

Councilwoman Radle noted she would be abstaining from voting, indicating she was not present at the May 12th meeting and therefore could not approve them.

— — —

2003-26 CONSENT AGENDA - CITIZEN'S COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 51, and spoke of the incidents that occurred regarding the reprimand of the police officer who he states caused \$90,000 worth of damage. He spoke against the officer's reprimand. He further spoke to Item 39.

— — —

2003-26 CONSENT AGENDA

Councilman Barrera made a motion to approve Agenda Items 10 – 51, constituting the Consent Agenda, except for Items 18, 19, and 27, which were pulled for individual consideration. Councilman Castro seconded the motion.

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

AN ORDINANCE 97826

ACCEPTING AND RATIFYING A CONTRACT WITH GERARD ELECTRIC, INC. (MBE) TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN UNINTERRUPTIBLE POWER SYSTEM (UPS) FOR A TOTAL AMOUNT OF \$120,000.00.

* * * *

AN ORDINANCE 97827

ACCEPTING THE OFFERS FROM COMMONWEALTH TRADING COMPANY, INC. D/B/A COMMONWEALTH COMPUTER CO., (AABE), ITEMS 1-7 AND 9-22, AND PANTÉ TECHNOLOGY CORPORATION, (AABE), ITEM 8, AND ESTABLISHING ANNUAL CONTRACTS FOR THE PURCHASE, IF NECESSARY, OF PERSONAL COMPUTERS, LAPTOPS, AND SERVERS, UTILIZING THE

TEXAS DEPARTMENT OF INFORMATION RESOURCES "GO DIRECT"
PROGRAM FOR AN ESTIMATED COST OF \$768,000.00.

* * * *

AN ORDINANCE 97828

ACCEPTING THE BIDS AND ESTABLISHING ANNUAL CONTRACTS FOR AN ESTIMATED ANNUAL COST OF \$3,606,507.00 FOR FISCAL YEAR 2003-2004 FOR THE PURCHASE, IF NECESSARY, OF SOFTWARE LICENSE RENEWAL, MAINTENANCE AGREEMENT, MICROSOFT PREMIER SUPPORT SERVICES, VERITAS SOFTWARE, PRINTING OF CALLING CARDS, DUST CONTROL SERVICE, JOHN DEERE CONSUMER EQUIPMENT PARTS AND SERVICE, SPRINKLER WHOLE COMPONENTS & REPAIR KITS, TYMCO SWEEPER & CONVERTO PARTS & SERVICE, MAINTENANCE AND INSPECTION OF TRANE CENTRIFUGAL CHILLERS & MARLEY DOUBLE FLOW MECHANICAL DRAFT COOLING TOWERS, MATERIALS & LABOR TO MAINTAIN HEATING AND A/C SYSTEMS FOR THE BUILDING MAINTENANCE SERVICE CENTERS, MATERIALS AND LABOR TO MAINTAIN A/C SYSTEMS AT VARIOUS MULTI-SERVICE CENTERS, TRAFFIC PULL BOXES, ACRYLIC WATERBORNE TRAFFIC PAINT, VEHICLE CAR WASH & VACUUM CLEANER PARTS & SERVICE, LINEN SUPPLY & SERVICE, POTTING SOIL, BEDDING PLANTS, MATERIAL AND LABOR TO MAINTAIN HEATING & A/C SYSTEMS AT LA VILLITA-LEASED & CITY OPERATED FACILITIES, POWERBOSS SWEEPER/SCRUBBER PARTS & SERVICE, EMERGENCY MEDICAL SUPPLIES-DISPOSABLE BAG-VALVE-MASK, LEASE OF VEHICLES, PROCESSING OF WASTE TIRES, PRINTER SERVICE, AUTOMATIC RESTROOM DISINFECTING SERVICE, LAWN MAINTENANCE FOR POLICE TRAINING ACADEMY, GRASS SOD, PROPANE REFUELING SYSTEM MAINTENANCE & REPAIR, REPLACEMENT OF CANOPY GLASS AT TOWER OF AMERICAS, RETRACTABLE SAFETY DEVICES, CRACK SEALANT, FORD NEW HOLLAND PRODUCTS, HOWSE, TERRAIN KING MECHANICAL MOWER, OKADA, BRADCO & MORBARK CHIPPER & FIAT-ALLIS EQUIPMENT PARTS AND SERVICE, WORK UNIFORMS, VEHICLE WASHING DETERGENT, RENTAL OF ASPHALT PAVER, SPEED HUMPS AND CHILDREN'S RESOURCE MATERIALS.

* * * *

AN ORDINANCE 97829

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$32,215.50 PAYABLE TO TURNER COLLIE & BRADEN, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE BITTERS ROAD FROM WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING \$3,221.55 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$35,437.05 TO BE FUNDED BY CERTIFICATES OF OBLIGATION; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93191, JANUARY 11, 2001.)

* * * *

AN ORDINANCE 97830

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$31,000.00 PAYABLE TO TWYLA ARTHUR FOR ADDITIONAL DESIGN SERVICES IN CONNECTION WITH THE FULTON AVENUE FROM BLANCO TO NORTH FLORES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 89781, MAY 20, 1999.)

* * * *

AN ORDINANCE 97831

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$15,670.70 FROM 2000 CERTIFICATES OF OBLIGATION PAYABLE TO BEATY & PARTNERS ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE PRESA STREET LINKAGE AT SAN ANTONIO RIVER PROJECT, LOCATED IN COUNCIL 1; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 91213, FEBRUARY 3, 2000; ORDINANCE NO. 91506, MARCH 30, 2000; ORDINANCE NO. 92554, SEPTEMBER 21, 2000.)

* * * *

AN ORDINANCE 97832

APPROVING FIELD ALTERATION NO. 6 IN THE INCREASED AMOUNT OF \$8,961.46 PAYABLE TO CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE 2003 ASPHALT RECYCLING AND OVERLAY STREET MAINTENANCE PROJECT, LOCATED IN COUNCIL DISTRICT 7; ACCEPTING \$8,961.46 FROM THE RESIDENTS OF THE MISTY OAKS SUBDIVISION TO FUND THIS FIELD ALTERATION; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 97232, FEBRUARY 20, 2003.)

* * * *

AN ORDINANCE 97833

APPROVING FIELD ALTERATION NO. 7 IN THE INCREASED AMOUNT OF \$65,051.19 FROM NEIGHBORHOOD ACCESS AND MOBILITY PROGRAM (NAMP) FUNDS PAYABLE TO CLARK CONSTRUCTION COMPANY, INCORPORATED IN CONNECTION WITH THE 2003 ASPHALT RECYCLING AND OVERLAY STREET MAINTENANCE PROJECT, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 97232, FEBRUARY 20, 2003.)

* * * *

AN ORDINANCE 97834

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$1,410,043.07 FROM KGME, INC. (MBE) IN CONNECTION WITH THE OCTAVIA #63, PHASE II - PART 1 PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$112,681.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$719.00 FOR ADVERTISING EXPENSES, FOR AN OVERALL TOTAL OF \$1,523,443.57, OF WHICH \$1,240,215.13 WILL BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY AND AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT \$64,772.75 FOR GAS LINE REPLACEMENT AND AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER

SYSTEM (SAWS) IN THE AMOUNT OF \$218,455.69 FOR SEWER AND WATER WORK; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97835

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$1,275,773.41 FROM KGME, INC. (MBE) IN CONNECTION WITH THE MOCKERT AREA STREETS (MOCKERT, FORREST, W. LAMBERT, KLINE, CASS) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$83,614.04 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$1,359,387.45, OF WHICH \$919,754.35 WILL BE FUNDED BY 1999 G.O. STREET IMPROVEMENT BONDS AND AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT \$136,904.88 FOR GAS LINE REPLACEMENT AND AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$302,728.22 FOR SEWER AND WATER WORK; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97536

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$1,434,736.03 FROM KGME, INC. (MBE) IN CONNECTION WITH THE HARRIS STORM DRAINAGE (ALVAREZ, GLASS, CASS, HALSTEAD) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$85,108.58 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$1,519,844.61, OF WHICH \$936,194.33 WILL BE FUNDED BY 1999 G.O. DRAINAGE IMPROVEMENT BONDS AND AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT \$135,611.50 FOR GAS LINE REPLACEMENT AND AUTHORIZING THE

REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$448,038.78 FOR SEWER AND WATER WORK; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97837

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$1,051,172.82 IN CONNECTION WITH THE CLAREMONT/ELEANOR/NATALEN PHASE III COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$79,072.54 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$240.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$55,350.78 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT OF \$34,784.00 FOR GAS LINE REPLACEMENT; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$225,663.39 FOR SEWER AND WATER EXPENSES FOR A TOTAL AMOUNT OF \$1,185,836.14; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97838

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID OF R.L. JONES, L.P. IN THE AMOUNT OF \$298,723.70 IN CONNECTION WITH THE GRANDVIEW NEIGHBORHOOD STREETS, PHASE III D, ALHAVEN: PECAN VALLEY TO AMANDA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$18,923.29 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$4,700.00 FOR CONSTRUCTION ENGINEERING EXPENSES PAYABLE TO GRANT ENGINEERING; AUTHORIZING \$470.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$13,246.30 FOR EXPENSE RECOVERY; AUTHORIZING \$1,000.00 FOR BID ADVERTISING; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO

WATER SYSTEM (SAWS) IN THE AMOUNT OF \$109,490.85 FOR SEWER AND WATER EXPENSES FOR A TOTAL AMOUNT OF \$337,063.29; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97839

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID AND ALTERNATE NO. 5 IN THE AMOUNT OF \$1,121,706.25 FROM E-Z BEL CONSTRUCTION, LTD. (MBE) IN CONNECTION WITH THE LIBRARY AND FIRE STATION NO. 49 - DRAINAGE AND STREET PACKAGE PROJECT, LOCATED AT 8700 MYSTIC PARK STREET IN COUNCIL DISTRICT 7; AUTHORIZING \$61,538.75 FOR MISCELLANEOUS CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$1,183,245.00 TO BE FUNDED BY GENERAL OBLIGATIONS OF THE CITY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97840

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID OF E-Z BEL CONSTRUCTION, LTD. IN THE AMOUNT OF \$226,658.51 IN CONNECTION WITH THE LAS MORAS - TRAVIS TO SALINAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$16,988.75 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$11,892.12 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$43,489.01 FOR SEWER AND WATER EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) IN THE AMOUNT OF \$13,282.00 FOR GAS LINE REPLACEMENT FOR A TOTAL AMOUNT OF \$255,539.38; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97841

SELECTING BEATY & PARTNERS, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE FIRE STATION NO. 47 PROJECT, LOCATED ON STONEWALL BEND IN COUNCIL DISTRICT 8; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$170,250.00; AUTHORIZING \$17,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$750.00 FOR ADVERTISING EXPENSES, FOR AN OVERALL TOTAL OF \$188,000.00 TO BE FUNDED BY 2002 CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97842

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$33,862.99 PAYABLE TO SAN ANTONIO CONSTRUCTORS, LTD. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE GLIDER & LANDING FROM GUNSMOKE TO LOOP 410 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$33,862.99; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97843

APPROPRIATING \$510,000.00 FOR THE FISCAL YEAR 2002-2003 ANNUAL SIGNAL PROGRAM TO INSTALL TRAFFIC SIGNALS AT SEVEN INTERSECTIONS AND APPROPRIATING \$250,000.00 FOR THE FISCAL YEAR 2002-2003 ANNUAL SIGNAL UPGRADE PROGRAM TO UPGRADE EXISTING TRAFFIC SIGNAL INSTALLATIONS AND SYSTEMS FUNDED FROM THE CAPITAL IMPROVEMENTS RESERVE FUND.

