

**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, JULY 29, 2004

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

Boards and Commissions Work Session [Presented by Leticia M. Vacek, City Clerk; Erik J. Walsh, Assistant to the City Manager]

SAWS Quarterly Update [Introduced by Thomas G. Wendorf, Director, Public Works; Presented by Susan Butler, Director, Water Resources for SAWS, and Stacy Isenberg, Interim Chief Financial Officer; Melissa Byrne Vossmer, Assistant City Manager].

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

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

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

Invocation by Rev. Robert Jermerson, Second Baptist Church.

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented a proclamation in recognition of "National Night Out."

The Mayor and members of the Council recognized the recipients of the 2004 Neighborhood Resource Center Awards.

Minutes of the Regular City Council meeting of May 13, 2004 were approved as presented.

CONSENT AGENDA – CITIZEN COMMENTS

Consent Agenda Items 5, 8, 9, 10, 15, 21, 22, 24, 26, 27, 31A and 31B were addressed individually from the consent agenda. The remaining items 6 through 30 were approved under the consent agenda upon motion made by Councilmember Perez and seconded by Councilmember Haass.

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

AN ORDINANCE 99485

AN ORDINANCE APPROVING FIELD ALTERATION NO. 1 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$30,813.70 FROM THE PROJECT'S CONTINGENCY ACCOUNT FUND TO SAN ANTONIO CONSTRUCTORS, LTD., IN CONNECTION WITH THE FLORES/BREEDEN/BEACON DRAINAGE OUTFALL, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99486

AN ORDINANCE APPROVING FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$28,290.00 TO THE CONTRACT WITH E-Z BEL CONSTRUCTION, LTD., IN CONNECTION WITH THE NAVIDAD – MARTIN TO SALINAS COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99487

AN ORDINANCE DECLARING THE COMAL STREET RAILROAD TRACK RELOCATION TO BE A PUBLIC CAPITAL IMPROVEMENT PROJECT; AND AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$46,000.00

FROM THE COUNCIL DISTRICT 5 - 2004 STREET MAINTENANCE PROGRAM TO THE CAPITAL IMPROVEMENTS PROGRAM BUDGET FOR SURVEYING AND APPRAISAL EXPENSES AND RIGHT-OF-WAY ACQUISITION FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99488

AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO ONE PARCEL OF LAND BEING DESCRIBED AS 14,854 SQUARE FEET OUT OF N.C.B. A-20, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING OUT OF THAT 1.0 ACRE TRACT AS CONVEYED TO MARTIN LINEN SUPPLY COMPANY RECORDED IN VOLUME 7949, PAGE 705, DEED RECORDS OF BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY THE ACQUISITION, IMPROVEMENT AND MAINTENANCE OF THE MISSION TRAILS PACKAGE 4 PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS; RATIFYING AND AFFIRMING ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS AND EMPLOYEES OF THE CITY TO ACQUIRE SUCH PROPERTY; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS.

AN ORDINANCE 99489

AN ORDINANCE REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S LOOP 410: BLANCO TO MCCULLOUGH WATER AND WASTEWATER PROJECT ("PROJECT") IS A NECESSARY PUBLIC PROJECT; FURTHER REAFFIRMING AND DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC USE AS A PART OF THE PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM ("SAWS") TO ACQUIRE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC USE AS A PART OF THE PROJECT TO WIT; PARCELS INCLUSIVELY BETWEEN PARCEL NO. 7311 AND 7320 AS MAY DEVELOP FROM FURTHER SALES TRANSACTIONS AND PROPERTY DIVISION ON ANY TRACT IN THE PROPOSED ALIGNMENT OF THE PROJECT;

