

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

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 24, 2004

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The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room.

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

The City Council recessed the "B" Session at 10:20 a.m. in order to convene in Executive Session to discuss the following:

Legal issues relating to franchise renewal negotiations with Time Warner Cable and the re-opener process with Grande Communications, pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.072 (deliberation regarding real property).

Legal issues relating to the City's pending Downtown Pedestrian Wayfinding System, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Legal issues relating to the convention center catering contract with the RK Group Joint Venture Partnership, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Legal issues relating to the construction contract with Clark/JT Construction for work on the Convention Center Expansion Project, as applied to a pending claim from its subcontractor Todd-Ford, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 2:03 p.m.

The Regular Meeting scheduled for 1:00 P.M. was called to order at 2:07 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass. ABSENT: Barrera.

Invocation by Rev. George Allan Bradley, St. Andrews United Methodist Church.

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented Honorary Citizen certificates to the Dominica National Soccer Team.

A Proclamation was presented in recognition of Race Unity Day.

The Public Works Department received a Proclamation for Graffiti Wipe-out Day.

Swearing in of Leticia M. Vacek as City Clerk.

Minutes of the Regular City Council meeting of April 15, 2004 were approved as presented.

INDIVIDUAL ITEMS

The City Clerk read the following ordinance:

AN ORDINANCE 99354

AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE ARENA DISTRICT/EASTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY FOUR ACRES ON THE SOUTHWESTERN CORNER OF TRACT D, NCB 10598, 4701 DIETRICH ROAD IN COUNCIL DISTRICT 2 FROM OPEN SPACE/PARK LAND USE TO LIGHT INDUSTRIAL LAND USE.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the Master Plan Amendment/Eastside Community plan, a copy of which is on file with the City Clerk's Office. He discussed the plan as adopted, and the proposed amendment in detail, including the analysis criteria and land use. He briefed the Council on the transportation network, and discussed the community facilities in the area. He indicated staff was recommending approval of the revised amendment to Light Industrial use.

The following citizen(s) appeared to speak:

Mr. Charles English

Mr. Alan Lindscog

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99355

AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE, ARTICLE III: ZONING AND APPENDIX A BY ADDING A NEW SECTION 35-339.03, NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICT, AND AMENDING VARIOUS SECTIONS OF ARTICLE III TO INCLUDE THE NEW DISTRICT.

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

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the National Highway System Corridor Districts and Northeast Gateway Corridor (Zoning Case Z2004091) a copy of which is on file with the City Clerk's Office. He discussed the two proposed ordinances, and provided background information on each, including their purpose and need. He discussed various components, such as sign message area and heights, existing structures and signs and the designation process. He then expounded on the Northeast Gateway Corridor and its designation process.

The following citizen(s) appeared to speak:

Ms. Kathleen Trenchard

Ms. Betty Eckert

Ms. Barbara Johnson

Councilman Haass made a motion to amend the proposed ordinance by amending section 35-339.03 by adding a new subparagraph regarding *prohibited uses* as follows: "It shall be a violation to operate, own, manage, or maintain a sexually oriented business within a National Highway System High Priority Corridor District." Councilman Perez seconded the motion.

After consideration, the motion to amend prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** Flores. **ABSENT:** Barrera.

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

The Clerk read the following resolution:

A RESOLUTION 2004-24-17

A RESOLUTION SUPPORTING THE METROPOLITAN TRANSIT AUTHORITY (VIA) CALLING AN ELECTION TO CREATE AN ADVANCED TRANSPORTATION DISTRICT (“ATD”) AND TO ADD A NEW SALES AND USE TAX AT A RATE OF UP TO THREE-EIGHTHS OF ONE PERCENT (“3/8%”); AS REQUESTED BY COUNCILMAN ART A. HALL, DISTRICT 8 AND COUNCILMAN RICHARD PEREZ, DISTRICT 4.

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

Ms. Melissa Byrne Vossmer, Assistant City Manager, narrated a slide presentation regarding the Advanced Transportation District City of San Antonio Initiative, a copy of which is on file with the City Clerk’s Office. She summarized the resolution, indicating it would provide for additional resources to the City of San Antonio (COSA). She discussed its purpose, and also discussed future congested roadways. She expounded on the COSA Manage-Build Concept, and provided various examples of transportation system improvements. In closing, a representative of VIA Metropolitan Transit provided an overview of VIA’s planned actions.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99356

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO NEGOTIATE GRANT FUNDING AGREEMENTS WITH THE BROOKS DEVELOPMENT AUTHORITY AND UNIVERSITY OF INCARNATE WORD ("UIW") IN AN AMOUNT NOT TO EXCEED \$1,000,000.00 TO BE PAID FROM THE CITY'S ECONOMIC DEVELOPMENT INCENTIVE FUND TO ASSIST IN FINANCING THE CONSTRUCTION OF A SCHOOL OF PHARMACY ("SCHOOL"); SAID AGREEMENTS TO BE CONTINGENT UPON UIW SECURING ADDITIONAL FUNDING REQUIRED TO COMPLETE THE CONSTRUCTION OF THE SCHOOL AND CONTINGENT UPON THE SCHOOL BEING LOCATED AT BROOKS CITY-BASE.

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding the University of Incarnate Word's request for City funding for a School of Pharmacy at Brooks City-Base, a copy of which is on file with the City Clerk's Office. He discussed the purpose of the ordinance, indicating it would authorize the City Manager to enter into negotiations with the Brooks Development Authority and the University of Incarnate Word (UIW). He discussed the UIW School of Pharmacy, and the policy analysis.

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

ZONING

4A) ZONING CASE NUMBER Z2004132 C: The request of San Antonio Food Bank, Applicant, for Ben Tal Family Trust, Owner(s), for a change in zoning from "R-5" Residential Single-Family to "L" Light Industrial District on 0.26 acres out of NCB 10597 and 1.73 acres out of NCB 10598 and from "R-5" Residential Single Family to "C-3 C" General Commercial District with conditional use for a food bank distribution center on 1.48 acres out of NCB 10598 on 3.47 acres on the north side of Dietrich Road 660 feet west of Seaboard Street. Staff's recommendation was for denial. Zoning Commission recommended approval. (Council District 2)

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

The following citizen(s) appeared to speak:

Mr. Eric Cooper
Mr. Charles English
Mr. Alan Lindscog

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

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

AN ORDINANCE 99357

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.99 ACRES OUT OF NCB 10598 AND NCB 10597 FROM "R-5" RESIDENTIAL SINGLE-FAMILY TO "L" LIGHT INDUSTRIAL DISTRICT, AND 1.48 ACRES OUT OF NCB 10598 FROM "R-5" RESIDENTIAL SINGLE FAMILY TO "C-3" GENERAL COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A FOOD BANK DISTRIBUTION CENTER.

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4B) ZONING CASE NUMBER Z2004091: The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning to designate Northeast Gateway Corridor Overlay District 1 (IH-1) on those properties generally within 1,000 feet of the Interstate 35 North right-of-way between Walzem Road and the northern city limits of San Antonio (City Council Districts 2 and 10), IH-35 from Walzem Road to Toepperwein Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

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

Councilman Haass made a motion to approve the proposed rezoning case. 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, Segovia, Radle, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Perez, Barrera, Garza.

AN ORDINANCE 99358

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 THOSE PROPERTIES GENERALLY WITHIN 1,000 FEET OF THE INTERSTATE 35 NORTH RIGHT-OF-WAY BETWEEN WALZEM ROAD AND THE NORTHERN CITY LIMITS OF SAN ANTONIO. (City Council Districts 2 & 10)

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4C) ZONING CASE NUMBER Z2004108 C: The request of Olivia Villa, Applicant, for Olivia Villa, Owner(s), for a change in zoning from “MF-33” Multi-Family District to “NC-C” Neighborhood Commercial District with conditional use for a designer resale boutique on the south 41.67 feet of Lots 8 and 9, Block 11, NCB 1836, 2617 North Main Avenue. Staff’s recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

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

Councilman Flores made a motion to approve the proposed rezoning case. 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, Radle, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Perez, Barrera, Garza.

AN ORDINANCE 99359

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 THE SOUTH 41.67 FEET OF LOTS 8 AND 9, BLOCK 11, NCB 1836 FROM “MF-33” MULTI-FAMILY DISTRICT TO “NC-C” NEIGHBORHOOD COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A DESIGNER RESALE BOUTIQUE.

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4D) ZONING CASE NUMBER Z2004113: The request of Jerry Arredondo, Applicant, for Facundo and Bertha Arizpe Revocable Living Trust, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "NC" Neighborhood Commercial District on Lot 53, Block 17, NCB 9220, 571 Wildwood. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 1)

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

The following citizen(s) appeared to speak:

Ms. Betty Eckhert

Councilman Flores made a motion to continue the proposed rezoning case to the meeting of July 22, 2004. Councilman Hall seconded the motion.

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

Zoning case Z2004113 was continued to the meeting of July 22, 2004.

4E) ZONING 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 the proposed rezoning case to the meeting of August 12, 2004. Councilman Perez seconded the motion.

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

Zoning case Z2004113 was continued to the meeting of August 12, 2004.