* * * *

AN ORDINANCE 97844

AUTHORIZING PAYMENT UNDER AN EXISTING ON-CALL PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$147,539.00 FROM CERTIFICATES OF OBLIGATION TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P., FOR REMEDIAL ENVIRONMENTAL CONSTRUCTION SERVICES ASSOCIATED WITH THE MISSION TRAILS PACKAGE II PROJECT, LOCATED IN COUNCIL DISTRICT 3, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97845

APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$133,203.00 PAYABLE TO VAUGHN CONSTRUCTION COMPANY FOR ADDITIONAL CONSTRUCTION EXPENSES IN CONNECTION WITH THE CARVER COMMUNITY CULTURAL CENTER BUILDING REPAIRS, PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING THE AMENDMENT OF THE CONSTRUCTION CONTRACT WITH VAUGHN CONSTRUCTION COMPANY TO INCREASE THE CONSTRUCTION CONTRACT BY \$50,000.00 IN REPROGRAMMED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR A NEW CONTRACT AMOUNT OF \$729,534.00; AUTHORIZING \$182,383.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 96444, SEPTEMBER 26, 2002.)

* * * *

AN ORDINANCE 97846

AUTHORIZING THE ACCEPTANCE OF \$50,000.00 FROM SAN ANTONIO WATER SYSTEM FOR THE LEON CREEK RESTORATION PROJECT; ESTABLISHING A PROJECT BUDGET AND ENCUMBERING \$50,000.00 FOR PARK CONSTRUCTION CREW EXPENSES.

* * * *

AN ORDINANCE 97847

ACCEPTING THE LOW BID WITH BID ALTERNATES 1 AND 2 OF 3TI, INC. IN AN AMOUNT NOT TO EXCEED \$191,865.00 IN CONNECTION WITH FISCAL YEAR 2002 FACILITY IMPROVEMENT MAINTENANCE PROGRAM (FIMP) AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED FISCAL YEAR 2003 PLAYGROUND IMPROVEMENTS - PACKAGE B PROJECT, LOCATED IN COUNCIL DISTRICTS 1 AND 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$37,372.65 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,062.35 FOR BID ADVERTISING AND PRINTING EXPENSES; AUTHORIZING \$2,200.00 FOR PERMIT FEE EXPENSES FOR A TOTAL AMOUNT OF \$232,500.00; AUTHORIZING THE TRANSFER OF \$170,000.00 IN FISCAL YEAR 2002 FACILITY IMPROVEMENT MAINTENANCE PROGRAM (FIMP) FUNDS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97848

ACCEPTING THE LOW, QUALIFIED BID OF VERTEX CORPORATION IN THE AMOUNT OF \$440,000.00 IN CONNECTION WITH THE FISCAL YEAR 2003 PLAYGROUND IMPROVEMENTS - PACKAGE A PROJECT, LOCATED IN COUNCIL DISTRICTS 3, 5 AND 6; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$27,250.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$825.00 FOR BID ADVERTISING AND PRINTING EXPENSES; AUTHORIZING \$5,200.00 FOR PERMIT FEE EXPENSES; AUTHORIZING THE APPROPRIATION OF \$130,000.00 REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FUTURE CONSTRUCTION WORK AT ACME PARK; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97849

APPROVING A BROWNFIELDS REDEVELOPMENT PROGRAM PROJECT, UNDER PROVISIONS OF THE CITY'S GRANT FROM THE U.S. EPA, AUTHORIZING A PARTICIPATION UNDERSTANDING WITH CONSENT FOR

PROMOTIONAL USE AND RIGHT OF ACCESS BETWEEN THE CITY OF SAN ANTONIO AND C.A.N. INDUSTRIES, INC., AND AUTHORIZING PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES NECESSARY TO ACCOMPLISH AN ENVIRONMENTAL SITE ASSESSMENT IN THE AMOUNT OF \$34,042.00 BY DRASH CONSULTING ENGINEERS, INC., UNDER AN EXISTING ENVIRONMENTAL CONSULTING SERVICES AGREEMENT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97850

RATIFYING ACTIONS TAKEN TO COMPLETE A BROWNFIELDS REDEVELOPMENT PROGRAM PROJECT FOR FRIEDRICH LOFTS, LTD., AUTHORIZING EXECUTION OF DOCUMENTS NECESSARY THERETO, AND APPROVING PAYMENT MADE TO KEI CONSULTANTS, LTD., IN THE AMOUNT OF \$35,591.00, FOR PROJECT SERVICES PERFORMED UNDER A STAND-BY PROFESSIONAL ENVIRONMENTAL SERVICES AGREEMENT; ALL UNDER PROVISIONS OF THE CITY'S GRANT FROM THE U.S. EPA.

* * * *

AN ORDINANCE 97851

AUTHORIZING THE EXECUTION OF A FIVE-YEAR LEASE AGREEMENT WITH CENTRO DEL BARRIO FOR USE OF THE DULLNIG HOUSE, LOCATED AT 204 NOLAN IN CITY COUNCIL DISTRICT 2, FOR THE PERIOD BEGINNING APRIL 1, 2003, TO SERVE AS A CLINIC AND IN CONSIDERATION OF \$100.00 RENT PER YEAR.

* * * *

AN ORDINANCE 97852

ACCEPTING TITLE TO TWO PARCELS OF LAND TOTALING APPROXIMATELY 4,156 SQUARE FEET FROM KOONTZ/MCCOMBS MHS, LTD., ONE PARCEL TOTALING APPROXIMATELY 2,182 SQUARE FEET FROM SOUTH TEXAS CARDIOLOGY, LTD., A TEXAS LIMITED PARTNERSHIP, AND ONE PARCEL OF LAND TOTALING APPROXIMATELY 1,904 SQUARE FEET FROM METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD., A TEXAS LIMITED PARTNERSHIP, IN CONNECTION WITH THE MEDICAL CENTER

IMPROVEMENTS AT EWING HALSELL PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING \$1,742.00 PAYABLE TO ALAMO TITLE COMPANY FOR TITLE FEES ASSOCIATED WITH THE PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97853

AUTHORIZING THE EXECUTION OF A 2003 AMENDMENT TO PANCHITOS' LEASE AND LICENSE AGREEMENT WITH FRANK SEPULVEDA, AS TENANT, PROVIDING FOR AN INCREASE IN THE LEASED PREMISES AND LICENSED AREA BY AN ADDITIONAL 716 SQUARE FEET IN THE BASEMENT OF 115 PLAZA DE ARMAS, A CITY-OWNED BUILDING, TO PROVIDE THE TENANT SPACE FOR A SEPARATE DINING AREA IN THE RESTAURANT, A SMALL OFFICE AREA, STORAGE AND SPACE FOR AN ICEMAKER FOR \$20,475.00 OF TOTAL ADDITIONAL RENT FOR THE FIRST OPTION TERM, PAYABLE FROM OCTOBER 1, 2003 THROUGH DECEMBER 31, 2006, AND \$34,020.00 OF ADDITIONAL RENT, IF THE TENANT RENEWS THE SECOND OPTION TERM, COMMENCING JANUARY 1, 2007 AND ENDING ON DECEMBER 31, 2011.

* * * *

AN ORDINANCE 97854

CONSENTING TO AN ASSIGNMENT OF THE HENRY B. GONZALEZ CONVENTION CENTER (BUSINESS CENTER) LEASE AGREEMENT ("AGREEMENT") AND AMENDMENT TO BUSINESS CENTER AGREEMENT WITH F. KELLOGG ENTERPRISES, INC., AS "TENANT", OF THE TENANT'S INTEREST IN THE AGREEMENT AND AMENDMENT, WITH ALL OF THE TERMS AND CONDITIONS TO REMAIN THE SAME, TO TEXAS BADGER DEVELOPMENTS-1, LLC, TO OPERATE A FRANCHISE OF MAIL BOXES ETC. DBA THE UPS STORE CONSISTING OF 1,761 SQUARE FEET OF LEASED PREMISES, WITH A MONTHLY BASE RENT OF \$1.55 PER GROSS SQUARE FOOT OR \$2,729.55 PER MONTH, FOR AN ANNUAL BASE RENT OF \$32,754.60 FOR THE BALANCE OF THE INITIAL TERM OF FIVE (5) YEARS, WHICH COMMENCED DECEMBER 31, 2001, WITH ONE (1) RENEWAL TERM OF THREE (3) YEARS SUBJECT TO SAN ANTONIO CITY COUNCIL APPROVAL, WITH THE

CITY'S CONSENT BEING CONTINGENT ON WRITTEN CONFIRMATION OF THE SALE OF THE FRANCHISE TO TEXAS BADGER DEVELOPMENTS-1, LLC.

* * * *

AN ORDINANCE 97855

AUTHORIZING THE ACQUISITION OF A 6.072 ACRE TRACT LOCATED ADJACENT TO CATHEDRAL ROCK NATURE PARK ON OLD GRISSOM ROAD IN COUNCIL DISTRICT 6 FROM CLARE AND RON CARRILLO FOR THE AMOUNT OF \$138,000.00 FROM 1999 PARK BOND FUNDS; AND AUTHORIZING THE ACCEPTANCE OF A TEXAS PARKS AND WILDLIFE TRAILS GRANT IN THE AMOUNT OF \$100,000.00 WITH A REQUIRED \$25,000.00 CITY MATCH; ESTABLISHING A PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97856

AMENDING ORDINANCE NO. 96125, APPROVED ON AUGUST 1, 2002, TO REVISE THE PROJECT BUDGET OF THE STATE DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT FOR THE BROOKS CITY-BASE UTILITY INFRASTRUCTURE PROJECT AND APPROVING AN AMENDMENT TO THE ASSOCIATED SUB-GRANT AGREEMENT WITH THE BROOKS DEVELOPMENT AUTHORITY (BDA) TO CORRECT PROJECT COST AND MATCHING FUNDS. (AMENDS ORDINANCE NO. 96125, AUGUST 1, 2002.)

* * * *

AN ORDINANCE 97857

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A FISCAL YEAR 2002 SUPPLEMENTAL APPROPRIATION COMMUNITY EMERGENCY RESPONSE TEAM GRANT IN THE AMOUNT OF \$66,999.96 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO BE USED TO ALLOW THE CITY TO UTILIZE EXISTING PERSONNEL TO TRAIN AND SUPPORT THE FORMATION OF A COMMUNITY EMERGENCY RESPONSE

TEAM, FOR THE GRANT PERIOD BEGINNING JUNE 1, 2003 THROUGH DECEMBER 31, 2003.

* * * *

AN ORDINANCE 97858

APPROVING AN EXTENSION OF LINE-OF-DUTY LEAVE FOR FIRE FIGHTER GREGORY K. WASHINGTON AND RESTORING EIGHT HUNDRED AND TWENTY (820) HOURS, OR THIRTY FOUR (34) SHIFTS, OF HIS SICK LEAVE, AND ALLOWING THE FIRE DEPARTMENT TO CONSIDER THAT PERIOD AS LINE-OF-DUTY LEAVE.

* * * *

AN ORDINANCE 97859

APPROVING AN EXTENSION OF LINE-OF-DUTY LEAVE FOR FIRE APPARATUS OPERATOR DAVID KIRK VAKEY AND RESTORING ONE THOUSAND, SIX HUNDRED AND EIGHT (1,608) HOURS, OR SIXTY SEVEN (67) SHIFTS, OF HIS SICK LEAVE, AND ALLOWING THE FIRE DEPARTMENT TO CONSIDER THAT PERIOD AS LINE-OF-DUTY LEAVE.

* * * *

AN ORDINANCE 97860

APPROVING AN EXTENSION OF LINE-OF-DUTY LEAVE FOR FIRE APPARATUS OPERATOR HENRY F. KEIL JR. AND RESTORING ONE THOUSAND, TWO HUNDRED AND SEVENTY TWO (1,272) HOURS, OR FIFTY THREE (53) SHIFTS, OF HIS SICK LEAVE, AND ALLOWING THE FIRE DEPARTMENT TO CONSIDER THAT PERIOD AS LINE-OF-DUTY LEAVE.