AND SUBJECT TO OBTAINING SUCH REAFFIRMATIONS AND AUTHORIZATIONS FROM THE CITY COUNCIL AS DESCRIBED ABOVE AUTHORIZING SAWS STAFF AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATOR TO NEGOTIATE AND EXECUTE ALL NECESSARY AGREEMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTIES FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; FURTHER AUTHORIZING SAWS DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH FINAL JUDGMENT AND ALL NECESSARY APPEALS FOR THE CONDEMNATION OF PERMANENT EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; AND DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAWS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE; SAID PROPERTIES BEING DESCRIBED AS FOLLOWS:

ACRE (S)	LOT (S)	NCB	SUBDIVISION
0.046 ACRE	LOT 27	NCB 12050	Joe J. Barshop
0.0115 ACRE	LOT 26	NCB 12050	Joe J. Barshop
0.0494 ACRE	LOT 26	NCB 12050	Joe J. Barshop
0.0460 ACRE	LOT 24	NCB 12050	Texaco Subdivision
0.0136 ACRE.	LOT 54	NCB 11714	Blanco Heights
0.0064 ACRE	LOT 57	NCB 11714	Blanco Heights
0.1257 ACRE	LOT10	NCB 11714	Blanco Heights
0.0849 ACRE	LOT 17	NCB 11714	Blanco Heights
0.0769 ACRE	LOT 22	NCB 11714	Blanco Heights

AN ORDINANCE 99490

AN ORDINANCE AMENDING ORDINANCE NO. 97550, PASSED AND APPROVED ON MAY 1, 2003, TO AUTHORIZE PAYMENT OF THE ADDITIONAL SUM OF \$185,833.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2004-ED-0003, CITY OF SAN ANTONIO V. WATTS INVESTMENTS, A FLORIDA LIMITED PARTNERSHIP, FOR THE ACQUISITION OF ONE VARIABLE WIDTH SANITARY SEWER EASEMENT, ONE VARIABLE WIDTH DRAINAGE EASEMENT AND A TEMPORARY VARIABLE WIDTH CONSTRUCTION EASEMENT; AND PAYMENT OF THE AMOUNT OF \$2,032.00 FOR COURT COSTS IN

CONNECTION WITH THE LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 10, FOR THE TOTAL AMOUNT OF \$187,865.00 FROM CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99491

AN ORDINANCE APPROVING A LEASE AGREEMENT BY AND BETWEEN THE CITY OF SAN ANTONIO, AS LANDLORD, AND THE UNIVERSITY OF LAS PALMAS DE GRAN CANARIA, ACTING BY AND THROUGH FUNDACION CANARIA UNIVERSITARIA DE LAS PALMAS (CANARY ISLANDS OFFICE), AS TENANT, FOR THE USE OF APPROXIMATELY 1,165 SQUARE FEET OF OFFICE SPACE KNOWN AS SUITE 160 AT THE INTERNATIONAL CENTER, 203 S. ST. MARY'S STREET IN COUNCIL DISTRICT 1, FOR A ONE (1) YEAR TERM HAVING COMMENCED ON MAY 1, 2004 AND EXPIRING APRIL 30, 2005, AT A RENT OF \$9.60 PER SQUARE FOOT ANNUALLY, INCREASING TO \$13.20 PER SQUARE FOOT ANNUALLY IN THE FIRST ONE YEAR OPTION RENEWAL TERM, AND \$15.00 PER SQUARE FOOT ANNUALLY IN THE SECOND ONE YEAR OPTION RENEWAL TERM, PLUS COMMON AREA MAINTENANCE COSTS WHICH ARE SUBJECT TO ANNUAL ADJUSTMENT, WITH EACH RENEWAL TERM SUBJECT TO CITY COUNCIL APPROVAL.

AN ORDINANCE 99492

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SUBLEASE WHEREBY THE CITY, AS LESSOR, HAS A CURRENT LEASE AGREEMENT WITH 235 E. COMMERCE, LTD., AS LESSEE, FOR APPROXIMATELY 341 SQUARE FEET OF PUBLIC SPACE ON THE RIVER WALK IN COUNCIL DISTRICT 1 AND THE CITY IS CONSENTING TO THE SUBLEASE OF SAID SPACE FROM 235 E. COMMERCE, LTD., TO WAXY'S PUB GROUP, INC.

