

**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, AUGUST 5, 2004

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The City Council informal "B" Session scheduled for 10:00 A.M., Municipal Plaza Building "B" Room, was cancelled.

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. Msgr. Franciszek Kurzaj, Holy Name Catholic Church.

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented a proclamation for SAISD Pre-K – 8th Initiative, recognized the Green Team Challenge competition, and issued Certificates of Appreciation to the Graffiti Wipe-Out program participants.

CONSENT AGENDA

Consent Agenda Items 5, 8, 9, 10, 11, and 12 were addressed individually from the consent agenda. The remaining items 6 through 20B were approved under the consent agenda upon the motion made by Councilmember Perez and seconded by Councilmember Haass.

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

AN ORDINANCE 99519

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY APPLIED CONCEPTS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH RADAR UNITS FOR A TOTAL OF \$38,190.00.

AN ORDINANCE 99520

AN ORDINANCE AUTHORIZING AN INTERLOCAL COOPERATION CONTRACT WITH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES TO PROVIDE INFORMATION RESOURCE TECHNOLOGY PROFESSIONAL STAFFING SERVICES THROUGH THIRD PARTY VENDORS, AND APPROVING A WORK ORDER THEREUNDER FOR A LIBRARY TECHNOLOGY ASSESSMENT FOR THE ALAMO AREA LIBRARY SYSTEM FOR A TOTAL SUM OF \$60,000.00, FUNDED BY A GRANT FROM THE TEXAS STATE LIBRARY.

AN ORDINANCE 99521

AN ORDINANCE REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S RECYCLING INTERBRANCH CONNECTION SEGMENT 2 & 3 AND THE JACKSON KELLER TO OBLATE POTABLE WATER MAIN PROJECTS ARE NECESSARY PUBLIC PROJECTS; FURTHER DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS IN THE NAME OF THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF THE SAN ANTONIO WATER SYSTEM ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES DESCRIBED BELOW ("PROPERTY") FOR USE AS A PART OF THE RECYCLING INTERBRANCH CONNECTION SEGMENT 2 & 3 AND FOR THE JACKSON KELLER TO OBLATE POTABLE WATER MAIN PROJECT; AUTHORIZING SAN ANTONIO WATER SYSTEM, ITS EMPLOYEES, AGENTS AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATOR TO NEGOTIATE AND EXECUTE ALL SALES AND OTHER AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF THE PROPERTY; AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY SPECIFY, AND DEFINE TO ACQUIRE THE PERMANENT AND TEMPORARY EASEMENT INTERESTS, ACROSS, OVER, UPON THE PROPERTY; FURTHER AUTHORIZING THE GENERAL COUNSEL OF THE SAN ANTONIO WATER SYSTEM TO FILE CONDEMNATION PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE ACQUISITION OF THE FOLLOWING PROPERTY;

Permanent Easement	Temporary Easement	Legal Description
	0.476-Acre	Lot 25, NCB 11622
0.104-Acre	0.293-Acre	Lot P-107, NCB 11631
0.102-Acre	0.228-Acre	Lot P-100, NCB 11631
4.228-Acre	–	Lot 37, NCB 11688
0.072-Acre	–	Lot M, NCB 11693

APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF AND/OR ACTING FOR THE SAN ANTONIO WATER SYSTEM TO ACQUIRE SUCH PROPERTY; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

AN ORDINANCE 99522

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE PROJECT AWARE (AQUATIC WORLD AWARENESS RESPONSIBILITY EDUCATION) FOUNDATION IN THE AMOUNT OF \$1,000.00 BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES, TO SUPPORT THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS (START) PROGRAM; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND APPROVING A BUDGET.

AN ORDINANCE 99523

AN ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$423,457.00 FOR THE PROVISION OF CHILDCARE SERVICES BY THE SAN ANTONIO CHILD CARE DELIVERY SYSTEM, FOR THE PERIOD OF SEPTEMBER 1, 2004 TO AUGUST 31, 2005; AND APPROVING A REVISED BUDGET FOR THE 2003 SUPPORTIVE HOUSING PROGRAM.

AN ORDINANCE 99524

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO SUBMIT AN APPLICATION FOR A LOCAL LAW ENFORCEMENT BLOCK

GRANT (LLEBG) IN THE AMOUNT OF \$333,785.00 FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, WHICH, IF AWARDED, WILL BE USED TO SUPPORT CONTINUED OPERATIONS OF THE GANG DETAIL AND TO PURCHASE 16 IN-CAR VIDEO-RECORDING DEVICES AND ASSOCIATED COMPUTER HARDWARE; AND, IF AWARDED, AUTHORIZING A CITY MATCH IN THE AMOUNT OF \$37,087.00 THAT WILL BE PROVIDED UTILIZING CONFISCATED PROPERTY FUNDS.