* * * *

AN ORDINANCE 97861

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE METROPOLITAN PLANNING ORGANIZATION (MPO) FOR THE CITY TO PERFORM VARIOUS PLANNING TASKS FOR PAYMENT TO THE CITY OF AN

AMOUNT NOT TO EXCEED \$65,000 AS PART OF THE MPO'S UNIFIED PLANNING WORK PROGRAM FOR FISCAL YEAR 2002-03.

* * * *

AN ORDINANCE 97862

ESTABLISHING THE BUDGET FOR ADMINISTRATIVE EXPENSES IN CONNECTION WITH THE ENVIRONMENTAL IMPACT STATEMENT FOR SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$25,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING \$250,000.00 IN MATCHING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 97863

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE AN AGREEMENT WITH THE SAN ANTONIO CONSERVATION SOCIETY ("SOCIETY") MEMORIALIZING AN UNDERSTANDING WHEREBY THE SOCIETY SHALL MAINTAIN A FUND OF \$50,000.00 TO BE HELD BY THE SOCIETY AND USED FOR THE DEVELOPMENT OF AN ARCHITECTURAL SURVEY OF THE ORIGINAL 36 SQUARE MILES OF THE CITY TO BE CONDUCTED BY THE CITY'S HISTORIC PRESERVATION OFFICE.

* * * *

AN ORDINANCE 97864

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING APPROVING THE REGIONAL INTELLIGENT TRANSPORTATION SYSTEM (ITS) ARCHITECTURE, DATED 2002, AND PLEDGING TO WORK TOGETHER WITH OTHER AGENCIES IN THE REGION TO COORDINATE AND COOPERATE IN THE PLANNING, IMPLEMENTATION, INTEGRATION, AND OPERATION OF ITS SYSTEMS, AND PLEDGING TO PROVIDE THE TEXAS DEPARTMENT OF TRANSPORTATION THE INFORMATION NECESSARY TO MAINTAIN THE REGIONAL ITS ARCHITECTURE.

* * * *

AN ORDINANCE 97865

AUTHORIZING PAYMENT IN THE AMOUNT OF \$90,000.00 FOR THE FULL AND FINAL SETTLEMENT OF THE CLAIM FILED BY MICHELLE TRINIDAD WITH THE CITY OF SAN ANTONIO.

— — — — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97866

AUTHORIZING \$38,000.00 FROM 2002 CERTIFICATES OF OBLIGATION PAYABLE TO SOUTHWESTERN BELL TELEPHONE CO. FOR THE RELOCATION OF THEIR UNDERGROUND FACILITIES AND AUTHORIZING CITY PUBLIC SERVICE (CPS) TO APPROPRIATE FUNDS IN THE AMOUNT OF \$500,000.00 FROM THE CPS OVERHEAD CONVERSION FUND FOR THE CONSTRUCTION OF CPS INFRASTRUCTURE IN CONNECTION WITH THE WOODLAWN AVENUE FROM SAN ANTONIO TO LAKE PROJECT, LOCATED IN COUNCIL DISTRICT 7; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Councilman Schubert expressed concern about the costs associated with the Utility Conversion Fund, and questioned how much money was left in the fund.

Mr. Thomas Wendorf, Director of Public Works, spoke to the amount of money left in the Conversion Fund, and stated that projects would reduce the fund balance. He clarified that these funds could only be used to relocate City Public Service (CPS) facilities, and all others were out of pocket costs.

Councilman Schubert stated that he understood Southwestern Bell was previously not charging, but recently made a change 2 years ago.

Mr. Wendorf noted that they didn't necessarily agree with the change, and confirmed that he was working with the City Attorney's Office on a strategy. He added that 14 months

ago, a presentation was given during a "B" session, and noted that they were not given direction on how to move out, so what they have been doing as bond projects is using the Utility Conversion process.

Councilman Schubert requested for a presentation on this issue so that the other members of the City Council could have an opportunity to look at where things stood.

Councilman Williams indicated that he would like to see projects by district to measure the impact of these 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

— — —

2003-26 The Clerk read an proposed ordinance authorizing \$113,732.00 from 2002 Certificates of Obligation payable to Southwestern Bell Telephone Co. for the relocation of their overhead utilities and authorizing City Public Service (CPS) to appropriate funds in the amount of \$754,000.00 from the CPS Overhead Conversion Fund for the relocation of their underground facilities in connection with the Florida from I.H. 37 to St. Mary's Project, located in Council District 1; appropriating funds; and providing for payment.

Councilman Flores expressed concern about this item, due to its location in District 1, and requested for information on the process involved to get it in this location.

Mr. Thomas Wendorf, Director of Public Works, explained that they had a bond project identified on Florida Street, and discussed what they planned to do with the existing facility on Florida Street. He expounded on the costs involved and noted that typically, when CPS poles go down, telecoms have to place their wires in another location. He stated that CPS is now charging to have these wires moved.

Councilman Flores requested to see how many more projects were lined up in his district.

Mr. Wendorf reiterated that they liked to work these in line with bond projects.

Councilman Flores expressed concern about the amount of money that the City had to pay. He then made a substitute motion to postpone the proposed ordinance and to table this item until a later date. Councilman Williams seconded the motion.

Councilman Williams asked if they were privy to an underground conversion fund.

Mr. Wendorf clarified that this was the fund to convert overhead facilities to underground facilities, and noted that there was a percentage that CPS received. He noted the agreement was such that they cannot use these funds other than converting overhead utilities, and stated that they had to be CPS facilities.

Councilman Schubert made a motion to approve the proposed ordinance as substituted. Councilman Barrera seconded the motion.

The substitute motion as presented by Councilman Flores was approved by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The main motion, as substituted, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Agenda Item 19 was tabled.

— — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97867

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID OF E-Z BEL CONSTRUCTION, LTD. (MBE) IN THE AMOUNT OF \$434,376.95 IN CONNECTION WITH THE FLEMING - GERALD TO NEW LAREDO HWY., GERALD - FLEMING TO NEW LAREDO HWY., AND LOVETT - OREGON TO FLEMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$39,539.20 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$27,677.44 FOR EXPENSE RECOVERY; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$38,985.00 FOR SEWER AND WATER EXPENSES FOR A TOTAL AMOUNT OF \$501,593.59; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Thomas Wendorf, Director of Public Works, briefed the Council on this project, and explained the process they used to advertise it. He spoke to the bids received and discussed the breakdown of the costs.

Councilman Perez stated that he wanted the citizens watching from home to understand what this project was about, adding that it was a much-needed project. He then concurred with Mr. Wendorf's offer to have a community meeting to make a presentation regarding this project.

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.

— — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97868

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF \$350,490,000.00 "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 2003 (FORWARD DELIVERY)"; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AGREEMENT, AND A BOND PURCHASE AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

* * * *

Councilman Haass made a motion to approve the proposed Ordinance. Councilman Flores seconded the motion.

Mr. Ben Gorzell, Public Utilities Supervisor, stated that these two items on the agenda were to request approval for two-CPS bond financing transactions. He discussed each transaction, noting that both transactions were refunding transactions, and essentially refinancing existing outstanding debt for CPS. He spoke to the process of taking older bonds with higher interest rates and replacing them with bonds that will be issued with lower interest rates, thereby generating lower debt service cost for CPS over the life of the bond.

Mr. Rick Williamson, Representative of CPS, briefed the Council on the two transactions, and discussed the details of each transaction. He narrated a slide presentation regarding these particular transactions, a copy of which was made part of the official papers of this meeting.

In response to Councilman Hall's question regarding how much in fees the City was paying, Mr. Williamson discussed the costs that totaled about \$1.5 million. He further acknowledged that they do what they can to help local firms.

When looking at contracts in general, Councilman Hall noted it was important that they support disadvantaged firms and locally based firms, as well as those with branches when talking about \$1.5 million in fees. He indicated that he wanted as much money as possible to stay in San Antonio.

Councilman Perez questioned the money that was being saved, and how it affected CPS.

Mr. Williamson acknowledged that the money wasn't given, but it wasn't money that had to be paid off. He then discussed the amount of debt service lowered, and noted that the left over funds would be turned over to capital programs.

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

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. **NAYS:** None. **ABSENT:** Garza.

— — —

Single-Family District to "O-1" Office District on Lot 8, Block 1, NCB 11900, 4466 Walzem Road. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Williams questioned what the differences were in staff's and the Zoning Commission's recommendations.

Mr. Jacks explained that the applicant had initially requested for an "O-2" Office District, but noted that this was more for a large office building. He explained that the "O-1" Office District was geared for smaller offices. The Zoning Commission therefore felt it wasn't appropriate. Since the Zoning Commission's recommendation, he confirmed that the applicant had amended his request to an "O-1", which was adequate.

The following citizen(s) appeared to speak:

Mr. Paul Evans, urged Council to approve the "O-1" request, and acknowledged that he was seeking to run his business from this location.

* * * *

Councilman Williams made a motion to accept the recommendations of the Zoning Commission to deny this request for zoning. Councilman Haass seconded the motion.

After discussion, the motion to deny, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Haass, Garza.

Zoning Case Z2003063 was denied.

5B.) CASE NUMBER #Z2003069 - The request of COIL CDC, Applicant, for Huntleigh Park Baptist Church, Air Today Inc., Owner(s), for a change in zoning from "R-5" Residential Single-Family Development & "R-6 S" Residential Single-Family Development to "RM-4" Residential Mixed District on 6.217 acres out of

NCB 10615, the northwest corner of Hollyspring Drive and Whispering Creek. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Mr. Herbert Brewer stated that after hearing the proposals of the company who will be building the single housing family unit, he was in favor of this project.

Ms. Shirley Bennett spoke in opposition of the rezoning on this property, expressing concern about mixing different homes. She urged the City Council not to make a decision until they had an opportunity to go out and look at the property, indicating the homes that will be built would be smaller than those homes that have been there for over 30 years.

Ms. Gertie L. Williams expressed concern about the developer building 60 units in a 6-acre lot. She spoke to crime and congestion in the area, stating that she didn't feel there was enough land for 50 houses.

Mr. Donald Wayne spoke to the problems they have been having finding housing for persons with disabilities. He stated that this project would benefit people with disabilities.

Mr. James White, a member of COIL – an organization who helps people with disabilities obtain housing, stated it was important that people on a wheelchair have opportunities with such facilities such as the one proposed in this case.

Ms. Susan Murray spoke of her degree in social work, and stated all she wanted was to be a productive member of society. She acknowledged this project would allow those with disabilities to be more productive members of society.

Ms. Madlyn Bowen, Manager of Independent Living, stated they had a hard time getting through to the Zoning Commission. She spoke of their past projects, and discussed pictures that were projected on the screen for the Council that cited various examples of their work. She explained they needed the zoning change so that they could build quality homes.

Mr. William Adams cited the reasons that he was against this project. He spoke of the problem with traffic, and questioned why all the charitable organizations had to be placed in his neighborhood.

Mr. Art Tabler stated that he had a responsibility to provide a safe environment for the area. He spoke of how they have accepted this project since it helps the elderly and disabled. He urged the City Council to approve this zoning.

Mr. Chris Dumas, Vickery and Associates, stated the applicant for the zoning change has made an effort to face single family residential against single family residential. He noted that the maximum unit per density was less than the required. With respect to traffic, he stated that 24 units were for the elderly and disabled, and most would not be driving.

Mr. John Sampson spoke to the laws of the past, and stated that 100 years later, the disabled are still being discriminated against. He also stated that the elderly and disabled wanted the American dream, which is to live in housing units with accommodations to meet their needs. He then urged the Council to vote for this much needed housing.

Ms. Mary Alston spoke in favor of this particular project, indicating it was her understanding that the property would be well kept by the developer.

Mr. Lloyd Barnes stated that being against this project had nothing to do with being against the elderly and the disabled, or about any other category of people. He alleged the land was inexpensive, and didn't believe that it was feasible to build this project without compounding on the problems that they already had.