AN ORDINANCE 99493

AN ORDINANCE APPROVING THE ASSIGNMENT OF A FIVE (5) YEAR RIVER WALK LEASE AGREEMENT FROM PRESIDIO RESTAURANT, INC. D/B/A THE PRESIDIO RESTAURANT TO MULE RESTAURANT GROUP, L.L.C., D/B/A RITA'S ON THE RIVER FOR A LEASE OF 96.20 SQUARE FEET OF SIDEWALK SPACE IN THE CITY OF SAN ANTONIO RIVER WALK IN COUNCIL DISTRICT 1 FOR THE TERM OF DECEMBER 1, 2003 THROUGH JUNE 30, 2007.

AN ORDINANCE 99494

AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO THE "PROFESSIONAL SERVICES - FACILITY COMPONENT ASSESSMENT SERVICES" AGREEMENT WITH ISES CORPORATION, WHICH WAS ORIGINALLY APPROVED BY ORDINANCE NO. 94201 ON JUNE 28, 2001, AND AMENDED BY ORDINANCE NO. 96838 ON DECEMBER 12, 2002 IN ORDER TO PROVIDE SERVICES TO THE CITY OF SAN ANTONIO TO INCLUDE PREPARATION OF A FACILITIES CONDITION ANALYSIS AND BUILDING ASSESSMENT AND EVALUATION AS PART OF THE DUE DILIGENCE IN CONNECTION WITH THE CITY'S PROPOSED PURCHASE OF THE LEVI STRAUSS PROPERTY IN COUNCIL DISTRICT 6, SUCH SERVICE TO BE PERFORMED FOR THE SUM OF \$18,840.00; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99495

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN AIRPORT IMPROVEMENT GRANT, IF AND WHEN OFFERED, IN THE AMOUNT OF \$1,285,307.00 FROM THE FEDERAL AVIATION ADMINISTRATION IN SUPPORT OF THE SKY PLACE DRAINAGE PHASE 2 PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

AN ORDINANCE 99496

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT A GRANT IN THE AMOUNT OF \$186,912.00 FROM THE TEXAS ENGINEERING EXTENSION SERVICE FOR THE STATE HOMELAND SECURITY LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.

AN ORDINANCE 99497

AN ORDINANCE AMENDING ORDINANCE NO. 92274, PASSED AND APPROVED ON AUGUST 10, 2000, TO ACCEPT THE FOURTH YEAR OF GRANT FUNDING OF \$21,456.35 FROM THE BUREAU OF JUSTICE ASSISTANCE TO ASSIST IN THE PURCHASE OF BALLISTIC VESTS FOR LAW ENFORCEMENT PERSONNEL AND INCREASING THE GRANT AWARD TO A NEW BUDGETED AMOUNT OF \$136,491.64.

AN ORDINANCE 99498

AN ORDINANCE ACCEPTING A DONATION OF TRAINING EQUIPMENT VALUED AT \$10,000.00 FROM ZACHRY CONSTRUCTION COMPANY IN SUPPORT OF THE SAN ANTONIO POLICE DEPARTMENT'S K-9 DETAIL.

AN ORDINANCE 99499

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE CONTRACTS WITH METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD., D/B/A METHODIST SPECIALTY AND TRANSPLANT HOSPITAL, CHRISTUS SANTA ROSA HEALTH CARE, AND THE ALAMO CHILDREN'S ADVOCACY CENTER TO PROVIDE VICTIMS WITH SPECIALIZED SEXUAL ASSAULT/ABUSE EXAMINATIONS FOR APPROXIMATELY \$227,175.00 ANNUALLY FOR A TWO YEAR TERM EXPIRING SEPTEMBER 30, 2006.