AN ORDINANCE 99525

AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 4 OF THE DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT AGREEMENT BETWEEN THE TEXAS MILITARY PREPAREDNESS COMMISSION AND THE CITY OF SAN ANTONIO EXTENDING THE COMPLETION DATE OF THE RAIL LINE PROJECT (THE "PROJECT") FROM JUNE 30, 2004 TO AUGUST 16, 2004; AMENDING SECTION 3 OF THE DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE GREATER KELLY DEVELOPMENT AUTHORITY TO EXTEND THE COMPLETION DATE OF THE PROJECT FROM JUNE 30, 2004 TO AUGUST 16, 2004.

AN ORDINANCE 99526

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$750,000.00 FROM THE HEALTH RESOURCES & SERVICES ADMINISTRATION FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONTINUE THE HEALTHY START INITIATIVE FOR A FOURTH YEAR TO REDUCE THE INCIDENCE OF INFANT MORTALITY AND LOW BIRTH WEIGHT IN BEXAR COUNTY FOR THE PERIOD JUNE 1, 2004 THROUGH MAY 31, 2005; ESTABLISHING THE PROJECT FUND; ADOPTING THE BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 99527

AN ORDINANCE APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR OLMOS PARK IN CONNECTION WITH THE DAM '09 TRIATHLON TO BE HELD FROM 6:30 A.M. TO 11:00 A.M. ON SATURDAY, AUGUST 21, 2004.

AN ORDINANCE 99528

AN ORDINANCE REAPPOINTING MICHAEL J. SEAL (DISTRICT 9) AS TRUSTEE TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY D/B/A SOUTH TEXAS BUSINESS FUND FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2005.

AN ORDINANCE 99529

AN ORDINANCE REAPPOINTING JAMES MCADEN (DISTRICT 9) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2006.

CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following Ordinance:

AN ORDINANCE 99530

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BIDS SUBMITTED BY CREATIVE PIPE, INC. (WBE) FOR ITEM 1, AND ALAMO IRON WORKS FOR ITEM 2, TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH BICYCLE RACKS FOR A TOTAL OF \$30,496.50.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99531

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 FY 2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$5,948,697.00 TO INCLUDE CONTRACTS FOR: ASPHALTIC PAVING MATERIALS; AUTOMOTIVE BELTS, RADIATOR HOSES, HEATER HOSES, & HOSE CLAMPS;

INDUSTRIAL CUSHMAN TRUCKSTER PARTS AND SERVICE; REPLACEMENT OF AUTOMOTIVE GLASS; HOSES & FITTINGS-HYDRAULIC; TIRES, TUBES, RECAPPING & ROAD SERVICE FOR HEAVY EQUIPMENT; BEDDING PLANTS; OFFICE AND STATIONARY SUPPLIES; INDUSTRIAL BEARINGS, OIL AND GREASE SEALS, AND PILLOW BLOCKS; TRUCK & INDUSTRIAL TIRES; PROTECTIVE EQUIPMENT KITS AND SPILL KITS FOR POLICE PATROL VEHICLES; INSPECTION OF AERIAL APPARATUS & GROUND LADDERS; AND POLICE AUTOMOTIVE BATTERIES.

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.

The City Clerk read the following ordinance:

AN ORDINANCE 99532

AN ORDINANCE SELECTING PLACE COLLABORATIVE INC. (SBE) TO PROVIDE PROFESSIONAL SERVICES ASSOCIATED WITH THE DEVELOPMENT OF STANDARDIZED PARK DETAILS AND SPECIFICATIONS FOR PARK PROJECTS CITY-WIDE; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$84,930.00; ESTABLISHING THE PROJECT BUDGET; APPROPRIATING \$45,000.00 IN 1999-2004 PARK BOND FUNDS AND \$45,000.00 IN 2003-2007 PARK BOND FUNDS; AUTHORIZING \$5,070.00 FOR CONSULTANT CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$90,000.00; AND PROVIDING FOR PAYMENT.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99533

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SUBLEASE WHEREBY THE CITY, AS LESSOR, HAS A CURRENT LEASE AGREEMENT WITH SAN ANTONIO 2000, LTD., AS LEASEE, FOR APPROXIMATELY 252 SQUARE FEET

OF PUBLIC SPACE ON THE RIVER WALK ATRIUM PORTION OF THE PASEO DEL ALAMO AND THE CITY IS CONSENTING TO THE SUBLEASE OF SAID SPACE FROM SAN ANTONIO 2000, LTD., TO ELEGANT TRADER, INC. AND JOHN KANGETHE D/B/A ICE CREAM AND CHOCOLATES BY THE RIVER.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99534

AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT FOR CONTINUED USE OF PUBLIC RIGHTS OF WAY BENEATH NORTH MCCULLOUGH AVENUE FOR EXISTING CONDUITS FOR CHILLED WATER LINES, AND FOR AN EXISTING PEDESTRIAN WALKWAY (SKY BRIDGE) ABOVE AND ACROSS NORTH MCCULLOUGH AVENUE LOCATED BETWEEN NCB'S 389 AND 842 AND TO CONSTRUCT, MAINTAIN AND OPERATE AN OVERHEAD PEDESTRIAN PASSAGEWAY (SKY BRIDGE) ACROSS THE 300 BLOCK OF EAST LAUREL STREET BETWEEN NCB'S 842 AND 393, AS REQUESTED BY THE PETITIONER, METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO, LTD., L.L.P., D/B/A METROPOLITAN METHODIST HOSPITAL, FOR THE TOTAL CONSIDERATION OF \$15,000.00.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99535

AN ORDINANCE REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S ESPADA UN-SEWERED AREA PROJECT ("PROJECT") IS A

NECESSARY PUBLIC PROJECT; FURTHER DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS IN THE NAME OF THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF THE SAN ANTONIO WATER SYSTEM ("SAWS") ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES DESCRIBED BELOW ("PROPERTY") FOR USE AS PART OF THE PROJECT; SAID PROPERTY BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE; AUTHORIZING SAWS, ITS EMPLOYEES, AGENTS, AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL SALES AND OTHER AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF THE PROPERTY AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, AND UNDER THE PROPERTY; FURTHER AUTHORIZING THE GENERAL COUNSEL OF SAWS TO FILE CONDEMNATION PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE ACQUISITION OF THE FOLLOWING PROPERTY:

Permanent/Temporary Easements	Legal Description
0.053-ACRE/0.083-ACRE	NCB-11173
0.073-ACRE/0.111-ACRE	NCB-11173
0.107-ACRE/0.160-ACRE	NCB-11173
0.077-ACRE/0.130-ACRE	NCB-11173
0.024-ACRE/0.061-ACRE	NCB-11173
0.003-ACRE/0.009-ACRE	NCB-11173
0.100-ACRE/0.373-ACRE	NCB-11173
0.057-ACRE/0.089-ACRE	NCB-11173
0.022-ACRE/0.034-ACRE	NCB-11173
0.020-ACRE/0.032-ACRE	NCB-11173
0.069-ACRE/0.108-ACRE	NCB-11173
0.048-ACRE/0.074-ACRE	NCB-11173
0.077-ACRE/0.122-ACRE	NCB-11173
0.016-ACRE/0.027-ACRE	NCB-11173
0.070-ACRE/0.110-ACRE	NCB-11173
0.136-ACRE/0.194-ACRE	NCB-11173
0.018-ACRE/0.029-ACRE	NCB-11173
0.019-ACRE/0.032-ACRE	NCB-11173
0.115-ACRE/0.163-ACRE	NCB-11173
0.364-ACRE/0.360-ACRE	NCB11169

0.097-ACRE/0.097-ACRE	NCB-11169
0.074-ACRE/0.074-ACRE	NCB-11169
0.220-ACRE/0.220-ACRE	NCB-11169
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.043-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.136-ACRE/0.212-ACRE	NCB-11172
0.179-ACRE/0.179-ACRE	NCB-11171
0.060-ACRE/0.105-ACRE	NCB-11168
0.017-ACRE/0.022-ACRE	NCB-11168
0.205-ACRE/0.257-ACRE	NCB-11168
0.225-ACRE/0.277-ACRE	NCB-11168
0.606-ACRE/0.923-ACRE	NCB-11168
0.337-ACRE/0.0527-ACRE	NCB-11168
0.252-ACRE/0.394-ACRE	NCB-11168

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

INDIVIDUAL ITEMS

The City Clerk read the following Resolution:

A RESOLUTION 2004-27-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, DESIGNATING AS A "VENUE" UNDER CHAPTER 334 OF THE TEXAS LOCAL GOVERNMENT CODE, A PROJECT TO ACQUIRE PROPERTY FOR CONSERVATION EASEMENT OR AN OPEN SPACE PRESERVATION PROGRAM INTENDED TO PROTECT WATER IN THE EDWARDS AQUIFER; AUTHORIZING THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION, AND RENOVATION OF THIS VENUE PROJECT; DESIGNATING THE METHOD OF FINANCING TO BE USED TO FINANCE THIS

VENUE PROJECT; CONTAINING OTHER PROVISIONS RELATING TO AUTHORIZING THIS VENUE PROJECT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE; AS REQUESTED BY COUNCILMEN ROGER O. FLORES, DISTRICT 1, AND ART A. HALL, DISTRICT 8.

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

The following citizens appeared to express their opinion on this Resolution:

Mr. Jody Sherrill

Ms. Bonnie Conner

Ms. Marianne Kestenbaum

Mr. Eiginio Rodriguez

Mr. Woody Halsey

Ms. Marcie Ince

The following citizen appeared to speak on various topics:

Mr. Jack M. Finger

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

The Clerk read the following Resolution:

A RESOLUTION2004-27-24

A RESOLUTION ALLOWING THE DEVELOPMENT AND CONSTRUCTION OF THE ARTISAN AT WILLOW SPRINGS PROJECT, LOCATED IN THE 500 BLOCK OF GEMBLER ROAD, IN COUNCIL DISTRICT 2, IN COMPLIANCE WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS REQUIREMENT FOR A DEVELOPMENT WHICH IS LOCATED WITHIN ONE (1) LINEAR MILE OR LESS OF AN EXISTING DEVELOPMENT THAT SERVES THE SAME HOUSEHOLD; AS REQUESTED BY COUNCILMAN JOEL WILLIAMS, DISTRICT 2.

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

3:00 P.M. PRESENTATION OF THE FY 2004-2005 PROPOSED BUDGET

City Manager Terry Brechtel stated that children with the Kid Quest Program had participated in a competition this summer to design this year's budget cover and that Paul Garcia had been selected as the winner. She introduced the winner and finalists to the Council.

Ms. Brechtel then offered a slide presentation on the highlights of the Proposed Annual Budget (a copy of which was filed with the papers of this meeting). Ms. Brechtel spoke to the budget, its development process, consolidated budget overview, total positions, the general fund authorized positions, current property tax, FY 2004 taxable values, overall tax rate, property tax relief, Proposition 13, stair-stepped recommendation, cumulative property tax revenue loss over-65 and disabled residence homesteads, CPS revenues, and the city sales tax. She further spoke to revenue changes, the general fund, infrastructure/community development/environment, public safety, economic development, neighborhoods & revitalization, accountability, human development and the visitor industry. She also spoke to the following funds: Community & Visitor Facilities, golf, storm water, aviation, environmental, information technology services & enterprise resource management, and employee benefits. She concluded by speaking on the budget objectives that had been accomplished and the proposed work session schedule.

The following citizens spoke on this particular issue:

Mr. Jeff Webster, The Greater San Antonio Chamber of Commerce
Mr. Nazirite Ruben Flores Perez, 627 Hearne
Mr. Bob Martin, San Antonio Homeowners/Taxpayers Association
Mr. Faris Hodge, Jr., 140 Dora
Mr. Mark E. Kellmann, 376 Mustang Circle
Mr. Guillermo Vasquez, SEIU

The Mayor and City Council thanked the City Manager and Budget staff for the budget presentation and for the work they had done on the budget. They spoke individually on various aspects of the budget presentation and asked for clarifications from the City Manager.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following Ordinance:

AN ORDINANCE 99536

AN ORDINANCE SETTING THE FOLLOWING DATES, TIMES, AND LOCATION FOR THE FIRST AND SECOND PUBLIC HEARINGS ON THE PROPOSED

BUDGET FOR FY 2004-2005: TUESDAY, AUGUST 31, 2004, 7:00 P.M., AND THURSDAY, SEPTEMBER 16, 2004, 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA; AND SETTING THURSDAY, SEPTEMBER 2, 2004, 3:00 P.M. IN THE CITY COUNCIL CHAMBERS AS THE DATE, TIME AND LOCATION FOR A PUBLIC HEARING ON THE PROPOSED TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 2004 AND ENDING DECEMBER 31, 2004.

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

Mr. Peter Zaroni, Acting Director of Management & Budget, gave a slide presentation (a copy of which was filed with the papers of this meeting) in which he spoke to the FY 2005 Budget Public Hearings, Tax Rate Public Hearing, and the notice of public hearings.