Ms. Bea Hernandez spoke in favor of this proposed rezoning. She indicated that she understood how residents are concerned with what's built around their homes, but noted that the developer wouldn't do anything to go around that.

Rev. Lawrence Weden, Pastor of Peace Lutheran church, stated that he and his congregation supported this project. He voiced his thoughts about how this project would allow for diverse people to be a part of the larger community.

* * * *

Councilman Williams thanked those that spoke regarding this project. He urged his colleagues to support him in moving for a continuance, so that he could meet with both groups, as well as a representative of the City. He indicated that he was sensitive to the need for development.

Councilwoman Radle stated that it was a tough issue, and thanked all those who spoke for their comments. She encouraged Councilman Williams to continue to work to resolve this matter.

Councilman Hall stated that he would support Councilman Williams, and noted that this project sounded like it would be good use of the land by providing affordable housing.

Councilman Williams made a motion to continue this rezoning case until the City Council meeting of August 14, 2003. Councilman Flores seconded the motion.

After consideration, the motion to continue this case until August 14, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Haass, Garza.

Zoning Case #Z2003069 was continued to the Council meeting of August 14, 2003.

— — —
2003-26 **At this time, reference was made back to Case Number 5A.**

At this time, Councilman Williams made a motion to recap the proposed rezoning which was discussed earlier in the meeting. Councilman Flores seconded the motion.

The motion, to reconsider this item, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Haass, Garza.

Mr. John Jacks, Land Development Services, re-read the proposed rezoning case.

Discussion ensued between the panel of constituents and the Council regarding the proposed zoning.

Councilman Williams then made a motion to approve the proposed rezoning, based on the recommendations of the staff and Zoning Commission. Councilman Flores seconded the motion.

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

AN ORDINANCE 97870

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 8, BLOCK 1, NCB 11900, 4466 WALZEM ROAD, FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "O-1" OFFICE DISTRICT ON THE PROPERTY.

* * * *

2003-26 At this time, reference was made to Case Number 5C.

5C.) CASE NUMBER #Z2003084 C - The request of Nestor Lopez, Applicant, for Francisco Zerrato, Owner(s), for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for auto sales and repair on Lot 1, Block 9, NCB 1509, 402 S. New Braunfels. Staff's recommendation was for approval of "C-2 NA C".

Zoning Commission has recommended denial of "C-3". (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Williams made a motion to approve the proposed rezoning. Councilman Segovia seconded the motion.

The following citizen(s) appeared to speak:

Mr. Charles English, 807 Canton St., Jefferson Heights Association, spoke to the history of this area, and confirmed he talked to the owners and worked closely with the Planning Department. He confirmed the misunderstandings had been corrected. He encouraged more small businesses to come to this area.

* * * *

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

AN ORDINANCE 97871

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 9, NCB 1509, 402 S. NEW BRAUNFELS, FROM "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT TO "C-2 NA C" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR AUTO SALES AND REPAIR ON THE PROPERTY.

* * * *

5D.) CASE NUMBER #Z2003097 - The request of First Humanitarian Church, d/b/a Second Chance Foundation, Applicant, for First Humanitarian Church, d/b/a Second Chance Foundation, Owner(s), for a change in zoning from "C-3NA" Commercial District, Non-Alcoholic Sales to "C-3" Commercial District on Lot 26, NCB 12167, 8235 Vicar Drive. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 2)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

The applicant, who is the Pastor of the First Humanitarian Church and Chairman of the Second Chance Foundation, spoke to the history of the church, and cited the reasons that they purchased this building. She indicated that she called the office of Councilman Williams, and spoke to the conversation she had with Gloria, Secretary of the Councilman. She expounded on the history of this area, and acknowledged that they had been a church for over 23 years. She urged Council to approve this zoning case.

* * * *

Councilman Williams confirmed this was an issue that he looked at more than once. He acknowledged this part of the district adjoins Councilman Haass' district, and spoke of

the problems that they have had. He acknowledged that they looked at the goals and objectives of this church. He motioned to accept the recommendation of denial.

Councilman Williams acknowledged that he could not support the proposed rezoning in this area, and made a motion to uphold the recommendation of the Zoning Commission to deny the requested rezoning. Councilman Hall seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert. **NAYS:** None. **ABSENT:** Flores, Haass, Garza.

Zoning Case Z2003097 was denied.

— — —

5E.) CASE NUMBER #Z2003062 - The request of Pedro Galvan, Applicant, for Pedro Galvan, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 17, Block 47, NCB 8937, 1017 Fenfield. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 4)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Ms. Ofelia J. De la Garza, daughter to Ms. Gregoria L. Juarez, acknowledged that they had been overlooking the fact that the applicant had been doing his business there for many years, but expressed concern on the issue of soil contamination. She stated that this area has been established as a residential area, and therefore urged the Council to leave it as such.

* * * *

Councilman Perez stated that he could not support this case, and made a motion to uphold the recommendation of the Zoning Commission to deny the requested rezoning. Councilman Hall seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

Zoning Case Z2003062 was denied.

— — —

5F.) CASE NUMBER #Z2003021 D C - The request of City of San Antonio, Applicant, for St. Theresa Rodriguez, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "R-5 C" Single-Family Residential District with a conditional use for a duplex on Lots 75 and 76, Block 5, NCB 8861, 474 North San Joaquin. Staff's recommendation was for approval of R-5 C.

Zoning Commission has recommended approval of R-5. (Council District 5)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilwoman Radle made a motion to approve the proposed rezoning. Councilman Castro seconded the motion.

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

AN ORDINANCE 97872

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 75 AND 76, BLOCK 5, NCB 8861, 474 NORTH SAN JOAQUIN, FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-5 C" SINGLE-FAMILY RESIDENTIAL DISTRICT WITH A CONDITIONAL USE FOR A DUPLEX ON THE PROPERTY.

* * * *

5G.) CASE NUMBER #Z2002258 - The request of City of San Antonio, Applicant, for WOH Holdings, Inc. c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 PUD" Residential Single-Family Planned Unit Development District on 92.34 acre tract of land out NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 6)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Schubert made a motion to continue this rezoning case until the City Council meeting of August 14, 2003. Councilman Flores seconded the motion.

After consideration, the motion to continue this case until August 14, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Segovia, Perez, Garza.

Zoning Case #Z2002258 was continued to the Council meeting of August 14, 2003.

— — —

5H.) CASE NUMBER #Z2002271C - The request of Jerry Arredondo, Applicant, for Gary D. Skinner, Owner(s), for a change in zoning from "R-5" Single-Family Residence District to "R-5 C" Single-Family Resident District with a conditional use for a 61 unit Multi-Family complex on Lots 193, 237, 238, 239, 240 and 241, Block E, New City Block 11549, 700 Block of Oak Knoll Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 7)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Castro made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

(Mayor Garza returned to the meeting and presided.)

The following citizen(s) appeared to speak:

Ms. Bonnie Precious spoke against this zoning case, noting that it would allow an increase in crime and transients. She urged the Council to keep the site as is.

Ms. Vera Billingsley urged the City Council to table this case for a later date.

* * * *

Councilman Castro confirmed that it was for an R5-C, and acknowledged that this proposal was for an affordable housing project for senior citizens.

Mr. Jacks concurred, noting that they could not do a conditional use.

Councilman Castro posed various questions to the applicant, and clarified the conditions of the agreement.

Discussion ensued between Councilman Castro and the applicant regarding whether there was a need for more than one entry point, in which the applicant noted that they wouldn't place one unless it was required.

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

AN ORDINANCE 97873

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 193, 237, 238, 239, 240 AND 241, BLOCK E, NEW CITY BLOCK 11549, 700 BLOCK OF OAK KNOLL DRIVE, FROM "R-5" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-5 C" SINGLE-FAMILY RESIDENT DISTRICT WITH A CONDITIONAL USE FOR A 61 UNIT MULTI-FAMILY COMPLEX ON THE PROPERTY.

* * * *

SECTION 2. The City Council finds as follows: (1). Such use will not be contrary to the public interest. (2). Such use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district. (3). Such use will be in harmony with the spirit and purpose as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (4). The use will not substantially weaken the general

purposes or the regulations as set forth in Section 35-422, "Conditional Zoning" of the Unified Development Code. (5). The use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council approves this Special Use Permit so long as the following conditions are met:

1. R-5 C. Conditional use for senior citizen apartments not to exceed 61 units.
2. Construction of a wrought iron fence along the perimeter next to Oak Knoll and west Horseshoe Bend.
3. Planting of pyrachantha every ten feet on the exterior of the above fence.
4. A maximum of two stories.
5. No dumpsters visible from Oak Knoll or West Horseshoe Bend
6. No egress/ingress from Oak Knoll or West Horseshoe Bend except for an emergency entrance and only if required by the City.

SECTION 4. All other provisions of Chapter 35, as amended, shall remain in full force and effect, including the penalties for violations as made and provided in Section 35 -491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance herewith and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance is not severable.

* * * *

— — —
2003-26 At this time, reference was made back to Case Number 5E.

At this time, Councilman Perez made a motion to reconsider this proposed rezoning as discussed earlier. Councilman Williams seconded the motion.

After consideration, the motion to reconsider, the rezoning request prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Councilman Perez invited Mr. Pedro Galvan, Applicant, forward to discuss the history of the proposed zoning case that he was affected by.

Mr. Galvan confirmed that he bought this property 30 years ago, and spoke to the history of the area that he lived in. He cited the noise problem with Kelly Air Force Base, and how it broke windows, but noted his decision to purchase the property in spite of it.

Councilman Perez explained to Mr. Galvan that this was an area surrounded by homes.

Mr. Galvan cited other drawbacks, including the industrial problems in the area. He questioned why others were still allowed to continue their business.

Councilman Perez explained that those businesses that he referenced have been zoned since back then, and noted that they were talking about changing his use from residential to industrial. He confirmed that his motion still stood. He further stated that he couldn't support this item, and made a motion to uphold the recommendation of the Zoning Commission and to deny the requested rezoning. Councilman Flores seconded the motion.

After consideration, the motion to deny the rezoning request prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Williams, Barrera.

Zoning Case Z2003062 was denied.

2003-26 At this time, reference was made to Case Number 5I.

5I.) CASE NUMBER #Z2003060 - The request of Joaquin & Rosa Romo, Applicant, for Joaquin & Rosa Romo, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3 NA" General Commercial Nonalcoholic Sales District on Lot 10, Block 1, NCB 11998, 4212 Culebra Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval of "C-3NA". (Council District 7)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Castro made a motion for approval for the proposed rezoning as C3 CN2 and for an automatic continuance for the meeting of August 14, 2003. Councilman Hall seconded the motion.

After consideration, the motion for automatic continuance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haas, Garza. **NAYS:** None. **ABSENT:** Barrera.

Following discussion, it was agreed to temporarily postpone further consideration of this agenda item until later in this meeting.

Councilman Castro made a motion to reconsider the proposed rezoning at a later time. Councilman Hall seconded the motion.

After consideration, the motion to reconsider this item, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haas, Garza. **NAYS:** None. **ABSENT:** Perez.

(See Page 38 for resumption of consideration of this agenda item.)

— — —

5J.) CASE NUMBER #Z2003068 C - The request of Martin Gutierrez, Applicant, for Martin Gutierrez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1 C" Commercial District with a conditional use for an auto repair shop on Lot P-22, NCB 17929, 8537 Bandera Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 7)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Castro made a motion to continue this rezoning case until the City Council meeting of August 14, 2003. Councilman Hall seconded the motion.

After consideration, the motion to continue this case until August 14, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez.

Following discussion, it was agreed to temporarily postpone further consideration of this agenda item until later in this meeting.

(See Page 39 for resumption of consideration of this agenda item.)

— — —

5K.) CASE NUMBER #Z2003080 - The request of Traditional Value Homes, Ltd. c/o C. Benjamin McCaleb, Applicant, for Traditional Value Homes, Ltd., Owner(s), for a change in zoning from "C-2NA ERZD" Commercial, Nonalcoholic Sales Edwards Recharge Zone District, "O-2 ERZD" Office Edwards Recharge Zone District, and "C-1 ERZD-PUD" Light Commercial Edwards Recharge Zone District, Planned Unit Development to "RM-5 ERZD-PUD" Residential Mixed Edwards Recharge Zone District, Planned Unit Development on P-5, P-12, and P-1C, NCB 18350, Bitters Road. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 9)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

Councilman Schubert made a motion to continue this rezoning case until the City Council meeting of August 14, 2003. Councilman Barrera seconded the motion.

After consideration, the motion to continue this case until August 14, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez.

Zoning Case #Z2003080 was continued to the Council meeting of August 14, 2003.

— — —
2003-26 At this time, reference was made back to Case Number 5I.

At this time, Councilman Castro made a motion to reconsider the proposed rezoning case. Councilman Hall seconded the motion.

After consideration, the motion to reconsider this item, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haas, Garza. **NAYS:** None. **ABSENT:** Perez.

Mr. John Jacks, Land Development Services, then re-read the proposed rezoning case.

After discussion and reconsideration of this item, Councilman Castro then made a motion to approve the proposed rezoning. Councilman Hall seconded the motion.

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

AN ORDINANCE 97873A

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 10, BLOCK 1, NCB 11998, 4212 CULEBRA ROAD, FROM "C-2" COMMERCIAL DISTRICT TO "C-3 NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT.

* * * *

— — —
2003-26 At this time, reference was made back to Case Number 5J.

Councilman Castro made a motion to reconsider the proposed rezoning at this time. Councilman Hall seconded the motion.

After consideration, the motion to reconsider this proposed rezoning, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Perez.

Mr. John Jacks, Land Development Services, re-read the proposed rezoning case.

Councilman Castro made a motion to continue this rezoning case until the City Council meeting of August 14, 2003. Councilman Hall seconded the motion.

After discussion, the motion to continue this case until August 14, 2003, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

Zoning Case #Z2003068 C was continued to the Council meeting of August 14, 2003.
— — —

5L.) CASE NUMBER #Z2003091 - The request of John J. Warlow III, Applicant, for Bert Buehler, Owner(s), for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on 1.318 acre tract out of NCB 13732, 13818 Jones Maltsberger Rd. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

Mr. John Jacks, Land Development Services, explained the proposed rezoning case.

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

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

AN ORDINANCE 97874

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.318 ACRE TRACT OUT OF NCB 13732, 13818 JONES MALTSBERGER RD., FROM "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT TO "C-2" COMMERCIAL DISTRICT.

* * * *

— — —
2003-26 **PUBLIC HEARING ON THE 2003 BOND PROGRAM.**

Mayor Garza declared the Public Hearing to be open.

Mr. Lou Lendman, Director, Management and Budget, narrated a slide presentation regarding the 2003 Bond Program, a copy of which was made part of the official papers of this meeting. He spoke to the percentage distribution, and discussed the citywide project list selected by Council members. He then expounded on the schedule of events.

The following citizen(s) appeared to speak:

Mr. Duane Wilson, President of the North Chamber of Commerce, commended the Council for their decision regarding the funds for stormwater drainage, and for the funds being directed to the Emergency Operation Center. He stated that the Chamber believed the best way to use the funds is for community wide needs.

Mr. Alan Kramer, Vice-President of Economic Development for the Greater San Antonio Chamber of Commerce, cited projects regarding Kelly USA, and urged Council to take KellyUSA into consideration as a community wide project when considering these bonds.

Mr. Mario Hernandez, President of the San Antonio Economic Development Foundation, congratulated the City Council, past and present, and acknowledged that they had taken advantage of most of the opportunities. He stated that the industrial park needed help, and encouraged the Council to look into further investment into KellyUSA and to consider it a citywide project. He compared their investment of KellyUSA to the Toyota project.

Mr. Blake Hastings, representing the Free Trade Alliance, encouraged the Council to consider KellyUSA in their upcoming bond projects. He spoke to KellyUSA being the ideal location, and noted that in order to continue the success of KellyUSA, improvements and investments were needed for Kelly.

Ms. Rachel Cywinski, President of Highland Park Neighborhood Association, spoke to a meeting they had with the District 3 representative of the Library Board, Ms. Kathy Dean, who explained the need for this bond in order to move the McCreless Branch Library. She further spoke to the costs of repair needed for the sewer line.

Mr. Ed Ray thanked the Council for putting this project together. He confirmed that the Neighborhood Association they represented was grateful for these bonds. He cited a problem on DeZavala Road, which he feels needs to get improved. He further noted that they would like to see the traffic problem resolved.

Mr. Elginio Rodriguez spoke to a neighborhood sweep, citing the problem of layering the street with asphalt, which he states is creating dams and causing flooding in some areas. He spoke to certain areas without sidewalks or curbs.

Mr. Joe A Soliz, COPS/Metro, spoke to the many concerns of the community, and stated that there were many items not eligible for CDBG funding. He cited one example being South Zarzamora, and noted that for more than 12 years, they have been seeking funds to have this area reconstructed. He then urged the Council to consider projects that would help the community.

Ms. Cindy Taylor, President of the South San Antonio Chamber of Commerce, urged the Council to support continued projects at KellyUSA and Brooks City Base. She spoke of the benefits of these two entities, and commended the Council for making Brooks City Base a reality.

* * * *

There being no further citizens signed to speak to this matter, Mayor Garza declared the Public Hearing to be closed.

— — —

2003-26 PUBLIC HEARING AND ORDINANCE: CONSIDERATION OF THE ADOPTION OF THE SOUTHSIDE INITIATIVE COMMUNITY PLAN AS A COMPONENT OF THE CITY'S MASTER PLAN.

Mayor Garza declared the Public Hearing to be open.

Ms. Jelynn LeBlanc Burley, Assistant City Manager, narrated a slide presentation regarding the Southside Initiative Community Plan, a copy of which was made part of the official papers of this meeting. She expounded on the planning process, and discussed the elements of the team vision, and spoke to the results of the workshop exercise which were used to develop the plan. She then discussed the purpose of the plan.

Mr. Emil Moncivais, Director of Planning, discussed the land use components of the land. He spoke to the future land use plan, and cited the categories of future land use, including urban living, rural living, agriculture, resource protection and open space.

The following citizen(s) appeared to speak:

Ms. Rachel Cywinski, President of Highland Park Neighborhood Association, stated she realized this was a conceptual plan, but expressed concern about the reality aspect. She stated there were a lot of things that needed to be worked out, and questioned if this was the appropriate agricultural land. She spoke to the toxic chemicals, noting that this site had never been cleaned up. She urged the Council to address this issue.

Mr. Gabriel Zapata, Commercial Real Estate Broker representing the family of Mr. Jesus Vasquez who owned a tract of land, asked for the land adjacent to the property to be changed so Mr. Vasquez could continue commercial development. He urged the Council to make the amendment to this land to protect his interest.

Mr. Andy Guerrero confirmed that they had no problems with the goals and objectives of the plans, but acknowledged that they wanted the same consideration of the owner to the north.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, referred to the conditions in the Southwest area of the City, in which he resides. He stated that he was representing his

community, and acknowledged that he was a member of the Technical Restoration Subcommittee, and spoke to the tasks involved. He further spoke to the Toyota agreement.

Mr. Julio Gonzalez urged the City Council to remember the area inside Loop 410. He cited an example in 1977, and discussed a study, which showed how bond money was spent in San Antonio. He spoke to fairness, and urged the Council to keep focus on the area inside Loop 410.

Mr. Charles English, 807 Canton St., Jefferson Heights Association, commended the Planning Department, whom he says worked with the Jefferson heights Association in many ways. He spoke of the issue regarding the Eastside of San Antonio, and acknowledged that they didn't have a transfer center that was meaningful. He expressed concern that the Eastside was being neglected.

Mr. Kit Corbin, representing the owners of 1650 acres of land, acknowledged he was the original broker that found the site that Toyota had chosen. He discussed the make up of the area, and asked that the 4 miles of frontage on the railroad not be designated as farm land. He confirmed that he wanted to work with the City, and make things look great.

Mr. Ken Brown commended City staff, stating that he was impressed and pleased with the process. He spoke in favor of the Southside Initiative Plan.

Ms. Cindy Taylor spoke to the challenge of developing and building the Southside initiative. She spoke to the creation of the Southside Initiative Corridor Committee, and discussed its function and meetings they've held. She urged the Council to continue to modify this plan.

Mr. Faris Hodge, Jr., 140 Dora, acknowledged the need for a master plan, but stated that there was no money. He urged Council to give City Employees a 14% pay raise.

* * * *

There being no further citizens signed to speak to this matter, Mayor Garza declared the Public Hearing to be closed.

Mayor Garza expressed appreciation to the property owners who expressed concern on certain issues, such as flexibility and transition. He clarified with the Planning Department as to whether the language articulated at the meetings would be part of the plan, to which Mr. Moncivais responded no, but noted they could place it in the final plan approval. Mayor Garza further spoke to the total acreage, and acknowledged that this

wasn't a perfect plan, and that they would have to make adjustments. He further discussed the work sessions and attendance by the property owners and stakeholders at these work sessions, and the challenge to start the planning process with this amount of acreage. He noted the language in the legislation was very specific, and added that as they begin the next step in the zoning process, they would have an Authority Board. He acknowledged that they were planning for the next 20 years, and stated that they would have to think long term. He referenced Toyota's economic impact, and commented that growth would happen, regardless, and the question posed was what could the City do to make it quality growth. He cited the Urban Land Institute report, and noted that this initiative was helping existing infrastructure. He stated that this would connect with other parts of the City, and referenced other plan initiatives and the community input involved. He acknowledged this as another initiative that would join others.

Mr. Moncivais noted that there were goals and objectives in the plan related to inner-city revitalization.

Mayor Garza acknowledged the importance of addressing the issues brought forward today. He wanted everyone to know that the concerns were heard, and that they planned to deal with those concerns on an individual basis. He again emphasized that this wasn't a perfect plan, but indicated that they were getting there. He thanked the staff for their work.

Councilman Perez stated that the biggest obstacle that they faced is the unknown peace. Acknowledging Toyota as a big part of this area, he wanted to make sure that they did not impede on the facility. He stated that he was interested in having the maximum flexibility in this plan. He spoke to future development, and urged the staff to protect landowners rights, while having the flexibility for them to develop plans in the future.

Councilman Williams reiterated the Mayor's comments, noting that they have looked at the Southside Initiative and the proposals. He spoke to a vision in this part of the County, and acknowledged that he has gotten reassurance from the City that while the Southside initiative unfolds, the lessons learned would be adopted on the Eastside of town. He acknowledged that the Mayor was being sensitive to what was going on with the other sectors of the City. He discussed how it would have a spill over effect, and stated that they would adopt changes from this initiative, indicating that he would do what he could to ensure that the entire City could share the benefits of this project.

Councilman Schubert acknowledged that he was more of a skeptic. He questioned slide 13 and what the Unified Development Code (UDC) says about land outside of the City limits.

Mr. Moncivais clarified that the Southside Initiative was inside the City limits.

Councilman Schubert stated that they would have control for the next 3 years, but questioned what controls the UDC places if they decide not to annex.

Discussion ensued between Councilman Schubert and Mr. Moncivais regarding annexation and the Authority's role.

Mr. Moncivais stated that the Authority could adopt the City's regulations, and in that process, could hire the City to do the Zoning.

Assistant City Manager Burley clarified that the Authority would have zoning powers, and added that the legislation didn't speak to one's ability to petition to get out of authority.

Councilman Schubert spoke to slide 27, commenting that he didn't see any flexibility in the plan. He emphasized the information on slide 27, noting that any request for changes in zoning would require a plan amendment, which he stated does not make the plan flexible.

In response to Councilman Schubert's question as to what staff would do differently, Mr. Moncivais stated that they would be working closely with those who have property, and work out a plan for that particular area, while keeping in mind the goals and objectives. Discussion then ensued between Councilman Schubert and Mr. Moncivais regarding this issue.

In response to Councilman Schubert's question as to how the Planning Department came up with specific land uses, Mr. Moncivais confirmed that it came from discussion at the meetings held. He confirmed that staff attended the open houses, and did make note of the feedback that they received. He further stated that they had specific consensus, and used this as a way to draw up this plan. He then explained the make-up of the groups, which was explained on slide 10.

Assistant Manager Burley expounded on slide 10, and discussed the make-up of the groups.

Mr. Moncivais explained the process and discussed how they came up with the ideas on what they specifically wanted.

In response to Councilman Schubert's question as to how they got to the scenario on the map, Mr. Moncivais noted that at the very end of the workshop, they gathered the common ideas, which became the elements, and the Planning Director decided on the make up of the land based on the concepts and common ideas gathered from that input.

Councilman Schubert expressed concerns on how this was developed. He expressed his belief that much of this would not be annexed. He stated that they had allowed an unelected board to make a judgement about land use planning. He further stated that he was disturbed at how the plan was developed, and didn't believe that the input was sufficient. He expressed concern about permanent foreclosure, and in this regard, confirmed that he would not be voting for approval.

City Manager Terry Brechtel asked that Assistant City Manager Burley review the use of the facilitator.

Mayor Garza also asked her to clarify the groups.

Assistant City Manager Burley clarified that 12 groups were established, and that each was charged with creating a base map, acknowledging the existing resources. She discussed the 12 vision plans and expounded on the process that was utilized, noting the facilitator then gleaned all of the common ideas from each of the twelve groups through a consensus building process. She confirmed that they did not make decisions separate and apart from this process, and added that they witnessed that process. She acknowledged that they had a group of consultants who volunteered their time.

Mayor Garza stated that when talking about such a large acreage of land, this really was about beginning the planning process. He cited examples from the Northside, and noted how many say that they are tired of the congestion. He spoke to the past public hearings regarding limited purpose annexation, and the message was that they didn't want any development, but now that Toyota decided to invest, development is more welcomed. He described this as a pilot process with limited County regulation, and further expressed belief that it has been a thoughtful process, noting that there were time issues. He stated that they had to make decisions on land use, and that the Southside Initiative was the first step.

Assistant City Manager Burley added that additional validation of the process was on June 10th, which is when they took the results gathered on May 17th and illustrated them at this meeting. She stated that the staff's next project is creating zoning districts, and most of their concerns could be addressed in defining the transition areas that would occur in each one of the zoning districts. She spoke to their plan amendment process, and acknowledged that staff may not have been as flexible in the past, but now they are taking a new look at how they are looking at plan amendments.

Councilwoman Radle underlined the importance of the "B" session, stating that she watched the different initiatives over the years and all the wonderful things happening, while the inner city has been on the backburner. She indicated that during this "B"

session, the Mayor led them in creating an initiative that would specifically go after money for infrastructure in the inner City area. She acknowledged that she was committed to seeing this follow through, and to see that they develop a timeline in an effort to bring entities together to make a dent in what has been neglected in the City for so long. She stated that since the commitment was made, she's calling all Council members to this commitment.

In response to Councilman Segovia's request for an explanation of the Authority Board, Assistant Manager Burley discussed the composition of the board, noting that it was just recently created. She added that the City Council had the ability to create the authority and dissolve it. She spoke of its abilities to create funding for facilities, and noted that there were many opportunities. She further discussed the 2nd goal, which is to promote economic development. She acknowledged that they would have the authority to establish increased sales tax. She stated that these projects might include infrastructure and could issue bonds, and if they chose this funding mechanism, she explained that they would have the responsibility to come back to the Council. She expounded on the 3rd goal of the Authority, which is to implement land control, and noted that by 2006 they would have to make a recommendation on annexation.

Councilman Segovia stated that his major concern was the land use plan.

Assistant Manager Burley noted that once Council makes a decision on what area will be annexed, the Authority would control the balance of the area. For now, once the Council creates the Authority, they would co-exist, so they as staff would have to work and transition them to that period. Ultimately, she noted that the Council would control the area that is annexed.

In response to Councilman Segovia, Assistant Manager Burley confirmed Toyota had a lot to do with the 3-mile range buffer. She further acknowledged that they would be able to address certain issues when the zoning districts are defined.

Councilman Schubert and Assistant Manager Burley further discussed the land in regards to the buffer zone and the property under that zone. He further requested to see the consensus map.

Mayor Garza noted that Toyota was willing to work with the City regarding land development. He noted that because of the public gain of Toyota, that they could agree on restricted land use on certain acreage.

In response to Councilman Hall regarding what document gives the City jurisdiction to create this district which could encumber property owners, Assistant Manager Burley explained that Legislature gave the Council the right to create and dissolve the Authority.

In response to Councilman Schubert as to which authority would have zoning powers if not annexed although the property wasn't annexed, Assistant Manager Burley indicated that it would be the Authority.

Councilman Castro stated that South Side Initiative would provide the City an opportunity to balance development while creating quality neighborhoods. He stated one thing he found special about the City was that it had distinctive neighborhoods, indicating he felt that was being lost, which at the end could affect economic development. He noted that Toyota would spur a lot of activity, and indicated that he felt confident that this process addressed the wishes of the property owners along with the basic elements. He acknowledged that in some ways, the whole purpose of the Planning Department was to go out and get the opinions of the citizenry, but as it comes down to the professional aspect of it, planners would intervene. He commented on some of the concerns brought up.

In response to Councilman Segovia's question as to how the land use program would affect development already in place, Assistant Manager Burley noted that the person's existing property rights were protected. She further discussed the residency requirements set by Legislation.

Assistant Manager Burley noted that in the three-year window, once Council makes the determination on what is annexed, the Authority would control the balance of the area, and the Authority would have to zone.

City Attorney Andrew Martin further added that if the City does not annex any portion in the three-year window, that they must wait 5 years before they can annex again.

Following the discussion between Councilman Hall and Assistant Manager Burley on the issue of annexation, City Manager Brechtel indicated that they were getting into much more detail, and suggested that they get into further discussion as they create the Authority.

Councilman Williams spoke to the issue of overpopulation of Bexar County, and noted that this wasn't the best plan, but a good start. He discussed the importance of balancing the City, stating that the Southside Initiative was a good first start.

The Clerk then read the following Ordinance:

AN ORDINANCE 97875

ADOPTING THE SOUTHSIDE INITIATIVE COMMUNITY PLAN AS A COMPONENT OF THE MASTER PLAN OF THE CITY IN AN AREA GENERALLY

BOUND BY IH-410 ON THE NORTH, IH-37 ON THE EAST, BY A MEANDERING LINE 1,350 FEET SOUTH OF THE CENTERLINE OF THE MEDINA RIVER ON THE SOUTH, AND BY IH-35 ON THE WEST.

* * * *

Councilman Flores made a motion to approve the proposed Ordinance. Councilman 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, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** Schubert. **ABSENT:** Perez.

* * * *

Councilman Hall suggested that they continue to August 7th, due to his concerns of those pieces of property that don't get annexed, and stated that he would feel comfortable if there was some language that would target this issue.

Mayor Garza acknowledged that this would take a presentation, noting that it would not happen in July. He spoke to the need to create this Authority and come up with their parameters. He discussed the process in appointing the Board, and indicated that there would be an opportunity for discussion before the Board is created.

2003-26 INDIVIDUAL ITEMS – CITIZENS COMMENTS.

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

Mr. Jack M. Finger, P.O. Box 12048, spoke to Items 56 & 58, indicating staff had recommended denial. He urged the Councilmembers whose districts were affected to listen to their constituents.

2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97876

APPROVING THE APPOINTMENT OF SAMMY G. NIETO TO THE ALAMO WORKFORCE DEVELOPMENT BOARD (PRIVATE SECTOR LARGE/FOR PROFIT BUSINESS CATEGORY) FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2005.

* * * *

Councilman Flores made a motion to approve the proposed Ordinance. Councilman Haass seconded the motion.

Ms. Dianne Quaglia, Sr. Special Projects Officer, City Manager's Office, narrated a slide presentation regarding the Alamo Workforce Development Board appointment, a copy of which was made part of the official papers of this meeting. She spoke to the process involved in Mr. Samuel Nieto's appointment.

In response to Councilman Williams' question regarding whether this was a 29 member staggered board, Ms. Quaglia replied yes, and discussed the appointment and re-appointment process.

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

— — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97877

AUTHORIZING THE EXECUTION OF A CONTRACT WITH GREAT SOUTH TEXAS CORPORATION D/B/A COMPUTER SOLUTIONS (WBE) TO PROVIDE THE DEPARTMENT OF COMMUNITY INITIATIVES WITH IMPLEMENTATION OF A SINGLE PORTAL ENTRY SOFTWARE SYSTEM FOR A COMMUNITY-WIDE CHILD CARE SAFETY NET FOR AN APPROXIMATE COST OF \$830,700.00; AUTHORIZING THE PURCHASE OF MICROSOFT BIZTALK LICENSES FOR USE IN THE SINGLE PORTAL SYSTEM FROM SHI-GOVERNMENT SOLUTIONS UTILIZING A TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT FOR A COST OF \$100,736.00; AND

REVISING ORDINANCE NUMBER 97629 TO AUTHORIZE A BUDGET REVISION
IN ACCORDANCE HEREWITH.

* * * *

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

Mr. Dennis Campa, Director of Community Initiatives, narrated a slide presentation regarding the execution of a contract with Great South Texas Corporation, d/b/a/ Computer Solutions to implement the single portal entry beginning on July 1, 2003, a copy of which was made part of the official papers of this meeting. He discussed the process utilized, and further expounded on the approximate costs.

The following citizen(s) appeared to speak:

Mr. Brian Mason, representative from the Science Applications International Corporation (SAIC), spoke to the success of his organization and cited various examples of the success of the company. He urged Council to offer other options.

Mr. Aaron Dalton, representing X Technologies, spoke to the history of X Technologies as well as their staff. He spoke to the existing relation of SAIC, noting it was through SAIC that X-Technologies had been involved in this effort.

Ms. Gretchen Glasscock requested for Council to table this item, and explained their bid was the much lower bid. She urged Council to take their time, and noted this process has been ongoing. She stated it was reasonable for them to take the time to review this bid.

Mr. Sean Lanhan, Operations Manager for GA Sullivan, stated they have process of regularity. He confirmed he wasn't able to produce a bid bond, which he states was the reason they were rejected. He stated they have used the same technology, with equal if not superior technologies, that would save the city \$94,000.

Ms. Janie Martinez Gonzalez from the WEB Head Group spoke to the web based projects the company has worked on through out the State and City. She urged Council to be fair, and to consider a fair and new bid process.

* * * *

Councilman Haass stated that he was excited about this program. He further spoke to the Request for Proposal (RFP) and Bid process, noting that some people felt that there was miscommunication, and asked Mr. Campa why he felt this miscommunication occurred.

Mr. Campa cited his reasons why he thought the miscommunication occurred. He discussed the process, and stated that they were looking for groups to propose a creative solution to a problem lined out. He stated that it was incumbent upon these organizations to propose a solution, and not for the City to propose what they should do.

Discussion ensued regarding the pricing and process utilized.

Mr. Campa spoke to the history of the RFP process utilized for this program.

Councilman Hall concurred with the comments of Councilman Haass, and expressed concern on why they had 3 different RFP processes. He further spoke to the 3 out of 7 companies who had no bid bond.

Ms. Becky Waldmann, Director of Asset Management, cited Chapter 3 section 3 of the contracting manual, and discussed the guidelines involved. She indicated that staff followed the direction in the contracting manual regarding bid bonds.

Ms. Janie Cantu, Director of Purchasing, added that the information regarding the proposals contained clear instructions. She stated that they wanted proposals, and that they wanted to be able to evaluate these proposals. She acknowledged that they looked at several different items. She further acknowledged that they did not do anything differently between the 2nd and 3rd RFP process.

Councilman Hall and Mr. Campa further discussed the difference in the 2nd process versus the 3rd process, with the Department Systems Manager of the Department of Community Initiatives indicating the scoring was close.

Councilman Segovia expressed concern that they didn't have a level-playing field when it comes to awarding City contracts.

Mr. Campa spoke to the scoring process and noted that there wasn't much of a difference in scoring. He further stated that they went through extraordinary means to make sure every vendor was treated in the same regard. He confirmed that they were using federal money, and if it wasn't used or acted on, it could be lost. He further discussed the significance of this program, and acknowledged the group selected had proposed a better solution and posed better capabilities in technology, and noted the other organizations that did not receive the bid did not complete the proposal process.

In response to Councilman Castro's query regarding when the City goes out for a specific contract and when they left contracts open ended, Ms. Laura O'Connor, City Attorney's Office, noted that this was governed by law.

Discussion ensued between Ms. O'Connor and Councilman Castro regarding the process utilized.

Mr. Gary Moeller, Director of Information Systems Department, stated that when they go out for a proposal, that there are certain guidelines that the technology has to fit in. He expounded on Biztalk, and how this fit the City's landscape. He stated that they try to give some guidelines as to what kind of technology to bid.

Ms. Cantu indicated that it was a matter of opinion, regarding whether the specifications were clear or not. She confirmed that there was a lot of opportunity for dialogue. She discussed the bid bond, indicating that if it isn't submitted, the bid doesn't mean anything to them. She confirmed that the issue of the bid bond disqualified a number of the bidders.

Mr. Mike Hicknum, from SAIC, confirmed that they wrote the designed document, which they felt was a good solution. He elaborated on the scope of the proposal.

Councilwoman Radle stated that there was some frustration for those new Councilmembers. She spoke to the prospect of improving the RFP process.

Mr. Campa stated that they felt that they improved the proposal the third time because there were 7 applicants. He stated that when someone doesn't get the proposal, that they would find something wrong with the bid.

In response to Councilman Schubert, Mr. Moeller confirmed that they were looking for innovation. He spoke to the capabilities and importance of Biztalk, and noted that there was an opportunity for dialogue for these vendors. Mr. Moeller further noted that it was a long-term project that would support the community.

Councilman Schubert further discussed the bid bonds, in which Ms. Waldman cited the reasons and importance of the bid bond.

Councilman Schubert acknowledged that there were many solutions that could work. He spoke to the substantial difference in the scoring, noting that he would support staff's recommendations.

Councilman Barrera commented on the different RFP processes, and noted that they have a procurement system that has been tested, adding that he was proud to say that every time they requested to have the system improved, staff had responded.

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

— — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97878

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE A CONTRACT IN THE AMOUNT OF \$1,442,000.00, WITH STERLING'S PUBLIC SAFETY, INC. TO SUPPLY THE SAN ANTONIO FIRE DEPARTMENT WITH UNIFORM ITEMS FOR THE PERIOD OF OCTOBER 1, 2003 TO SEPTEMBER 30, 2005, WITH THE OPTION FOR THREE ONE-YEAR EXTENSIONS.

* * * *

Councilman Haass made a motion to approve the proposed Ordinance. Councilman Segovia seconded the motion.

Chief Robert Ojeda, Fire Department, narrated a slide presentation regarding the execution of a contract with Sterling's Public Safety, Inc. for the purchase of uniforms for the City of San Antonio Fire Department personnel. He spoke to the requirement of the City to release a new Request for Proposal (RFP) to seek competitive bids from vendors for uniform items, and elaborated on the outcome of the RFP.

In response to Councilwoman Radle regarding how many firefighters or personnel were going to be served, Chief Ojeda stated there were 1442 firefighters. He further discussed the breakdown of the cost for each firefighter.

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, Haass. **NAYS:** None. **ABSENT:** Castro, Schubert, Garza.

**2003-26 STAFF REPORT – REGARDING THE CITY OF SAN ANTONIO’S
STATE INITIATIVES PROGRAM FOR THE 78TH LEGISLATIVE SESSION.**

Mr. Jim Campbell, Director of External Relations, narrated a slide presentation regarding the preparation for the 78th Legislative Session, a copy of which was made part of the official papers of this meeting. He spoke to the legislative recommendations received from Mayor and Council, City departments and agencies, and community partners. He further discussed the policy analysis, and thanked those who testified in Austin.

At the request of Councilman Williams, Mr. Campbell recapped slide 19.

Councilman Hall congratulated Mr. Campbell and his team for their work, and recognized his work on water resources in his district, in which Mr. Campbell acknowledged and gave credit to City Public Service (CPS) and the San Antonio Water System (SAWS) whom he says had their own lobbying teams.

Councilman Castro thanked Mr. Campbell and his staff for their work, and stated it seemed that they faired pretty well given the budget situation they were in.

In response to Councilman Schubert’s question regarding whether changes to the charter would have to be made to reflect the change of the uniform election date, Mr. Campbell responded yes.

Councilman Schubert discussed the importance of the award collection contract fees, noting the number was fairly substantial and could possibly address the problem of people not paying their fines. He further expressed concern on the Hotel Tax Rebate issue, and cited the views of one State Representative, indicating that he was not in agreement with his stance.

Mr. Campbell spoke to the history of the issue regarding the Hotel Tax Rebate since 1997. He indicated that they needed to be on guard regarding this issue. He expounded on this issue, and noted that they would engage in the education process. He stated that they were willing to work with other cities who now have this benefit.

Councilwoman Radle thanked Mr. Campbell for the report, and commended staff for their work.

Councilman Barrera thanked Mr. Campbell and his team for their work, noting that they had a successful session. He spoke to dual credit funding, noting that it could have opportunities.

— — —

2003-26 The Clerk read an proposed ordinance amending the land use plan contained in the I.H. 10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the use of a 3.21 acre tract of land located approximately 850 west of the intersection of FM 1516 and I.H. 10 East from Community Commercial use to Industrial use.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Master Plan Amendment 03001 IH 10 East Corridor Perimeter Plan, a copy of which was made part of the official papers of this meeting. He discussed the significance of the Master Plan component, and expounded on what the amendment entailed. He further noted that staff was recommending denial of the Master Plan amendment.

The following citizen(s) appeared to speak:

Mr. Robert Herrera urged the Council to consider and remember that there was always two sides to every story. He spoke to a discussion that he had had with Mr. Ron Wright of Councilman Williams' office, indicating that he was very helpful. He stated that he wanted to sit down with everyone to iron out the differences, and requested the opportunity to come together.

* * * *

Councilman Williams described this as an example of where they have come from since 2001, stating they have tried to look at this area, and indicated that this was a clear case of guidance by the Unified Development Code. He asked Council to hold true to the Master Plan and zoning issues that they have for this particular area.

Councilman Williams made a motion to deny the proposed ordinance. Councilman Flores seconded the motion.

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

— — —

2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97879

AMENDING ORDINANCE NO. 97173 TO EXTEND THE INTERIM DEVELOPMENT CONTROLS IN AREAS ANNEXED JANUARY 5, 2003 BY THE CITY OF SAN ANTONIO FOR LIMITED PURPOSES FOR A 60 DAY PERIOD PENDING CONSIDERATION AND ADOPTION OF A COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS NECESSARY TO IMPLEMENT THAT PLAN FOR THE ANNEXED AREA.

* * * *

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the amendment of Ordinance 97173, a copy of which was made part of the official papers of this meeting. He discussed the Southside Initiative planning process, and the limited purpose annexation. He expounded on the development of the Southside Initiative Community plan, and the ordinance provisions.

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. **NAYS:** None. **ABSENT:** Hall, Haass, Garza.

— — —
2003-26 The Clerk read an proposed ordinance granting a waiver of the Interim Development Controls adopted on February 6, 2003 by Ordinance 97173 to Thomas F. Phillips and Harry D. Urey as such interim controls apply to zoning and platting for a 16.27 acre tract of land located near the northwest corner of the intersection of IH-37 and Blue Wing Road. Staff recommends denial.

Councilman Segovia made a motion to amend staff's denial and allow Mr. Phillips an opportunity to go through the zoning process and work with City Staff. Councilman Perez seconded the motion.

Mr. Emil Moncivais, Director of Planning, discussed the petition for a waiver of requirements in the limited purpose annexation, a copy of which was made part of the official papers of this meeting.

The following citizen(s) appeared to speak:

Mr. Andrew Johnston spoke in favor of the proposed ordinance, and discussed its benefits. He discussed the sequence of events and the promises to the City by the landowner.

Mr. Thomas Phillips stated that he was one of the co-owners of the property, and indicated that he didn't know how his property became agricultural. He acknowledged that they had 700 feet of highway frontage, and had permission to apply to have it zoned.

* * * *

Councilman Schubert stated that he appreciated the amendment, but noted that this was the first of a hundred sort of things that will come forward. He emphasized the importance of flexibility, and reiterated that this was his concern with the whole initiative, noting that there wasn't flexibility in the plan. He acknowledged that he would support his motion.

Councilwoman Radle concurred with Councilman Schubert, and noted they did need to be flexible and try to keep in the spirit of what they voted on. She then made a motion to approve the motion as amended. Councilman Perez seconded the motion.

The amendment to the motion as presented by Councilman Segovia was approved by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Castro, Garza.

The main motion, as amended, prevailed by the following vote: **AYES:** Flores, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Williams, Garza.

— — —
2003-26 The Clerk read the following Ordinance:

AN ORDINANCE 97880

SELECTING FESSEL INTERNATIONAL HOSPITALITY CONSULTANTS TO PROVIDE RESTAURANT AND VISITOR FACILITY CONSULTANT SERVICES FOR THE CITY'S TOWER OF THE AMERICAS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT IN AN AMOUNT NOT

TO EXCEED \$111,200.00; AUTHORIZING \$5,000.00 FOR CONSULTANT CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding the selection of Fessel Interational Hospitality Consultants to provide restaurant and visitor facility consultant services for the City's Tower of the America's, a copy of which was made part of the official papers of this meeting. He spoke to the experience of Fessel International, and cited other major projects that they worked on.

In response to Councilman Flores regarding whether this company will produce economically for the City, Mr. Matthews discussed the difference between the two proposals, and noted the group selected met the goals the City Council established. He further noted the company has worked on projects similar to this before.

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. **NAYS:** None. **ABSENT:** Garza.

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97881

APPROVING AMENDMENT ONE TO THE GOLF FOOD AND BEVERAGE CONCESSION AGREEMENT WITH POLANCO AND COMPANY, L.L.C. TO REVISE REVENUE PAYMENT TO THE CITY TO BECOME SIXTEEN PERCENT (16%) OF ADJUSTED GROSS SALES REVENUE FOR THE DURATION OF THE CONTRACT. (AMENDS ORDINANCE NO. 96179, AUGUST 8, 2002.)

* * * *

Councilman Flores made a motion to approve the proposed Ordinance. Councilman Hall seconded the motion.

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding the amendment to the Municipal Golf Food & Beverage concession agreement, a copy of which was made part of the official papers of this meeting. He stated the Ordinance would approve a contract amendment with Polanco and Company, L.L.C. to revise revenue payment to the City for various services.

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97882

APPROVING A DOLOROSA STREET PARKING LOT LEASE AGREEMENT IN MARKET SQUARE WITH MARKET SQUARE PARKING, L.L.C., FOR LEASE OF APPROXIMATELY 14,615 SQUARE FEET OF PARKING LOT SPACE IN CITY COUNCIL DISTRICT 1 FOR A TEN (10) YEAR TERM WITH ONE FIVE (5) YEAR EXTENSION, IN CONSIDERATION OF AN ANNUAL LEASE AMOUNT OF \$32,500.00 IN YEAR ONE TO \$42,500.00 IN YEAR 5 WITH MARKET ANALYSIS ADJUSTMENTS THEREAFTER.