4F) ZONING CASE NUMBER Z2004031 SC: The request of Lothry-Norstrum-Pfeifer House, Applicant, for Lothry-Norstrum-Pfeifer House, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-3 NA SC" General Commercial Nonalcoholic Sales District, with a specific use authorization for a mini warehouse facility, exceeding 2.5 acres, with a conditional use for outdoor vehicle and boat storage on 20.3 acres out of NCB 10835, 4312 Roland Avenue. Staff's recommendation was for approval with conditions. Zoning Commission has recommended approval with the following conditions: 1. The eastern portion of the subject property shall have a type "C" landscape buffer. 2. Lights shall be directed away from adjacent property. 3. The outdoor storage of vehicles and boats shall be screened from the public view on Roland Avenue. (Council District 3)

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

The following citizen(s) appeared to speak:

Ms. Jeanne Koehler

Mr. Alan Lindscog

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

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

AN ORDINANCE 99360

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 20.3 ACRES OUT OF NCB 10835 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3 NA SC" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT, WITH A SPECIFIC USE AUTHORIZATION FOR A MINI WAREHOUSE FACILITY, EXCEEDING 2.5 ACRES, WITH A CONDITIONAL USE FOR OUTDOOR VEHICLE AND BOAT STORAGE.

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4G) ZONING CASE NUMBER Z2004126: The request of Earl Landry, Applicant, for Earl Landry, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "RM-5" Residential Mixed District on the east 60 feet of Lot 88, NCB 7725, 116 Bristol Avenue. 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 case. Councilman Williams seconded the motion.

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

AN ORDINANCE 99361

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 THE EAST 60 FEET OF LOT 88, NCB 7725 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-5" RESIDENTIAL MIXED DISTRICT.

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4H) ZONING CASE NUMBER Z2004090 S: The request of William Gonzaba M. D./Gonzaba Medical Group, Applicant, for William Gonzaba, M. D., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1 S" Light Commercial District with a specific use authorization for a parking lot - noncommercial on 1.51 acres out of NCB 7899, 717 Pleasanton Road. Staff's recommendation was for approval. Zoning Commission has recommended approval with staff conditions. (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 case. Councilman Perez seconded the motion.

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

AN ORDINANCE 99362

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS 1.51 ACRES OUT OF NCB 7899 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-1 S" LIGHT COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A PARKING LOT – NONCOMMERCIAL.

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4I) ZONING CASE NUMBER Z2004128: The request of Kaufman & Associates, Inc., Applicant, for Kenneth and Edith Mays, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "RM-5" Residential Mixed District on Lot 2, Block D, NCB 14656, 5973 Whitby Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

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

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

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

AN ORDINANCE 99363

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 2, BLOCK D, NCB 14656 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "RM-5" RESIDENTIAL MIXED DISTRICT.

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4J) ZONING CASE NUMBER Z2004129: The request of Brown, P. C., Applicant, for FC Properties One, Ltd., Owner(s), for a change in zoning from "C-3" General Commercial District to "RM-5" Residential Mixed District on 7.101 acres out of NCB 18307, northwest side of Old Tezel Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

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

The following citizen(s) appeared to speak:

Mr. Ken Brown

Councilman Haass made a motion to refer the proposed rezoning case back to the Zoning Commission. Councilman Perez seconded the motion.

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

Zoning case Z2004129 was referred back to the Zoning Commission.

4K) ZONING CASE NUMBER Z2004049: The request of Dr. Carmen Garza Levcovitz, Applicant, for Dr. Carmen Garza Levcovitz, Owner(s), for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on Parcel 9, Parcel 10 and Parcel 11A, NCB 14615, 8122 Hausman Road. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District. (Council District 8)

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

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

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

AN ORDINANCE 99364

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 PARCEL 9, PARCEL 10 AND PARCEL 11A, NCB 14615 FROM "R-6 ERZD" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

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4L) ZONING CASE NUMBER Z2004065: The request of Cencor Realty Services, Inc., Applicant, for Margaret Amini, Owner(s), for a change in zoning from "I-1 ERZD" General Industrial Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on Lot 2, Block 2, NCB 19189, 13000 Block of I.H. 10 W. 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 approve the proposed rezoning case. Councilman Perez 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, Castro, Hall, Schubert. **NAYS:** Radle. **ABSENT:** Barrera, Haass, Garza.

AN ORDINANCE 99365

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 2, BLOCK 2, NCB 19189 FROM "I-1 ERZD" GENERAL INDUSTRIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

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4M) ZONING CASE NUMBER Z2004124: The request of Kathy Brady/Trammell Crow Company, Applicant, for Principal Global Investors, Owner(s), for a change in zoning from "R-5" and "R-6" Residential Single-Family District to "C-3" General Commercial District on northeast 261.8 feet of Lot 25, NCB 13662, northeast of the intersection of Fredericksburg Road and Marriott Drive. 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 approve the proposed rezoning case. Councilman Perez seconded the motion.

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

AN ORDINANCE 99366

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 NORTHEAST 261.8 FEET OF LOT 25, NCB 13662 FROM "R-5" AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

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PUBLIC HEARING AND ORDINANCE

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director of Asset Management, narrate a slide presentation of Agenda items 5A, 5B and 5C, a copy of which is on file with the City Clerk's Office. The presentation included descriptions of the requests to close, vacate and abandon an unimproved 20-foot wide alley Public Right of Way located between Clamp and Mango Avenues; close, vacate and abandon an improved portion of Hunstock Avenue located between Whittier Street & Grove Avenue; and close, vacate and abandon an improved portion of Old Lockhill-Selma Road located between De Zavala and New Lockhill-Selma Roads.

The following citizen(s) appeared to speak:

Mr. Jack Finger
Mr. Martin Perdue
Ms. Rachel Ponce
Mr. David Espiritu, Jr.

Mayor Garza declared the Public Hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 99367

AN ORDINANCE CLOSING, VACATING AND ABANDONING AN UNIMPROVED TWENTY (20')-FOOT WIDE ALLEY LOCATED BETWEEN CLAMP AND MANGO AVENUES, ADJACENT TO NCB 9373, IN COUNCIL DISTRICT 3, AS REQUESTED BY THE PETITIONERS AND OWNERS OF ABUTTING PROPERTY, RAMON R. AND DELFINA R. TEJEDA, ET AL.; AND ACCEPTING A ONE HUNDRED (100%) REDUCTION OF THE TOTAL CLOSURE FEE OF \$3,825.00, AS REQUESTED BY COUNCILMAN RON H. SEGOVIA.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99368

AN ORDINANCE CLOSING, VACATING AND ABANDONING AN IMPROVED 0.3934 ACRE PORTION OF HUNSTOCK AVENUE PUBLIC RIGHT OF WAY LOCATED BETWEEN WHITTIER STREET AND GROVE AVENUE ADJACENT TO NCB 2980, AND NCB 2981, IN COUNCIL DISTRICT 5, FOR THE EXPANSION AND REDEVELOPMENT OF THE ADJACENT GREEN ELEMENTARY SCHOOL, AS REQUESTED BY THE PETITIONER AND OWNER OF THE ABUTTING PROPERTY, THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT, FOR THE TOTAL CONSIDERATION OF \$12,534.00.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99369

AN ORDINANCE CLOSING, VACATING AND ABANDONING AN IMPROVED 2.9946 ACRES PORTION OF OLD LOCKHILL-SELMA ROAD BETWEEN NEW LOCKHILL-SELMA ROAD AND DEZAVALA ROAD OUT OF NCB 17627, ADJACENT TO NCB 18598, IN COUNCIL DISTRICT 8, AS REQUESTED BY THE PETITIONERS AND OWNERS OF ABUTTING PROPERTIES, SHAVANO/LDR NO. 3 COMMERCIAL PARTNERSHIP, LTD., A TEXAS LIMITED PARTNERSHIP, AND ROGERS SHAVANO RANCH, LTD., A TEXAS LIMITED PARTNERSHIP, FOR THE TOTAL CONSIDERATION OF \$40,545.00.

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

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

SECOND PUBLIC HEARING AND ORDINANCE

Mayor Garza declared the Public Hearing to be open.

Mr. Dennis Campa, Director of Community Initiatives, and Mr. Andrew Cameron, Director of Housing and Community Development, narrated a slide presentation regarding the consolidated funding recommendations for Human Development services, a copy of which is on file with the City Clerk's Office. Mr. Campa discussed the purpose of the ordinances, which consists of Items 6A-F, and amplified on the funding sources and investment priorities. He spoke to the Request For Proposals (RFP) process, and amplified on the City Council's investment priorities in detail. He further discussed community safety net investments and CDBG Public Service City Project Investments. He outlined the considerations for FY 2006, and summarized each of the ordinances. Mr. Cameron spoke to the CDBG Home Reprogramming, and discussed District 4 Capital Improvements.