AN ORDINANCE 99500

AN ORDINANCE AMENDING ORDINANCE NO. 98329, PASSED AND APPROVED ON OCTOBER 16, 2003, WHICH ACCEPTED A GRANT IN THE AMOUNT OF \$79,759.00 FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, BY CHANGING THE GRANT'S DESIGNATED AUTHORIZED OFFICIAL.

CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 99501

AN ORDINANCE APPROVING FIELD ALTERATION NO. 7 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$43,166.27 FROM THE PROJECT'S CONTINGENCY ACCOUNT FUND TO R.L. JONES, L.P., IN CONNECTION WITH THE W.W. WHITE ROAD - RIGSBY TO LORD PROJECT, LOCATED IN COUNCIL DISTRICT 2; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99502

AN ORDINANCE APPROVING CITY PUBLIC SERVICE (CPS) FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$25,801.50 TO E-Z BEL CONSTRUCTION, LTD., IN CONNECTION WITH THE WAVERLY FROM BANDERA TO GLENMORE, PHASES I & II COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99503

AN ORDINANCE (A) ACCEPTING THE LOW RESPONSIVE BID IN THE AMOUNT OF \$327,820.00 FROM R.L. JONES, L.P., IN CONNECTION WITH SPEED HUMPS WITHIN THE 2004 SPEED HUMP PROGRAM (THE "PROGRAM") LOCATED IN COUNCIL DISTRICTS 1, 2, 4, 5, 6, 7, 8, 9 AND 10; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT RELATING TO THE PROGRAM; AUTHORIZING \$32,782.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AND (B) AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$12,644.72 FROM THE 2003-2007 STREET IMPROVEMENT BOND "PEDESTRIAN MOBILITY AND TRAFFIC CALMING PROJECTS IN DISTRICT 4" PROJECT TO THE STREET MAINTENANCE CITY FORCE ACCOUNT FOR

PAVEMENT REPAIRS BY CITY PERSONNEL IN CONNECTION WITH SPEED HUMPS WITHIN THE PROGRAM IN COUNCIL DISTRICT 4, FOR A TOTAL AMOUNT OF \$373,246.72; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia 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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Schubert

The City Clerk read the following ordinance:

AN ORDINANCE 99504

AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT OF AN AMOUNT NOT TO EXCEED \$18,955.00 FROM CERTIFICATES OF OBLIGATION TO TURNER, COLLIE & BRADEN, INC. FOR ADDITIONAL PROFESSIONAL SERVICES IN CONNECTION WITH THE BITTERS ROAD – WEST AVENUE TO HEIMER PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember 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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Segovia, Schubert.

The City Clerk read the following ordinance:

AN ORDINANCE 99505

AN ORDINANCE APPROVING AN AMENDMENT TO THE LEASE AGREEMENT-INTERNATIONAL CENTER SUITES (“CASA USE” – “COAHUILA TRADE OFFICE”), AMENDING ORDINANCE NO. 97508, PASSED AND APPROVED ON APRIL 24, 2003, FOR THE ORIGINAL LEASE OF APPROXIMATELY 705 SQUARE FEET OF OFFICE SPACE DESIGNATED AS THE “COAHUILA TRADE OFFICE”,

IN ORDER TO ADD AN ADDITIONAL APPROXIMATELY 481 SQUARE FEET OF LEASED PREMISES FOR A TOTAL OF APPROXIMATELY 1,186 SQUARE FEET OF LEASED PREMISES, AND TO INCLUDE FORMER JOINT USE AREAS, ALL IN A NEWLY DESIGNATED SUITE 140, ON THE FIRST FLOOR OF THE INTERNATIONAL CENTER, LOCATED AT 203 S. ST. MARY'S STREET IN COUNCIL DISTRICT 1, FOR THE BALANCE OF THE ORIGINAL TWO (2) YEAR TERM, WITH THE TERM FOR THE NEW PORTION HAVING COMMENCED ON MAY 1, 2004 AND TO END ON APRIL 30, 2005, AT A RENT OF \$9.60 PER SQUARE FOOT, OR \$948.80 PER MONTH, WITH AN OPTION TO RENEW FOR TWO YEARS AT A RENT SUBJECT TO RENEGOTIATION AND CITY COUNCIL APPROVAL.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember 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, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Schubert.

