

**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 19, 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):

City Staff presented and reviewed with the City Council the following departmental budgets: Convention & Visitor's Bureau, International Affairs, Alamodome, Convention Facilities and Cultural Affairs.

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

The "B" Session adjourned at 12:43 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, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. ABSENT: Williams.

Invocation by Dr. Steven Branson, District 6, Village Parkway Baptist Church.

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented the Alcalde Award to Maria Antoinetta Collins who introduced former Ms. Peru and founder of the Miss Latina Pageant, Jackeline Cacho.

Mayor Garza presented a proclamation to Dennis Campa, Community Initiatives Director, for Literacy Awareness Month.

Mayor Garza recognized the San Antonio College WE Conference scholarship recipients who received a \$1,000 scholarship sponsored by the City of San Antonio (Mayor's Commission on the Status of Women).

Minutes of the Regular City Council meeting of June 3, 2004 were approved as presented.

CONSENT AGENDA – CITIZENS COMMENTS

Consent Agenda Items 8, 10, 11, 13 and 14 were addressed individually from the consent agenda. The remaining items 5 through 22 were approved under the consent agenda upon motion made by Councilmember Perez and seconded by Councilmember Haass.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger

Mr. Marty Wender

Mr. Carl Raba

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

AN ORDINANCE 99582

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY ROSS DISTRIBUTING CORP. D/B/A ROSS ASSOCIATES TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A LONG RANGE AIRCRAFT TO GROUND VIDEO DOWNLINK TRACKING SYSTEM FOR A TOTAL AMOUNT OF \$91,827.00.

AN ORDINANCE 99583

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BIDS SUBMITTED BY GETINGE USA, INC., ITEM 1; NEW BRUNSWICK SCIENTIFIC CO., INC., ITEMS 4, 5; AND THERMO FORMA, INC., ITEMS 2 AND 3 TO PROVIDE THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH BIO-SAFETY LEVEL 3 LABORATORY EQUIPMENT FOR A TOTAL AMOUNT OF \$137,895.70.

AN ORDINANCE 99584

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 \$1,373,589.00 TO INCLUDE CONTRACTS FOR AUTOMOTIVE AND TRUCK AIR CONDITIONING PARTS, AUTOMOTIVE STORAGE BATTERIES, FRAME, AXLE, SUSPENSION AND FRONT WHEEL DRIVE COMPONENT PARTS, AIRCRAFT RESCUE FIRE FIGHTING VEHICLE PARTS AND SERVICE, AUTO & TRUCK SPRING PARTS AND SERVICE, SPECIAL SAND PRODUCTS, ALLISON TRANSMISSION PARTS AND SERVICE, DIFFERENTIAL COMPONENT PARTS AND NEW AND REBUILT EXCHANGE UNITS, BLACK SOIL, CORRUGATED POLYETHYLENE PIPE, HORIZONTAL DIRECTIONAL BORING, CUSTODIAL PAPER PRODUCTS, HITACHI SOFTWARE MAINTENANCE AND SUPPORT, ALTERNATORS AND STARTERS, TIRE REPAIR AND BALANCING MATERIALS, PASSENGER TIRES, AUTOMOTIVE SHOP SUPPLIES, AND PLASTIC BAGS.

AN ORDINANCE 99585

AN ORDINANCE GRANTING A TEN (10) YEAR LICENSE AGREEMENT TO USE APPROXIMATELY 0.0798 OF AN ACRE (3,477 SQUARE FEET) OUT OF A PORTION OF AN ABUTTING 70-FOOT WIDE PUBLIC DRAINAGE EASEMENT FOR PARKING PURPOSES AND A RETAINING WALL ADJACENT TO NEW CITY BLOCKS 12811 AND 11619, LOCATED IN COUNCIL DISTRICT 8, AS REQUESTED BY THE PETITIONER, HHC BABCOCK NC, L.P., A TEXAS DOMESTIC LIMITED PARTNERSHIP, FOR THE TOTAL CONSIDERATION OF \$11,587.00.

AN ORDINANCE 99586

AN ORDINANCE AUTHORIZING THE EXECUTION OF A FOOD AND BEVERAGE CONCESSION CONTRACT FOR THE MUNICIPAL AUDITORIUM BETWEEN THE CITY OF SAN ANTONIO AND FACILITY CONCESSION SERVICES D/B/A SPECTRUM ON A MONTH-TO-MONTH BASIS NOT TO EXCEED TEN (10) MONTHS EFFECTIVE MAY 1, 2004 AND PROVIDING FOR PAYMENT TO THE CITY OF 32.5 PERCENT OF CONCESSIONAIRE'S RECEIPTS AFTER SALES TAX.

AN ORDINANCE 99587

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE PROVISION OF NURSING SERVICES AT THE CITY DETENTION CENTER IN AN AMOUNT NOT TO EXCEED \$390,804.00 PER YEAR WITH DEPENDABLE

HEALTH SERVICES, INC., FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2006; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 99588

AN ORDINANCE ACKNOWLEDGING CONTRACT MODIFICATIONS NOS. 8 AND 10 FROM THE ALAMO WORKFORCE DEVELOPMENT, INC. (AWD), WHICH AWARDS ADDITIONAL FUNDING IN THE AMOUNT OF \$2,293,402.00 FOR THE PERIOD OF SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004 IN CONNECTION WITH THE ALAMO AREA CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM; AUTHORIZING THE ACCEPTANCE OF SAID ADDITIONAL FUNDING; AUTHORIZING THE ACCEPTANCE OF ADDITIONAL CCDS FUNDING IN AN AMOUNT UP TO \$3,300,000.00, WHEN AWARDED, FOR THE PERIOD SEPTEMBER 1 – SEPTEMBER 30, 2004; AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT AMENDMENT WITH THE ALAMO AREA DEVELOPMENT CORPORATION WHICH EXTENDS THE CONTRACT PERIOD TO SEPTEMBER 30, 2004 AND, SUBJECT TO AWARD OF FUNDING FROM AWD, PROVIDES FUNDING IN THE AMOUNT OF \$58,496.00 IN CONNECTION WITH THE CCDS PROGRAM; AND ADOPTING A REVISED FISCAL YEAR 2003-2004 CCDS PROGRAM BUDGET AND PERSONNEL COMPLEMENT.

AN ORDINANCE 99589

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE NATIONAL ECONOMIC DEVELOPMENT AND LAW CENTER IN THE AMOUNT OF \$2,000.00 PLUS REIMBURSABLE EXPENSES FOR THE DEPARTMENT OF COMMUNITY INITIATIVES TO FACILITATE TWO FOCUS GROUP MEETINGS IN CONNECTION WITH THE INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM; AUTHORIZING THE ACCEPTANCE OF PAYMENT OF \$2,282.00 IN CONNECTION THEREWITH; AND APPROVING A BUDGET.

AN ORDINANCE 99590

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE THE RENEWAL AND EXTENSION OF A CONTRACT WITH ALCOHOL AND DRUG TESTS, INC. TO PROVIDE RANDOM AND REASONABLE SUSPICION DRUG TESTING SERVICES FOR THE CITY'S POLICE DEPARTMENT FOR A ONE YEAR PERIOD FROM OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005 AT A COST OF \$50,000.00.

AN ORDINANCE 99591

AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR AN AMOUNT OF \$164,819.00 TO FUND THE METHAMPHETAMINE TRAINING INITIATIVE WHICH WILL ENHANCE METHAMPHETAMINE-RELATED PREVENTION, ENFORCEMENT AND EDUCATION.

AN ORDINANCE 99592

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$68,635.00 GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR PROJECT EASE (EDUCATE, ASSESS, SERVE AND EMPOWER), WHICH STRIVES TO INCREASE AWARENESS OF RESOURCES AVAILABLE AND PROVIDE CULTURALLY APPROPRIATE COMMUNICATION TO VICTIMS OF CRIME WHO ARE DEAF; SPECIFYING THE GRANT'S AUTHORIZED OFFICIAL; AUTHORIZING A CITY MATCH OF \$17,159.00; AND INCLUDING LANGUAGE AS REQUIRED BY THE TEXAS ADMINISTRATIVE CODE, SUBCHAPTER D, SECTION 3.2021.

AN ORDINANCE 99593

AN ORDINANCE AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS ADJACENT TO TRAVIS PARK IN COUNCIL DISTRICT 1 AND RESTRICTION ON USE OF PARKING METERS AROUND THE PARK FROM SEPTEMBER 17, 2004 THROUGH SEPTEMBER 20, 2004 SO THAT THE CITY OF SAN ANTONIO AND THE SAN ANTONIO PARKS FOUNDATION MAY CONDUCT THE 21ST ANNUAL JAZZ' SALIVE FESTIVAL IN TRAVIS PARK.

AN ORDINANCE 99594

AN ORDINANCE APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN THE BRACKENRIDGE PARK AREA IN CONNECTION WITH THE CTCR RUN 4 LIFE 5K RUN/WALK BEING HELD ON SATURDAY, SEPTEMBER 11, 2004 FROM 7:30 A.M. UNTIL 9:30 A.M.; SPONSORED BY THE CANCER THERAPY RESEARCH CENTER.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 99595

AN ORDINANCE AMENDING THE PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,067.00 FOR ADDITIONAL ENGINEERING SERVICES TO BURY + PARTNERS SA, INC. IN CONNECTION WITH THE THOUSAND OAKS INTERSECTIONS MPO PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10; AUTHORIZING \$2,506.70 FOR ADDITIONAL ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$27,573.70 FROM 1994-1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (Amends Ordinance 94379, Aug. 23, 2001; Ordinance 96820, Dec. 12, 2002; Ordinance 97542, May 1, 2003; Ordinance 98250, October 2, 2003; Ordinance 88171, July 30, 1998)

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.

The City Clerk read the following ordinance:

AN ORDINANCE 99596

AN ORDINANCE CHANGING THE STREET NAME OF MISTY ROCK TO RABA DRIVE IN COUNCIL DISTRICT 6.

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 99597

AN ORDINANCE REVIEWING AND ADOPTING ANNUAL SELF-MONITORING STANDARDS FOR THE CITY OF SAN ANTONIO'S AFTER SCHOOL CHALLENGE PROGRAM AS PER THE REQUIREMENTS OF TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES REGULATION 42.041 (A) (14).

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

The City Clerk read the following ordinance:

AN ORDINANCE 99598

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$398,000.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO AUGMENT FUNDING FOR THE BIOTERRORISM PREPAREDNESS PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH TDH; REVISING THE PROGRAM BUDGET; APPROVING THE TRANSFER OF FUNDS; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99599

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$899,073.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO RENEW THE TITLE V MATERNAL & CHILD HEALTH PROGRAM (\$261,633.00) AND THE TITLE V FAMILY PLANNING PROGRAM (\$637,440.00) OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH TDH; ADOPTING THE PROGRAM BUDGETS; APPROVING THE PERSONNEL COMPLEMENTS; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 99600

AN ORDINANCE SETTING A PROPOSED AD VALOREM TAX RATE FOR FY 2005 AT 57.854 CENTS PER \$100 OF TAXABLE VALUATION WHICH IS THE TAX RATE RECOMMENDED IN THE CITY MANAGER'S FY 2005 PROPOSED BUDGET, WHICH INCLUDES 36.704 CENTS PER \$100 OF TAXABLE VALUATION FOR MAINTENANCE AND OPERATIONS AND 21.150 CENTS PER \$100 OF TAXABLE VALUATION FOR DEBT SERVICE.

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

Mr. Peter Zannoni, Acting Director of Budget and Management, narrated a slide presentation on the proposed property tax rate for FY 2005, a copy of which is one file with the Office of the City Clerk. He outlined the proposed rate as presented by the City Manager noting that it was the 12th straight year where there was no tax rate increase. He

outlined the proposed general fund available resources that are distributed over the major spending areas, the property tax revenue, citing an example of an average City property tax bill. He further spoke to the rollback, effective and proposed tax rates, the tax rate adoption and the schedule for the tax rate consideration.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger

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 99601

AN ORDINANCE AUTHORIZING THE REMITTANCE OF UP TO \$800,000 TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, IN ACCORDANCE WITH THE OTHER EVENTS TRUST FUND ESTABLISHED BY STATE LAW, ARTICLE 5190.14, SECTION 5A (VERNON'S TEXAS CIVIL STATUTES), AND DIRECTING STAFF TO SEEK REIMBURSEMENT FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS FROM THE OTHER EVENTS TRUST FUND FOR EXPENSES INCURRED BY THE CITY OF SAN ANTONIO IN SUPPORT OF THE 2004 MEN'S NCAA COLLEGE BASKETBALL FINAL FOUR; AND AUTHORIZING THE DEPOSIT OF SAID FUNDS, UPON RECEIPT, INTO THE COMMUNITY AND VISITOR FACILITIES FUND.

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

Mr. Roland Lozano, Assistant to the City Manager, narrated a slide presentation on the state reimbursement for the NCAA Final Four expenditures, a copy of which is on file with the Office of the City Clerk. He outlined the process utilized to have City staff seek the reimbursement from the Texas Comptroller of Public Accounts, background to the funding source as approved during the last Legislative Session, its requirements and the necessary steps taken by staff to achieve those goals. He further outlined policy analysis, fiscal impact and coordination efforts.

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 99602

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005 IN THE AMOUNT OF \$235,000.00 TO SUPPORT THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT ("SAMHD") IN THE OPERATIONS AND MAINTENANCE OF AIR MONITORS IN THE SAN ANTONIO AREA; AUTHORIZING THE ACCEPTANCE OF AN AGREEMENT WITH TCEQ FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005 IN THE AMOUNT OF \$30,000.00 TO SUPPORT THE SAMHD IN THE OPERATION AND MAINTENANCE OF AN ADDITIONAL THREE PM 2.5 AIR MONITORS THAT TCEQ WILL ESTABLISH IN THE SAN ANTONIO AREA; APPROVING THE EXECUTION OF THE TWO AGREEMENTS WITH TCEQ; ESTABLISHING A FUND; ADOPTING THE PROGRAM BUDGETS; AND APPROVING THE PERSONNEL COMPLEMENTS.

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

Dr. Fernando Guerra, Director of Metropolitan Health District, narrated a slide presentation on the air quality operation and maintenance agreements, a copy of which is on file with the Office of the City Clerk. He outlined background information on the two agreements noting that this was a collaborative effort between the City of San Antonio and the Air Force to provide screening and monitoring that addresses and facilitates documentation of local and regional public health issues to environmental exposure. He further delineated the established monitors and the additional ones, personnel complement and impact to the local capacity improvements.

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 99603

AN ORDINANCE REAPPOINTING FOUR (4) INDIVIDUALS AND APPOINTING ONE (1) INDIVIDUAL TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TWO, CITY OF SAN ANTONIO, TEXAS, COMMONLY

REFERRED TO AS THE ROSEDALE PROJECT, LOCATED IN COUNCIL DISTRICT 5, FOR TERMS OF OFFICE TO EXPIRE ON AUGUST 29, 2006, AND APPOINTING ONE (1) OF THE FIVE (5) INDIVIDUALS AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING ON JANUARY 1, 2005.

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

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation on Items 26- 29 which encompassed the four Tax Increment Reinvestment Zones (TIRZ #2-Rosedale; TIRZ #7-Brookside; TIRZ #13-Lackland Hills; TIRZ #15-Northeast Crossing), a copy of which is on file with the Office of the City Clerk. He outlined background information on the various appointees, terms of office, background information on the respective projects and corresponding requirements.

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:** None. **ABSENT:** None. **ABSTAINED:** Radle.

The City Clerk read the following ordinance:

AN ORDINANCE 99604

AN ORDINANCE REAPPOINTING FOUR (4) INDIVIDUALS AND APPOINTING ONE (1) INDIVIDUAL TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER SEVEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE BROOKSIDE PROJECT, LOCATED IN COUNCIL DISTRICT 3, FOR TERMS OF OFFICE TO EXPIRE ON AUGUST 29, 2006, AND APPOINTING ONE (1) OF THE FIVE (5) INDIVIDUALS AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING ON JANUARY 1, 2005.

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, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle. **ABSTAINED:** Hall.

The City Clerk read a proposed ordinance appointing five (5) individuals to the Board of Directors for Reinvestment Zone Number Thirteen, City of San Antonio, Texas,

commonly referred to as the Lackland Hills Project, located in Council District 4, for terms of office to expire on August 29, 2006.

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

After consideration, the motion to table item 28 prevailed by the following vote: **AYES:** Flores, Williams, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Segovia, Radle.

The City Clerk read the following ordinance:

AN ORDINANCE 99605

AN ORDINANCE REAPPOINTING FOUR (4) INDIVIDUALS AND APPOINTING ONE (1) INDIVIDUAL TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE NORTHEAST CROSSING PROJECT, LOCATED IN COUNCIL DISTRICT 2, FOR TERMS OF OFFICE TO EXPIRE ON AUGUST 29, 2006.

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

STAFF PRESENTATION – JOINT CITIZENS COMMISSION ON CITY-COUNTY SERVICE INTEGRATION

Mr. Jim Campbell, Director of External Relations Department narrated a slide presentation on the City/County Service Integration Analysis, a copy of which is on file with the Office the City Clerk. He outlined background information on the number of projects and areas where the City and Council have worked jointly such as for animal control, environmental inspections, library services, elections and tax collections. He spoke to the resolution approved by the City Council in 2004 supporting the work plan for the 2004 City-County Cooperation Plan which included the staff support to the Citizens Commission on City/County Service Integration. He delineated the composition of the commission membership, scope of work and the various programs and recommendations presented by the Commission. He stated there were several

recommendation which had already been implemented such as the library book purchases and the street maintenance material purchases; recommendations to be implemented in 2004 such as the centralized jury pool, development of a Joint Technology Standards Work Group; recommendations to be implemented in 2005 such as the history center feasibility study, social services one-stop pilot, development of a single countywide GIS system; and further delineated programs and recommendations that required further analysis by staff.

The City Clerk read the following ordinance:

AN ORDINANCE 99606

AN ORDINANCE AMENDING CITY ORDINANCE NO. 89366, DATED MARCH 4, 1999, TO EXPAND THE ENFORCEMENT DUTIES OF THE SAN ANTONIO POLICE DEPARTMENT PUBLIC SAFETY TEAM VOLUNTEERS TO INCLUDE FIRE LANE PARKING VIOLATIONS; AS REQUESTED BY COUNCILMAN CHIP HAASS, DISTRICT 10.

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

Police Chief Albert Ortiz narrated a slide presentation on the expanding duties of the Public Safety Team volunteers, a copy of which is on file with the papers of this meeting. He spoke to the current ordinance in place and current duties of the public safety team, background information on the hours of training, course requirements, the proposed language of the ordinance which would expand duties to include the enforcement of fire lane parking violations, and continuation of enforcement of handicap parking violations. He cited the benefits and legal aspects of the amendment.

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

3:00 PUBLIC HEARING & ORDINANCE

Mayor Garza declared the public hearing to be open.

The following citizens appeared to speak:

Mr. Marty Wender
Mr. Jack M. Finger

Mayor Garza declared the public hearing to be closed.

The Clerk read the following Ordinance

AN ORDINANCE 99607

AN ORDINANCE CLOSING, VACATING AND ABANDONING AN UNIMPROVED 1.973 ACRE PORTION OF ROGERS ROAD FROM THE NORTHWEST INTERSECTION OF WISEMAN BOULEVARD AND STATE HIGHWAY 151 TO THE SOUTH OF THE MOUNTAIN VIEW SUBDIVISION ADJACENT TO NEW CITY BLOCKS 17640 AND 17642, LOCATED IN COUNCIL DISTRICT 6, AS REQUESTED BY THE PETITIONER, WESTOVER HILLS DEVELOPMENT PARTNERS, L.P., FOR THE TOTAL CONSIDERATION OF \$20,755.00.

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

Ms. Rebecca Waldman, Director of Asset Management Department narrated a slide presentation on the proposed closure, a copy of which is on file with the papers of this meeting. She outlined the purpose of the closure, total area involved, aerial views and site maps of the area. She highlighted the staff coordination efforts, notification process and fiscal impact of the project.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99608

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON EITHER FEBRUARY 5, 2005, OR MAY 7, 2005, IN THE CITY OF SAN ANTONIO, TEXAS, IN ACCORDANCE WITH CHAPTER 334, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, AND OTHER APPLICABLE LAW, ON THE QUESTION OF IMPLEMENTING AND APPROVING CITY COUNCIL RESOLUTION NO. 2004-27-23, WHICH DESIGNATES, AND PROVIDES FOR THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION, OR RENOVATION OF, AND THE METHOD OF FINANCING FOR, THE *EDWARDS AQUIFER PROTECTION VENUE PROJECT*; MAKING PROVISION FOR THE HOLDING OF SAID ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Chris Brady, Assistant City Manager narrated a slide presentation on the Edwards Aquifer Protection Venue Project and the Parks Development and Expansion Venue, a copy of which is on file with the papers of this meeting. He outlined background information on the calling of the election and the request to include the acquisition of open space and linear parks along certain waterways. He spoke to the propositions of the May 2000 election, specifically highlighting on the Proposition 3 addressing the Aquifer Program, and the land acquisitions, costs associated with the acquisitions, and funding status of certain creekways. He amplified on the proposed ordinance calling for a special election to be held on either February 5 or May 7, 2004 for the venue project proposition, noting the proposed sales tax amount, the estimated collection amount of the sales tax, and permitted uses for the proposition collections.

Mr. Tom Spurgeon spoke to the statutory differences between the 2000 propositions and the 2004, noting the significant limitation in the 2000 proposition. He further addressed the sharing of the sales tax revenues of the Edwards Aquifer Protection Venue Project and Open Space and Linear Park Venue Project, and how the propositions and ballot language would be written to provide the sharing of the revenues received from the 1/8th cent sales and use tax should both propositions pass. Mr. Spurgeon further expounded on the possible additional sales taxes, the overall 8.25% limitation, the maximum sales tax allowed by law, the election timeline and fiscal impact of the election.

The following citizens appeared to speak:

Ms. Nettie Hinton

Ms. Mariane Ornelas

Ms. Marianne Kestenbaum

Ms. Bonnie Conner

Mr. Nazarite Ruben Flores Perez

Mr. Jody Sherrill

Mr. Woody Halsey

Mr. Jerry Morrissey

Councilmember Hall made a motion to approve Amendment 1 for a February 5, 2005 Special Election. Councilmember Radle seconded the motion.

Councilmember Flores made a motion to accept Amendment 2 for a May 7, 2005 Special Election. Councilmember Segovia seconded the motion.

After consideration, the motion to accept amendment 2 prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Barrera, Castro, Haass. **NAYS:** Perez, Radle, Hall, Schubert, None. **ABSENT:** 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, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** None. **ABSENT:** Garza.

The City Clerk read the following resolution:

A Resolution 2004-29-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, DESIGNATING AS A "VENUE PROJECT" UNDER CHAPTER 334 OF THE TEXAS LOCAL GOVERNMENT CODE, A MUNICIPAL PARKS AND RECREATION PROJECT TO PROVIDE FUNDS FOR THE ACQUISITION OF OPEN SPACE AND LINEAR PARKS ALONG LEON CREEK, SALADO CREEK, MEDINA RIVER AND SAN ANTONIO RIVER, AND FOR IMPROVEMENTS AND ADDITIONS TO THE MUNICIPAL PARKS AND RECREATION SYSTEM; AUTHORIZING THE PLANNING, ACQUISITION, ESTABLISHMENT, DEVELOPMENT, CONSTRUCTION, OR RENOVATION OF THIS VENUE PROJECT; DESIGNATING THE METHOD OF FINANCING TO BE USED TO FINANCE THIS VENUE PROJECT; CONTAINING OTHER PROVISIONS RELATED TO AUTHORIZING THIS VENUE PROJECT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

CITIZENS TO BE HEARD

The following citizens appeared to speak:

Mr. Guillermo Vasquez, SEIU
Ms. Rosa Rosales, NAPE
Mr. Nazarite Ruben Flores Perez
Mr. Steve Shamblen
Mr. Arnulfo M. Ybarra

EXECUTIVE SESSION

The City Council recessed its regular session at 5:51 P.M. in order to convene in Executive Session for the purpose of:

Discuss the lawsuit styled *Niki C. Hunt v. Jesse Patino, Jr. & City of San Antonio*, Cause No. 2003-CI-13216, 45th Judicial District Court of Texas, Bexar County, pursuant to Section 551.071 (consultation with attorney).

Discuss legal issues relating to the claim of Clark/Torres, J.V. for and on behalf of Todd Ford, Inc. and Lewis & Lambert Metal Constructors, Inc. and other issues in connection with the Convention Center Expansion Project, pursuant to Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 7:30 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

7:00 BUDGET WORK SESSION FOR THE FOLLOWING:

- Major Revenues & Proposed Revenue Enhancements**
- Economic Development**
- CPS Revenues**

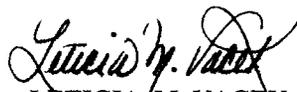
There being no further business to come before the City Council the meeting was adjourned at 9:58p.m.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:


LETICIA M. VACEK
City Clerk