The following citizen(s) appeared to speak:

Dr. Robert P. Trevino
Mr. Roger Rodriguez
Mr. Herbert Klein
Mr. George Irving
Ms. Rebecca Cervantes
Mr. Faris Hodge, Jr.
Representative from YMCA

Mayor Pro-Tem Castro declared the Public Hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 99370

AN ORDINANCE ADOPTING THE PUBLIC SERVICE PORTION OF THE 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF \$2,606,850.00 AS CONTAINED IN THE FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE PUBLIC

SERVICE PORTION OF THE 30TH YEAR CDBG PROGRAM; DESIGNATING THE PUBLIC SERVICE PORTION OF THE 30TH YEAR CDBG PROGRAM FUNDS; APPROPRIATING 30TH YEAR CDBG PROGRAM FUNDS FOR PUBLIC SERVICE IN THE AMOUNT OF \$2,606,850.00; ALLOCATING PROGRAM FUNDS TO PUBLIC SERVICE PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH THE PUBLIC SERVICE PORTION OF SAID 30TH YEAR CDBG PROGRAM; AND THE SUBMISSION OF THE PUBLIC SERVICE PORTION OF THE CDBG GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99371

AN ORDINANCE ADOPTING THE FISCAL YEAR 2004-2005 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) IN THE AMOUNT OF \$1,027,000.00 AS CONTAINED IN THE FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FISCAL YEAR 2004-2005 HOPWA PROGRAM; DESIGNATING THE FISCAL YEAR 2004-2005 HOPWA PROGRAM FUNDS; APPROPRIATING THE FISCAL YEAR 2004-2005 PROGRAM FUNDS IN THE AMOUNT OF \$1,027,000.00; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING THE REPROGRAMMING OF HOPWA FUNDS IN THE AMOUNT OF \$155,296.00 AVAILABLE FROM THE FY 2002 HOPWA FUNDS FROM HOUSE OF HOPE TO THE SAN ANTONIO AIDS FOUNDATION IN THE AMOUNT OF \$43,296.00, HOPE ACTION CARE IN THE AMOUNT OF \$12,000.00 AND BEAT-AIDS, INC. IN THE AMOUNT OF \$100,000.00; 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; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH THE FISCAL YEAR 2004-2005 HOPWA PROGRAM AND THE PROJECTS THEREUNDER; AND THE SUBMISSION OF THE HOPWA GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99372

AN ORDINANCE ADOPTING THE FISCAL YEAR 2004-2005 EMERGENCY SHELTER GRANT (ESG) IN THE AMOUNT OF \$648,000.00 AS CONTAINED IN THE FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FISCAL YEAR 2004-2005 ESG PROGRAM; DESIGNATING THE FISCAL YEAR 2004-2005 ESG PROGRAM FUNDS; APPROPRIATING THE FISCAL YEAR 2004-2005 PROGRAM FUNDS IN THE AMOUNT OF \$648,000.00 [ENTITLEMENT] AND \$648,000.00 FROM IN-KIND MATCH; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS; DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING PERSONNEL CLASSIFICATIONS AND PAY RANGES; AUTHORIZING EXECUTION OF ALL REQUIRED CONTRACTS AND RELATED DOCUMENTS IN CONNECTION WITH THE FISCAL YEAR 2004-2005 ESG PROGRAM AND THE PROJECTS THEREUNDER; AND THE SUBMISSION OF THE ESG GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 2004-2005 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED TO HUD.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99373

AN ORDINANCE AUTHORIZING THE EXECUTION OF A COMMUNITY SERVICES BLOCK GRANT (CSBG) AND GENERAL FUNDED CONTRACT WITH AVANCE-SAN ANTONIO IN THE AMOUNT OF \$384,771.00 IN CONNECTION WITH THE PARENT-CHILD EDUCATION PROGRAM FOR THE PERIOD OF OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AND REVISING THE FY2004 CSBG BUDGET IN CONNECTION THEREWITH.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99374

AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACTS WITH VARIOUS DELEGATE AGENCIES IN THE AGGREGATE AMOUNT OF \$6,387,064.00 FOR THE PERIOD OF OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, IN CONNECTION WITH THE HUMAN DEVELOPMENT SERVICES CONSOLIDATED FUNDING PROCESS, SUBJECT TO APPROPRIATION IN THE ADOPTED FY2005 BUDGET.

* * * *

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

The City Clerk read the following ordinance:

AN ORDINANCE 99375

AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$840,000.00 AVAILABLE FROM CITY COUNCIL DISTRICT 4 CAPITAL CONTINGENCY ACCOUNT TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS IN CITY COUNCIL DISTRICT 4; AUTHORIZING THE TRANSFER AND EXCHANGE OF HOME INVESTMENT PARTNERSHIPS GRANT (HOME) FUNDS IN THE AMOUNT OF \$290,000.00 FROM THE HUNTLEIGH CROSSING PROJECT TO THE CITY'S NEIGHBORHOOD ACTION DEPARTMENT REHABILITATION/RECONSTRUCTION PROGRAM AND CDBG FUNDS IN THE AMOUNT OF \$290,000.00 FROM THE CITY'S NEIGHBORHOOD ACTION DEPARTMENT REHABILITATION/RECONSTRUCTION PROGRAM TO THE HUNTLEIGH CROSSING 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.

* * * *

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

CITIZENS TO BE HEARD

The following citizens appeared to speak on various topics.

Mr. Ron Jones
Mr. Michael Stark
Mr. Charles English
Mr. Raymond Zavala
Mr. Steve Johnson
Mr. Faris Hodge
Mr. Jerry Sundberg Jr.
Mr. Gary Brandenburg
Mr. Greg Prosser
Mr. Devin Taylor
Ms. Dorinda Garza Smith
Mr. Anthony Martino
Ms. Victoria R. Gonzales
Ms. Frances Sandberg
Mr. Cruz Chavira
Ms. Sherry Shaw
Mr. Mike Bernard

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 99376

AN ORDINANCE AUTHORIZING THE AMENDMENT OF CITY ORDINANCE NO. 63241, DATED JULY 16, 1986, TO ALLOW STATE AND NATIONAL CRIMINAL HISTORY BACKGROUND CHECKS ON VEHICLE FOR HIRE PERMIT HOLDERS.

* * * *

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

Chief Albert Ortiz, San Antonio Police Department, narrated a slide presentation regarding criminal history background checks for vehicles for hire applicants, a copy of which is on file with the City Clerk's Office. He cited Texas Government Code Chapter 411, and noted that currently, the department only required a local criminal history background check, but indicated this ordinance would expand to the state and federal levels.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99377

AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 33-981 OF THE SAN ANTONIO CITY CODE BY INCREASING THE DAYTIME DROP CHARGE, MILEAGE CHARGE AND WAIT TIME/TRAFFIC DELAY CATEGORIES OF TAXICAB RATES.

* * * *

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

Chief Albert Ortiz, San Antonio Police Department, narrated a slide presentation regarding taxicab rate increases, a copy of which is on file with the City Clerk's Office. He discussed the goals of the taxicab rate adjustments, and amplified on the terms. He cited a study staff attempted to commission on the rate increase impact, and expounded on what the study revealed. He then offered a comparison of taxicab rates of other national cities.

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

THIRD PUBLIC HEARING AND ORDINANCE

Councilman Flores (presiding in the absence of Mayor Pro-Tem Castro) declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding the designation of Reinvestment Zone and Tax Phase-In for First Health Group Corp., a copy of which is on file with the City Clerk's Office. He discussed the purpose of this ordinance and provided various details and information regarding this project, noting it would result in the retention of 235 full-time jobs and add a total of 365 additional jobs in San Antonio by September 2011. He then discussed the policy analysis.

No citizens appeared to speak.

Mayor Pro-Tem Castro declared the Public Hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 99378

DESIGNATING THE FIRST HEALTH REINVESTMENT ZONE AT 3900 ROGERS ROAD, CONSISTING OF APPROXIMATELY 8.942 ACRES, OR 389,521 SQUARE FEET MORE OR LESS, TRACT OF LAND BEING OUT OF THE REMAINING PORTION OF A 403.596 ACRE TRACT DESCRIBED IN CONVEYANCE TO WESTOVER HILLS DEVELOPMENT PARTNERS, L.P., IN SPECIAL WARRANTY DEED RECORDED IN VOLUME 5191, PAGES 963-1005 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, OUT OF THE B.B.B. & C.R.R. SURVEY NO. 389, ABSTRACT 96, COUNTY BLOCK 4417 OF BEXAR COUNTY, TEXAS, NOW ALL IN NEW CITY BLOCK (N.C.B.) 17642.

* * * *

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99379

AN ORDINANCE APPROVING A TAX PHASE-IN AGREEMENT AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE AGREEMENT WITH FIRST HEALTH GROUP CORP. TO EXEMPT SPECIFIED NEW REAL PROPERTY IMPROVEMENTS OF APPROXIMATELY \$5.5 MILLION FROM AD VALOREM TAXATION.

* * * *

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

EMPOWERMENT GOVERNANCE BOARD

The City Council recessed its Regular Meeting at 1:14 am and convened as the Empowerment Zone Governance Board.

The City Clerk read the following resolution:

A RESOLUTION EZGB-2004-02

A RESOLUTION OF THE INTERIM GOVERNING BOARD OF THE CITY OF SAN ANTONIO EMPOWERMENT ZONE GOVERNANCE BOARD RECOMMENDING TO THE CITY COUNCIL AND THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION THAT THE EMPOWERMENT ZONE DEVELOPMENT CORPORATION BE AUTHORIZED TO ISSUE UP TO \$40,000,000.00 OF TAX-EXEMPT EMPOWERMENT ZONE BONDS, THE PROCEEDS FROM WHICH WOULD BE LOANED TO A PARTNERSHIP COMPOSED OF DRURY SOUTHWEST, INC. AND EURO ALAMO INVESTMENTS, INC. (OR THEIR AFFILIATES OR RELATED ENTITIES) AND USED TO PROVIDE ALL OR A PORTION OF THE FUNDS REQUIRED BY SUCH PARTNERSHIP TO RENOVATE AND REDEVELOP THE ALAMO NATIONAL BANK BUILDING AND PARKING GARAGE INTO A HOTEL AND PARKING FACILITY AND RELATED AMENITIES, AND FURTHER RECOMMENDING THAT THE CITY COUNCIL DESIGNATE AND RESERVE UP TO \$40,000,000.00 OF THE CITY'S \$230,000,000.00 CAPACITY TO ISSUE EMPOWERMENT ZONE BONDS FOR SUCH REDEVELOPMENT PROJECT.

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding the consideration of the request Drury Southwest, Inc. to reserve Empowerment Zone (EZ) bonds, a copy of which is on file with the City Clerk's Office. He discussed the application submitted by Drury Southwest, and presented a detailed summary of the project.

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

The Empowerment Governance Board recessed at 1:47 am and reconvened the Regular City Council Meeting.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 99380

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS REQUESTING THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION TO ISSUE UP TO \$40,000,000.00 OF TAX-EXEMPT EMPOWERMENT ZONE BONDS, THE PROCEEDS FROM WHICH WOULD BE LOANED TO A PARTNERSHIP COMPOSED OF DRURY SOUTHWEST, INC. AND EURO ALAMO INVESTMENTS, INC., (OR THEIR AFFILIATES OR RELATED ENTITIES) AND USED TO PROVIDE ALL OR A PORTION OF THE FUNDS REQUIRED BY SUCH PARTNERSHIP TO RENOVATE AND REDEVELOP THE ALAMO NATIONAL BANK BUILDING AND PARKING GARAGE INTO A HOTEL AND PARKING FACILITY AND RELATED AMENITIES, AND DESIGNATING AND RESERVING UP TO \$40,000,000.00 OF THE CITY'S \$230,000,000.00 CAPACITY TO ISSUE EMPOWERMENT ZONE BONDS FOR SUCH REDEVELOPMENT PROJECT.

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

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

TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION

The City Council recessed its Regular Meeting at 1:48 am and convened as the Texas Empowerment Zone Development Corporation.

The Clerk read the following resolution:

A RESOLUTION EZDC 2004-01

APPROVING AND ADOPTING BYLAWS AND APPOINTING OFFICERS TO THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION.

* * * *

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

The clerk read the following resolution:

A RESOLUTION EZDC 2004-02

A RESOLUTION APPROVING AND ADOPTING BYLAWS AND APPOINTING OFFICERS TO THE CITY OF SAN ANTONIO, TEXAS EMPOWERMENT ZONE DEVELOPMENT CORPORATION.

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

The Texas Empowerment Zone Development Corporation recessed and reconvened the Regular City Council Meeting.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 99381

AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CITY CODE OF SAN ANTONIO, TEXAS TO PROHIBIT POSSESSION OF AN OPEN CONTAINER OF AN ALCOHOLIC BEVERAGE OR THE PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES ON OR IN A PUBLIC STREET OR ON PUBLIC PROPERTY WITHIN TWELVE (12) FEET OF A PUBLIC STREET IN THE KING WILLIAM AREA OF THE CENTRAL BUSINESS DISTRICT OF THE CITY OF SAN ANTONIO; DEFINING THE INTENDED AREA; PROVIDING A PENALTY FOR VIOLATIONS; AND PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION.

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

Mr. Andrew Martin, City Attorney, narrated a slide presentation regarding the prohibition on open containers and public consumption of alcohol in the King William area, a copy of which is on file with the City Clerk's Office. He provided background information on the proposed ordinance, and what constituted a violation of this ordinance.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99382

AN ORDINANCE APPOINTING A FULL-TIME MUNICIPAL COURT JUDGE TO BEGIN A TWO-YEAR TERM ON JUNE 28, 2004, AS RECOMMENDED BY THE MUNICIPAL COURT SUBCOMMITTEE AND THE QUALITY OF LIFE COMMITTEE TO THE CITY COUNCIL.

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

Ms. Martha Sepeda, Deputy City Attorney, narrated a slide presentation regarding the appointment of a night magistrate judge for municipal court, a copy of which is on file with the City Clerk's Office. She discussed the position in detail, and expounded on the

process utilized. She indicated the subcommittee and Quality of Life Committee were recommending Mr. Juventino Guerra for appointment.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99383

AN ORDINANCE AMENDING THE CITY'S AFFORDABLE HOUSING INCENTIVE PROGRAM BY APPROVING REVISIONS TO THE WATER AND SEWER IMPACT FEE WAIVER POLICY; AND REVISING ORDINANCE NO. 81974 TO REFLECT SAID CHANGES.

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

Mr. Andrew Cameron, Director of Housing and Community Development, narrated a slide presentation regarding the proposed water and sewer impact fee policy revisions, a copy of which is on file with the City Clerk's Office. He provided background information, and indicated that on April 3, 1995, the City Council had approved a policy for waivers and rebates of water and sewer impact fees. He delineated on the program history, as well as the proposed new policy. He then discussed the implementation options.

Councilwoman Radle made a motion to eliminate the incentive over the contributing zone. Councilman Hall seconded the motion.

The motion to amend the proposed Ordinance failed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Hall, Schubert. **NAYS:** Schubert. **ABSENT:** Flores, Barrera, Castro, Haass, Garza.

Councilwoman Radle made a motion to reconsider the amendment. Councilman Perez seconded the motion.

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

Councilwoman Radle reiterated her motion to eliminate the incentive over the contributing zone. Councilman Perez seconded the motion.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99384

AN ORDINANCE ACCEPTING THE PROPOSAL OF CREATIVE HOST, INC.; AUTHORIZING THE EXECUTION OF A STANDARD CONCESSION AGREEMENT FOR THE OPERATION OF A FOOD AND BEVERAGE CONCESSION AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TERM OF SEVEN (7) YEARS AND PROVIDING FOR ANNUAL PAYMENTS TO THE CITY OF SAN ANTONIO OF THE GREATER OF FIFTEEN PERCENT (15%) OF GROSS REVENUES, OR MINIMUM ANNUAL GUARANTEE PAYMENTS BETWEEN \$75,000.00 AND \$84,270.00; AND, AUTHORIZING AN ACCEPTANCE OF \$115,000.00 FROM CREATIVE HOST, INC. AS PAYMENT FOR THE EXISTING FIXED IMPROVEMENTS, EQUIPMENT AND BUILD OUT, AND THE PAYMENT OF FUNDS IN THE AMOUNT OF \$37,500.00 FROM THE CITY TO INTEGRITY BANK FOR THE EXISTING FIXED IMPROVEMENTS AND EQUIPMENT IN SPACE 170.

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

Mr. Kevin Dolliole, Director of Aviation, narrated a slide presentation regarding the concessionaire selection of the San Antonio International Airport, a copy of which is on file with the City Clerk's Office. He cited the evaluation process and the evaluation criteria, and discussed the first, second and third phase selections. He then outlined details on the selection recommended by the Concession Selection Committee.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99385

AN ORDINANCE ACCEPTING THE PROPOSAL OF CUSTOM FOOD GROUP, L.P.; AUTHORIZING THE EXECUTION OF A STANDARD CONCESSION AGREEMENT FOR THE OPERATION OF FOOD AND BEVERAGE CONCESSIONS AT SAN ANTONIO INTERNATIONAL AIRPORT, BY CUSTOM FOOD GROUP, L.P., FOR A TERM OF FIVE (5) YEARS AND PROVIDING FOR PAYMENT TO THE CITY OF SAN ANTONIO THE GREATER OF FOURTEEN AND A HALF PERCENT (14.5%) OF SALES OR A MINIMUM ANNUAL GUARANTEE PAYMENT OF \$12,000.00 AND A TOTAL MINIMUM GUARANTEE OF \$60,000.00 FOR THE FULL TERM OF THE CONTRACT; AND AUTHORIZING THE EXECUTION OF A LEASE WITH CUSTOM FOOD GROUP TO OPERATE VENDING MACHINES IN CITY AVIATION DEPARTMENT OFFICES AND BREAK FACILITIES AT THE SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TERM OF FIVE (5) YEARS.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99386

AN ORDINANCE ACCEPTING A PROPOSAL AND AUTHORIZING EXECUTION OF A RECYCLABLES PROCESSING SERVICES CONTRACT WITH ALLIED VISTA, INC., DBA VISTA FIBERS OF SAN ANTONIO, LTD, THROUGH ALLIED VISTA, GENERAL PARTNER, TO ACCEPT, PROCESS, AND MARKET RECYCLABLE MATERIALS COLLECTED BY THE CITY'S CURBSIDE RECYCLING PROGRAM FOR PRODUCTION OF REVENUE; FURTHER AUTHORIZING AN OPTION TO ALLOW THE CITY TO EXERCISE UP TO THREE (3) ONE (1) YEAR EXTENSIONS UPON APPROVAL OF THE CITY COUNCIL.

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

Mr. Daniel Cardenas, Director of Environmental Services, narrated a slide presentation on the recycling processing services, a copy of which is on file with the City Clerk's Office. He discussed the purpose of the RFP and amplified on the current recycling operations. He spoke to the dual versus single stream collection, and the potential operational savings and potential program enhancements.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99387

AN ORDINANCE AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES AND EXPENSES IN CONNECTION WITH A LEASE AND DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT, OPERATION, AND MAINTENANCE OF THE TOWER OF THE AMERICAS IN AN AMOUNT NOT TO EXCEED \$125,000.00; AUTHORIZING CONTINUED NEGOTIATIONS WITH LANDRY'S RESTAURANTS INC. TO FINALIZE THE LEASE AND DEVELOPMENT AGREEMENT; 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.

Mr. Andrew Martin, City Attorney, narrated a slide presentation regarding the Tower of the Americas Lease and Development agreement, a copy of which is on file with the City Clerk's Office. He provided background information and presented a timeline of the project, including its current status.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99388

AN ORDINANCE BESTOWING THE HONORARY DESIGNATION OF "GEORGE "ICEMAN" GERVIN" UPON THE 3500 TO 6900 BLOCKS OF SUNBELT DRIVE; AS REQUESTED BY COUNCILMAN JOEL WILLIAMS, DISTRICT 2.

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

Mr. Jason Cosby, Assistant Director of Public Works, narrated a slide presentation regarding the signage on Sunbelt Drive for George "Iceman" Gervin, a copy of which is on file with the City Clerk's Office. He presented a summary of the ordinance, and discussed the fiscal impact and policy analysis.

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

Item 77, being a proposed resolution denying the request of the "City of Timberwood Park Committee" for consent to incorporate as a City under Chapter 42 of the Texas Local Government Code, was postponed to the Council meeting of July 29, 2004.

The City Clerk read the following resolution:

A RESOLUTION 2004-24-18

A RESOLUTION SUPPORTING THE APPLICATION BY THE COMMUNITY ECONOMIC REVITALIZATION AGENCY, INC. (CERA) TO THE TEXAS HISTORICAL COMMISSION FOR EASTTOWN @ COMMERCE'S (EASTTOWN) PARTICIPATION IN THE TEXAS URBAN MAIN STREET PROGRAM AND TO ENABLE CERA TO COMPETE FOR STATE DESIGNATION AS AN URBAN MAIN STREET PROGRAM.

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

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation regarding the Texas Urban Main Street application for EastTown @ Commerce by the Community Economic Revitalization Agency, a copy of which is on file with the City Clerk's Office. He spoke to the purpose of this resolution, and discussed the benefits of Urban Main Street designation.

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

The City Clerk read the following resolution:

A RESOLUTION 2004-24-19

A RESOLUTION SUBSTITUTING RESOLUTION NO. 0004-08-07, PASSED AND APPROVED ON FEBUARY 26, 2004, TO GRANT APPROVAL FOR THE VILLAS AT COSTA BISCAYA PROJECT IN COUNCIL DISTRICT 2 AS A 250 UNIT PROJECT INSTEAD OF A 150 UNIT PROJECT, AS NECESSARY TO SATISFY STATE REQUIREMENT FOR LOW-INCOME HOUSING TAX CREDITS.

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Councilman Williams made a motion to approve the proposed Resolution. Councilman Perez 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, Schubert. **NAYS:** None. **ABSENT:** Barrera, Haass, Garza.

CONSENT AGENDA – CITIZENS COMMENTS

Consent Agenda Items 10, 14, 15, 24, 25, 32, 38, 39, 40, 41, 42, 43, 44, 45, 46, 55, and 58 were addressed individually from the consent agenda. The remaining items 9 through 62F were approved under the consent agenda upon the motion made by Councilman Perez and seconded by Councilman Williams.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger

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

AN ORDINANCE 99389

AN ORDINANCE ACCEPTING THE LOW, RESPONSIVE OF \$1,840,625.00 SUBMITTED BY MARCH CONSTRUCTION, INC./SPORTFIELD ATHLETIC SURFACES, L.L.C., TO PROVIDE THE ALAMODOME WITH A PORTABLE ARTIFICIAL INFILL TURF SYSTEM.

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AN ORDINANCE 99390

AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$1,911,535.00 TO INCLUDE CONTRACTS FOR AUTOMATED TAPE LIBRARY HARDWARE MAINTENANCE AGREEMENT & STORAGETEK SILO MSV/ESA LICENSE RENEWAL, OS-SAS MAINTENANCE AGREEMENT RENEWAL, AUDIO BOOKS, DODGE-PLYMOUTH PARTS AND SERVICE, GOLF RANGE BALLS, BURNING FUSES, LIGHT DUTY GMC PARTS AND SERVICE, CASE CONSTRUCTION EQUIPMENT PARTS AND SERVICE, ELECTRIC MOTOR REPAIR, TRAINING AND AMMUNITION, FOAM CONTOURED HEAD BLOCKS, MATERIAL & LABOR TO MAINTAIN HEATING AND AIR CONDITIONING SYSTEMS FOR THE POLICE HEADQUARTERS BUILDING, FIREFIGHTING GLOVES, CAIRNS & BROTHER HELMETS & REPAIR PARTS, LIBRARY MEDIA AND AUDIO SUPPLIES, MICROSOFT PREMIER SUPPORT SERVICES, CLOSED CAPTIONING SERVICES, COMPUTER NETWORKING EQUIPMENT AND SERVICE, KVS SOFTWARE AND SUPPORT, AND VIDEO IMAGE VEHICLE DETECTION SYSTEM, MAINTENANCE & REPAIR OF DIESEL MOTOR GENERATORS, AND MICROFICHE SERVICE.

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AN ORDINANCE 99391

AN ORDINANCE AUTHORIZING PAYMENT OF \$32,000.00 FROM CONVENTION AND VISITORS FACILITIES FUND TO GOULD EVANS ASSOCIATES, P.L.L.C., TO PROVIDE ARCHITECTURAL SERVICES, UNDER A STAND-BY ARCHITECTURAL SERVICES CONTRACT AUTHORIZED BY ORDINANCE NO.

98075 ON OCTOBER 28, 2003, IN CONNECTION WITH THE HEMISFAIR PARK MASTER PLAN PROJECT IN COUNCIL DISTRICT 1; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99392

AN ORDINANCE SELECTING K.M. NG AND ASSOCIATES, INC. (SBE/DBE/MBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE MARKET SQUARE REHABILITATION PHASE I PROJECT IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$117,148.00; AUTHORIZING \$11,715.00 FOR CONTINGENCY EXPENSES; AUTHORIZING \$1,400.00 FOR BID ADVERTISING/PRINTING EXPENSES; AUTHORIZING \$2,000.00 FOR MANDATORY PROJECT FEES, FOR A TOTAL AMOUNT OF \$132,263.00 FROM 1999-2004 GENERAL OBLIGATION STREETS AND PEDESTRIAN IMPROVEMENTS BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99393

AN ORDINANCE ACCEPTING THE LOW, RESPONSIVE BID OF 3TI, INC., IN THE AMOUNT OF \$159,310.00 IN CONNECTION WITH THE RENOVATIONS TO THE BARBARA JORDAN COMMUNITY CENTER COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 2, AND THE BOB AND JEANNE BILLA LEARNING AND LEADERSHIP DEVELOPMENT CENTER COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$33,862.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$14,222.04 FOR EXPENSE RECOVERY, FOR A TOTAL AMOUNT OF \$217,394.04; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99394

AN ORDINANCE APPROVING SAN ANTONIO WATER SYSTEM FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$27,604.00 PAYABLE TO R.L. JONES,

L.P. IN CONNECTION WITH THE CULEBRA AREA STREETS PHASE III COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99395

AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING \$62,800.00 PAYABLE TO HDR ENGINEERING, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE CULEBRA AREA STREETS, PHASE IV PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING \$6,280.00 FOR ADDITIONAL ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$69,080.00 FROM 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99396

AN ORDINANCE RATIFYING SERVICES, AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING \$56,574.00 PAYABLE TO CANTYCO, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE HOLLYHOCK AT HUEBNER CREEK DRAINAGE STRUCTURE PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING \$2,724.95 FOR ADDITIONAL ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$59,298.95 FROM 2002 CERTIFICATES OF OBLIGATION; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99397

AN ORDINANCE RATIFYING SERVICES AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$19,400.00 TO R.L. JONES, L.P., FOR EMERGENCY SERVICES ASSOCIATED WITH THE RECONSTRUCTION OF WHEELCHAIR RAMPS ON TWO CONCRETE ISLANDS IN CONNECTION WITH THE LOCKHILL-SELMA: GEORGE TO WHISPER PATH MPO PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING THE REIMBURSEMENT OF \$15,520.00 BY THE TEXAS

DEPARTMENT OF TRANSPORTATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99398

AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING \$18,000.00 PAYABLE TO BENDER, INC., D/B/A BENDER WELLS CLARK DESIGN (WBE/MBE) FOR ADDITIONAL DESIGN SERVICES IN CONNECTION WITH THE DOWNTOWN PEDESTRIAN WAYFINDING PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING \$3,000.00 FOR DESIGN CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$21,000.00 FROM CERTIFICATES OF OBLIGATION; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99399

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A FUNDING AGREEMENT WITH SILVER RIO LIMITED PARTNERSHIP AND ACCEPTING FUNDS IN THE AMOUNT OF \$6,540.00 FOR THE CONSTRUCTION OF PEDESTRIAN WARNING SIGNALS IN COUNCIL DISTRICT 1.

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AN ORDINANCE 99400

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$68,600.00 FROM 2001 CERTIFICATES OF OBLIGATION TO A CITY FORCE ACCOUNT FOR THE CONSTRUCTION OF RETAINING WALL IMPROVEMENTS IN CONNECTION WITH THE RICE ROAD – W.W. WHITE ROAD TO SEMLINGER PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99401

AN ORDINANCE SELECTING AND AUTHORIZING THE EXECUTION OF TWO (2) STAND-BY PROFESSIONAL SERVICE AGREEMENTS FOR ASBESTOS

CONSULTING, SAMPLING, AND MONITORING SERVICES WITH ATC GROUP SERVICES, INC., AND AEHS, INCORPORATED, FOR AN AMOUNT NOT TO EXCEED \$250,000.00 IN COMPENSATION TO EACH CONSULTANT FOR ENVIRONMENTAL WORK NECESSARY TO ASBESTOS CONSULTING, SAMPLING, AND ASBESTOS ABATEMENT OVERSIGHT IN CITY OWNED AND NON-CITY OWNED STRUCTURES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99402

AN ORDINANCE AUTHORIZING THE EXECUTION INDEFINITE DELIVERY AGREEMENTS WITH DRASH CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$20,000.00, AND WITH RABA-KISTNER CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED \$30,000.00, PAYABLE FROM GENERAL OBLIGATIONS OF THE CITY, FOR CONSTRUCTION MATERIALS TESTING SERVICES IN RELATION TO THE METROPOLITAN PLANNING ORGANIZATION (MPO) CITY-WIDE BICYCLE PROJECT AND OTHER MPO PROJECTS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99403

AN ORDINANCE AUTHORIZING THE EXECUTION OF INDEFINITE DELIVERY AGREEMENTS WITH RABA-KISTNER CONSULTANTS, INC., IN THE AMOUNT OF \$77,613.00; FUGRO SOUTH, INC., IN THE AMOUNT OF \$72,516.00; DRASH CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$76,445.00; AND PROFESSIONAL SERVICE INDUSTRIES, INC. IN THE AMOUNT OF \$83,060.00, TO PROVIDE CONSTRUCTION MATERIALS TESTING SERVICES ASSOCIATED WITH VARIOUS CAPITAL IMPROVEMENT PROJECTS; AUTHORIZING \$30,965.00 FOR ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$340,599.00 FROM 1999-2004 GENERAL OBLIGATION STREET AND DRAINAGE IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99404

AN ORDINANCE ACCEPTING THE LOW, RESPONSIVE BID OF ALICE ROOFING & SHEET METAL WORKS, INC., IN THE AMOUNT OF \$168,497.00 IN

CONNECTION WITH THE COLLINS GARDEN BRANCH LIBRARY ROOF REPAIRS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$33,700.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$14,153.79 FOR EXPENSE RECOVERY FOR AN OVERALL TOTAL AMOUNT OF \$216,350.79; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99405

AN ORDINANCE AUTHORIZING THE EXECUTION OF A FIVE YEAR LEASE AGREEMENT WITH SKY SAFETY, INC. FOR USE OF BUILDING 606 FOR AN ANNUAL BUILDING RENTAL OF \$12,268.31, 51,845 SQUARE FEET OF GROUND SPACE AND 10,411 SQUARE FEET OF PARKING LOT FOR AN ANNUAL GROUND AND PARKING LOT RENTAL OF \$4,357.92, FOR A TOTAL ANNUAL RENTAL OF \$16,626.23 AT STINSON MUNICIPAL AIRPORT.

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AN ORDINANCE 99406

AN ORDINANCE AUTHORIZING THE EXECUTION OF A FIVE YEAR LEASE AGREEMENT WITH CHARLES OLIN DRENNAN D/B/A ACE FLYERS FOR USE OF BUILDING 605 FOR AN ANNUAL BUILDING RENTAL OF \$8,262.00, 47,392 SQUARE FEET OF GROUND SPACE AND 4,965 SQUARE FEET OF PARKING LOT FOR AN ANNUAL GROUND AND PARKING LOT RENTAL OF \$3,666.39, FOR A TOTAL ANNUAL RENTAL OF \$11,928.39 AT STINSON MUNICIPAL AIRPORT; AND AUTHORIZING RENTAL CREDITS IN AN AMOUNT NOT TO EXCEED \$7,000.00.

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AN ORDINANCE 99407

AN ORDINANCE AUTHORIZING FUNDS IN THE AMOUNT OF \$41,932.86 PAYABLE TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; HI-LIONS DRAINAGE #80, PHASES III & V PROJECT, LOCATED IN COUNCIL DISTRICT ; HILDEBRAND

AVENUE FROM IH 10 TO BREEDEN MPO PROJECT, LOCATED IN COUNCIL DISTRICT 1; OCTAVIA DRAINAGE #63, PHASE II, PART I PROJECT, LOCATED IN COUNCIL DISTRICT 5; W.W. WHITE PHASE I – RIGSBY TO LORD ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 2; WESTERN AVENUE DRAINAGE #74 III-A PROJECT, LOCATED IN COUNCIL DISTRICT 9; WURZBACH ROAD TO I.H. 10 AND IRONSIDE INTERSECTIONS PROJECT, LOCATED IN COUNCIL DISTRICT 8; AND THE CHICO-KNOX/MARGIL COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99408

AN ORDINANCE AUTHORIZING FUNDS IN THE AMOUNT OF \$1,549.50 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9 AND THE SALADO CREEK GREENWAY (HIKE & BIKE TRAIL) PHASE I PROJECT, LOCATED CITY WIDE; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99409

AN ORDINANCE AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE AND/OR EASEMENT INTEREST TO TWELVE PARCELS OF REAL PROPERTY AND FOR OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH THE AVE MARIA DRAINAGE PROJECT, FROM 1999-2004 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS IN THE AMOUNT OF \$95,550.00, LOCATED IN COUNCIL DISTRICT 1; DECLARING THE AVE MARIA DRAINAGE PROJECT (“PROJECT”) TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE PROPERTY INTERESTS TO THE 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, FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS FOR THE ACQUISITION OF THE PROPERTIES AND OTHER 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 OF THE FOLLOWING PROPERTIES ON THE APPROVED TERMS:

ACRE(S)	LOT(S)	NCB	SUBDIVISION
0.002	5A	10045	Shearer-Hills
0.097	20	10045	Shearer-Hills
0.039	20	10045	Shearer-Hills
0.152	27	10045	Shearer-Hills
0.077	27	10045	Shearer-Hills
0.004	28	10045	Shearer-Hills
0.009	28	10045	Shearer-Hills
0.044	40	10045	Shearer-Hills
Part A 0.022 Part B 0.022	40	10045	Shearer-Hills
0.146	41	10045	Shearer-Hills
Part A 0.070 Part B 0.043	41	10045	Shearer-Hills
0.001	16	10046	Shearer-Hills

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AN ORDINANCE 99410

AN ORDINANCE AUTHORIZING DECLARING THE HILLJE – AVONDALE TO HOT WELLS COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 3, TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE AND/OR EASEMENT INTEREST TO CERTAIN PRIVATELY OWNED REAL PROPERTY, DESCRIBED BELOW, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS; FOR A PUBLIC PURPOSE AS PART OF THE PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$38,483.00 FOR THE PROPERTY AND FOR THE PROJECT INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT; AUTHORIZING CITY STAFF AND/OR ITS DESIGNATED REPRESENTATIVES TO NEGOTIATE WITH AND TO ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS; AND AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; FOR THE FOLLOWING PROPERTIES:

ACRE(S)	LOT(S)	BLOCK	NCB	SUBDIVISION
0.014	E 70 ft. of the S 100 ft. of A	2	7578	Mont Calm Addition
0.002	W 64.24 ft. of A & N 12 ft. of E 70 ft. of A	2	7578	Mont Calm Addition
0.007	B	2	7578	Mont Calm Addition
0.007	C	2	7578	Mont Calm Addition
0.015	D & E	2	7578	Mont Calm Addition
0.075	Irr 324 ft. of 32	5	10937	Mont Calm Addition

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AN ORDINANCE 99411

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, ADJACENT TO NCB 13732 IN COUNCIL DISTRICT 9, ("LICENSED PREMISES") FOR THE SOLE PURPOSE OF LANDSCAPING, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00, CONTINGENT ON CONFIRMATION OF THE PURCHASE BY 99 CENTS ONLY STORES TEXAS, INC. OF THE PROPERTY ABUTTING THE LICENSED PREMISES.

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AN ORDINANCE 99412

AN ORDINANCE AUTHORIZING AND RATIFYING THE EXERCISE OF THE OPTION PERIOD PROVIDED IN THE CURRENT TURF LEASE AND CONVERSION AGREEMENT WITH SPORTFIELD, L.L.C., AUTHORIZED BY ORDINANCE NO. 98469, PASSED AND APPROVED ON NOVEMBER 13, 2003, FOR THE LEASE OF AN IN-FILL TURF SYSTEM AND CONVERSION SERVICES FOR THE PERIOD APRIL 25, 2004 THROUGH SEPTEMBER 28, 2004;

AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE TURF LEASE AND CONVERSION AGREEMENT REDUCING THE AMOUNT OF PAYMENT FOR THE OPTION PERIOD; ENCUMBERING FUNDS AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$103,000.00, INCLUDING \$3,000.00 FOR NECESSARY COSTS ASSOCIATED WITH THE INSTALLATION AND CONVERSION OF THE TURF SYSTEM; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 99413

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$45,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH TO FUND THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JULY 1, 2004 THROUGH JUNE 30, 2005; AUTHORIZING THE EXECUTION OF THE CONTRACT CHANGE WITH TDH; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 99414

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$71,586.00 FROM THE TEXAS DEPARTMENT OF HEALTH TO AUGMENT SUPPORT FOR THE INNER-CITY SCHOOL IMMUNIZATION PROGRAM IN 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; AND REVISING THE PROGRAM BUDGET.

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AN ORDINANCE 99415

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF CASH GRANTS AND DONATIONS IN THE TOTAL AMOUNT OF \$6,700.00 (\$1,500.00 FROM AVENTIS PASTEUR, \$500.00 FROM MERCK & CO., INC., \$4,500.00 FROM GLAXOSMITHKLINE PHARMACEUTICALS, AND A \$200.00 CASH FROM AN ANONYMOUS DONOR) TO SUPPORT THE SPECIAL IMMUNIZATIONS PROMOTIONS PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND REVISING THE PROGRAM BUDGET.

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AN ORDINANCE 99416

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$90,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND THE FAMILIES PREVENTING DIABETES PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD JULY 1, 2004 THROUGH MARCH 29, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 99417

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$140,859.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO AUGMENT THE TITLE V MATERNAL & CHILD HEALTH PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004; APPROVING THE EXECUTION OF A CONTRACT CHANGE WITH TDH; REVISING THE PROGRAM BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 99418

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ) AND THE CITY OF SAN ANTONIO FOR THE PROVISION OF DEATH CERTIFICATES TO TDCJ PAROLEES WHO PASS AWAY WHILE ON PAROLE AND FOR REIMBURSEMENT TO THE CITY IN AN AMOUNT NOT TO EXCEED \$900.00 THROUGH AUGUST 31, 2004.

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AN ORDINANCE 99419

AN ORDINANCE AUTHORIZING THE EXECUTION OF A VACCINE CLINICAL TRIAL AGREEMENT WITH AVENTIS PASTEUR, INC., WHICH WILL PROVIDE UP TO \$63,800.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN A CLINICAL TRIAL STUDY OF DAPTACEL®, WHICH IS A VACCINE THAT PREVENTS THREE CHILDHOOD DISEASES;

ESTABLISHING A FUND; ADOPTING THE PROJECT BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND APPROVING PAYMENTS FOR CONTRACTUAL SERVICES.

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AN ORDINANCE 99420

AN ORDINANCE MODIFYING THE GRANDE COMMUNICATIONS CABLE FRANCHISE AGREEMENT, WHICH WAS AUTHORIZED BY ORDINANCE NO. 91616 AND BECAME EFFECTIVE ON JULY 18, 2000, IN ORDER TO EXTEND THE RE-OPENER TERM OF THE FRANCHISE TO MARCH 31, 2005.

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AN ORDINANCE 99421

AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) LEAD-BASED PAINT HAZARD REDUCTION CONTROL PROGRAM GRANT IN AN AMOUNT UP TO \$2,000,000.00 FOR A THREE (3) YEAR PERIOD TO MEET THE APPLICATION PROCESS REQUIREMENTS; AND AUTHORIZING THE ACCEPTANCE OF THE HUD LEAD-BASED PAINT HAZARD REDUCTION CONTROL PROGRAM GRANT AWARD TO CONTINUE THE CITY OF SAN ANTONIO'S LEAD-BASED PAINT HAZARD REDUCTION CONTROL PROGRAM TO OFFSET THE COST OF ADDRESSING THE LEAD ABATEMENT REQUIREMENTS IMPOSED ON RESIDENTIAL REHABILITATION PROJECTS, AND TO ASSIST WITH SCREENING HIGH-RISK YOUTH FOR ELEVATED LEAD LEVELS.

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AN ORDINANCE 99422

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE SEGAL COMPANY TO PROVIDE UP TO AN ADDITIONAL \$20,000.00 IN CONSULTING SERVICES RELATED TO THE FIRE AND POLICE RETIREE HEALTHCARE FUND; AUTHORIZING A MODIFICATION TO THE SCOPE OF SERVICES OF THE AGREEMENT TO INCLUDE EMPLOYEE BENEFITS CONSULTING SERVICES RELATED TO HEALTH BENEFITS PLANS PROVIDED BY THE CITY IN AN AMOUNT NOT TO EXCEED \$25,000.00; APPROVING THE TERMS AND CONDITIONS OF THE AMENDMENTS TO THE AGREEMENT; AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$45,000.00.

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AN ORDINANCE 99423

AN ORDINANCE APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR THE GREAT NORTHWEST SWIMMING POOL (9410 TIMBER PATH) IN CONNECTION WITH THE JULY 4TH PARADE SPONSORED BY THE GREAT NORTHWEST HOMEOWNERS ASSOCIATION TO BE HELD FROM 10:00 A.M. TO NOON ON SUNDAY, JULY 4, 2004.

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AN ORDINANCE 99424

AN ORDINANCE APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR NORTHWOOD ELEMENTARY SCHOOL IN CONNECTION WITH THE JULY 4TH PARADE SPONSORED BY THE OAK PARK-NORTHWOOD NEIGHBORHOOD TO BE HELD FROM 9:30 A.M. TO 10:30 A.M. ON SATURDAY, JULY 3, 2004.

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AN ORDINANCE 99425

AN ORDINANCE REAPPOINTING DAVID MICHAEL VILLYARD (DISTRICT 9) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2006.

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AN ORDINANCE 99426

AN ORDINANCE REAPPOINTING FANNY MAYAHUEL-THOMAS (DISTRICT 8) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 2006.

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AN ORDINANCE 99427

AN ORDINANCE APPOINTING JOHN B. YBANEZ (DISTRICT 6) TO THE GREATER KELLY DEVELOPMENT AUTHORITY DISTRICT FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 30, 2005.

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AN ORDINANCE 99428

AN ORDINANCE APPOINTING PATRICE MARIE HERTZOCK-BARNES (DISTRICT 2) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2005.

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AN ORDINANCE 99429

AN ORDINANCE APPOINTING LARISSA CAMPOS (MAYOR) AND AMANDA E. RAMIREZ (MAYOR) TO THE SAN ANTONIO YOUTH COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 1, 2005 AND JUNE 1, 2006, RESPECTIVELY.

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AN ORDINANCE 99430

AN ORDINANCE REAPPOINTING DR. MORRIS A. STRIBLING (DISTRICT 8) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006.

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CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 99431

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY GRANDE TRUCK CENTER, ITEMS 1, 2, 3A-C, 4, 5A-B, 7, 7A, 8, 9, 11, 12A-E, 12A-B, 13A-B, 14B-C; SANTEX TRUCK CENTER, ITEMS 6B, 10, 14A, 17; INDUSTRIAL DISPOSAL SUPPLY, A WBE, ITEM 15; AND SOUTHWAY FORD, ITEM 18 TO PROVIDE THE CITY OF SAN ANTONIO LIBRARY, ENVIRONMENTAL SERVICES, PARKS & RECREATION, PURCHASING AND PUBLIC WORKS DEPARTMENTS WITH MEDIUM AND HEAVY DUTY TRUCKS FOR A TOTAL AMOUNT OF \$5,714,170.00; AND AWARING SALE OF UNITS TO COOPER EQUIPMENT CO. FOR ITEMS 3A, 3C, 14B AND 14C.

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

Councilman Perez made a motion to amend the proposed Ordinance save and except items 1, 5A, 6B, 10, 14B, 17 and 18. Councilman Hall seconded the motion.

After consideration, the motion to amend the proposed Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Castro, Hall, Schubert. **NAYS:** Flores. **ABSENT:** Barrera, Haass, Garza.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99432

AN ORDINANCE ACCEPTING THE LOW, RESPONSIVE BID OF \$105,435.00 FROM ATS CONSTRUCTION, INC., TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE SPICEWOOD PARK IMPROVEMENTS PROJECT IN COUNCIL DISTRICT 4; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$21,565.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR PARK MATERIALS, FOR A TOTAL AMOUNT OF \$128,000.00 FROM 1999-2004 PARK 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.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99433

AN ORDINANCE SELECTING THE ARIZPE GROUP, INC. (MBE) TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE LIBRARY

IMPROVEMENTS PROJECTS, INCLUDING: THE CODY BRANCH LIBRARY LOCATED AT 11441 VANCE JACKSON IN COUNCIL DISTRICT 8; THE CORTEZ BRANCH LIBRARY LOCATED AT 2803 HUNTER BLVD. IN COUNCIL DISTRICT 4; THE FOREST HILLS BRANCH LIBRARY LOCATED AT 5245 INGRAM ROAD IN COUNCIL DISTRICT 7; THE JOHNSTON BRANCH LIBRARY LOCATED AT 6307 SUN VALLEY DRIVE IN COUNCIL DISTRICT 1; THE MCCRELESS BRANCH LIBRARY LOCATED AT 1023 ADA ST. IN COUNCIL DISTRICT 3; AND PAN AMERICAN BRANCH LIBRARY LOCATED AT 1122 WEST PYRON AVE. IN COUNCIL DISTRICT 4; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$42,018.00; AUTHORIZING \$10,000.00 FOR CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$52,018.00 FROM 2003-2007 GENERAL OBLIGATION LIBRARY IMPROVEMENT BOND FUNDS; AUTHORIZING THE REIMBURSEMENT OF \$3,685.00 TO THE CITY OF SAN ANTONIO LIBRARY DEPARTMENT FOR PREVIOUSLY COMPLETED EMERGENCY REPAIRS TO THE HEATING, VENTILATION AND AIR CONDITIONING SYSTEM AND BOILER AT THE MCCRELESS BRANCH LIBRARY; 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.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99434

AN ORDINANCE AUTHORIZING THE APPROPRIATION AND FUND TRANSFER OF AN AMOUNT NOT TO EXCEED \$43,000.00 TO THE ENVIRONMENTAL SERVICES DEPARTMENT FUND IN SUPPORT OF TWO ENVIRONMENTAL PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99435