Ordinance No. 99506 is void.

The City Clerk read Item 22

An ordinance ratifying the execution of a one (1) year first renewal option of the Food and Beverage Concession Contract for the Municipal Auditorium between the City of San Antonio and Facility Concession Services d/b/a Spectrum from May 1, 2004 to April 30, 2005; and providing for payment to the City of 32.5 percent of concessionaire's receipts after sales taxes.

Following discussion, Councilmember Perez made a motion to table the proposed Ordinance. Councilmember Hall seconded the motion.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99507

AN ORDINANCE ACCEPTING A SHARED FLOOD PLANNING PROTECTION GRANT IN THE AMOUNT OF \$260,000.00 FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION BY THE CITY MANAGER OR HER DESIGNEE OF A MEMORANDUM OF UNDERSTANDING WITH THE SAN ANTONIO RIVER AUTHORITY FOR THE DELIVERY OF SERVICES STIPULATED WITHIN THE GRANT; AUTHORIZING A \$50,000.00 MATCH OF FUNDS FOR THE GRANT SERVICES FROM THE STORM WATER REGIONAL FACILITIES FUND; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Williams.

The City Clerk read the following ordinance:

AN ORDINANCE 99508

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT A GRANT IN THE AMOUNT OF \$826,274.00 FROM THE TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY FOR THE GRANT PERIOD SEPTEMBER 1, 2004 TO AUGUST 31, 2005; AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE BEXAR COUNTY SHERIFF'S DEPARTMENT TO FUND TWO (2) DEPUTIES FOR AN AMOUNT NOT TO EXCEED \$110,213.00; AND AUTHORIZING A CASH MATCH OF \$451,634.00 FROM THE GENERAL FUND.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99509

AN ORDINANCE ACCEPTING A DONATION OF TRAINING EQUIPMENT VALUED AT \$10,000.00 FROM ZACHRY CONSTRUCTION COMPANY IN SUPPORT OF THE SAN ANTONIO POLICE DEPARTMENT'S K-9 DETAIL.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Segovia 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, Garza. **NAYS:** None. **ABSENT:** Flores, Barrera.

The City Clerk read the following ordinance:

AN ORDINANCE 99510

AN ORDINANCE ACCEPTING A DONATION OF FIVE HUNDRED GAS MASKS VALUED AT \$80,190.00 FROM SAN ANTONIO ASIAN COMMUNITY AFFAIRS IN SUPPORT OF THE SAN ANTONIO POLICE DEPARTMENT.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Segovia 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following ordinance:

AN ORDINANCE 99511

AN ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REVISE THE DEFINITION AND THE NUMBER OF CLIENTS TO BE SERVED THROUGH THE FAMILY VIOLENCE PREVENTION SERVICES PROGRAM, LA PALOMA DE LA PAZ FACILITY IN CONNECTION WITH THE 2000 SUPPORTIVE HOUSING PROGRAM; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following ordinance:

AN ORDINANCE 99512

AN ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AMENDMENT WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO RE-ALLOCATE \$21,493.19 FROM THE OPERATIONS BUDGET LINE-ITEM TO THE SUPPORTIVE SERVICES BUDGET LINE-ITEM FOR THE SALVATION ARMY SCATTERED SITE EXPANSION PROGRAM IN CONNECTION WITH THE 2000 SUPPORTIVE HOUSING PROGRAM; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Schubert 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

INDIVIDUAL ITEMS

The City Clerk read the following resolution:

A RESOLUTION 2004-26-22

A 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.

Councilmember Schubert made a motion to approve the proposed Resolution. Councilmember Williams seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation regarding the City of Timberwood Park Committee's request for consent to allow incorporation of the Timberwood Park Area and its surrounding neighbors, a copy of which is on file with the Office of the City Clerk. He discussed the specific details of the area in question, including total acreage, housing units and population. He then spoke to the annexation goals and policy analysis.

The following citizens appeared to speak:

Mr. Jack M. Finger

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

The City Clerk read the following ordinance:

AN ORDINANCE 99513

CONFIRMING THE APPOINTMENT OF ELMER F. WILLIAMS TO THE FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION TO SERVE THE REMAINDER OF AN UNEXPIRED TERM UNTIL DECEMBER 19, 2004.

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

The following citizens appeared to speak:

Ms. Marianne Kestenbaum

Mr. Winston Michael Ray

Ms. Mariana Ornelas

Mr. Richard Alles

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

The City Clerk read a proposed ordinance appointing and reappointing four members to the Planning Commission for terms of office to expire on July 31, 2006.

Councilmember Hall made a motion to reappoint Murry H. Van Eman. Councilmember Perez seconded the motion.

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

Councilmember Hall made a motion to reappoint James Darryl Byrd to the Planning Commission. Councilmember Perez seconded the motion.

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

The following candidates were nominated for the vacant slots in the Planning Commission by members of the Council: Timothy J. Baisdon, Dr. Francine S. Romero, Jose Limon, and Analisa Pease.

Following a roll call, Jose R. Limon and Dr. Francine S. Romero were selected to fill the vacant slots.

Councilmember Perez made a motion to approve the proposed Ordinance appointing Mr. Murray H. Van Eman, Mr. James Darryl Byrd, Mr. Jose R. Limon, and Dr. Francine S. Romero to the Planning Commission. Councilmember Hall seconded the motion.

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

AN ORDINANCE 99514

AN ORDINANCE REAPPOINTING MURRAY VAN EMAN (DISTRICTS 8 AND 9) JAMES DARRYL BYRD (DISTRICT 8 AND MAYOR) AND APPOINTING JOSE R. LIMON (DISTRICT 3) AND DR. FRANCINE S. ROMERO (DISTRICT 8) TO THE PLANNING COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 2006.

STAFF BRIEFING ON THE ADVERTISING AGENCY SERVICES REQUEST FOR PROPOSALS

Mr. Melvin Tennant, Director, San Antonio Convention & Visitors Bureau (SACVB), narrated a slide presentation regarding the SACVB advertising agency services contract RFP process and review, a copy of which is on file with the Office of the City Clerk. Mr. Tennant presented an overview on sales and marketing, and discussed marketing reorganization. Mr. Tennant discussed the evaluation results and rationale, the role of the evaluation team, and amplified on the highest rated agency.

The City Clerk read the following ordinance:

AN ORDINANCE 99515

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A LOAN AGREEMENT WITH THE COMPTROLLER OF PUBLIC ACCOUNTS (STATE ENERGY CONSERVATION OFFICE) IN THE AMOUNT OF \$1,663,700.00 TO PROVIDE THE NECESSARY FUNDING FOR THE PROCUREMENT OF LIGHT EMITTING DIODES FOR RETROFITTING TRAFFIC AND PEDESTRIAN SIGNALS.

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

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation on the traffic signal light emitting diode installation program, a copy of which is on file with the Office of the City Clerk. He discussed the purpose of the ordinance, and indicated the ordinance would allow the City Manager to enter into a loan agreement with the State Energy Conservation Office through the LoanSTAR Program. He amplified on the installation program in detail, and what the project entailed. He then discussed the fiscal impact.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99516

AN ORDINANCE AUTHORIZING THE REALLOCATION OF \$13,651.42 FROM THE DISTRICT 4 ONE TIME PROJECT FUNDS FROM FISCAL YEARS 1999, 2000 AND 2001, WHICH ARE NOW COMPLETED, TO THE FOLLOWING: \$200.00 TO THE PARKS AND RECREATION DEPARTMENT FOR RENTAL OF A STAGE IN CONNECTION WITH THE NATIONAL NIGHT OUT EVENT TO BE HOSTED BY THE RAINBOW HILLS NEIGHBORHOOD ASSOCIATION ON AUGUST 3, 2004; \$500.00 TO THE HILLSIDE ACRES NEIGHBORHOOD ASSOCIATION IN CONNECTION WITH THE NATIONAL NIGHT OUT EVENT TO BE HELD ON AUGUST 3, 2004; \$12,951.42 TO THE DISTRICT 4 ADMINISTRATIVE ASSISTANT FUND TO COVER ADMINISTRATIVE COSTS; AS REQUESTED BY COUNCILMAN RICHARD PEREZ, DISTRICT 4.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** Radle **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99517

AN ORDINANCE AMENDING SECTION 15-83 OF THE CITY CODE TO REQUIRE PERSONS REGISTERING IN ANY HOTEL/MOTEL TO PRESENT A VALID OFFICIAL PHOTO IDENTIFICATION SUFFICIENT TO ESTABLISH THE PERSON'S IDENTITY, OR IN THE ALTERNATIVE, DOCUMENTATION THAT THE PERSON GUARANTEED PAYMENT USING A VALID CREDIT CARD ISSUED IN THE NAME OF THE REGISTRANT; PROHIBITING A PERSON FROM REGISTERING IN A HOTEL/MOTEL OR ATTEMPT TO DO SO UNDER ANY FALSE NAME OR IDENTIFY OR BY PROVIDING FALSE IDENTIFICATION; REQUIRING THE OWNER OR OPERATOR OF THE ESTABLISHMENT TO DOCUMENT THE TYPE OF IDENTIFICATION PROVIDED AND MAINTAIN THIS INFORMATION FOR A PERIOD OF TWO YEARS; AND PROVIDING FOR A CRIMINAL FINE NOT TO EXCEED \$500.00 FOR VIOLATION OF THIS ORDINANCE.

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

Chief Albert Ortiz, San Antonio Police Department, narrated a slide presentation regarding the amendment of Section 15-83 of the San Antonio City Code, a copy of which is on file with the Office of the City Clerk. He discussed the purpose of the amendment, and presented background information on how this section of the City Code currently stood. He then discussed the proposed action in detail.

The following citizens appeared to speak:

Mr. Jack M. Finger
Mr. Brannan Ray
Mr. Roy Rossman

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

The City Clerk read the following ordinance:

AN ORDINANCE 99518

AN ORDINANCE AUTHORIZING THE REALLOCATION OF \$4,500.00 FROM THE DISTRICT 3 ONE TIME PROJECT FUNDS PREVIOUSLY ALLOCATED FOR THE HARLANDALE PARK BENCHES AND TABLES PROJECT TO THE DISTRICT 3 ADMINISTRATIVE ASSISTANT FUND FOR NECESSARY ADMINISTRATIVE EXPENDITURES; AS REQUESTED BY COUNCILMAN RON H. SEGOVIA

Councilmember Segovia made a motion to approve the proposed Ordinance. Councilmember 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** Radle. **ABSENT:** None.

CITIZENS TO BE HEARD

The following citizens appeared to speak on various topics:

Mr. Raymond Zavala
Mr. Richard Kleirijan
Mr. Steve Johnson
Mr. Faris Hodge, Jr.
Mr. Nazarite Ruben Flores Perez

Mr. Jerry Hill
Mr. Winston Michael Ray
Mr. Allen Townsend
Ms. Julie Iris Oldham

EXECUTIVE SESSION

The City Council recessed its regular session at 7:25 p.m. in order to convene in Executive Session to discuss the following:

Status of economic development negotiations and incentives offered to business prospects that may locate within the corporate city limits of San Antonio and/or in areas proposed for annexation, pursuant to Section 551.087 of the Texas Government Code.

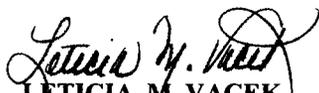
There being no further business to come before the City Council the meeting was adjourned at 8:53 p.m.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk