — —

2002-23 There being no further business to come before the City Council, the meeting was adjourned at 6:12 P.M

A P P R O V E D



EDWARD D. GÁRZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AE
City Clerk