* * * *

Councilman Flores made a motion to approve the proposed Ordinance. Councilman Haass seconded the motion.

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding the Market Square parking lot lease, a copy of which was made part of the official papers of this meeting. He spoke to the background of the contract negotiations, and discussed the specifics of the proposed contract.

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

CITIZENS TO BE HEARD

MR. NEWTON TREY ELLISON

Mr. Newton Trey Ellison, spoke to his long wait, and urged the Council to do something about CPS and the coal plant. He spoke to the vast area in Southern Bexar County where a solar prosperity zone could be built. He spoke to the environmental damages that the coal plant would cause.

* * * *

MS. BONNIE PRECIOUS

Ms. Bonnie Precious spoke in favor of a smoke free ordinance, and spoke against a compromise, and stated that those who choose a compromise are choosing death over life. She stated that public safety wasn't an issue to vote on, but the responsibility of the Council. She urged everyone to write to Senator John Cornyn, and urged Council to get smoking stopped right now. She further spoke against the coal plant, and requested for nude bars to be made illegal.

* * * *

MS. RACHEL CYWINSKI

Ms. Rachel Cywinski, President of Highland Park Neighborhood Association, spoke to the RFP process, and offered suggestions to the City. She spoke to the City's One Stop Development Center, and the money wasted on this type of development. She then presented photos to Council that depicted trees lost and wasted because of bad planning.

* * * *

MS. SUZANNE LOZANO

Ms. Suzanne Lozano spoke to the work of the Smoke Free Coalition. She posed questions to various Councilmembers regarding the comments that they made on this issue, and addressed those comments.

* * * *

MS. FLORIA FOX

Ms. Floria Fox spoke to the issue of workmen's compensation, and stated that the City wasn't doing what they were supposed to.

* * * *

MR. BILL DE VALCOURT

Mr. Bill De Valcourt stated that he didn't want to see the Council hide behind a referendum on the smoking issue. He urged those who were against it to fight it. He stated that it was a waste of time because no matter what they did, they were going to press hard until they get a total ban.

* * * *

MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to various citywide issues, including the pay for Fire and Police. He spoke to an increase in pay for City employees. He referenced various newspaper articles.

* * * *

MR. JOE PEREZ

Mr. Joe Perez suggested to Council that citizens be given longer than 3 minutes to speak. He wanted to thank Councilman Williams for responding to his requests, and urged Council not to cover up information on the minutes.

* * * *

MR. MARK HERRERA

Mr. Mark Herrera spoke of the negative publicity that KB Homes had received, and stated that he represented various homeowners in his association, and also confirmed that they do not face problems with their homes as others alleged that they face.

* * * *

MS. ANNE MORRIS

Ms. Anne Morris spoke to coal power generation, and noted that wind generation was competitive. She urged Council to delay CPS' vote on this issue so that they could compare the coal plant to wind generated energy.

* * * *

MR. RICHARD COSNER

Mr. Richard Cosner spoke to the negative publicity on KB homes. He stated that his Homeowner's Association had a strong relationship with residents and with KB. He questioned the City Attorney regarding the legality of protesting within City limits.

In response, City Attorney Andrew Martin stated that he wasn't aware of needing a permit to exercise their right to free speech.

Councilman Castro suggested those individuals talk to the reporters or whoever was responsible for the negative publicity on KB Homes.

* * * *

MR. JACK M. FINGER

Mr. Jack M. Finger, P.O. Box 12048, spoke against the Gay Pride Fest and the proclamation that was issued for "Gay Pride Week."

Councilman Flores stated that the issue was about fairness and tolerance.

Councilwoman Radle acknowledged that she did attend the Gay Pride Fest.

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97883

ACCEPTING THE LOW, QUALIFIED, RESPONSIVE BID IN THE AMOUNT OF \$2,930,659.00 FROM YANTIS CORPORATION IN CONNECTION WITH THE CULEBRA/410 (LEON CREEK) REGIONAL STORM WATER DETENTION FACILITIES PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$293,065.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$3,223,724.00, OF WHICH \$1,738,000.00 WILL BE FUNDED FROM 1999 G.O. FLOOD CONTROL WITH PARK IMPROVEMENT BONDS AND \$1,485,724.00 WILL BE FUNDED BY THE STORM WATER UTILITY REGIONAL FACILITIES FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT VOTES.

* * * *

Councilman Flores made a motion to approve the proposed Ordinance. Councilman Haass seconded the motion.

Mr. Thomas Wendorf, Director of Public Works, narrated a slide presentation regarding the Culebra/410 Regional Storm Water Facility, a copy of which was made part of the official papers of this meeting. He summarized the Ordinance, and discussed its purpose. He spoke to the site location, and bid information. He then expounded on the fiscal impact.

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97884

ACCEPTING THE PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY GRANT-FUNDED PROFESSIONAL SERVICE AGREEMENT IN THE AMOUNT OF \$40,000.00 WITH R.W. BECK, D/B/A REED, STOWE & YANKE, FOR A FEASIBILITY STUDY FOR A MATERIAL RECOVERY FACILITY; AND

PROVIDING FOR PAYMENT; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT VOTES.

* * * *

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

Mr. Daniel Cardenas, Director of Environmental Services, narrated a slide presentation regarding the feasibility study for a material recovery facility, a copy of which was made part of the official papers of this meeting. He expounded on the source of funds for the feasibility of such facility, and discussed the future of the recycling program. He spoke to the evaluation criteria and rating of qualification statements.

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97885

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KPMG, L.L.P., ON TERMS OTHERWISE CONSISTENT WITH THE GENERAL TERMS AND CONDITIONS OF THE CITY'S EXISTING AUDIT SERVICES CONTRACT WITH KPMG, L.L.P., DATED NOVEMBER 21, 2002 IN AN AMOUNT NOT TO EXCEED \$48,875.00, INCLUDING \$42,500.00 FOR FEES AND \$6,375.00 FOR REASONABLE AND PROPER OUT-OF-POCKET EXPENSES, FOR A PERFORMANCE AUDIT OF THE ENTERPRISE RESOURCE MANAGEMENT (ERM) PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Ms. Patricia Major, City Auditor, narrated a slide presentation regarding the professional services agreement with KPMG LLP, a copy of which was made part of the official

papers of this meeting. She discussed the cost proposals from KPMG, and further discussed Ordinance 96458, and the Governance meeting held on March 19, 2003.

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. **NAYS:** None. **ABSENT:** Williams, Castro, Haass, Garza.

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97886

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KPMG, L.L.P., ON TERMS OTHERWISE CONSISTENT WITH THE GENERAL TERMS AND CONDITIONS OF THE CITY'S EXISTING AUDIT SERVICES CONTRACT WITH KPMG, L.L.P., DATED NOVEMBER 21, 2002, IN AN AMOUNT NOT TO EXCEED \$28,750.00, INCLUDING \$25,000.00 FOR FEES AND \$3,750.00 FOR REASONABLE AND PROPER OUT-OF-POCKET EXPENSES, FOR PROVIDING SAP SECURITY AND CONTROLS TRAINING OF THE CITY INTERNAL AUDIT STAFF; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

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.

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97887

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE GUADALUPE HOME, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH IMPROVING THE

QUALITY OF LIFE FOR THE CITY'S HOMELESS; AS REQUESTED BY
COUNCILMAN ROGER O. FLORES.

* * * *

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

Councilman Schubert encouraged his colleagues to avoid spending additional contingency dollars.

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97888

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE SAN ANTONIO LIVING INDEPENDENT SERVICES, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH ITS 13TH ANNUAL ADA WALK/STROLL TO BE HELD ON FRIDAY, JULY 25, 2003, WHICH WILL PROMOTE EDUCATION, INFORMATION AND COMMUNITY AWARENESS ABOUT PERSONS WITH DISABILITIES AND THEIR ADVOCATES WHO RESIDE IN THE CITY; AS REQUESTED BY COUNCILMAN ROGER O. FLORES.

* * * *

Councilman Haass made a motion to approve the proposed Ordinance. Councilman Flores seconded the motion.

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

2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97889

AUTHORIZING THE TRANSFER OF \$550.00 FROM THE DISTRICT 1 CONTINGENCY ACCOUNT FUND TO THE PARKS AND RECREATION DEPARTMENT FOR THE USE OF ONE SHOWMOBILE, WITH SOUND SYSTEM, FOR ST. MARY MAGDALENE CATHOLIC CHURCH FOR ITS ANNUAL FESTIVAL TO BE HELD FRIDAY, OCTOBER 3, 2003 TO SUNDAY, OCTOBER 5, 2003; AS REQUESTED BY COUNCILMAN ROGER O. FLORES.

* * * *

Councilman Haass made a motion to approve the proposed Ordinance. Councilman Flores seconded the motion.

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97890

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE TEXAS EMANCIPATION DAY COMMISSION, TO BE USED TO HELP OFFSET THE COST OF THE FREEDOM FEST ACTIVITIES THAT WERE HELD ON JUNE 19, 2003; AS REQUESTED BY COUNCILMAN JOEL WILLIAMS.

* * * *

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

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97891

AUTHORIZING THE EXPENDITURE OF \$1,000.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE JUNETEENTH FREEDOM COALITION, TO BE USED TO HELP OFFSET THE COST OF THE BARRICADES FOR THE JUNETEENTH PARADE THAT WAS HELD ON JUNE 14, 2003; AS REQUESTED BY COUNCILMAN JOEL WILLIAMS.

* * * *

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

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97892

AUTHORIZING THE EXPENDITURE OF \$1,900.00 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE SAN ANTONIO PARKS FOUNDATION, TO BE USED TO HELP OFFSET EXPENSES RELATED TO THE 4TH OF JULY CELEBRATION THAT WILL BE HELD AT WOODLAWN LAKE PARK; AS REQUESTED BY COUNCILMAN JULIAN CASTRO.

* * * *

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

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

— — —
2003-26 **TRAVEL AUTHORIZATION - Granted:**

Travel Authorization for Councilman Art A. Hall, District 8, who will travel to Austin, Texas from Friday, July 25, 2003 to Saturday, July 26, 2003 to represent the City of San Antonio as newly elected City Councilman at the Annual Presidential Reception for the Texas Association of Black City Council members.

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

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

— — —
2003-26 The Clerk read the following Ordinance

AN ORDINANCE 97893

AUTHORIZING THE EXECUTION OF A LETTER AGREEMENT DATED JUNE 17, 2003 EXTENDING THE LEASE TERM ON A MONTH-TO-MONTH BASIS OF A LEASE AGREEMENT FOR COUNCIL DISTRICT NO. 10 OFFICE SPACE BETWEEN THE CITY OF SAN ANTONIO, AS TENANT, AND PERRIN PLAZA ANNEX JOINT VENTURE, A TEXAS JOINT VENTURE, AS LANDLORD, ORIGINALLY AUTHORIZED BY ORDINANCE NO. 94273, PASSED AND APPROVED ON AUGUST 2, 2001, TO CONTINUE USING APPROXIMATELY 1,423 SQUARE FEET OF OFFICE SPACE, LOCATED AT 4169 NACO PERRIN, AT A RENTAL OF \$862.34 PER MONTH PLUS \$10.00 PER MONTH FOR WATER,

BEGINNING JULY 1, 2003, CONTINGENT UPON APPROPRIATION OF FUNDS,
AS REQUESTED BY COUNCILMAN CHRISTOPHER "CHIP" HAASS.

* * * *

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

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

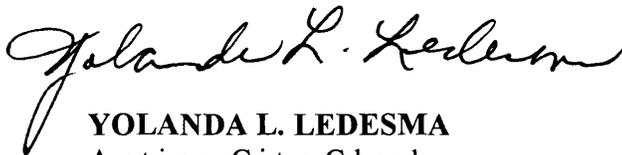
— — — — —
2003-26 There being no further business to come before the City Council, the meeting was adjourned at 11:27 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



YOLANDA L. LEDESMA
Acting City Clerk