After consideration, the motion, carrying with it the passage of the 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 99537

AN ORDINANCE APPROVING THE APPOINTMENTS OF DOUGLAS HEATH (PLACE 11 – BUSINESS CATEGORY), HERMAN SEGOVIA (PLACE 8 – BUSINESS CATEGORY) AND BOB R. PLUNKETT (PLACE 25 – VOCATIONAL REHABILITATION CATEGORY) TO THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2004, DECEMBER 31, 2005, RESPECTIVELY.

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

Ms. Dianne Quaglia, Better Jobs, gave a slide presentation (a copy of which was filed with the papers of this meeting) in which she spoke to the Alamo Workforce Development Board, the Committee of Six, board composition, current vacancies, recommended candidates and summary.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 99538

AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE OF SAN ANTONIO, TEXAS TO ADOPT A NEW ARTICLE VII ENTITLED, "CAMPAIGN FINANCE REGULATIONS."

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

Ms. Helen Valkavich, Assistant City Attorney, City Attorney's Office, gave a slide presentation (a copy of which was filed with the Office of the City Clerk) in which she spoke to the City Council election cycles, contribution limits, definition of "contribution," cash contribution limits, contributions by minors, contribution time limit, loans, city contractor contributions and single campaign account. She further outlined campaign account statements, electronic campaign finance filing, proposed municipal electronic filing system features, estimated cost of system, enforcement authority, rules of procedure, sanctions, and effective date.

The following citizens spoke on this issue:

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue

Mr. Tony R. Garza, 2514 Moss Bluff

1ST AMENDMENT: Councilman Perez offered an amendment to adopt all provisions but to remove the Jurisdiction & Powers of Ethics Review Board (Sec. 2-311) in order to finalize the Ethics Code. Additionally, to allow family members to have a higher contribution limit (i.e. maximum contribution of \$1,000 for Council members and \$2,000 for the Mayor). He proposed an effective date of September 1, 2004 and approval of Items a, b, d (Slide 47), and e (Slides 44 - 47). Also loan limits of \$25,000 for City Council races and \$50,000 for Mayoral races. Councilman Flores seconded the motion. The amendment was subsequently withdrawn.

2ND AMENDMENT: Councilman Castro offered an amendment making the effective date of the ordinance immediate, limiting loans to \$5,000 for council candidates and \$20,000 for mayoral candidates, and approving two cycles for contributions and loans instead of three cycles. He proposed no special privileges for family members and the postponement of the implementation of Section 2-311 (Ethics Review Board) to a later date. Councilman Radle seconded the motion. The amendment was subsequently withdrawn.

3RD AMENDMENT: Councilman Perez offered an amendment to remove the Ethics Review Board (Sec. 2-311) from consideration at this time. 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

Councilman Perez stated that this item would be brought back to the City Council for consideration within the next 30 days.

4TH AMENDMENT: Councilman Castro offered an amendment to make August 15, 2004, the effective date of the Ordinance and adopting a, b, c, d (original), e, and f. Councilman Schubert seconded the motion. The amendment was subsequently withdrawn.

5TH AMENDMENT: Councilman Perez offered an amendment to make September 1, 2004, the effective date of the Ordinance and adopting a, b, d (original), adding "or after" to e and eliminating f. Councilman Segovia seconded the motion. The amendment was subsequently withdrawn.

6TH AMENDMENT: Councilman Castro offered an amendment to have two rather than three reporting cycles. Councilwoman Radle seconded the motion.

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

7TH AMENDMENT: Councilman Perez offered an amendment to make September 1, 2004, the effective date of the Ordinance and adopting a, b, new version of d, and e. Councilman Williams seconded the motion.

8TH AMENDMENT: Councilman Castro offered an amendment to make August 15, 2004, the effective date of the Ordinance and adopting a, b, c, d (original), e and f. Councilwoman Radle seconded the motion.

Amendment #8 prevailed by the following vote: **AYES:** Flores, Radle, Castro, Hall, Haass, Garza. **NAYS:** Williams, Segovia, Perez, Barrera, Schubert. **ABSENT:** None.

Amendment 8 superseded Amendment 7; therefore, no vote was required for Amendment 7.

9TH AMENDMENT: Councilmember Perez offered an amendment to have a \$25,000 loan limit for council races and \$50,000 for mayoral races per cycle. Councilmember Flores seconded the motion.

Amendment #9 prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Schubert. **NAYS:** Radle, Castro, Hall, Haass, Garza. **ABSENT:** None.

10TH AMENDMENT: Councilmember Castro offered an amendment to have a \$5,000 loan limit for council races and \$10,000 loan limit for mayoral races per cycle. Councilmember Williams seconded the motion.

Amendment #10 failed by the following vote: **AYES:** Radle, Castro, Hall, Haass, Garza. **NAYS:** Flores, Williams, Segovia, Perez, Barrera, Schubert. **ABSENT:** None.

11TH AMENDMENT: Councilmember Perez offered an amendment to raise the contributions limits for family members to \$1,000 for council races and \$2,000 for mayoral races. Councilmember Segovia seconded the motion.

Amendment #11 failed by the following vote: **AYES:** Segovia, Perez. **NAYS:** Flores, Williams, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **ABSENT:** None.

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

The City Clerk read a proposed ordinance authorizing the selection of a firm to assist the City of San Antonio Convention and Visitors Bureau in its advertising, marketing, and public relations programs.

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

Mr. Melvin Tennant, Director, Convention & Visitors Bureau, gave a slide presentation (a copy of which was filed with the papers of this meeting), in which he gave a presentation overview, background, process objectives, evaluation criteria, short-listed agencies (Bromley Communications, Creative Civilization, and Garcia 360), evaluation results, highest rated agency overview (Garcia 360 Team) and the transition plan. He noted that the Convention & Visitors Commission endorsed the evaluation team's recommendation of Garcia 360 and the staff recommended that Garcia 360 be selected.

The following citizens appeared to speak on this issue:

Mr. Josh Davis, United States Olympian
Ms. Jenny Max, American Cancer Society
Mr. Tommy Moore, Urban Communications, Inc.
Ms. Melissa Prince, Matthews Marketing
Mr. Ernest Bromley, Bromley Communications
Mr. Catarino Lopez, Bromley Communications
Mr. Al Aguilar, Creative Civilization
Mr. Luis Garcia, Garcia 360 Team

The Mayor and several City Council members each individually expressed their viewpoints on the vying San Antonio firms.

The Mayor opened the floor for nominations:

Councilmember Schubert nominated Garcia 360. Councilman Hall seconded the nomination.

Councilmember Radle nominated Creative Civilization. Councilman Perez seconded the nomination.

Councilmember Castro nominated Bromley Communications. Councilman Williams seconded the nomination.

Councilmembers Hall and Schubert cast their votes for Garcia 360. Councilmembers Radle, Barrera and Perez cast their votes for Creative Civilization and Councilmembers Castro, Williams, Segovia, Flores and Mayor Garza cast their votes for Bromley Communications.

Since none of the firms received a majority of the votes, the top two vote getters were then voted upon.

Councilmembers Hall, Perez, Radle, and Barrera cast their votes for Creative Civilization. Councilmembers Castro, Flores, Williams, Segovia, Schubert and Mayor Garza cast their votes for Bromley Communications.

The City Clerk read the following Ordinance:

AN ORDINANCE 99539

AN ORDINANCE AUTHORIZING THE SELECTION OF BROMLEY COMMUNICATIONS TO ASSIST THE CITY OF SAN ANTONIO CONVENTION

AND VISITORS BUREAU IN ITS ADVERTISING, MARKETING, AND PUBLIC RELATIONS PROGRAMS FOR A THREE (3) YEAR PERIOD WITH TWO (2) ADDITIONAL TWO (2) YEAR TERMS AT THE SOLE DISCRETION OF CITY COUNCIL, AND AUTHORIZING THE CITY MANAGER AND STAFF TO NEGOTIATE A CONTRACT THAT REFLECTS THE TERMS AND CONDITIONS FOUND IN REQUEST FOR PROPOSAL.

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

TRAVEL AUTHORIZATION

Travel Authorization for Councilmember Joel Williams, District 2, to travel to Austin, Texas to attend a conference of the Texas Municipal League Legislative Policy Committee on General Government from Thursday, August 12, 2004, to Friday, August 13, 2004.

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

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

CITIZENS TO BE HEARD

The following citizens appeared to speak on various issues:

Mr. Jim Koch
Mr. Faris Hodge, Jr.
Mr. Steve Shamblen

CITY MANAGER'S REPORT

Mr. Mark Webb, Assistant Director, Asset Management Department, reported on the High Risk Contracting Initiatives, including the contracting initiatives in development and the contracting initiatives currently being solicited/evaluated.

There being no further business to come before the City Council, the meeting was adjourned at 9:36 P.M.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk