

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,  
HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,  
THURSDAY, JANUARY 29, 2004

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2004-04 The City Council convened in an informal "B" Session at 10:00 A.M.,  
Municipal Plaza Building "B" Room, to consider the following items(s):

Quarterly Fiscal Year 2004 Update and Five-Year Financial Forecast Update. (Presented  
by Lou Lendman, Director, Management and Budget; Erik J. Walsh, Assistant to the City  
Manager)

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera,  
Castro, Hall, Schubert, Haass. ABSENT: Garza.

The "B" Session adjourned at 12:15 P.M.

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2004-04 The regular meeting was called to order at 1:00 P.M. by the Presiding  
Officer, Mayor Ed Garza, with the following members present: Flores, Williams, Segovia,  
Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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2004-04 Invocation by Rev Jim Perkins, Madison Hills Baptist Church

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2004-04 Pledge of Allegiance to the flag of the United States.

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2004-04 **CITATION: SOUTHEAST APACHES**

Mayor Garza read a citation commending the Southeast Apaches for capturing the Pop  
Warner Superbowl National Championship in Orlando, Florida He then invited the  
players and coach to come forward.

Coach Leonard Young and his players accepted the citation and the coach briefly spoke about their experiences at the championships.

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2004-04     **CITATION: 38+ SAN ANTONIO BOMBERS**

Mayor Garza invited the players and coaching staff of the 38+ San Antonio Bombers to come forward and accept a citation recognizing them for winning the National Championship title.

One of the Coaches stated that this was the second time that the 38+ San Antonio Bombers won the national championship.

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2004-04     **POINT OF PERSONAL PRIVILEGE: RETIREMENT OF ASSISTANT FIRE CHIEF MIKE MILLER**

Mayor Garza stated that Assistant Fire Chief Miller was retiring from the San Antonio Fire Department after many years with the Emergency Operations Center. He spoke to Chief Miller's expertise, professionalism and contributions to the City of San Antonio. He added that Chief Miller was well respected at the city, state and national level.

Several Council members and City Manager Brechtel expressed their appreciation to Chief Miller for his many years of service and offered best wishes upon his retirement.

Chief Miller spoke briefly of his retirement plans and thanked the Council for the opportunity to serve the citizens of San Antonio

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2004-04     **POINT OF PERSONAL PRIVILEGE: MEMORIAL HIGH SCHOOL STUDENTS**

Councilman Barrera recognized some Memorial High School students and their teachers who were visiting City Hall



Several Council members and City Manager Brechtel thanked Mr. Kaiser for his many years of service and offered best wishes upon his retirement.

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2004-04 Minutes for the regular City Council Meeting of November 13, 2003 were approved

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2004-04 Councilman Perez requested that Agenda Item 39 be moved up for consideration before the Consent Agenda.

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2004-04 **INDIVIDUAL CONSIDERATION – CITIZENS’ COMMENTS**

Mr. Jack Finger, P. O. Box 12048, addressed Agenda Items 41, 47, and 48. He spoke to converting a single family area to industrial use and to the need for the Council to seek funds to help the City stem the illegal alien problem by increasing enforcement.

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2004-04 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2004-04-03

CONFIRMING THE NOMINATION BY THE CITY PUBLIC SERVICE (CPS) BOARD OF TRUSTEES AND APPOINTING MR. ALVARO SANCHEZ TO SERVE A SECOND FIVE-YEAR TERM AS A TRUSTEE OF THE CPS BOARD OF TRUSTEES REPRESENTING THE CITY'S SOUTHWEST QUADRANT, FOR A TERM OF OFFICE TO EXPIRE JANUARY 31, 2009.

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

Mayor Garza thanked Mr. Alvaro Sanchez for his willingness to continue serving as a member of the City Public Service Board of Directors. Mr. Steve Hannigan, Chairman of City Public Service Board of Trustees, stated that Mr. Sanchez had agreed to serve a

second five-year term. He spoke to Mr. Sanchez's stewardship and to his involvement as a board member. He added that he had done an outstanding job in the past and the Board supported his nomination for another term.

Mr. Sanchez thanked the City Council for considering his reappointment. He spoke to his experience with the Board.

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

2004-04      **CONSENT AGENDA**

Councilman Perez made a motion to approve Agenda Items 8 through 38C, constituting the Consent Agenda, with Items 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, 26, 27, 29, 30, 32, 33B, 34, and 37 pulled for individual consideration. Councilman Williams 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, Garza. **NAYS:** None. **ABSENT:** Haass

AN ORDINANCE 98729

AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF GOULD EVANS, P.L.L.C., TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH THE ROADWAY AND ENTRANCE LANDSCAPING AT SAN ANTONIO INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$15,990.00; APPROPRIATING FUNDS; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 98730

APPROVING FIELD ALTERATION NO 5 - FINAL IN THE REDUCED AMOUNT OF \$101,882.66 TO THE CONTRACT OF DAYCO CONSTRUCTION CO, FOR THE CULEBRA DRAINAGE # 58F, PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 7

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AN ORDINANCE 98731

AMENDING ORDINANCE NO. 96085, PASSED AND APPROVED AUGUST 1, 2002, BY CORRECTING THE NAME OF THE PAYEE TO TICOR TITLE AGENCY AS ESCROW AGENT FOR MARY FRIEDRICH ROGERS AND WALLACE ROGERS, JR., TRUSTEES, ET AL, FOR THE ACQUISITION OF FEE SIMPLE TITLE TO TWO PARCELS IN CONNECTION WITH THE BASSE ROAD AND SAN PEDRO INTERSECTION MPO PROJECT, LOCATED IN COUNCIL DISTRICTS 1 AND 9.

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AN ORDINANCE 98732

AUTHORIZING FUNDS IN THE AMOUNT OF \$8,600.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR ANNIE WINTERS, CHARLES W. SMITH, RACHEL ANN RHYNE, AND STERLING ALLEN, FOR FEE SIMPLE TITLE TO FOUR PARCELS OF LAND (\$8,000.00), RIGHT OF ENTRY FEE (\$100.00), AND TITLE FEES (\$500.00), IN CONNECTION WITH THE SALADO CREEK GREENWAY (HIKE & BIKE) PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 98733

AUTHORIZING PAYMENT OF \$95,000.00 AS FULL AND FINAL SETTLEMENT AND RELEASE OF THE CLAIM FILED BY DIANE MACKEIL WITH THE CITY OF SAN ANTONIO.

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AN ORDINANCE 98734

AUTHORIZING THE EXECUTION OF A HOST SITE AGREEMENT WITH THE AMERICAN ASSOCIATION OF RETIRED PERSONS FOR PARTICIPATION IN THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM, A WORK-TRAINING PROGRAM.

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AN ORDINANCE 98735

AMENDING ORDINANCE NO. 90485, PASSED AND APPROVED ON SEPTEMBER 16, 1999, BY REALLOCATING \$7,653.30 FROM THE DISTRICT 2 FISCAL YEAR 2000 ONE-TIME PROJECTS FUND DESIGNATED TO THE HONEY BOULEVARD RECONSTRUCTION PROJECT TO THE ELLA AUSTIN COMMUNITY CENTER (EACC) PROJECT; AUTHORIZING PAYMENT OF SAID AMOUNT TO THE OPERATIONAL TECHNOLOGIES CORPORATION FOR ENGINEERING SERVICES NECESSARY TO THE ABATEMENT OF ASBESTOS AT 1023 N. PINE STREET, A CITY-OWNED FACILITY LEASED TO EACC.

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AN ORDINANCE 98736

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$214,995.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO SUPPORT THE ONGOING INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2004; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; ESTABLISHING A FUND; ADOPTING THE PROGRAM BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

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AN ORDINANCE 98737

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$24,000.00 WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT BY THE SAN ANTONIO DEPARTMENT OF PARKS AND RECREATION, WHICH, IF AWARDED, WILL BE USED TO PURCHASE A BRUSH CHIPPER; AUTHORIZING THE ACCEPTANCE OF THE GRANT, IF AWARDED; AND AUTHORIZING THE EXECUTION OF A CONTRACT AND ALL OTHER NECESSARY DOCUMENTS

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AN ORDINANCE 98738

REAPPOINTING RUBY PEREZ (PATRON CATEGORY - DISTRICT 6) AND APPOINTING MEREDITH COPPOLO (PERFORMING ARTIST/MUSIC CATEGORY - DISTRICT 10) TO

THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 15, 2005.

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AN ORDINANCE 98739

APPOINTING ALICE GRAY (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2005 AND REAPPOINTING ROGER MORIN (DISTRICT 5) AND JOSE A MACIAS, JR (DISTRICT 6) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 31, 2006

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AN ORDINANCE 98740

APPOINTING KENNETH R RAYMIE (DISTRICT 4) AS TRUSTEE TO THE SOUTH TEXAS BUSINESS FUND FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2006

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98741

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY BINDERY SYSTEMS INC , (WBE) TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH AN ANNUAL CONTRACT FOR MAINTENANCE AND SUPPORT SERVICES FOR GLUEFOLDER MACHINES FOR AN ESTIMATED ANNUAL COST OF \$14,355 12, WITH THE OPTION TO EXTEND FOR THREE ADDITIONAL ONE-YEAR PERIODS

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Councilman Perez made a motion to approve the proposed Ordinance Councilman Williams seconded the motion

In response to a question by Councilman Perez, Ms. Janie Cantu, Director, Purchasing & General Services Department, stated that this contract would be awarded initially for eight months because staff was trying to have all annual contracts end with fiscal year. She added that the three additional years on this contract would each cover a twelve-month period.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98742

APPROVING A JOINT USE AGREEMENT BY THE CITY OF SAN ANTONIO AND CITY PUBLIC SERVICE BOARD FOR THE RELOCATION, INSTALLATION, OPERATION, AND MAINTENANCE OF ELECTRIC TRANSMISSION AND DISTRIBUTION LINES AT MEDINA RIVER PARK TO PROVIDE ELECTRIC SERVICE TO THE SPECTRASITE CELL TOWER LEASE SITE AND THE PARK, LOCATED ON WATSON ROAD

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

In response to a question by Councilman Perez, Mr. Rebecca Waldman, Director, Asset Management Department, stated that the tower had already been relocated

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98743

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,900 00 TO VICKERY AND ASSOCIATES, INC (SBE) FOR CIVIL ENGINEERING SERVICES UNDER AN EXISTING PROFESSIONAL CIVIL ENGINEERING SERVICES CONTRACT AND \$5,200 00 TO NORED SHEARER ARCHITECTS (WBE/SBE) FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE ROSEDALE PARK IMPROVEMENTS PROJECT, LOCATED IN

COUNCIL DISTRICT 5, AUTHORIZING \$2,900 00 FOR MANDATORY PROJECT FEES AND \$1,400 00 FOR BID ADVERTISING/PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$15,400 00 FROM 1994 PARK BOND FUNDS, APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

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

Councilman Perez thanked the staff for providing funding details on this project as he had previously requested.

Mr. Jack M. Finger, P.O. Box 12048, asked that certain Council members abstain from voting on Agenda Items 11 and 13 to avoid the appearance of conflict of interest because they had received campaign contributions from shareholders of the firms mentioned in these two ordinances.

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

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2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98744

SELECTING FERNANDEZ, FRAZER, WHITE AND ASSOCIATES, INC (SBE/MBE/DBE) TO PROVIDE PROFESSIONAL CIVIL ENGINEERING SERVICES IN CONNECTION WITH THE SOUTHSIDE LIONS PARK – LAKE IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$156,230 00; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, AUTHORIZING \$1,500.00 FOR BID ADVERTISING/PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$167,730.00 FROM 1999 PARK BOND FUNDS, ESTABLISHING THE PROJECT BUDGET, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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

In response to questions by Councilman Perez, Mr. Malcolm Matthews, Director, Parks and Recreation Department, explained that the services mentioned were only for design work and spoke to other funding sources.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98745

AMENDING A PROFESSIONAL SERVICE CONTRACT AND AUTHORIZING PAYMENT FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS IN THE AMOUNT OF \$270,011.64 TO CIVIL ENGINEERING CONSULTANTS, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE CLARK AVENUE FROM FAIR TO SOUTHCROSS MPO PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$27,201.00 FOR MISCELLANEOUS DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$297,212.64; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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

In response to questions by Councilman Perez, Mr. Doug Yerkes, Public Works Department, stated that the contract was awarded in 2000 for the schematic design phase and that the additional monies to be awarded were for the final design. He further explained that the project would go forward in two separate ordinances and that this was standard procedure

Councilman Perez stated that the initiating contract should have stated that it was for the schematic phase and that increases would follow.

The following citizen(s) appeared to speak:

Mr. Eddie Mason stated that his only concern was that sidewalks be built that were adequate for the disabled and blind.

In response to a question by Councilwoman Radle, Mr. Yerkes stated that all of the City's capital improvement projects were ADA compliant.

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

2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98746

APPROVING FIELD ALTERATION NO. 2 AND AUTHORIZING PAYMENT FROM 1999 GENERAL OBLIGATION FLOOD CONTROL WITH PARK IMPROVEMENT BONDS IN THE AMOUNT OF \$56,500.00 TO YANTIS CORPORATION FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE CULEBRA ROAD/LOOP 410 (LEON CREEK) REGIONAL STORM WATER FACILITY PROJECT, LOCATED IN COUNCIL DISTRICT 6; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Councilman Perez made a motion to approve the proposed Ordinance Councilman Williams seconded the motion

In response to a question by Councilman Perez, Mr. Doug Yerkes, Public Works Department, stated that the bid form had been written incorrectly with regards to the amount of water needed for the job thus necessitating this field alteration

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

2004-04 The Clerk read the following Ordinance.

AN ORDINANCE 98747

RATIFYING SERVICES, AMENDING A PROFESSIONAL SERVICE CONTRACT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,974.55 FROM CERTIFICATES OF OBLIGATION TO HNTB CORPORATION FOR ADDITIONAL ENGINEERING AND ARCHITECTURAL SERVICES IN CONNECTION WITH THE 2003 BOND ELECTION PROJECT SCOPING AND ESTIMATING PROJECT; REVISING THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to questions by Councilman Perez, Mr. Doug Yerkes, Public Works Department, stated that the HNTB Corporation was being paid for architectural and engineering services, specifically a website on the 2001 – 2003 bond projects on the City's web-based Community Portal that provided access to detailed information on the projects included in the proposed Bond-Program. He further explained changes that would be made to the website within the next two weeks

Councilman Perez requested that Mr. Yerkes provide him with information on the number of contracts that were awarded to any one company at any one time.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98748

ACCEPTING A PROPOSAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$21,403.40 FROM 1999 FLOOD CONTROL WITH PARK IMPROVEMENTS BOND FUNDS TO EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L P , FOR ENVIRONMENTAL REMEDIATION SERVICES UNDER AN EXISTING PROFESSIONAL SERVICE AGREEMENT IN CONNECTION WITH THE SALADO

CREEK HIKE AND BIKE PROJECT, PHASE I MPO PROJECT, LOCATED IN COUNCIL DISTRICT 2, APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to a question by Councilman Williams, Mr. David Newman, Environmental Services Manager, explained the tracking process of contaminated soil that was excavated and moved to a proper location. He noted that there were several layers that helped assure that the projects were done well and done right.

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

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2004-04 The Clerk read the following Ordinance.

AN ORDINANCE 98749

ACCEPTING A PROPOSAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,356.50 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P., FOR ENVIRONMENTAL REMEDIATION SERVICES UNDER AN EXISTING PROFESSIONAL SERVICE AGREEMENT IN CONNECTION WITH THE SOUTHTOWN STREET IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 1; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT

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

In response to a question by Councilman Flores, Mr. Doug Yerkes, Public Works Department, stated that Eagle Construction and Environmental Services would be excavating contaminated materials

Councilman Flores asked that he be provided with the location of the contaminated materials.

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

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2004-04 The Clerk read the following ordinance:

AN ORDINANCE 98750

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$345,256.10 FROM PRONTO SANDBLASTING & COATING & OIL FIELD SERVICE CO., INC. (MBE) IN CONNECTION WITH THE NORTHINGTON: SW 36<sup>TH</sup> TO SW 35<sup>TH</sup> PROJECT, AN AUTHORIZED 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$25,200.65 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$370,456.75 FROM GENERAL OBLIGATIONS OF THE CITY; AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM IN THE AMOUNT OF \$93,249.60; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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

In response to questions by Councilman Perez on Agenda Items 19 and 20, Mr. Doug Yerkes, Public Works Department, stated that they were confident that this company would be able to do both jobs at the same time as they were not large projects. He added that the design enhancements addressed in Agenda Item 20 were for stainless steel embossed lettering and numbers in the sidewalks, street numbers and vertical photographic relief.

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

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2004-04 The Clerk read the following ordinance

AN ORDINANCE 98751

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$212,528.50 FROM PRONTO SANDBLASTING & COATING & OIL FIELD SERVICE CO., INC. (MBE) IN CONNECTION WITH THE SOUTHTOWN AREA STREET IMPROVEMENTS PROJECT, AN AUTHORIZED 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$20,427.85 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$232,956.35 FROM GENERAL OBLIGATIONS OF THE CITY; AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM IN THE AMOUNT OF \$8,250.00; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

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Councilman Perez 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, Perez, Radle, Barrera, Schubert, Haass, Garza **NAYS** None. **ABSENT** Castro, Hall

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2004-04 The Clerk read the following ordinance.

AN ORDINANCE 98752

REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S CASTROVILLE ROAD/S.W 38<sup>TH</sup> STREET LIFT STATION PROJECT (PROJECT) IS A NECESSARY PUBLIC PROJECT; FURTHER REAFFIRMING AND DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM (SAWS) TO ACQUIRE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF

NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT, TO WIT A 0.115 ACRE PERMANENT EASEMENT AND ONE 0.344 ACRE TEMPORARY CONSTRUCTION EASEMENT, BOTH OUT OF LOT 17, N C B 08991, RECORDED IN VOLUME 6343, PAGES 1383-1393, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE AS PART OF THE PROJECT; AUTHORIZING SAWS, ITS EMPLOYEES, AGENTS AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTY DESCRIBED ABOVE, AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE, FURTHER AUTHORIZING SAWS AND ITS ATTORNEYS TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE, APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND/OR EMPLOYEES ACTING FOR SAWS TO ACQUIRE SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE, DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAWS, PROVIDING A SEVERABILITY CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE

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Councilman Perez made a motion to approve the proposed Ordinance Councilman Williams seconded the motion

In response to a question by Councilman Perez, Mr. Gerald Borchers, Real Estate Manager, San Antonio Water System, spoke to SAWS' role in this process

City Attorney Andrew Martin further stated that SAWS was an agency of the City but did not have independent authority to condemn land He added that this would have to be granted by the Council

In response to questions by Councilman Perez, Mr. Borchers stated that Agenda Item 23 would provide some relief to the lift station area at San Antonio Ranch. He further added that he would provide the Councilman with a backup sheet that would shed some light on the history of the project.

In response to questions by Councilman Williams, Mr. Borchers spoke to the criteria used to select an elimination project and stated that the feedback from the neighborhood had been positive.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98753

REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S RANCH WATER RECYCLING CENTER ELIMINATION PROJECT (PROJECT) IS A NECESSARY PUBLIC PROJECT; FURTHER REAFFIRMING AND DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT, AUTHORIZING THE SAN ANTONIO WATER SYSTEM (SAWS) TO ACQUIRE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT, TO WIT A 1.526 ACRE (66,479 SQUARE FEET) PERMANENT EASEMENT OUT OF CONVEYANCE TO HENRY ZUMWALT AND BONNIE ZUMWALT IN VOLUME 2905, PAGE 551 IN COUNTY BLOCK 4480, AND KNOWN AS PARCEL NO 8117; A 0.0265 ACRE (1,153 SQUARE FEET) PERMANENT EASEMENT OUT OF CONVEYANCE TO DWAYNE THOMPSON IN VOLUME 9654, PAGE 696 IN COUNTY BLOCK 4525 AND KNOWN AS PARCEL NO 8118, A 0.0841 ACRE (3,662 SQUARE FEET) PERMANENT EASEMENT OUT OF CONVEYANCE TO RICHARD W REDDOUT AND CATHERINE E. REDDOUT RECORDED IN VOLUME 6731, PAGE 1615 IN COUNTY BLOCK 4555 AND KNOWN AS PARCEL NO. 8135; ALL REQUIRED PERMANENT EASEMENTS ARE LOCATED WITHIN

BEXAR COUNTY, TEXAS, AND FOR A PUBLIC PURPOSE AS PART OF THE PROJECT; AUTHORIZING SAWS, ITS EMPLOYEES, AGENTS AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTY DESCRIBED ABOVE, AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE; FURTHER AUTHORIZING SAWS AND ITS ATTORNEYS TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE, APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND/OR EMPLOYEES ACTING FOR SAWS TO ACQUIRE SUCH PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE, DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTY AS DESCRIBED ABOVE SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAWS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

\* \* \* \*

Councilman Perez 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, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza **NAYS**: None **ABSENT** Castro

— — —  
2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98754

AUTHORIZING ADDITIONAL FUNDS FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS IN THE AMOUNT OF \$13,100.00 FOR

PAYMENT TO PURCHASE A 0.240 OF AN ACRE OUT OF NCB 10576 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR BASSE-LEMP PARTNERS, LTD., IN CONNECTION WITH THE BELGIUM-PICARDIE TO COLISEUM PROJECT; LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

In response to a question by Councilman Perez, Mr. Doug Yerkes, Public Works Department, stated that the increased cost for the purchase of this land was due to an administrative settlement in lieu of a costly condemnation process.

Councilman Perez requested an accounting of the cost of this project and stated that if a justification were added it would help him understand why the City moved forward.

In response to questions by Councilman Williams, Mr. Yerkes spoke to the savings in time and fees that were realized by purchasing the land rather than going the condemnation route.

Mr. Thomas Wendorf, Director, Public Works Department, spoke to the acquisition of a strip of land that was acquired for widening of the intersection and was critical to this project. He further spoke to the two independent projects and stated there was some overlap and ongoing communication with the county

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

— — —

2004-04 The Clerk read the following ordinance

AN ORDINANCE 98755

AUTHORIZING THE EXECUTION OF A RENEWAL AND EXTENSION OF A LEASE AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR A PERIOD OF TWO (2) YEARS FOR THE USE OF 725 SQUARE FEET OF RETAIL/OFFICE SPACE AT THE MID-CITY PARKING GARAGE, FOR A MONTHLY RENT OF \$1,050.00

AND COMMON AREA MAINTENANCE FEES OF \$36.25 AND THE TENANT'S PROPORTIONATE SHARE FOR UTILITIES OF \$115.00 PER MONTH.

\* \* \* \*

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

In response to a question by Councilman Perez on the original amount of rent that was charged the tenant, Mr. Thomas Wendorf, Director, Public Works Department, explained that his department worked with Asset Management on the rental fees as that department was aware of the current market.

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

— — —  
2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98756

AUTHORIZING COMPENSATION IN THE AMOUNT OF \$500.00 TO MR. MICHAEL GARABAY, A RESIDENT OF SAN ANTONIO AND HOMEOWNER AT 224 BEE STREET, FOR THE NECESSARY ADJUSTMENTS, MODIFICATIONS AND RE-INSTALLATION OF A WROUGHT IRON VEHICULAR GATE AT HIS RESIDENCE THAT BECAME NECESSARY DUE TO DRIVEWAY PENETRATION IN CONNECTION WITH THE BEE STREET FROM WALTERS TO FRANK PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

\* \* \* \*

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

In response to questions by Councilman Perez, Mr. Doug Yerkes, Public Works Department, stated that this compensation was necessitated because the contractor had been non-responsive when it was requested that he complete the work and explained the reason for the removal of the wrought iron vehicular gate at the resident's home

Councilman Perez then spoke to his concerns with the non-responsiveness of this contractor.

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

— — —  
2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98757

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE TWENTY-FOUR (24) DELEGATE AGENCY AGREEMENTS IN CONNECTION WITH THE ARTS IN THE COMMUNITY PROGRAM FOR COMMUNITY BASED ART PROJECTS IN A TOTAL AMOUNT OF \$235,744.00; AUTHORIZING THE USE OF ARTS IN THE COMMUNITY PROGRAM FUND BALANCES FROM CITY COUNCIL DISTRICTS 6, 7, 9 AND 10 TOTALING \$24,781.00 TO SUPPORT A GRAFFITI ABATEMENT MURAL PROGRAM; ESTABLISHING A GRAFFITI ABATEMENT MURAL PROGRAM AS PART OF THE ARTS IN THE COMMUNITY PROGRAM; APPROVING A FUNDING PROCESS AND CRITERIA FOR A GRAFFITI ABATEMENT MURAL PROGRAM; AND PROVIDING FOR PAYMENT

\* \* \* \*

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

In response to a question by Councilman Williams, Mr. Felix Padron, Director, Office of Cultural Affairs, spoke to the monies being allocated for this new Abatement Mural Program. He stated that the program would only be available to those districts that had fund balances in their Arts in the Community Program.

Councilman Williams requested that Mr. Padron do a briefing with him to get more specifics on this program.

In response to various questions by Councilman Hall, Mr Padron explained the selection process for the Arts in the Community Program.

In response to a request by Councilman Castro, Mr. Padron spoke to the value of the program.

Councilman Haass expressed his concern that this item was placed on the Consent Agenda.

Using slides, Mr. Padron provided information on programs being funded for the Arts in the Community Program and to the fund balances in Districts 6, 7 and 10, which would be used for the Graffiti Abatement Program.

Councilman Haass explained that one of the main goals of this program was to take the arts and spread their influence throughout San Antonio. He added that it was important that the monies identified for a particular district go to provide services to people who actually live in the district.

In response to a question by Councilman Haass, Mr. Padron noted that monies identified for a particular district remain in that district until a project is found.

Councilman Barrera spoke to the excellent results with murals that his district had in the past. He attributed it, in part, to the involvement of neighborhood groups.

In response to a question by Councilman Barrera, Mr. Padron spoke to the selection and location processes for murals.

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.