AN ORDINANCE AUTHORIZING THE APPROPRIATION AND PAYMENT OF FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000.00 TO ENGINEERING AND FIRE INVESTIGATIONS, INC., AND AN AMOUNT NOT TO EXCEED \$50,000.00 TO DRASH CONSULTING ENGINEERS, INC., UNDER EXISTING STAND-BY PROFESSIONAL ENVIRONMENTAL CONSULTING AGREEMENTS, FOR ENVIRONMENTAL CONSULTING ACTIVITIES NECESSARY TO VARIOUS ENVIRONMENTAL PROJECTS AT SAN ANTONIO INTERNATIONAL AND STINSON MUNICIPAL AIRPORTS.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99436

AN ORDINANCE AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 5 AMENDING LEASE NO. DOT-FA77SW-1013 WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, TO INCORPORATE THE PAYMENT OF UTILITY SERVICES UNDER THE LEASE FOR THE AIR TRAFFIC CONTROL

TOWER AT STINSON MUNICIPAL AIRPORT AND TERMINATING CONTRACT NO. DOT-FA73SW-1127.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99437

AN ORDINANCE APPROVING A RENEWAL AND EXTENSION OF LEASE AGREEMENT BETWEEN RIVERVIEW TOWER PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, THE PRESENT LANDLORD, AND THE CITY OF SAN ANTONIO, AS TENANT, RENEWING AND EXTENDING THE TERM OF THAT CERTAIN LEASE AGREEMENT BETWEEN MACK-CALI TEXAS PROPERTY, L.P., PREDECESSOR IN TITLE TO THE PRESENT LANDLORD, AND TENANT, APPROVED BY ORDINANCE NO. 95134, DATED JANUARY 10, 2002, AS AMENDED BY FIRST AMENDMENT TO LEASE AGREEMENT (PARKING REDUCTION), APPROVED BY ORDINANCE NO. 96144 DATED AUGUST 8, 2002, FOR THE RENTAL OF APPROXIMATELY 14,920 GROSS SQUARE FEET OF OFFICE SPACE DESCRIBED AS SUITE 1000 BEING USE FOR THE CITY ATTORNEY'S OFFICE AT THE RENT RATE OF \$14.50 PER GROSS SQUARE FOOT PER YEAR, OR \$18,028.33 PER MONTH, IN A BUILDING LOCATED AT 111 SOLEDAD STREET, KNOWN AS THE RIVERVIEW TOWERS OFFICE BUILDING, LOCATED IN COUNCIL DISTRICT 1, FOR ONE (1) YEAR COMMENCING JULY 1, 2004, WITH THE OPTION TO TERMINATE WITHOUT CAUSE WITH 120 DAYS WRITTEN NOTICE TO THE LANDLORD.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99438

AN ORDINANCE AUTHORIZING AND CONSENTING TO THE CANCELLATION OF THE EXISTING CONCESSION AGREEMENT FOR SPACE 238 OF DUTY FREE OF SAN ANTONIO-NEWS AND GIFT SHOPS INTERNATIONAL SAN ANTONIO PARTNERSHIP.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99439

AN ORDINANCE ACCEPTING THE PROPOSAL OF NEVER TOO LATE BUSINESS CENTER; AUTHORIZING THE EXECUTION OF A STANDARD CONCESSION AGREEMENT, PURSUANT THERETO, FOR THE USE OF APPROXIMATELY 801 SQUARE FEET OF RETAIL SPACE IN SAN ANTONIO INTERNATIONAL AIRPORT, TERMINAL TWO, FOR A TERM OF FIVE (5) YEARS AND PROVIDING FOR ANNUAL PAYMENTS TO THE CITY OF SAN ANTONIO OF THE GREATER OF FOUR PERCENT (4%) TO FORTY PERCENT (40%) OF GROSS REVENUES, OR MINIMUM ANNUAL GUARANTEE PAYMENTS BETWEEN \$7,500.00 AND \$17,500.00.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99440

AN ORDINANCE AUTHORIZING THE EXECUTION OF STANDARD CONCESSION AGREEMENTS WITH LORNA J. SMITH D/B/A SHANNON SMITH ENTERPRISES FOR THE USE OF APPROXIMATELY 200 SQUARE FEET OF RETAIL SPACE IN SAN ANTONIO INTERNATIONAL AIRPORT, TERMINAL ONE, AND WITH RELIABLE AMUSEMENT COMPANY, INC. D/B/A THE LANDING ZONE FOR THE USE OF APPROXIMATELY 250 SQUARE FEET OF RETAIL SPACE IN SAN ANTONIO INTERNATIONAL AIRPORT, TERMINAL TWO, FOR TERMS OF FIVE (5) YEARS AND PROVIDING FOR ANNUAL PAYMENTS TO THE CITY OF SAN ANTONIO OF THE GREATER OF TWELVE PERCENT (12%) TO TWENTY EIGHT (28%) OF GROSS REVENUES, OR MINIMUM ANNUAL GUARANTEE PAYMENTS BETWEEN \$2,800.00 AND \$7,000.00.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99441

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A STANDARD CONCESSION AGREEMENT WITH HMSHOST FOR A SIMPLY BOOKS/STARBUCKS COFFEE LOCATION, KNOWN AS SPACE 162, TERMINAL ONE TO CHANGE THE RENTAL COMMENCEMENT DATE FROM MAY 4, 2003 TO JUNE 11, 2003 ALONG WITH A REDUCTION OF 275 SQUARE FEET OF LEASE SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99442

AN ORDINANCE AUTHORIZING AND CONSENTING TO THE ASSIGNMENT OF THE CONCESSION AGREEMENT AUTHORIZED BY ORDINANCE NO. 94214 OF JUNE 28, 2001, FROM GERARDO SANCHEZ D/B/A FRULLATI CAFÉ AND BAKERY TO PORTER & BRITTON GP, L.L.C., FOR THE OPERATION OF FRULLATI CAFÉ & BAKERY, SPACE 206, TERMINAL TWO, AT SAN ANTONIO INTERNATIONAL AIRPORT.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99443

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO STANDARD CONCESSION AGREEMENTS WITH FRESQUEZ CONCESSIONS TEXAS, HMSHOST, DUTY FREE SAN ANTONIO AND NEWS AND GIFT SHOPS INTERNATIONAL (DFSA-NGSI SAN ANTONIO PARTNERSHIP), J.R. MANAGEMENT AND PORTER & BRITTON GP, L.L.C., AS SUCCESSOR IN INTEREST TO GERARDO SANCHEZ FOR LOCATIONS IN TERMINAL TWO AT SAN ANTONIO INTERNATIONAL AIRPORT TO PROVIDE FOR AN ADJUSTMENT IN THE MINIMUM ANNUAL GUARANTEES CONTAINED IN THE SAN ANTONIO INTERNATIONAL AIRPORT STANDARD CONCESSION AGREEMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99444

AN ORDINANCE AUTHORIZING AND CONSENTING TO THE CANCELLATION OF THE EXISTING CONCESSION AGREEMENT WITH FARIAS, INC. D/B/A TEXAS TAX BACK, UNDER ORDINANCE NO. 96791, PASSED AND APPROVED BY CITY COUNCIL ON NOVEMBER 21, 2002.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99445

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE GREATER SAN ANTONIO BUILDERS ASSOCIATION/GREATER SAN ANTONIO EDUCATION FOUNDATION OUTLINING THE PARTIES RELATIONSHIP AND RESPONSIBILITIES IN WITH THE ARROYO VISTA AFFORDABLE SHOWCASE OF HOMES COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT IN COUNCIL DISTRICT 6.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99446

AN ORDINANCE AUTHORIZING THE SALE OF FEE SIMPLE TITLE TO FIFTY-TWO (52) PARCELS OF CITY-OWNED REAL PROPERTY IN THE ARROYO VISTA SUBDIVISION TO THE GREATER SAN ANTONIO EDUCATION FOUNDATION FOR A TOTAL SUM OF \$78,000.00 IN CONNECTION WITH THE DISTRICT 6 AFFORDABLE SHOWCASE OF HOMES COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT; AND AUTHORIZING THE EXECUTION OF DOCUMENTS IN CONNECTION THEREWITH.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99447

AN ORDINANCE MODIFYING THE TIME WARNER CABLE FRANCHISE AGREEMENT, WHICH WAS AUTHORIZED BY ORDINANCE NO. 49433 AND BECAME EFFECTIVE ON NOVEMBER 7, 1998, IN ORDER TO EXTEND THE TERM OF THE FRANCHISE TO MARCH 31, 2005.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99448

AN ORDINANCE ACCEPTING A GRANT FROM THE ALAMO WORKFORCE DEVELOPMENT INC. (AWD) OF \$3,042,060.00 IN CONNECTION WITH THE YOUTH OPPORTUNITY (YO) PROGRAM; ACKNOWLEDGING A UNILATERAL MODIFICATION TO THE YO GRANT CONTRACT WITH AWD WHICH AWARDS SAID FUNDS AND EXTENDS THE CONTRACT FOR A ONE-YEAR PERIOD ENDING JUNE 30, 2005; ADOPTING A BUDGET; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING THE RENEWAL OF A ONE-YEAR LEASE AGREEMENT WITH THE MEXICAN AMERICAN UNITY COUNCIL, INC. FOR \$10,475.00 PER MONTH FOR OFFICE SPACE AT 2300 W. COMMERCE STREET IN CONNECTION THEREWITH.

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

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

There being no further business to come before the City Council the meeting was adjourned at 3:51 a.m.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk