

capture the essence of the history of The Alamo. He spoke to the upcoming world premiere, and thanked the City for embracing the movie.

Members of the Council congratulated Mr. Hancock, and wished him well on the upcoming premiere. They then expressed their excitement of having the world premiere taking place in San Antonio.

2004-12 PRESENTATION OF PROCLAMATION FOR THE 8TH ANNUAL CESAR E. CHAVEZ MARCH

Mayor Garza presented a proclamation to Mr. Jaime Martinez, chairman of the Cesar E. Chavez March for Justice, in recognition of the upcoming Cesar E. Chavez march.

Mr. Martinez expounded on the work and legacy of Cesar Chavez, and amplified on his dedicated works and efforts. He then introduced Mr. David Cruz, NBC anchorman and journalist, who will serve as Grand Marshall for the upcoming Cesar Chavez March.

Mr. Cruz spoke to the work of Cesar Chavez, and the importance of young people knowing their culture and history, including that of the Cesar Chavez. He spoke to the importance of building a sense of pride and identity in our youth. He encouraged San Antonio to consider naming a street in honor of Cesar Chavez, or even a school in the area.

Members of the Council applauded the work and efforts of the group, and all they've done to commemorate the life of Cesar Chavez. They then spoke to the importance of keeping his legacy alive.

2004-12 PRESENTATION OF PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH

Mayor Garza presented a proclamation to representatives of Child Advocates of San Antonio, The Children's Shelter and Ms. Susan Reed, Bexar County District Attorney, in recognition of "Child Abuse Prevention Month."

Ms. Reed spoke to the importance of this observance, and in the importance of taking care of our children. She referenced the cases seen by the County, and stated it was

important to make the community aware of the problem of child abuse, and to find ways to combat it.

A representative of Child Advocates of San Antonio spoke to the work of the organization, and what they do to help children who are abused. He then spoke to the importance of this observance.

A representative of the Children's Shelter also spoke to the work of their organization, and the importance of taking care of our children.

Members of the Council thanked the group for their efforts, and cited the importance of tackling the problem of child abuse.

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2004-12 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mayor Garza acknowledged students from Pat Neff Middle School who were present in the audience. He informed the Council that the students had been given a tour of City Hall and the Council Chambers.

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2004-12 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Councilwoman Radle acknowledged a group of students from Antonian High School present in the audience, whom she noted have had a tremendous impact on District 5. She explained that these students were helping seniors in the community, particularly at West side nutrition centers, by coming up with the idea of a coffee drive after finding out the seniors had to pay for their coffee at the nutrition centers.

Mr. Mark Garcia, Antonian High School student speaking on behalf of his classmates, stated their coffee drive resulted in the students raising over 400 pounds of coffee, all of which would be distributed to ten nutrition centers in the Westside.

Councilman Haass encouraged the students to continue to serve as excellent role models, and inspire other students to do the same.

Councilman Castro thanked the students for their efforts, and for what they were doing for the community.

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2004-12 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Councilman Hall, on behalf of Councilman Barrera, introduced Jerry Guerra, representing the San Antonio College Public Administration program.

Mr. Guerra spoke to the outstanding graduates of the program, and the history of the Public Administration Club at San Antonio College who were involved in various community outreach programs. He then spoke to the Henry B. Gonzalez Public Service Scholarship fund.

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2004-12 **POINT OF PERSONAL PRIVILEGE**

On a point of personal privilege, Mayor Garza introduced the Governor of Nuevo Leon, Mexico, Mr. Natividad Gonzalez Paras, who was present in the audience.

Councilman Barrera indicated he had an opportunity to speak with the Governor recently regarding his vision of Nuevo Leon, Mexico.

Upon receiving an Honorary Citizenship Certificate from Mayor Garza, Governor Paras spoke to the recent Toyota announcement, and commented on his trip to San Antonio. He then discussed the importance of the relationship between Nuevo Leon and San Antonio.

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2004-12 Minutes for the Regular City Council Meeting of January 29, 2004 were approved as presented.

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2004-12 **ZONING CASES**

4A.) CASE NUMBER Z2004038: The request of Chez-Salin Quality Cleaners, Applicant, for Chez-Salin Quality Cleaners, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lots 15 and 16, Block 5, NCB 16195, 2419 Bermuda Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 2)

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

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

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

AN ORDINANCE 98973

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 15 AND 16, BLOCK 5, NCB 16195 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

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4B.) CASE NUMBER Z2003173-13A-2: The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "DR" Development Reserve and "NP-10" Neighborhood Preservation District to "MI-1" Mixed Light Industry District on CB 4005 P-24, P-24D, P-24E, P-66, and P-67; NCB 16456 P-24; CB 4283 P-25, properties are generally bound by Pleasanton Road to the east; the Union Pacific Right of Way to the west; Mauermann Road to the south; and south of, but not adjacent to, IH 410. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

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

The following citizens appeared to speak:

Ms. Anne Parrish, President of the Mitchell Lake Wetland Society, spoke to the north side of the property in question, and stated it was in the 3 – 5 mile zone of Toyota. She indicated they met with Mr. Emil Moncivais, Director of Planning, many times to come up with the proper zoning to protect the land, and acknowledged the Planning Department put together a list that described what uses would not be allowed in the property. She stated they were not interested in holding up the Toyota agreements, but she encouraged the Council to take this issue into special consideration.

Ms. Ruth Lofgren cited the potential of what could happen to Mitchell Lake if this zoning went through. She acknowledged that the Planning Department had been very cooperative, but urged the Council to be vigilant with this property.

Mayor Garza acknowledged that this was a sensitive zoning change, and indicated they were able to get the most sensitive area rezoned.

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

AN ORDINANCE 98974

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS CB 4005 P-24, P-24D, P-24E, P-66, AND P-67; NCB 16456 P-24; CB 4283 P-25 FROM "DR" DEVELOPMENT RESERVE AND "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "MI-1" MIXED LIGHT INDUSTRY DISTRICT.

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4C.) CASE NUMBER Z2004001: The request of Mission Park, Applicant, for Robert Tips, Owner(s), for a change in zoning from "R-6 H RIO-6" Single Family Residential Historic River Improvement Overlay District to "C-3 H RIO-6" General

Commercial Historic River Improvement Overlay District on 3.037 acres out of NCB 11175, 1700 Military Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

Councilman Segovia made a motion to continue this rezoning case until the City Council meeting of April 22, 2004. Councilman Perez seconded the motion.

After consideration, the motion to continue the zoning case to the City Council Meeting of April 22, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, and Garza. **NAYS:** None **ABSENT:** Flores, Haass.

Zoning Case #Z2004001 was continued to the Council meeting of April 22, 2004.

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4D.) CASE NUMBER Z2004028: The request of Manuel Macias for San Antonio Development Agency, Applicant, for the City of San Antonio Development Agency, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "PUD MF-33" Multi-Family Planned Unit Development District on 0.9008 acres out of Lot 9, Block C, NCB 11027, between Sally Gay Street to the north and Betty Jean street to the south, east of Hillje Street. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

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

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

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

AN ORDINANCE 98975

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.9008 ACRES OUT OF LOT 9, BLOCK C, NCB 11027 FROM "MF-33" MULTI-FAMILY DISTRICT TO "PUD MF-33" MULTI-FAMILY PLANNED UNIT DEVELOPMENT DISTRICT.

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4E) CASE NUMBER Z2004005: The request of City of San Antonio, Historic Preservation Office, Applicant, for Josephine A. Guerrero, Owner(s), for a change in zoning to designate Historic Significance on Lot 9B, NCB 2431, 2113 Guadalupe Street. Staff's recommendation was for approval.

Zoning Commission has recommended denial. (Council District 5)

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

Councilwoman Radle stated that in light of the fact that there was a non-profit seeking funds to save the building, she wanted to place a continuance on this item for one year. She noted this was one of the original storefront houses, and further noted a lot of commercial revitalization was taking place on Guadalupe Street.

Mr. Jacks stated this was a long continuance, but because it was initiated by the City, there shouldn't be a problem.

Councilwoman Radle urged staff to make sure the building was boarded up and properly secured.

Mr. Jacks stated they would pull the case, and then postpone it. In the meantime, he indicated they could address the issues regarding the building.

The following citizens appeared to speak:

Ms. Barbara Johnson, San Antonio Conservation Society, acknowledged the Society's support of staff's recommendation of historic significance. She stated that changes over time have left gaps that prevent proper recognition of the street.

Mr. Robert Ramirez stated he owned the property next door, and noted that when the notices were first sent out, he did a little research and found they owed \$14,000 in back taxes. He further indicated the house was in bad shape.

Councilman Perez expressed his concern on waiting to do something to make the place safer. He indicated he was apprehensive on supporting this zoning case, and indicated one year seemed like an extensive period of time.

Mr. Jacks explained what occurs when a zoning application is being processed, and noted the applicant had a right to be heard in a timely manner. If the case continues on, the persons due rights could be violated. However, he stated that in this particular case, the City was the applicant.

Councilwoman Radle suggested to have this case postponed with the requirement to return to this issue within a year.

Councilman Perez indicated he would be willing to postpone it for 6 months.

Councilwoman Radle acknowledged that the neighbors did find the property to be a nuisance, but indicated the owner could not afford to do anything to it, and she wanted to allow time to see if someone could save it.

Councilwoman Radle made a motion to postpone this rezoning case for six months. Councilman Barrera seconded the motion.

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

Zoning Case #Z2004005 was postponed for six months.

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4F.) CASE NUMBER Z2004006: The request of City of San Antonio, Historic Preservation Office, Applicant, for Martin De La Rosa, Owner(s), for a change in zoning to designate Historic Significance on Lots 7C and 7D, Block 7, NCB 2430, 2223 Guadalupe 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.

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

AN ORDINANCE 98976

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 7C AND 7D, BLOCK 7, NCB 2430 FROM ZONING TO DESIGNATE HISTORIC SIGNIFICANT ON THE PROPERTY.

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4G.) CASE NUMBER Z2004034: The request of Jerardo Cavazos, Applicant, for Jerardo Cavazos, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on Lot 21, Block 2, NCB 6776, 1027 Kirk Place. Staff's recommendation was for denial.

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 continue this rezoning case to the City Council Meeting of April 8, 2004. Councilman Hall seconded the motion.

After consideration, the motion to continue this zoning case to the City Council Meeting of April 8, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Castro, Garza.

Zoning Case #Z2004034 was continued to the City Council meeting of April 8, 2004.

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4H.) CASE NUMBER Z2004043: The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from "MF-33" Multi-Family District, "C-3 R" General Commercial, Restrictive Alcoholic Sales District and "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District and "MF-25" Multi-Family District on an area generally bound by Rivas Street to the north, 27th Street to the east, Zarzamora Creek to the south, and North San Felipe to the west. 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 Perez seconded the motion.

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

AN ORDINANCE 98977

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304 OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING AND CLASSIFICATION OF CERTAIN PROPERTY AS FOLLOWS: LOTS 1 THROUGH 5, BLOCK 2, NCB 8265 FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT; LOTS 40 THROUGH 42, BLOCK 1, NCB 8857, ALL OF NCB 8270, ALL OF NCB 8271, ALL OF NCB 8272, LOTS 1 THROUGH 14 AND 35 THROUGH 48, BLOCK 19, NCB 8273, ALL OF NCB 8274, ALL OF NCB 8275, ALL OF NCB 8278, ALL OF NCB 8279; LOTS 1 THROUGH 18 AND LOTS 35 THROUGH 48, BLOCK 18, NCB 8280; LOTS 1 THROUGH 14 AND

LOTS 36 THROUGH 48, BLOCK 17, NCB 8284; LOTS 1 THROUGH 15 AND LOTS 35 THROUGH 48, BLOCK 16, NCB 8285; ALL OF NCB 8286, ALL OF NCB 8287, ALL OF NCB 8282, ALL OF NCB 8283 FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT; LOTS 5 AND 8, NCB 9026, LOTS 14 AND 15, BLOCK 9, NCB 8889, LOTS 9, 10, 15 THROUGH 20, BLOCK 12, NCB 8892, LOTS 26 THROUGH 28, BLOCK 14, NCB 8894 FROM "MF-33" MULTI-FAMILY DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT; LOTS P-100, P-100A, AND P-101, NCB 9022 FROM "MF-33" MULTI-FAMILY DISTRICT, "C-3R" GENERAL COMMERCIAL, RESTRICTIVE ALCOHOLIC SALES DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT; LOT 6, NCB 9025, LOT 49, BLOCK 16, NCB 8285, LOTS 50 AND 51, BLOCK 19, NCB 8273 FROM "MF-33" MULTI-FAMILY DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT; LOTS 14 THROUGH 16, BLOCK 2, NCB 8265 FROM "MF-33" MULTI-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT; ALL OF NCB 8538 FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

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4I.) CASE NUMBER Z2003089: The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on a portion of the Oakland Estates Subdivision being Lot 15, Block 5, NCB 14705 and a portion of the Gustav Eckhert Estates Subdivision being part of P-37K and P-64 and all of P-65, Block 2, NCB 14864, approximately 5.4 acres, northwest side of Huebner Road at its intersection with U.S.A.A Boulevard. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

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

The following citizens appeared to speak:

Ms. Sue Snyder acknowledged she had spoken on this case previously, but indicated the applicant had not made an attempt to contact the neighborhood to work out the problems. She urged the applicant to meet with them to work out their differences.

Mr. Barney Tearney concurred with the comments made by Ms. Sue Snyder, and spoke to the continuances being made on this zoning case. He urged Council to vote on this item as soon as possible.

Mr. Bruce Merry commented that this had been an ongoing battle. He acknowledged their concerns had stemmed from development surrounding their neighborhood, and indicated it was important to give due diligence to the concerns of the neighborhood. He then spoke to the concerns of the elderly who had lived in the neighborhood for over forty years.

Councilman Hall stated he knew the case had been ongoing for five years or so, and acknowledged he was picking it up and trying to work with both sides. He stated the developers and neighborhood association were on different sides, but indicated he wanted to work with both of them.

Councilman Hall made a motion to continue this rezoning case until City Council meeting of April 22, 2004. Councilman Perez seconded the motion.

After consideration, the motion, to continue this zoning case to the City Council meeting of April 22, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning Case #Z2003089 was continued to the City Council meeting of April 22, 2004.

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4J.) CASE NUMBER Z2003090: The request of Earl & Brown, P.C., Applicant, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District (22.44 acres) and "C-3R" General Commercial District, Restrictive Alcoholic Sales (3.47 acres) on 25.91 acres of land out of Block 2, NCB 14864, North of Huebner Road, south of Prue Road and west of the proposed New Prue Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

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

Councilman Hall made a motion to continue this zoning case until the City Council meeting of April 22, 2004. Councilman Perez seconded the motion.

After consideration, the motion to continue to the City Council meeting of April 22, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning Case #Z2003090 was continued to the City Council meeting of April 22, 2004.

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4K.) CASE NUMBER Z2003101C S: The request of J. Allen Family Partner, Ltd., Applicant, for Rogers Shavano Ranch, Ltd., Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 NA ERZD C S" Commercial Non-Alcoholic Sales Edwards Recharge Zone District with a conditional use for a mini-storage facility and a specific use authorization for a mini-storage facility exceeding 2.5 acres on a 5.6-acre tract of land out of NCB 17627, southwest of De Zavala and Old Lockhill-Selma Road (not open for public access). Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with staff's conditions. (Council District 8).

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

Councilman Hall made a motion to continue this rezoning case until April 8, 2004. Councilman Perez seconded the motion.

After consideration, the motion to continue this zoning case to the City Council meeting of April 8, 2004, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Flores, Garza.

Zoning Case #Z2003101 C S was continued to the City Council meeting of April 8, 2004.

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4L.) CASE NUMBER Z2003230: The request of Gordon V. Hartman, Applicant, for Gordon V. Hartman, Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "PUD, R-5 ERZD" Planned Unit Development, Residential Single-Family Edwards Recharge Zone District on 30.566 acres out of NCB 19219, east of the intersection of Evans Road and Stone Oak Parkway. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

The following citizens appeared to speak:

Mr. Alan Key stated he spoke to the Zoning Commission to address his concerns about this zoning change. He indicated the Stone Oak Neighborhood Association did not have input. He then spoke to the issue with the San Antonio Water System (SAWS), and stated many things needed to be addressed as the developer moved forward.

Mr. Brian Moore indicated the land was on a sensitive portion of the recharge zone. He cited the reasons he was against this case, and urged Council to consider this case carefully due to its sensitivity. He commented that it was in the best interest of the Stone Oak community for a PUD R-6, which he indicated would help preserve quality values.

Councilwoman Radle acknowledged she would be voting against this to voice opposition in building over the aquifer recharge zone.

In response to Councilman Schubert, Mr. Kurt Nicks, representing SAWS, explained the commercial development taking place, and addressed the issue regarding stormwater treatment. He then discussed the adjacent property to it, and indicated that in order for SAWS to approve the project, the two water basins would have to be oversized for the capture and treatment of stormwater. He then explained the definition to category 1 development.

Councilman Schubert acknowledged that Mr. Gordon Hartman submitted several documents, and SAWS had approved this project. With water treatment, he stated SAWS had an opportunity to look at water filtration systems.

Mr. Nicks informed the Council that by meeting the requirements of TEQ, there would be frequent inspections.

Mr. Hartman explained how he came to the "R-5" conclusion, and acknowledged they met with the neighborhood group on numerous occasions. He stated that most of the discussions have been with Mr. Key and Mr. Moore. He indicated they agreed to various provisions posed by the neighborhood organization, then addressed the issue of having a park in the area. He cited the various provisions set upon this zoning case, and stated they've attempted in numerous ways to address the Aquifer concerns of the neighborhood.

Councilman Castro spoke to the issues surrounding the recharge zone, and stated the City still had issues to deal with regarding the amount of impervious cover that one could build.

In response to Councilman Castro, Mr. Pena acknowledged there were apartments in the area, specifically at the corner of Huebner and Stone Oak Streets.

In response to Councilman Castro, Mr. Hartman stated he has owned the land for 8 months.

Councilman Castro indicated the traffic impact analysis performed indicated there was no adverse impact. However, he stated that placing 242 homes on this site would impact the traffic to some extent.

Mr. Jacks addressed the traffic impact analysis, and its relation to an R-5 zoning.

Councilman Castro stated some of the residents in the area were in favor of an R-6 PUD instead of an R-5.

In response to Councilman Castro, Mr. Hartman stated a reduction in the number of lots would not make the site economically feasible, and they would not be able to build a single family home that would be in line with market conditions out there. He then indicated this site would be an incredible multi-family site, and the idea of building single family homes was advantageous.

Councilman Castro acknowledged the importance of mapping out a long-term future for this particular area of the recharge zone.

Councilman Schubert stated one of the things they've talked about is building over the recharge zone, and further stated the City had property rights. He stated most of what was being done was upzoning of the property on the recharge zone. He indicated Mr. Hartman was making an effort to reduce the amount of impervious cover, and urged his colleagues to approve the zoning as requested.

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

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

AN ORDINANCE 98978

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 3.861 ACRES OUT OF NCB 19221 FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "PUD C-2 ERZD" PLANNED UNIT DEVELOPMENT COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

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4M.) CASE NUMBER Z2004036: The request of Stone Oak Park II, Ltd., Applicant, for Stone Oak Park II, Ltd., Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "PUD C-2 ERZD" Planned Unit Development Commercial Edwards Recharge Zone District on 3.861 acres out of NCB 19221, north of the intersection of Stone Oak Parkway and Knights Cross Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 9)

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

In response to Councilman Hall, Mr. Jacks expounded on the differences between PUD and non-PUD, and delineated its relation to this particular zoning case.

Councilwoman Radle acknowledged her opposition to this zoning case.

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

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

AN ORDINANCE 98979

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 30.566 ACRES OUT OF NCB 19219 FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "PUD, R-5 ERZD" PLANNED UNIT DEVELOPMENT, RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT.

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2004-12 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 6 through 35B, Constituting the Consent Agenda, except for Items 7, 8, 12, 15, 23, 26, 27, and 34 which were pulled for individual consideration. Councilman Flores seconded the motion.

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

AN ORDINANCE 98980

ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY SPORTSLINK LTD. TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME WITH RENTAL OF LED VIDEO BOARDS FOR A TOTAL AMOUNT OF \$39,000.00.

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AN ORDINANCE 98981

AUTHORIZING PAYMENT IN THE AMOUNT OF \$18,000.00 TO E.S. MORAN CONSULTING ENGINEER, INC. (SBE/MBE), UNDER AN EXISTING CONTRACT FOR ELECTRICAL ENGINEERING SERVICES IN CONNECTION WITH THE

COLLINS GARDENS PARK IMPROVEMENTS – PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING \$2,700.00 FOR ENGINEERING CONTINGENCY EXPENSES; APPROPRIATING \$16,200.00 IN 1999-2003 PARK BOND FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98982

ACCEPTING THE LOW QUALIFIED BASE BID IN THE AMOUNT OF \$193,393.00 FROM A/P RESOURCES, INC. (SBE/DBE/MBE) WITH BID ALTERNATE 3 IN THE AMOUNT OF \$16,800.00 FOR A TOTAL COST OF \$210,193.00 TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE ROOSEVELT PARK IMPROVEMENTS PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$13,500.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$300.00 FOR MANDATORY PROJECT FEES; AUTHORIZING \$4,407.00 FOR PARK MATERIALS; APPROPRIATING \$227,800.00 IN 1999-2003 PARK BOND FUNDS; AMENDING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98983

SELECTING POST BUCKLEY SCHUH & JERNIGAN, INC. (“PBS&J”) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE LADDIE PLACE REGIONAL STORM WATER FACILITY, PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$384,300.00; AUTHORIZING \$38,430.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$422,730.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98984

SELECTING STRUCTURAL ENGINEERING ASSOCIATES, INC. (MBE/SBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE HENDERSON PASS LOW WATER CROSSING PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$321,221.00; AUTHORIZING \$32,122.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$353,343.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98985

SELECTING GIVLER ENGINEERING, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE DAM REPAIRS PROJECT, LOCATED IN COUNCIL DISTRICTS 5 AND 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$337,953.00; AUTHORIZING \$33,795.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$371,748.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98986

RATIFYING AND APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$26,352.80 PAYABLE TO AJ COMMERCIAL SERVICES, D/B/A A.S.C. PAVING, INC. IN CONNECTION WITH THE HILLSIDE ACRES DRAINAGE OUTFALL PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 4; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98987

AUTHORIZING \$283,043.20 FROM 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS PAYABLE TO CENTERLINE SUPPLY, LTD., FOR

THE PURCHASE OF SPEED HUMP MATERIAL IN CONNECTION WITH THE PEDESTRIAN MOBILITY & TRAFFIC CALMING PROJECTS, LOCATED IN COUNCIL DISTRICT 4; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98988

AUTHORIZING 2003-2007 STORM WATER REVENUE BOND FUNDS IN THE AMOUNT OF \$555,300 FOR ACQUISITION OF FEE SIMPLE TITLE TO ELEVEN (11) PARCELS OF REAL PROPERTY AND DECLARING THE MOBILE CITY ESTATES BUYOUTS (LEON CREEK) PROJECT (“PROJECT”) TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS; BEING FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY’S FEES; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND AUTHORIZING NEGOTIATIONS AND ACQUISITION ON THE APPROVED TERMS OF THE FOLLOWING PROPERTIES:

LOT(S)	BLOCK	NCB	SUBDIVISION
N ½ of Lot 3 and all of Lot 4	C	34760A	Mobile City Estates
3	A	34760A	Mobile City Estates
15	C	34760A	Mobile City Estates
16	C	34760A	Mobile City Estates
17	C	34760A	Mobile City Estates
20 and the N ½ of Lot 19	C	34760A	Mobile City Estates
22 and 23	C	34760A	Mobile City Estates
25	C	34760A	Mobile City Estates
26	D	34760A	Mobile City Estates

27	D	34760A	Mobile City Estates
28	C	34760A	Mobile City Estates

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AN ORDINANCE 98989

AUTHORIZING \$403,800.00 FROM 2003 STORM WATER REVENUE BOND FUNDS FOR ACQUISITION OF FEE SIMPLE TITLE AND FOR OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH SEVEN PARCELS OF REAL PROPERTY AND DECLARING THE VALLEY VIEW ACRES BUYOUTS (HUESTA CREEK) PROJECT (“PROJECT”) LOCATED IN COUNCIL DISTRICT 8 TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE SEVEN PARCELS DESCRIBED BELOW IN NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; TO WIT, ALL OR PORTIONS OF THE PROPERTIES BEING DESCRIBED BELOW: ALL BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS, FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTIES; APPROPRIATING FUNDS FOR THE ACQUISITION OF THE PROPERTIES AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROPERTIES SUCH AS APPRAISALS AND ATTORNEY’S FEES; AUTHORIZING NEGOTIATIONS AND ACQUISITION ON THE APPROVED TERMS; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; THE PROPERTY TO BE ACQUIRED IS:

LOT(S)	BLOCK	NCB	SUBDIVISION
E 50 ft. of Lot 8	2	14888	Valley View Acres, Unit 2
W 50 ft. of Lot 9	2	14888	Valley View Acres, Unit 2
E 50 ft. of Lot 9	2	14888	Valley View Acres, Unit 2
W 50 ft. of Lot 10	2	14888	Valley View Acres, Unit 2
E 50 ft. of Lot 10	2	14888	Valley View Acres, Unit 2
W ½ of Lot 3	3	15657	Valley View Acres, Unit 2
E ½ of Lot 1	6	15660	Valley View Acres, Unit 2

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AN ORDINANCE 98990

CONVEYING A 3.079 ACRE TRACT OF LAND TO BEXAR COUNTY FOR ROAD CONSTRUCTION IMPROVEMENTS TO APPLEWHITE ROAD FOR THE TOTAL CONSIDERATION OF \$3,000.00.

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2004-12 Item 21, being an ordinance granting a license agreement to 99 Cents Only Stores Texas, Inc., a Delaware Corporation, to use and maintain an irregular portion of Old Thousand Oaks Drive Public Right of Way located approximately 850 feet southeast of Jones Maltsberger Road for the sole purpose of landscaping adjacent to NCB 13732, in Council District 9, for a ten (10) year term and the total consideration of \$5,000.00, was pulled from the Council Agenda.

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AN ORDINANCE 98991

AMENDING THE PROFESSIONAL LEGAL SERVICES CONTRACT WITH MILLER, CANFIELD, PADDOCK & STONE, P.L.C., TO AUTHORIZE ADDITIONAL SERVICES RELATED TO THE DEVELOPMENT OF ANY COMMUNICATIONS, CABLE, BROADBAND OR INTERNET RELATED MATTERS OR POLICIES FOR AN AMOUNT NOT TO EXCEED \$45,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98992

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO PURCHASE AIRPORT OWNERS AND OPERATORS GENERAL LIABILITY INSURANCE FOR THE CITY OF SAN ANTONIO FROM ACE USA GROUP THROUGH MCGRIF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING 12:01 A.M. ON MARCH 31, 2004

THROUGH MARCH 31, 2005 AT AN ANNUAL PREMIUM OF \$64,554.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

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AN ORDINANCE 98993

RATIFYING THE SUBMISSION OF AN APPLICATION TO AND AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE LOCAL BOARD OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA'S) EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM IN THE AMOUNT OF \$134,454.00 FOR THE PROVISION OF MORTGAGE AND RENTAL ASSISTANCE BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FOR THE PERIOD OF OCTOBER 1, 2003 TO SEPTEMBER 30, 2004; AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS IN CONNECTION THEREWITH; AND APPROVING A BUDGET AND A PERSONNEL COMPLEMENT.

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AN ORDINANCE 98994

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$523,226.00 TO THE UNITED STATES FIRE ADMINISTRATION, UNDER THE 2004 ASSISTANCE TO FIREFIGHTER GRANT PROGRAM, TO BE USED, IF AWARDED, FOR FIRE OFFICER TRAINING, INCIDENT MANAGEMENT TRAINING, COMMUNICATIONS TRAINING AND COMMUNICATIONS EQUIPMENT; AND AUTHORIZING A THIRTY PERCENT (30%) CITY MATCH IF AWARDED.

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AN ORDINANCE 98995

AUTHORIZING A FIREWORKS DISPLAY FOR THE MOVIE PREMIERE OF "THE ALAMO" TO BE HELD AT AN OPEN AREA ACROSS 801 BOWIE STREET AT APPROXIMATELY 10:15 P.M. ON SATURDAY, MARCH 27, 2004, WITH A RAIN DATE OF SUNDAY, MARCH 28, 2004; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

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AN ORDINANCE 98996

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$34,550.00 FROM THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION TO CONDUCT THE "LEARN, PREPARE, EAT AND ENJOY" PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD FROM MARCH 1, 2004 THROUGH FEBRUARY 28, 2005; AUTHORIZING THE EXECUTION OF A CONTRACT; ESTABLISHING A FUND; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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2004-12 Item 31, being an ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near Martin Luther King Park in connection with the 60+ Mardi Gras Parade sponsored by the City of San Antonio's Community Initiatives Department to be held from 9:45 A.M. to 11:30 a.m. on Thursday, April 8, 2004, was pulled from the Council Agenda.

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AN ORDINANCE 98997

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF MANITOU AND CALLAGHAN STREETS NEAR ST. LUKE'S CHURCH IN CONNECTION WITH THE GOOD FRIDAY PROCESSION SPONSORED BY ST. LUKE'S CHURCH TO BE HELD FROM 6:30 P.M. TO 9:00 P.M. ON FRIDAY, APRIL 9, 2004.

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AN ORDINANCE 98998

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR HOLY REDEEMER

CATHOLIC CHURCH IN CONNECTION WITH THE GOOD FRIDAY PROCESSION SPONSORED BY HOLY REDEEMER CATHOLIC CHURCH TO BE HELD FROM 1:15 P.M. TO 2:30 P.M. ON FRIDAY, APRIL 9, 2004.

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AN ORDINANCE 98999

RE-APPOINTING DR. SHERRI W. YOUNGBLOOD (LICENSED VETERINARIAN CATEGORY - DISTRICT 10) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 2006.

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AN ORDINANCE 99000

APPOINTING FRANK DUNN (DISTRICT 2) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2005.

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99001

ACCEPTING THE SOLE SOURCE PROPOSAL SUBMITTED BY V-ONE CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SMARTGATE SOFTWARE LICENSES AND MAINTENANCE FOR A TOTAL AMOUNT OF \$42,803.50.

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

In response to Councilman Perez, a representative from the San Antonio Police Department outlined the time frame for the purchase of the additional software licenses. He acknowledged the funds were from a federal grant, and completely grant funded.

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

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99002

ACCEPTING THE LOW QUALIFIED BID IN THE AMOUNT OF \$40,962.00 FROM MANUEL ORTIZ CONSTRUCTION, L.L.C., TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE LAS PALMAS WALKING TRAIL PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$12,103.00 TO K.M. NG & ASSOCIATES, INC. (MBE) UNDER AN EXISTING CONTRACT FOR ELECTRICAL ENGINEERING SERVICES; AUTHORIZING \$6,144.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$135,791.00 FOR PARK CONSTRUCTION CREW EXPENSES; REVISING THE PROJECT BUDGET; APPROPRIATING \$193,000.00 IN 1999-2003 PARK BOND 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 Councilman Perez, Mr. Malcolm Matthews, Director of Parks and Recreation, expounded on the park construction crew expense, and spoke to the process they used with their own staff. In this case, he stated they were utilizing their electricians to install lighting. He then amplified on the various improvements and their costs, and how they came up with the figures. He then broke down the cost of labor and materials.

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

2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99003

SELECTING K.M. NG & ASSOCIATES, INC. (MBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SEMLINGER ROAD – LORD TO RIGSBY PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$230,500.00; AUTHORIZING \$23,050.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$253,550.00 FROM 2003-2007 STORM WATER REVENUE BOND FUNDS; 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 Councilman Williams, Mr. Tom Wendorf, Director of Public Works, explained that the right of way acquisition was a concurrent activity, so it was a critical item but not necessarily on the critical path. He did state, however, that the utility relocation was on the critical path, and one they had to focus on. He acknowledged San Antonio Water System (SAWS) personnel had been involved in the rating process, so they were aware of their goals. He acknowledged that City Public Service (CPS) had improved tremendously on their responsiveness to their projects, but indicated there were problems with the private utilities. He agreed that the length of time was long to complete the project, but indicated there were a lot of coordination efforts required, and thus took a bit longer.

Councilman Williams stated he met with staff from Public Works, and noted they have assured him that they are working on these issues, but expressed his desire to make sure they were not extending it based on some other factor.

Mr. Wendorf explained that this was a production schedule that was put together by the engineer.

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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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99004

SELECTING SPARKS, LAROSCHE & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE HAYS STREET BRIDGE REHABILITATION PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$365,150.00; AUTHORIZING \$36,515.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$401,665.00, OF WHICH \$321,332.00 WILL BE FUNDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE REMAINING \$80,333.00 FUNDED BY CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to Councilman Williams, Mr. Tom Wendorf, Director of Public Works, delineated the scope and design of the project. He stated this would be part of a link in a trail system that would connect over towards the Salado Creek Trail.

Public Works staff confirmed they were looking at two particular linkages, one as a bike route which could potentially go underneath the underpass, and added that another concept they proposed was a bike path that links historic sites on the Eastside.

Councilman Williams stated he knew of developers who were interested in putting a hotel just south of the bridge, and he hoped that building a bridge would not impede development in this area.

Mr. Wendorf stated he was not familiar with the proposals that Councilman Williams was referring to, regarding the building of a hotel, but he suggested a meeting to discuss this issue.

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.

2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99005

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO PURCHASE AIRCRAFT HULL AND LIABILITY INSURANCE FOR THE CITY OF SAN ANTONIO FROM ACE USA GROUP THROUGH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE-YEAR PERIOD BEGINNING 12:01 A.M. ON MARCH 31, 2004 THROUGH 12:01 A.M. MARCH 31, 2005 AT AN ANNUAL PREMIUM NOT TO EXCEED \$202,394.00; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

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

In response to Councilman Perez, Mr. Peter Zanoni, Acting Director of Management and Budget, explained the process initiated in selecting this company to provide the insurance. He indicated they took this out to bid, and received only one proposal.

Councilman Perez commented that insurance was a worldwide industry, and they could've gotten a more competitive rate if others had bid. He noted this was a substantial amount for insurance.

Mr. Michael Rich stated there weren't too many companies who insure aircrafts. He also stated they were insuring a high value helicopter that the San Antonio Police Department (SAPD) put to service. He then expounded on the specification of the bid, and spoke to the other models that SAPD carried presently. He cited an incident that occurred recently, in which there was an engine malfunction with one of the SAPD helicopters.

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

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99006

AUTHORIZING THE AMENDMENT OF THE CONTRACT WITH THE UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY, ON BEHALF OF THE ALAMO AREA COMMUNITY INFORMATION SYSTEM (AACIS) TO ACCEPT ADDITIONAL FUNDING IN THE AMOUNT OF \$12,000.00 FOR THE EVALUATION OF AND TECHNICAL SUPPORT FOR THE AACIS WEBSITE; AND REVISING THE BUDGET FOR THE COMMUNITY TECHNOLOGY CENTERS AND THE ACADEMIC ENRICHMENT PROGRAM.

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

In response to Councilman Barrera, Mr. Dennis Campa, Director of Community Initiatives, expounded on the revitalization centers. He spoke to United Way, and their request for the Department of Community Initiatives to improve their website to include information regarding scheduling for the programs. He spoke to the classes offered to help citizens enhance their skills, as well as to acquire basic keyboarding skills. He acknowledged they would create a website to make this information available to the entire community.

Councilman Barrera spoke to the services offered, many of which were helpful to seniors.

Mr. Campa acknowledged that when they finish the website, they want to list the computer technology classes offered by the Department of Community Initiatives, as well as by the Library.

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.

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99007

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SAN ANTONIO HOUSING AUTHORITY IN AN AMOUNT NOT TO EXCEED \$298,848.00 FOR THE

CONTINUATION OF THE DWYER AVENUE CENTER SINGLE ROOM OCCUPANCY PROGRAM FOR THE PERIOD FROM SEPTEMBER 17, 2003 TO SEPTEMBER 16, 2004.

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

In response to Councilman Perez, Mr. Dennis Campa, Director of Community Initiatives, outlined details on the occupancy program, and explained that the Dwyer Avenue Center was used to provide transitional housing for single homeless persons. He explained that the action being taken was approving a one-year contract with the San Antonio Housing Authority, and noted they previously had an ongoing contract but because of the changes with HUD, they've had to begin approving a series of contracts.

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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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99008

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE 2004 FIESTA SAN ANTONIO CELEBRATION; APPROVING THE LOCATIONS, DATES AND TIMES FOR THE FIESTA CARNIVAL AND OFFICIAL FIESTA EVENTS; AND RELATED REQUIREMENTS AND CONDITIONS; APPROVING THE FIESTA PARADE ROUTES; AND AMENDING ORDINANCE NO. 97380 PASSED ON MARCH 27, 2003 TO REFLECT SUCH CHANGES; PROVIDING FOR A FINE OF PROVIDING FOR A FINE OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF THIS ORDINANCE, ORDINANCE NO. 88270.

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

Mr. Gilbert Hernandez narrated a slide presentation regarding the upcoming Fiesta events scheduled, and discussed the "Fiesta Safe, Drive Sober" initiative, a copy of which was made part of the official papers of this meeting. He amplified on the importance of protecting the citizens of San Antonio, and promoting and providing public notice of drinking responsibly during Fiesta 2004.

Councilman Flores acknowledged that although they wanted to enjoy Fiesta, it did pose problems, such as drinking. He then indicated this was the reason to highlight the importance of the Fiesta Safe, Drive Sober initiative.

Ms. Linda Thomassini, representing the Texas Department of Transportation, presented a briefing on the Fiesta Safe, Drive Sober campaign. She stated it has been ongoing since 1995 and was created in an effort to deter those who drink during the Fiesta celebration. She stated the campaign has been funded with state funds, and acknowledged that the Fiesta Commission has been supportive of this effort. She stated the proposed City ordinance would save lives and save taxpayers' money.

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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2004-12 **ITEMS FOR INDIVIDUAL CONSIDERATION**

2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99009

AMENDING AND UPDATING THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADOPTING THE HEMISFAIR PARK AREA MASTER PLAN.

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

Ms. Rebecca Waldman, Director of Asset Management, narrated a slide presentation regarding the HemisFair Park area proposed master plan, a copy of which was made part

of the official papers of this meeting. She presented an overview planning area, as well as the planning process. She then discussed the community outreach, and cited the community vision for the area. She amplified on the immediate plan implementation, as well as the mid-term and long-term plan implementation, and spoke to the fiscal impact.

The following citizens appeared to speak:

Ms. Penny Boyer, 127 Callaghan Avenue, cited an article in the *San Antonio Current*, and spoke to the installation of a carousel at HemisFair Park.

Mr. Ben Burr, representing the San Antonio Downtown Alliance, encouraged the adoption of a HemisFair Park Master Plan, and urged Council to adopt this into the downtown plan.

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Councilman Flores stated that from the beginning, this has been a plan to bring together folks from all areas of the City. He spoke to the importance of a long-term vision to create something that would generate pride in the community. He indicated they have moved forward aggressively with this plan, and had put a monumental task in front of staff. He spoke to the support he has seen for this plan, primarily in public hearings that generated great attendance.

Ms. Waldman commended Colleen Swain, Special Projects Coordinator, Asset Management Department, for her efforts on this project.

Councilman Castro concurred with his colleagues, and commended Councilman Flores and staff for their dedicated efforts. He described the HemisFair as a special place not only for visitors, but native San Antonians as well.

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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2004-12 STAFF BRIEFING ON THE PROPOSED UTSA DOWNTOWN CAMPUS/HEMISFAIR PARK PROPERTY TRANSACTION.

Ms. Rebecca Waldman, Director of Asset Management, narrated a slide presentation regarding the proposed UTSA Downtown Campus/HemisFair Park property transaction,

a copy of which was made part of the official papers of this meeting. She stated they've been working closely with the UT system real estate office, and based on recent discussions, confirmed that UTSA did not want to pursue acquisition of the vehicle maintenance facility. She indicated that they were anticipating a memorandum of understanding which will outline the terms and conditions of this transaction. She confirmed they have been working closely with staff to ensure that the deadlines are met.

In response to Councilman Hall, Ms. Waldman noted they did need to get appraisals, but acknowledged they would still be able to meet the deadlines. She stated they were focusing on the land trade to simplify the transactions.

Councilman Perez spoke to the timeframes involved, and expressed his eagerness to move forward.

Councilman Flores expressed his approval that this item was being moved forward.

Councilwoman Radle stated District 5 was excited to have the presence of UTSA. She stated one of the issues with developers was having them speak to the neighbors. She acknowledged she would be contacting UTSA to encourage dialogue with the neighbors.

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2004-12 The Clerk read the following ordinance:

AN ORDINANCE 99010

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$150,000.00, WITH THE SAN ANTONIO SPORTS FOUNDATION TO SUPPORT THE SOLICITATION OF AMATEUR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS AND CONVENTIONS AND MEETINGS OF SPORTS-RELATED ASSOCIATIONS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Melvin Tennant, Director of Convention and Visitors Bureau, narrated a slide presentation regarding the 2004 professional services agreement with the San Antonio Sports Foundation (SASF), a copy of which was made part of the official papers of this meeting. He expounded on the one year professional services agreement for promotional

and administrative expenses, as well as the one-year agreement with SASF augmenting the base program.

Councilman Haass thanked Mr. Tennant for putting this project together, and indicated it wasn't too long ago that San Antonio wasn't a major player for major events such as the NCAA Final Four.

In response to Councilman Haass, Mr. Tennant expounded on how they've structured their agreements with SASF. He spoke to the dedicated efforts of the sports salesmen, and noted that as part of the contract, they had an exhibit which listed what events they would pursue. He then addressed the Councilman's comments regarding whether they were outreaching enough, and responded that they have been looking to bringing in more business, but the question is where the resources should be allocated.

In response to Councilman Haass, Dr. Susan Blackwood, Executive Director of the San Antonio Sports Foundation, indicated it was more about building relationships with organizations. She indicated the Foundation bid many years out, and cited the example of the Junior Olympics. When the Spurs were tenants of the Alamodome, she stated they locked in a lot of June dates, which is when many Junior National Championships are held. She spoke to the importance of having such facilities in order to secure national championships at this level.

Councilman Haass stated that because of its central location, San Antonio was an ideal place to bring people in from all over. He urged the Council to look into using more money for the Sports Foundation in the future so that it could increase their efforts in what they are trying to obtain.

Dr. Blackwood stated they had the infrastructure from a hotel standpoint, but lack in facilities which limits them to bringing certain events to the City. She spoke to the importance of having multitude fields so that athletes and their parents do not have to travel from facility to facility. She stated this was something they were looking at in a master plan.

Councilman Haass thanked Dr. Blackwood for her comments, and encouraged his colleagues to put this on their radar. He stated that while professional and collegiate sports remain on top, it was important to look into youth sports.

In response to Councilman Perez, Dr. Blackwood noted they get approached in a variety of ways with regards to professional boxing. However, she noted they had an ongoing conversation with amateur boxing.

In response to Councilman Schubert, Mr. Tennant acknowledged that at his previous job in Charlotte, North Carolina, they did have an organization similar to the San Antonio Sports Foundation.

Councilman Schubert stated the Sports Foundation had done a great job. He expressed appreciation to Dr. Blackwood, and spoke to the success of the Foundation in San Antonio.

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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2004-12 The Clerk read the following ordinance:

AN ORDINANCE 99011

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE SAN ANTONIO SPORTS FOUNDATION, IN AN AMOUNT NOT TO EXCEED \$350,000.00, IN ORDER TO AUGMENT THE BASE PROGRAM BY SUPPORTING THE DIRECT SOLICITATION, INCLUDING HOSTING OBLIGATIONS, SITE INSPECTIONS AND BID FEES, OF AMATEUR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS, CONVENTIONS AND MEETINGS OF SPORT-RELATED ASSOCIATIONS FOR SAN ANTONIO, WITH A FOUR (4) YEAR RENEWAL OPTION EXTENDING THROUGH SEPTEMBER 30, 2008, SUBJECT TO FUTURE CITY COUNCIL APPROVAL, FOR A YEARLY AMOUNT NOT TO EXCEED \$350,000.00, WHICH AMOUNT SHALL BE REDUCED COMMENSURATE WITH THE PERCENTAGE OF THE TOTAL AMOUNT OF FUNDS AVAILABLE THROUGH THE OTHER EVENTS TRUST FUND ESTABLISHED PURSUANT TO ARTICLE 5190.14, SECTION 5A (VERNON'S TEXAS CIVIL STATUTES) ACTUALLY REIMBURSED TO THE CITY; AND PROVIDING FOR PAYMENT.

* * * *

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

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

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99012

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HVS INTERNATIONAL FOR AN AMOUNT NOT TO EXCEED \$60,000.00 TO CONDUCT A MARKET AND FINANCIAL FEASIBILITY REPORT AND OTHER HOTEL CONSULTANT SUPPORT SERVICES IN SUPPORT OF THE CONVENTION CENTER HOTEL PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Chris Brady, Assistant City Manager, narrated a slide presentation regarding the professional services agreement with HVS International for Hotel Consultant Services, a copy of which was made part of the official papers of this meeting. He provided background information on the agreement, which included a timetable on the events that have occurred recently. He stated HVS International would conduct a market and financial feasibility report and other hotel consultant support services in support of the Convention Center Hotel Project.

Mr. Trey Jacobson, Assistant Director of Economic Development, continued the slide presentation and discussed the five nationally recognized firms who submitted responses to the RFQ. He then discussed the policy and fiscal analysis of the contract.

In response to Mayor Garza, Mr. Jacobson discussed the first market study, which was done in 1996. Given the timeliness of the market changes, he stated the hotel underwriters suggested to have the market assessment updated.

Mayor Garza spoke to slide 11, which detailed what four main tasks HVS International is expected to complete.

Mr. Brady stated the financial underwriters were setting up the models, and they were having to use numbers that are 18 months old. He stated these figures were plugged into their scenarios. He indicated that before they sell the bonds, they wanted to have more current numbers.

In response to Mayor Garza, Mr. Brady spoke to the changes in the market, and stated it was important to do a survey with all the hotels downtown and discuss what's happening in the future.

Mayor Garza explained that HVS International would take the information they collected and analyze it, which would then help in drafting the Convention Center Hotel project. He then referenced slide 6, which listed the five nationally recognized firms who submitted responses to the RFQ.

In response to Mayor Garza, Mr. Brady spoke to the firms that had submitted responses, and acknowledged they had a strong background in the hotel construction business.

Councilman Perez stated the score received by HVS International was a little low for a company that is renowned in this line of work.

Mr. Jacobson confirmed HVS International was the highest scoring firm. He then amplified on the scores of the other consultants.

In response to Councilman Hall, Mr. Jacobson acknowledged they had four of the seven positions filled on the Convention Center Hotel Advisory Board. He stated they were looking to fill three vacancies on the board, but indicated it might be difficult to bring someone new into this project.

Councilwoman Radle expressed concern about the capacity of the bonds and the area of the empowerment zone.

Councilman Barrera referenced slide 11, which detailed the four main tasks HVS International was expected to complete.

In response to Councilman Barrera, Mr. Jacobson stated that if the ordinance is approved, HVS International would have an initial draft of the report within six weeks.

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.

MR. GUILLERMO VASQUEZ

Mr. Guillermo Vasquez spoke to the meet and confer process, and highlighted various components of this issue. He stated it was time City employees be given a voice and an opportunity for input on their work issues. He urged Council to adopt a policy and pass an ordinance ensuring all City employees be given a voice. He then cited an altercation with San Antonio Police Officers being called to the Northwest Service Center. He stated 1700 employees had signed the petition requesting for an ordinance for the meet and confer process, and encouraged Council to forward to the Quality of Life Committee for review.

In response to Mayor Garza, Mr. Vasquez indicated the incident occurred on Tuesday, May 23, 2004.

Mayor Garza requested for a copy of the police report.

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MS. JUNE BRATCHER

Ms. June Bratcher addressed concerns she had regarding the east side of San Antonio, and cited agenda item number 15, which is the ordinance regarding the Hays Street Bridge Rehabilitation Project located in District 2. She stated the Hays Street Bridge would contribute to the overall betterment of the east side, and expressed her approval that the City was contributing to this project. She then urged Council to consider more Alamodome improvements.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez cited biblical verses, and stated the time was coming when the Pope would be leaving his seat. He then cited an incident with a San Antonio Police Officer and one of his neighbors.

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MS. MARY JANE ALVARADO

Ms. Mary Jane Alvarado spoke to the issue of taverns in residential areas. She referenced the Barb Wire Grill, located in District 1, and cited numerous violations they had. She stated the neighbors in the area did not want a bar so close by.

Councilman Flores stated he was familiar with her situation, and informed Ms. Alvarado that staff was working on this. He spoke to the importance of citizens such as her coming to the Council to express their concerns.

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2004-12 **EXECUTIVE SESSION**

The City Council recessed its regular session at 5:48 P.M. in order to convene in Executive Session for the purpose of:

- A) Discuss legal issues about the settlement agreement in the lawsuit styled *City of San Antonio v. Alamo Community College District*, Cause No. 83-CI-20386, 288th District Court of Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

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2004-12 The City Council reconvened from Executive Session at 6:21 p.m.

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2004-12 The Clerk read the following Ordinance:

AN ORDINANCE 99013

RENEWING AND AMENDING AN EXISTING FIFTEEN (15) YEAR INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE ALAMO COMMUNITY COLLEGE DISTRICT TO FACILITATE THE ANNUAL ADMINISTRATION AND MONITORING DUTIES ASSOCIATED WITH CITY

PUBLIC SERVICE PROCEEDS ENCUMBERED UNDER THE *CITY OF SAN ANTONIO V. ALAMO COMMUNITY COLLEGE DISTRICT SETTLEMENT AGREEMENT*; AND ESTABLISHING AN EDUCATION AND TRAINING BUDGET FOR THE PERIOD APRIL 1, 2004 THROUGH MARCH 31, 2005.

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding the renewal of the City of San Antonio and the Alamo Community College District (ACCD) interlocal agreement, a copy of which was made part of the official papers of this meeting. He stated the purpose of the ordinance was to authorize the Year 4 renewal of the existing 15-year interlocal agreement. He discussed the terms of the agreement, and amplified on the policy analysis.

Councilman Hall stated he had concerns with the way this agreement was put together. He urged staff and Council to look closely at this agreement. He further expressed concern on the whole decision-making process, and indicated he wanted to look into this further before the next renewal.

Councilman Perez concurred with Councilman Hall, and indicated he also wanted to look into this further before the next renewal takes place.

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

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2004-12 There being no further business to come before the City Council, the meeting was adjourned at 6:25 P.M.

A P P R O V E D



EDWARD D. GARZA

M A Y O R

Attest:



YOLANDA L. LEDESMA
Acting City Clerk