— — —  
2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98758

ACKNOWLEDGING A CONTRACT MODIFICATION FROM THE ALAMO WORKFORCE DEVELOPMENT, INC. (AWD), WHICH AWARDS WORKFORCE INVESTMENT ACT FUNDS IN THE AMOUNT OF \$200,000.00 FOR THE PERIOD OF SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004 IN CONNECTION WITH THE ALAMO AREA CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM,

AUTHORIZING ACCEPTANCE OF SUCH ADDITIONAL FUNDS FROM AWD FOR THE PROVISION OF CHILD CARE SERVICES AND OPERATIONS IN CONNECTION THEREWITH; AND ADOPTING A REVISED CCDS PROGRAM BUDGET

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

In response to questions by Councilman Williams, Mr. Dennis Campa, Director, Community Initiatives Department, stated that CCDS covered 12 counties and that these monies were put aside to deal with the fall out of the Levi layoffs. He added that 80% of the money would go to assist people that live in Bexar County. He further explained the administration of the contract with the Alamo Workforce Development, Inc.

(At this point, the Mayor was obliged to leave the meeting. Mayor Pro Tem Radle 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, Hall, Schubert, Haass **NAYS:** None. **ABSENT:** Castro, Garza.

— — —  
2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98759

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE ALAMO AREA COUNCIL OF GOVERNMENTS IN THE AMOUNT OF \$46,996.00 FOR THE COMPREHENSIVE NUTRITION PROJECT (CNP), OPERATED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION, FOR USE IN A SENIOR NUTRITION EVIDENCE-BASED PREVENTION DEMONSTRATION PROJECT FROM JANUARY 1, 2004 THROUGH SEPTEMBER 30, 2004; AUTHORIZING THE EXECUTION OF AN AGREEMENT IN CONNECTION THEREWITH; REVISING THE FISCAL YEAR 2004 CNP BUDGET; AND APPROPRIATING FUNDS.

\* \* \* \*

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

In response to a question by Councilman Williams, Mr. Dennis Campa, Director, Community Initiatives Department, stated that selection to this program was made by targeting high risk zip codes.

(At this point, Mayor Garza returned to the meeting and presided.)

In response to a question by Councilman Perez, Laura Cisneros, Social Services Manager, Community Initiatives Department, spoke to the allocation of these monies to various projects by the Alamo Area Council of Governments.

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

— — —  
2004-04 The Clerk read the following ordinance

AN ORDINANCE 98760

AMENDING ORDINANCE NO. 90485, PASSED AND APPROVED ON SEPTEMBER 16, 1999, BY REALLOCATING \$1,500.00 FROM THE DISTRICT 3 FISCAL YEAR 2000 ONE-TIME PROJECTS FUND DESIGNATED TO THE ACCION FACILITY LANDSCAPING PROJECT TO THE MILITARY PARADE PROJECT; AUTHORIZING PAYMENT OF SAID AMOUNT TO THE U.S. MILITARY PARADE ASSOCIATION FOR POLICE SERVICES REQUIRED AT THE VETERAN'S DAY PARADE IN SAN ANTONIO, TEXAS ON NOVEMBER 8, 2003.

\* \* \* \*

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

Councilman Segovia made an amendment to the main motion to increase the reallocation of District 3 Fiscal Year 2000 One-time Projects funds from \$1,500 to \$5,600 for the U. S Military Parade Association for police services Councilman Perez seconded the motion.

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

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

— — —  
2004-04 The Clerk read the following ordinance:

AN ORDINANCE 98761

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$3,500.00 FROM THE TARGET CORPORATION TO ASSIST IN THE SUPPORT OF THE ONGOING LOCAL REACH OUT AND READ PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2008; ESTABLISHING A FUND; AND ADOPTING THE PROGRAM BUDGET.

\* \* \* \*

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

In response to a question by Councilman Perez, Dr. Fernando Guerra, Director, Metropolitan Health District, spoke to the merits of this program.

Councilman Perez spoke to his support of this project and asked his colleagues to keep this in mind to see how the program might be expanded in the future.

In response to questions by Councilman Hall, Dr. Guerra spoke to the grant application process and to the way the grants are awarded.

Mr. Charles Pruski, Metropolitan Health District, noted that the application process for the small grants was relatively simple and that grants could be as low as \$500.00 He stated that this year, the lowest grant the District received was for \$1,000 00

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

— — —  
2004-06

The Clerk read the following Ordinance:

AN ORDINANCE 98762

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE FIRST AMENDED AND RESTATED AGREEMENT FOR FEDERAL REPRESENTATION SERVICES WITH LOEFFLER, JONAS & TUGGEY, L.L.P., THEREBY AMENDING THE PERFORMANCE MEASURES OF THE ORIGINAL AGREEMENT FOR FEDERAL REPRESENTATION SERVICES AND EXERCISING THE REMAINING ONE (1) YEAR EXTENSION, IN THE AMOUNT OF \$172,800.00, TO PROVIDE FEDERAL GOVERNMENT AFFAIRS SERVICES FOR THE PERIOD FEBRUARY 1, 2004 THROUGH JANUARY 31, 2005; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

In response to a question by Councilman Perez, Mr. Jim Campbell, Director External Relations Department, spoke to the revisions made to the original agreement.

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

— — —  
2004-04    **PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE**

Mayor Garza declared the Public Hearing to be opened

Mr. Dennis Campa, Director, Community Initiatives Department, offered a slide presentation covering Agenda Item 4A (a copy of which is filed with the papers of this meeting). The presentation included the purpose of the re-programming of \$3,296 in

unspent funds, background on Emergency Shelter Grant funds, the two agencies that were unable to expend all FY2002 allocations, accountability measures, and the proposed action to use the funds for the building maintenance and operation of the Dwyer Avenue Center.

At the request of the Mayor, Mr. Campa also offered a slide presentation covering Agenda Items 4B (a copy of which is filed with the papers of this meeting). The presentation included the purpose of re-programming \$17,918 in 2001 HOPWA funds and \$51,917.86 in 2003 HOPWA funds, the background of the entitlement grant, which was a concurrent three-year grant that required a public hearing each time funds were re-allocated, the names of the organizations with unspent funds and the amount of the funds, and the proposed action which would re-program 2001 funds to SAAF for the provision of Tenant Based Rental Assistance and 2003 funds to AARC to support San Antonio Works, a housing and referral system

The following citizen(s) appeared to speak:

Ms. Michele Durham, 218 W. Cypress, BEAT-AIDS, introduced Mr. Dwight Rover, 218 W. Cypress, and Mr. Clarence Watson, 218 W. Cypress, and all three spoke about the BEAT-AIDS organization and the services it provided. Ms. Durham thanked some of the Council members for their support of BEAT-AIDS and asked that they continue supporting the organization. She urged the Council to allocate some of these monies to the minority community.

In response to a question by Councilman Hall, Ms. Durham quoted some local statistics on AIDS.

Mr. Campa, in response to questions by Councilman Hall, spoke to the two agencies that were being funded by HOPWA, provided statistics on minorities infected with AIDS and to the history of this agency.

Mr. Hall requested background information on the two agencies that were being funded with these monies.

Councilman Williams requested a briefing on these items and stated that it was critical that the City have an agency that was representative of the population served. He added that if the agency was lacking in performance measures, there needed to be some assurance that there was some parity with this particular group.

In response to questions by Councilman Perez, Mr. Campa stated that a separate RFP was not issued. He added that additional monies were added to the two existing contracts.

Councilman Perez stated his concern that traditional groups that were clearly serving a population that was CDBG eligible, with the mingling of the money, would have less of an opportunity to compete with other groups. He added that while the groups were doing good work they might not be as sophisticated as other groups.

In response to a question by Councilman Perez, Mr. Campa explained the problems that had been encountered with the BEAT-AIDS organization.

Mr. Andrew Cameron, Director, Housing & Community Development Department, stated that HOME dollars provided rental assistance for persons that had been stricken with the AIDS virus and BEAT-AIDS was performing very well with those funds.

Mr. Rover responded to the figures that Mr. Campa had quoted

Councilman Perez encouraged the organization to apply when the new funding round came up.

In response to a question by Councilman Hall, Mr. Campa and Mr. Cameron spoke to the uses allowed for HOPWA and HOME funds.

Ms. Durham, replying to a question by Councilman Hall, responded to the comments made by Mr. Campa regarding her organization and to her explanation of why her organization had under performed.

Mr. Genaro Solis, 830 Roosevelt Street, encouraged the Mayor and City Council to make every effort to assure that the citizens of San Antonio received the monies that they were due.

The Mayor closed the Public Hearing.

2004-06

The Clerk read the following Ordinance

AN ORDINANCE 98763

AUTHORIZING THE REPROGRAMMING OF FY 2003 EMERGENCY SHELTER GRANT FUNDS IN THE AMOUNT OF \$3,296.00 AVAILABLE FROM THE SAN ANTONIO METROPOLITAN MINISTRY IN THE AMOUNT \$2,225 00 AND THE ST. MARY'S UNIVERSITY IN THE AMOUNT OF \$1,071 00; AUTHORIZING THE CLOSE-OUT AND THE CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION OF THE APPROPRIATE PROJECT AND PROJECT BUDGET; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION

THEREWITH; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO THE DWYER AVENUE CENTER; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

In response to questions by Councilman Hall, Mr. Campa stated that of the \$2,780.00 that were allocated to St. Mary's University to provide legal services for the homeless, \$1,071.00 had not been expended.

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

— — —  
2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98764

AUTHORIZING THE REPROGRAMMING OF FY 2001 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) GRANT FUNDS IN THE AMOUNT OF \$17,918.59 AVAILABLE FROM THE SAN ANTONIO AIDS FOUNDATION IN THE AMOUNT OF \$165.23 AND HOUSE OF HOPE IN THE AMOUNT OF \$17,753.36 AND AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO SAN ANTONIO AIDS FOUNDATION TO PROVIDE TENANT BASED RENTAL ASSISTANCE TO INDIVIDUALS WHO HAVE HIV/AIDS AND THEIR FAMILY MEMBERS; AUTHORIZING THE REPROGRAMMING OF FY 2003 HOPWA GRANT FUNDS IN THE AMOUNT OF \$51,918.00 AVAILABLE FROM THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, IN THE AMOUNT OF \$29,161.00, BLACK EFFORT AGAINST THE THREAT OF AIDS IN THE AMOUNT OF \$15,959.00 AND ALAMO AREA RESOURCE CENTER (AARC) IN THE AMOUNT OF \$6,798.00 AND AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO AARC FOR THE OPERATION OF SAN ANTONIO HOUSING WORKS, A HOUSING AND REFERRAL SYSTEM SPECIFIC TO PERSONS WITH HIV/AIDS; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION OF THE APPROPRIATE PROJECTS AND PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER

DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

\* \* \* \*

Councilman Flores 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, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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**2004-04 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE:  
REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDS**

Mayor Garza opened the Public Hearing.

Mr. Andrew Cameron, Director, Housing & Community Development Department, offered a slide presentation (a copy of which is filed with the papers of this meeting), in which he spoke to HOME and CDBG reprogramming of funds. He stated that these funds were from projects that were funded but not implemented, were completed with a fund balance, had gone to contract award with excess funds in the project budget and have been determined to be ineligible for program funding. He further spoke to City Policy regarding the reprogramming of HOME and CDBG funds, to the HOME proposed projects and funding, and CDBG proposed projects and funding.

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

The following citizen(s) appeared to speak:

Mr. Antonio Diaz, 800 E Park, spoke to the reprogramming of the funds and stated that there had been no explanation as to what happened to the projects or why the funds were being reprogrammed. He then spoke to repealing of City Council term limitations and lifting the lifetime ban on holding office, stating his opinion that the Council needed to earn the trust of the community and citizens before taking a vote on these issues.

Councilman Castro spoke to the Primrose at Jefferson Heights Project and the Travis Street Project and thanked everyone involved for their efforts and the neighborhoods for their involvement.

In response to a question by Councilman Perez, Mr. Cameron spoke to how home and city-wide projects were selected, the process for allocating additional funds and to the need to act expeditiously because of time limitations.

City Manager Terry Brechtel spoke to Community Development Block Grants and the potential they have to fall within several districts. She further spoke to ADA sidewalks and to Public Works being aware of which were CDBG eligible. She added that the Department would canvass Council members and advise them on which projects were CDBG eligible.

Mr. Cameron stated that the Public Works director had looked at the pedestrian accessibility in San Antonio and had a list of projects in each district

In response to a question by Councilman Perez, Mr. Cameron explained that the Special Revenue Fund was made up of non-HUD monies used for projects that were not CDBG eligible.

Councilman Williams congratulated staff for their work on these items and introduced Ms. Debra Thompson, CEO of Barrio Comprehensive Health Center

Ms. Thompson thanked the City Council for allowing her to come forward and spoke to building a 36,000 square foot facility on the eastside of San Antonio to provide health care to the uninsured

Councilman Hall congratulated Mr. Cameron and his staff for their work and spoke to the importance of funding these projects.

Mayor Pro Tem Radle closed the Public Hearing.

2004-06

The Clerk read the following Ordinance

AN ORDINANCE 98765

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$5,192,347 10 AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$3,015,442.22 AVAILABLE FROM CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6 AND CITY-WIDE PROJECT COMPLETIONS, CURRENT PROJECTS UNDER CONTRACT

WITH AVAILABLE SURPLUS FUNDS, PROGRAM INCOME FUNDS AND CANCELLED PROJECTS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS IN CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND CITY-WIDE; AUTHORIZING THE RE-APPROPRIATION OF SPECIAL REVENUE FUNDS AVAILABLE FROM THE NEIGHBORHOOD REVITALIZATION PROGRAM IN THE AMOUNT OF \$159,000.00 TO FUND THE TRAVIS STREET PROJECT; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT

\* \* \* \*

(Mayor Garza returned to the meeting and presided.)

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

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

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2004-04 ZONING CASES

6A.) CASE NUMBER Z2003228 S: The request of Inman Christian Center, Applicant, for Inman Christian Center, Owner, for a change in zoning from "R-4" Residential Single-Family District to "RM-4 S" Residential Mixed District with specific a use authorization for a residential counseling facility on Lot 44, Block 2, NCB 3992, 1301 Colima Street Staff's recommendation was for approval

Zoning Commission has recommended approval. (Council District 5)

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

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

The following citizen(s) appeared to speak

Mr. Jeffrey D. Howell, 19602 Encino Knoll, spoke in support of this zoning case and asked Council to give it favorable consideration. He spoke to the residential counseling facility proposed for this property should the zoning be approved.

Ms. Guadalupe Espinosa, 307 Montezuma, stated that she had spoken to residents on her street and everyone had spoken in favor of the rezoning.

Ms. Carol Garcia, 1214 Colima, Executive Director of Inman Christian Center, spoke to positive comments she had received at a community meeting relative to this rezoning.

Ms. Betty Young, 1214 Colima, also spoke in support of the rezoning.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to violation of the Texas Constitution if any monies were involved in this rezoning.

Councilwoman Radle thanked all those individuals that had come to express their support and spoke to a recent community meeting that had been held to allay some concerns of the area residents.

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

AN ORDINANCE 98766

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 44, BLOCK 2, NCB 3992 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-4S" RESIDENTIAL MIXED DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A RESIDENTIAL COUNSELING FACILITY ON THE PROPERTY.

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6B.) CASE NUMBER Z2003201 The request of Eastway Inc , Applicant, for Marc Ross, Owner, for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with conditional use for a self-service car wash facility on Lot 96, NCB 11544, save and except a fifty foot by fifty foot portion located at the corner

of Callaghan Road and Evers Road, 4900 Evers Road. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 7)

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

The following citizen(s) appeared to speak:

Mr. Jack Finger, P. O. Box 12048, spoke to the reason that zoning staff had recommended denial and to the two citizens that had come earlier to recommend denial. He stated his opposition to the rezoning because of traffic and noise issues. He added he did not want to see commercial encroachment into the neighborhood.

Mr. Marc Ross, 2121 Bandera Road, stated that he had met with the Rolling Ridge Neighborhood Association and they requested that deed restrictions be filed that would prohibit bars, taverns and sexually-oriented businesses. He added that they had also met with the Rolling Ridge Townhome Owners Association and they were now supporting the project.

Councilman Castro stated that Mr. Ross have done a satisfactory job of going out to the neighborhoods and addressing their concerns. He added with the deed restrictions he had confidence that this business would be consistent with the neighborhood.

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

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

#### AN ORDINANCE 98767

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 96, NCB 11544 SAVE AND EXCEPT A FIFTY FOOT BY FIFTY FOOT PORTION LOCATED AT THE CORNER OF CALLAGHAN AND EVERS RD FROM "C-2 C" COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A SELF- SERVICE CAR WASH FACILITY ON THE PROPERTY

SHELLEY MORKOVSKY

Ms. Shelley Morkovsky, representing The Chamber of Commerce, Central Area Business Council, noted the Chamber's support of the Hemisfair Area Master Plan. She spoke to the resolution of parking issues, increase of open space, the importance of communication and coordination by the City of San Antonio and organizations, privatization of all new revenue generating projects affiliated with Hemisfair Park, and the need for stakeholder meetings to be held. She added that the Master Plan was a positive first step in the right direction.

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NORMA E. JONES

Ms. Norma E. Jones, Buffalo Soldiers Living History Association, spoke to the activities that the members of the Buffalo Soldiers Living History Association participate in throughout the year to acquaint the citizenry with the history of the Buffalo Soldiers. She spoke to the encampment that they set up at Hemisfair during the month of July and stated she was in support of the revitalization of Hemisfair Park but noted that they wanted to remain a part of the park

\* \* \* \*

JOHN L. JONES

Mr. John L. Jones, President of the Buffalo Soldiers Living History Association, introduced other members of the Association and spoke to some of the Association's other activities. He asked that the City Council look at the Master Plan being proposed and not close any of the park and that they identify a building where his organization might meet. He urged the Council to consider their group when they considered the Master Plan

Councilman Flores explained some of the proposed uses for certain buildings. He added that the building that Mr. Jones' organization was asking to use was going to be used as a Bed and Breakfast. He further added that his commitment to the organization would be that they continue to use the park for their encampment as before. Councilman Flores stated that the buildings were being proposed to be used as money makers. He stated that after staff's presentation, he would set up another meeting with the group

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**ANTONIO DIAZ**

Mr. Antonio Diaz, 800 E. Park, stated that the Citizens To Be Heard portion of the City Council meeting should be televised. He added that in order for the Council to be seen as servers of the community they should consider televising that portion of the meeting. He further added that issues such as term limits and lifetime ban should not be considered at this time. He spoke to his being a Native American and that the Council should consider the Native Americans.

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**EDDIE MASSON**

Councilwoman Radle stated that Mr. Masson could not be present today but that he had asked her to determine if there was a response to his group's invitation to spend a day in a wheelchair or using a cane. She asked her fellow Council members to let her know if they wanted to accept Mr. Masson's invitation.

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**JOSE A. PEREZ**

Mr. Jose A. Perez spoke to a cover-up by the 2001 City Council of his citizen minutes. He stated that he had been trying to seek San Antonio contracts and had spent 30 days in jail because of false allegations made against him by certain individuals. He further stated that he was not being given the right to go into the one-stop center to go seek contracts.

In response to a question by Councilwoman Radle, Mr. Perez spoke to the minutes of the December 13, 2001 meeting which he alleged did not contain all the information about his incarceration.

Councilman Flores stated that Mr. Perez mentioned that he conducted himself in a professional manner yet on previous visits to the Council meeting, he would write vulgar words on the signup sheets which were public documents. He added that doing that was not conducting himself in a professional manner as signup sheets were available to the public and could offend other citizens when they signed up to speak.

Councilman Hall stated that not everyone who applied for a contract with the City was awarded a contract as an evaluation process was in place. He reiterated that merely applying did not assure a contract. He also agreed with Councilman Flores that when they saw vulgar words on public documents, it got attention but it was negative attention.

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**NAZARINE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to biblical characters and quoted versus. He also spoke to the agreement between the City of San Antonio and Parent Child, Inc. and to the organization not living up to the agreement.

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**BINNY CANALES**

Mr. Binny Canales, 207 Ann Lewis, President, San Antonio Taxi Association, asked for assistance with the taxicab business. He stated that when there were major events in San Antonio, a lot of buses from out of city would come in and take business away from the taxicab industry. He stated that the local cab industry needed help from the City to assure that the business and money would stay in San Antonio. He also asked that the City include members of the taxicab industry when decisions were being made that would affect their industry.

In response to questions by Councilman Barrera, Mr. Canales stated that the buses were competing with local companies when they transported passengers from the airport to downtown and that these types of buses should be limited. Mr. Canales also mentioned that they were requesting that when special events came to San Antonio, the City Council appoint some of the taxi drivers as members of committees so that they could provide input to decisions that were being made. He added that the taxicab drivers wanted to get more people into San Antonio.

Councilman Barrera stated that the issue of the buses and the issue on taxicab representation could be investigated.

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2004-04    INDIVIDUAL ITEMS

2004-04    The Clerk read a 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 approximately three (3) acres of land, 9234, 9250, and 9292 Interstate

Highway 410 (Northeast Loop), between Eastgate Road and Crossway Road from Single Family Residential Land Use to Industrial Land Use.

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

Mr. Emil R. Moncivais, Director, Planning Department, offered a slide presentation (a copy of which is filed with the papers of these minutes) in which he spoke to the Master Plan Amendment 03014 IH-10 East Corridor Perimeter Plan. He provided details on the plan as adopted and the proposed amendment, land use, transportation, community facilities and recommendation by the Planning Commission as well as staff recommendation for denial of the amendment.

The following citizen(s) appeared to speak:

Ms. Jerelyne Williams, 643 Stutts Drive, spoke against approving this amendment. She stated that this area had been landlocked and that adjoining businesses and additional industry would compound the problems already in place.

Ms. Herlinda Pantoja-Urbina, 715 Stutt Drive, stated she lived behind the property in question and came to advocate for her community. She spoke to the makeup of the neighborhood and stated that she would like to see positive changes rather than bringing in more industry. She requested that the City Council make a decision to protect their homes and neighborhood by denying the proposed amendment.

Mr. Robert Medina, 702 Stutts Drive, introduced other residents of the area who were in the audience requesting that the zoning be denied. He spoke to the present makeup of the neighborhood and the importance of denying this request.

Ms. Dolores de Hoyos, 406 Peggy Drive, President, East Gate Association, stated that generational families lived in the neighborhood and spoke to problems they had encountered over the years with businesses, heavy traffic and noise in the neighborhood. She requested that the City Council support their request to deny this amendment.

Mr. Samuel Simmons, 638 Stutts Drive, stated that he had raised his family, grandchildren and greatgrandchildren in the neighborhood and requested that this amendment be denied.

Councilman Williams thanked the neighborhood groups for their diligence and for providing their input. Mr. Williams clarified his motion which was to support staff recommendation for denial of this amendment.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98768

RATIFYING THE SUBMISSION OF A CONTINUATION GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES IN THE AMOUNT OF \$45,104,728.00 FOR OPERATION OF THE HEAD START - EARLY CHILD CARE PROGRAM FOR THE PERIOD OF FEBRUARY 1, 2004 THROUGH JANUARY 31, 2005; AUTHORIZING THE ACCEPTANCE OF SAID GRANT IN AN AMOUNT NOT TO EXCEED THE FOREGOING SUM, WHEN AWARDED; ESTABLISHING A BUDGET; APPROVING A PERSONNEL COMPLEMENT, AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT WITH PARENT/CHILD, INCORPORATED IN THE AMOUNT OF \$44,741,896.00 TO OPERATE SAID PROGRAM.

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

Mr. Dennis Campa, Director, Community Initiatives Department, offered a slide presentation (a copy of which is filed with the papers of this meeting) in which he spoke to the 2004 Head Start Continuation Grant, stating its purpose, background on the grant, early childhood care and education, and high-quality early education. He also provided Parent Child, Inc.'s career path, employee benefits, and education benefits. He further spoke to PCI's collaborative projects and to monthly, quarterly and tri-annually head start program monitoring and to the requirement imposed on the City to provide increased oversight by formation of a Governance Committee and Head Start Policy Council

In response to questions by Councilwoman Radle, Mr. Campa spoke to the formation of the Council, to the written impasse procedure, and to a request to Health and Human Services for additional funds to increase salaries. He stated that he had been told that there were no additional funds available at the present time.

Councilman Hall congratulated Mr. Campa and Ms. Glover for the work they had done. He further thanked Mr. Campa for bringing individuals from Washington, D.C. to San Antonio to conduct an extensive evaluation of the program.

Councilman Perez spoke to his concern with the wide-gap between the highest paid and the lowest paid employees at PCI. He requested information on the effect of tabling this item for two weeks.

Mr. Campa stated that Health and Human Services would award this grant as soon as the City Council passed the ordinance. He spoke to plans in motion to look at salaries, explained the written impasse and the lack of a written procedure for resolving disputes between the City and the delegate agency. He further spoke to the need for the City to form a Policy Council and stated that it was a requirement that the City had not lived up to because PCI had always had one. He noted that previous reviews had accepted PCI's Council but now Health and Human Services had notified the City that it had to form a Policy Council and provide written procedures. He spoke further to the necessary makeup of the Council and stated that he would share the performance measures with the Council members.

Councilman Perez stated that he was interested in looking at the whole structure. He spoke to it being a well-run agency.

In response to a question by Councilman Perez, Mr. Campa noted that the administrative percentage was below the 15% allowed.

(Mayor Garza returned to the meeting and presided.)

Councilman Perez stated that he would support the ordinance provided that Mr. Campa came back to the Council within 90 days with additional information.

Councilman Williams thanked individuals who were present from PCI. He stated that PCI had done what the Council had asked them to do and noted he was pleased that they now had the appropriate metrics that allowed monitoring for holding them accountable.

In response to questions by Councilman Barrera, Mr. Campa explained PCI's wage scale and noted that the PCI board had authorized a wage comparability study. He further provided details of the study and spoke to the employees' health benefits.

Several Council members spoke to the job PCI was doing in San Antonio and wished the program continued success.

Ms. Judith Segovia, parent of two children that were served by PCI in the east side of San Antonio, stated that PCI had changed her whole family and she was a program advocate for her children, and other children whose parents could not be at the meeting.

Ms. Benita Tenco, advocate for Head Start, spoke of her involvement with PCI and her efforts to get a GED.

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

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2004-04      **STAFF BRIEFING ON THE PROPOSED HEMISFAIR PARK AREA  
MASTER PLAN**

Ms. Rebecca Waldman, Director, Asset Management, offered a slide presentation (a copy of which is filed with the papers of this meeting) in which she spoke to the site location and history, its current status, the master plan process, and community consensus on how the park should be developed, including, but not limited to the development of the park for residents first, increase open space and expand family/children activities, protect historic structures and others. She spoke to the plan areas, including Alamo Street, Open Space/Tower of the Americas, Institute of Texan Cultures, Boulevard North and Boulevard South and identified developments for each, the gateways and wayfinding system, linkages, and parking/access. She further spoke to short term and long term implementation strategies, possible funding sources, and the steps that would follow.

Mayor Garza spoke to two areas of implementation--the Market Street realignment and the Tower. He stated that a transportation analysis would need to be conducted on Market Street to determine how limiting the street to one way traffic would affect access from existing roads and that some of the ideas that had been offered for the Tower would need to be integrated with changes provided in the master plan, including the whole relationship with Victoria Courts to the south.

Councilman Flores commended staff for a great job and stated that he was delighted at the amount of community input and to how citizens were responding to the idea of refurbishing and restoring Hemisfair and bringing the park back to life. He spoke to his vision on the future of this park.

Councilman Castro commended Councilman Flores for his role in this planning process. He stated that it should also enhance the quality of life of residents of San Antonio by creating open space. He expressed his opinion that as implementation of the master plan moved forward, the original emphasis of Hemisfair should not be forgotten. He stated that its purpose was to showcase a diversity of nations and cultures throughout the United States, Latin America and other parts of the world.

Councilman Williams stated that this was a great process and he liked the ideas and concepts of the gateways. He added that he had some concerns on how this plan would be funded in tough budget times.

In response to a question by Councilman Williams, Ms. Waldman stated that when the plan was brought back to Council it would offer some type of phased approach

Councilwoman Radle thanked Councilman Flores for his leadership role in this issue

In response to a question by Councilman Hall on the total cost of implementation of the Master Plan, Ms. Waldman stated that by March some costs would be available.

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98769

CITY'S 2004 FEDERAL PROGRAM FOR THE 108<sup>TH</sup> CONGRESS – 2<sup>ND</sup> SESSION

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

Mr. Jim Campbell, Director, External Relations, offered a slide presentation (a copy of which is filed with the papers of this meeting), in which he spoke to the 2<sup>nd</sup> Session of the 108<sup>th</sup> Congress which convened on January 20, 2004, to the City's preparation and process, and the proposed Federal Program, which included 15 priorities grouped in initiatives (Homeland Security, Inland Port San Antonio, International Airport Letter of Intent

Funding, Military Affairs, Port of Entry Designation for the San Antonio International Airport, TEZ-21 Reauthorization) and endorsements (Center for Infrastructure Assurance & Security, Head Start and Child Care Development Block Grant Reauthorization, KellyUSA – Material Science and Engineering Laboratory and Center of Excellence, National Energy Policy (CPS), San Antonio River Improvement Project, Telecommunications Preemption & Internet Sales Tax Moratorium; US Visit Program, UTSA/Brooks City-Base Biotechnology & Bioprocessing Training Facility and Water Quality & Infrastructure (SAWS).

Councilman Castro stated he was pleased with what had been put together and spoke to the City's commitment to certain issues and the efforts of UTSA.

In response to a question by Councilman Perez, Mr. Campbell explained the process for receiving recommendations from the Council.

Councilman Barrera spoke in support of moving the United States Visit Program from endorsement to initiative and urged his colleagues to support the change.

Councilman Hall spoke to healthcare benefits and rising costs which he noted would play a large role in projected deficits.

Mr. Campbell stated that the City would look to the US Conference of Mayors for their leadership on this issue and also spoke of some of the work being done at the state level with some interim initiatives. He added that he would bring a list of items that would have a positive or negative impact on the City.

Councilman Barrera spoke to the benefits of moving the US Visit Program. He stated that by putting the program into the initiative category, the City would in effect be taking a leadership role.

Ms. Beth Costello, Director, International Relations Department, stated that San Antonio was right in the path of Mexico and the City stood to get a great deal of attention from other countries because of its proximity to Mexico. She added that the City must be able to implement some sort of technology to expedite the US Visit Program.

Mr. Blake Hastings, Executive Director for the Free Trade Alliance, San Antonio stated that the Free Trade Alliance had been working on this item for several months. He added that they had been working with the tourism, medical, and retail sectors and spoke to the security issue. He further added that there needed to be the raising of awareness on the need to delay this program until there was assurance that it could be done right.

In response to a question by Councilman Barrera, Mr. Campbell spoke to the difference between keeping this program as an endorsement and moving it to initiative and to the steps that would be taken.

Councilman Barrera offered an amendment to move US Visit Program to an initiative from an endorsement Councilman Perez seconded the motion.

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

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

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2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98770

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE U.S. PUBLIC HEALTH SERVICE FOR THE ONGOING IMMUNIZATION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT IN THE INITIAL AMOUNTS OF \$1,406,027.00 FINANCIAL ASSISTANCE, \$3,679,646.00 IN-KIND VACCINE SUPPORT, \$32,404.00 IN-KIND PERSONNEL SUPPORT AND \$75,000.00 OF CARRY FORWARD FUNDS FROM 2003, AUTHORIZING THE ACCEPTANCE OF SUBSEQUENT FUNDING IN AN AMOUNT NOT TO EXCEED \$15,192,838.00 UNDER THE GRANT FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2004; ESTABLISHING A FUND; ADOPTING A PROJECT BUDGET; AND APPROVING A PERSONNEL COMPLEMENT

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

Dr Fernando Guerra, Director, Metropolitan Health Department, offered a slide presentation (a copy of which is filed with the papers of this meeting) in which he spoke to the grant funding for the immunization project, the division overview and sources of support, the immunization project background, components, and Vaccines for Children (VFC) goals. He further spoke to the VFC program activities, eligibility, Racial and Ethnic

Disparities Immunization Initiative (READII), its goals and activities, Center for Disease Control (CDC) funding and recommendation. He also provided the Metro Health Newsletter, Shot Talk.

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

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2004-04    **STAFF BRIEFING TO FINALIZE INVESTMENT PRIORITIES IN HUMAN DEVELOPMENT SERVICES FOR FY 2005 AND FY 2006 AND OUTLINING GOALS FOR THE NEW CONSOLIDATED HUMAN DEVELOPMENT SERVICES FUNDING PROCESS**

Mr. Dennis Campa, Director, Community Initiatives Department, offered a slide presentation (a copy of which is filed with the papers of this meeting) which addressed the purpose of this item to approve investment priorities for human development services, outline the consolidated human development funding process and review timeline. He spoke to the background, investment priorities, funding sources, request for proposals, and RFP evaluation committees divided in four priority areas which included family strengthening committees, workforce development committees, youth development committees, and community safety net committees. He further spoke on the RFP evaluation process, ensuring human development services coordination, contract monitoring and the timeline.

Councilman Barrera stated he looked forward to consolidation and determining how the City could become more effective and efficient in how delegate agencies were managed and the services they provided. He stated that the City did not fund agencies but the funds were used to purchase services and that, in many cases, some of the agencies had become dependant on City funding. He added that the City needed to move away from funding agencies and encourage and help them move beyond a constant providing of services to the same group of people. He further recommended that agencies be limited to a maximum city investment of 50% in 2005 instead of 65% and then be looked at again in a year.

Mr. Campa stated that in reviewing 85 delegate agencies, there were only three agencies that received more than 65% as the City's contribution. He added that the conversation held internally had been to see how the year 2005 could be used as a transition year to move these three agencies to 65% and then in 2006 the 50% standard would be imposed. Councilman Barrera stated he would still like to limit agencies to 50% maximum City investment in 2005 and noted he would make that in a form of an amendment to the recommendation.

Councilwoman Radle spoke in support of the staff's recommendation of 65% in the first year and 50% in the second year. She noted that she agreed with this time of transition especially for the larger agencies and to the need for more development with regard to agencies that have been with the City for many years. She further commented on the percentage as not being as indicative to the needs of a program

Mr. Campa stated that delegate agencies were in favor of going through the process once every two years rather than the present six times every two years. He cited the benefits that the agencies said they have by dealing with this issue every two years, including improved service delivery and diversification of their funding base. He added that he had personally not received any negative comments in regards to implementing this new process

In response to a question by Councilwoman Radle, Mr. Cameron spoke to last year's revision on the policy of how funds were provided for the CDBG program, issues regarding outside agencies and individuals applying for home funds. He further stated that agencies had been given an opportunity to provide input and that at this year's meeting, over 100 agencies participated in the meeting. He added that agencies had been advised that there will be another briefing on February 13<sup>th</sup>.

In response to a question by Councilman Segovia, Mr. Campa stated that the three agencies that received over 65% funding from the City were Project Quest, Hispanas Unidas and Helping Hands Life Foundation.

Councilman Segovia stated his concern that small community-based agencies not be lost.

Mr. Campa, responding to other questions posed by Councilman Segovia, stated that it would be up to the City Council to approve more than 50% funding for agencies and that staff had recommended 65% in 2005 to minimize the negative impact on agencies as the transition was made. He also spoke to the differences in percentages between workforce development and the community safety net

Councilman Perez stated that he was pleased with the community safety net aspect and further stated that he thought it had been pretty clear during the budget discussions that the Council wanted the City's contribution to agencies' budgets reduced to 50%. He spoke in favor of seconding Councilman Barrera's motion to reduce the dependence on the City by various agencies

Mayor Garza stated that Council could provide feedback to the staff at today's briefing

Councilman Williams spoke to the elimination of social services from the City agenda and contracting everything out and to his concern that the City might be creating a super organization that would squeeze out small organizations.

Mr. Campa, responding to Councilman Williams' concerns, stated that on the issue of contracting out social services, the City had taken a very progressive stance. He spoke to the contracting out of meal preparation two years ago and to outsourcing the personal attendant program this year.

Mr. Campa, responding to additional questions by Mr. Williams, stated that he had several boards and committees that his department staffs and he was very satisfied with the caliber of people that were appointed to the boards. He noted that the board members were very willing to work at scoring the proposals. Mr. Campa added that staff would still come to the Council with the recommendations. He spoke further on the workload and how it would be impacted by this added function and to the process that would be used to determine funding

Councilman Barrera spoke to this not being an action item but being a staff briefing and to the point of the briefing which was to finalize investment priorities

Mayor Garza stated that the Council could direct staff to bring back for Council Action an item that would change the City's contribution from 65% to 50% in 2005

give direction to staff to bring back an action so that there could be a vote

City Manager Terry Brechtel stated that this was meant to be a mini-budget work session to give the Council members an opportunity to have a discussion but that it could be brought back as an action item the following week. She added that staff wanted to get Council input in three areas: the process, priorities, and funding cap

Mayor Garza stated that the briefing would provide an opportunity to integrate the concerns that Councilman Barrera had expressed, enable staff to prepare a response to the concept that Council Williams had discussed and give staff adequate input for the budget process which would begin in the summer.

City Manager Brechtel stated that staff was requesting input for the upcoming CDBG process. She added that the RFP would be issued on February 6<sup>th</sup>

Councilman Williams spoke further to outsourcing and to consideration of other alternatives

Councilman Castro stated that he believed that the City should move toward reducing agency reliance on city funding and that the Council needed to decide whether it would be a gradual phase down or a drastic phase down. He spoke to making the process more streamlined.

Mr. Campa stated that staff could bring back the following week for discussion and consideration the three items that the City Manager outlined. He added that the whole issue of outsourcing was something the City Manager had the department look at now and that 90% of the budget his department managed was contracted out. He added that outsourcing other services would require more comprehensive reviews and staff would need more time to prepare a response for the Council.

City Manager Brechtel stated that the review would require more analysis than could be done in one week because state and federal grants had to be considered. She added that the City was moving toward looking at components that it could continue to outsource but that additional components could be looked at for possible future outsourcing.

Nancy Hard, Family Services Association, stated that as a delegate agency they looked at themselves as stewards of the City's investment. She spoke in support of the process as it was designed and welcomed the performance piece. She added that they prided themselves in trying to deliver high performance and welcomed monitoring efforts. She further spoke to her concern that, through this consolidation, they would not have three times the work or monitoring effort.

By general consensus of the City Council, the staff was directed to bring back an action item next week that would change the percentage of the City's contribution to delegate agencies from 65% to 50% in 2005, present investment priorities, and establish a funding cap.

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2004-04 The Clerk read the following Resolution

A RESOLUTION  
NO 2004-04-04

SETTING DATES, TIMES AND LOCATIONS FOR TWENTY (20) NEIGHBORHOOD PARTICIPATION MEETINGS AND TWO (2) CITY COUNCIL PUBLIC HEARINGS REQUIRED FOR THE CITY'S CONSOLIDATED ANNUAL ACTION PLAN/BUDGET PROCESS FOR THE FISCAL YEAR 2003-2004 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG - 30<sup>TH</sup> YEAR), HOME INVESTMENT PARTNERSHIP GRANT (HOME - 13<sup>TH</sup> YEAR), HOUSING OPPORTUNITIES FOR PERSONS WITH

AIDS (HOPWA), AND EMERGENCY SHELTER GRANT (ESG) PROGRAMS AND DELEGATE AGENCY CONTRACT FUNDING CONSOLIDATED ACTION PLAN/PROCESS FOR FISCAL YEAR 2003-2004.

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

Mr. Drew Cameron, Director, Housing & Community Development Department, stated that this Resolution would set the dates, times and places for public meetings, where they would go out to the community to explain the Community Development Block Grant program, HOPWA and the Consolidated Annual Action Plan/Budget process, and for the two public hearings.

In response to a question by Councilman Segovia, Mr. Cameron mentioned that the two meetings scheduled in the Councilman's district had been coordinated with his staff but if he felt that the locations were too close to each other, one could be moved to another location.

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

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2004-04 The Clerk read the following Ordinance

AN ORDINANCE 98771

RATIFYING THE SUBMISSION OF A FLOOD PROTECTION PLANNING GRANT APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE CITY TO EXECUTE A CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD; AND AUTHORIZING LOCAL MATCHING FUNDS IN CASH AND IN-KIND SERVICES.

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

Mr. Thomas Wendorf, Director, Public Works Department, offered a slide presentation (a copy of which is filed with the papers of this meeting), which provided the summary of the Texas Water Development Board Planning Grant, its background, the study which identified various structural and non-structural approaches to reducing the 100-year floodplain width in the area, the project cost, timeline, analysis and coordination.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98772

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, ARTICLE IV, SECTION 35-403, BY ADDING NOTIFICATION AND SIGNAGE PROCEDURES REGARDING DEMOLITION OF HISTORIC LANDMARKS AND POTENTIAL HISTORIC LANDMARKS; AS REQUESTED BY COUNCILMAN ROGER O FLORES, DISTRICT 1. STAFF RECOMMENDS APPROVAL. THE PLANNING COMMISSION RECOMMENDS APPROVAL. THE ZONING COMMISSION RECOMMENDS APPROVAL

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

Mr. Emil Moncivais, Director, Planning Department, gave a slide presentation (a copy of which is filed with the papers of this meeting) in which he spoke to the amendments to the UDC with regard to historic demolitions, the existing process for historic demolitions, non-designated buildings existing process, the demolition case load, the summary, and recommendations

Mayor Garza congratulated Councilman Flores for his leadership in getting this item through.

Councilman Flores stated that the purpose of the amendment was to move forward on protection of historic buildings.

Several Council members spoke to this Ordinance and to extending the area that needs to receive notification from 200 to 300 feet.

In response to a question by Councilman Flores, Mr. Moncivais stated that there could be some legal ramifications if the City were to expand notification of residents from 200 to 300 feet. He added that this recommendation could be reviewed.

Councilwoman Radle stated that she felt that consideration of extending the notification limits was important not only for historic structures but for all zoning.

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

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2004-04 The Clerk read the following Ordinance:

AN ORDINANCE 98773

AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO, CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION AND THE TEXAS STATE HISTORICAL COMMISSION REGARDING THE STARBRIGHT AGREEMENT.

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

Mr. Christopher Brady, Assistant City Manager, offered a slide presentation for Agenda Items 49 and 50A (a copy of which is filed with the papers of this meeting) which provided the background of the Starbright Project, the purpose of the memorandum of understanding (MOU), its identification of the Walsh Ranch structures as archeological sites with historic significance, the conditions of the MOU, the archeological survey, the public hearing held on December 10, 2003, the financial impact of the MOU, the movement of the structures, and placement of historical markers within one year

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

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**2004-04      MEETING OF THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT COOPERATION**

Mayor Garza recessed the regular meeting at 10:05 P.M. in order to convene the meeting of the Board of Directors of the Starbright Industrial Development Corporation. The following members were present: Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Garza. **ABSENT:** Barrera, Schubert, Haass.

Acting City Clerk Ledesma then read the following Resolution of the Board:

A RESOLUTION  
SIDC NO. 2004-02

BY THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TEXAS STATE HISTORICAL COMMISSION, EXECUTE CONSTRUCTION AND HOUSE MOVING CONTRACTS, AUTHORIZING A BUDGET AND AUTHORIZING PAYMENT TO COMPLETE OBLIGATIONS OF THE STARBRIGHT AGREEMENT DATED MAY 22, 2003

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

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

Mayor Garza adjourned the meeting of the Board of Directors of the City of San Antonio, Texas Starbright Industrial Development Corporation, and reconvened the regular session of the City Council meeting at 10:06 P M

