

**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, September 2, 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: DCI Human Development Budget.

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

The "B" Session adjourned at 12:31 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, Garza. ABSENT: None.

Invocation by Rev. Lawrence Christian, District 7, Assumption Seminary Church.

Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented proclamations for the *Great TV SA* Tune-In program, and the Dies y Seis de Septiembre Celebration.

CONSENT AGENDA

Items 14, 17, 21, 22, 23, and 24 were addressed individually from the consent agenda. The remaining items numbered 6 through 29 were approved under the consent agenda upon motion made by Councilmember Perez and seconded by Councilmember Haass.

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

AN ORDINANCE 99631

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY TANSECO SYSTEMS, INC., TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN INTEGRATED VIDEO SECURITY SYSTEM FOR A TOTAL AMOUNT OF \$206,098.

AN ORDINANCE 99632

AN ORDINANCE ACCEPTING THE LOW RESPONSIVE BID SUBMITTED BY WESCAM SONOMA, INC., TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN AIRBORNE THERMAL AND VISIBLE LIGHT IMAGING CAMERA SYSTEM FOR A TOTAL AMOUNT OF \$229,500.

AN ORDINANCE 99633

AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$1,051,364,00 INCLUDE CONTRACTS FOR REPAIR AND MAINTENANCE OF PHYSIO CONTROL MONITORS/DEFIBRILLATORS, SUN HARDWARE MAINTENANCE AND SUPPORT, PREFILLED DISPOSABLE SYRINGES FOR EMS AND AUTOMOTIVE AND HEAVY EQUIPMENT FILTERS.

AN ORDINANCE 99634

AN ORDINANCE ACCEPTING THE LOW QUALIFIED BID OF GG&G GENERAL CONSTRUCTION, INC. IN THE AMOUNT OF \$695,000.00, FOR CONSTRUCTION WORK IN CONNECTION WITH THE CROWNRIDGE CANYON NATURE AREA IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 8, AUTHORIZING THE EXECUTION OF CONSTRUCTION CONTRACT; AUTHORIZING \$139,000 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$14,000 FOR ART ENHANCEMENT; AUTHORIZING \$62,950.28 FOR PARK MATERIALS FOR A TOTAL AMOUNT OF \$910,950.28;

AUTHORIZING THE TRANSFER OF \$599,500.28 FROM PREVIOUSLY ALLOCATED 1999-2004 PARK FUNDS APPROVED FOR LAND ACQUISITION AND DEVELOPMENT; ACCEPTING A DONATION IN THE AMOUNT OF \$14,000.00 FROM THE FRIENDS OF THE FRIEDRICH PARK; APPROPRIATING \$297,450.00 FROM PROPOSITION 3 PROJECT DEVELOPMENT FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99635

AN ORDINANCE APPROVING FIELD ALTERNATION NO. 2 IN THE AMOUNT OF \$33,800 PAYABLE TO R.L. JONES, L.P., IN CONNECTION WITH THE CULEBRA AREA STREETS PHASE III COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99636

AN ORDINANCE SELECTING HNTB CORPORATION AND SELECTING BAIN MEDINA BAIN, INC. (SBE/WBE) TO PROVIDE AS-NEEDED SERVICES IN CONNECTION WITH CITY-WIDE SIDEWALK, STREET AND NEIGHBORHOOD IMPROVEMENT PROJECTS, EACH IN AN AMOUNT NOT TO EXCEED \$400,000.00 FOR A TOTAL AMOUNT OF \$800,000 AUTHORIZING THE NEGOTIATION AND EXECUTION OF TWO INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENTS FOR ENGINEERING SERVICES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99637

AN ORDINANCE SELECTING CHESNEY, MORALES & ASSOCIATES, INC. (SBE/MBE), SELECTING KINNISON & ASSOCIATES, ARCHITECTS (SBE), AND SELECTING NORED ARCHITECTURE TO PROVIDE AS-NEEDED SERVICES IN CONNECTION WITH CITY-OWNED FACILITIES AND IMPROVEMENTS, POTENTIAL PROPERTY ACQUISITIONS, CONSTRUCTION PROJECTS AND TIME-SENSITIVE ISSUES, EACH IN AN AMOUNT NOT TO EXCEED \$100,000.00, FOR A TOTAL AMOUNT OF \$300,000.00; AUTHORIZING THE NEGOTIATION AND EXECUTION OF THREE INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENTS FOR ARCHITECTURAL SERVICES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99638

AN ORDINANCE SELECTING BILL REIFFERT & ASSOCIATES, INC., SELECTING JASTER-QUINTANILLA SAN ANTONIO, LLP, AND SELECTING RABA-KISTNER CONSULTANTS, INC. TO PROVIDE AS-NEEDED SERVICES FOR TIME SENSITIVE SITUATIONS IN CONNECTION WITH CITY-OWNED FACILITIES AND IMPROVEMENTS, PROPERTY ACQUISITIONS AND CONSTRUCTION PROJECTS, EACH IN AN AMOUNT NOT TO EXCEED \$100,000.00, FOR A TOTAL AMOUNT OF \$300,000; RATIFYING EMERGENCY SERVICES OF AND PROVIDING PAYMENT TO RABA-KISTNER CONSULTANTS, INC. IN THE AMOUNT OF \$39,197.15; RATIFYING EMERGENCY SERVICES OF AND PROVIDING PAYMENT TO JASTER-QUINTANILLA SAN ANTONIO, LLP IN AN AMOUNT NOT TO EXCEED \$1,500.00 FROM CERTIFICATES OF OBLIGATION; AUTHORIZING THE NEGOTIATION AND EXECUTION OF THREE (3) INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENTS FOR ENGINEERING SERVICES.

AN ORDINANCE 99639

AN ORDINANCE ACCEPTING THE BEST OFFER IN THE AMOUNT OF \$2,050,000.00 FROM F. A. NUNNELLY COMPANY (SBE) FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE FIRE STATION NO. 7 PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$100,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AMENDING THE PROFESSIONAL SERVICES AGREEMENT OF 3D INTERNATIONAL, INC. IN THE AMOUNT OF \$14,254.20 FOR ADDITIONAL SERVICES, FOR AN OVERALL TOTAL OF \$2,164,254.20 FROM FIRE DEPARTMENT CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99640

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE AN "AGREEMENT TO USE FUNDS FOR INFRASTRUCTURE IMPROVEMENTS TO KELLYUSA" BETWEEN THE CITY OF SAN ANTONIO AND THE GREATER KELLY DEVELOPMENT AUTHORITY IN AN AMOUNT NOT TO EXCEED \$558,580.00 FROM 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS TO PROVIDE FUNDING FOR THE FIRST PHASE OF IMPROVEMENTS TO BILLY MITCHELL BOULEVARD; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99641

AN ORDINANCE AUTHORIZING FUNDS IN THE AMOUNT OF \$8,372.17 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: BABCOCK ROAD/LEON CREEK IMPROVEMENTS – HAUSMAN TO DEZAVALA PROJECT, LOCATED IN COUNCIL DISTRICT 8; BITTERS ROAD – WEST AVENUE TO HEIMER MPO PROJECT, LOCATED IN COUNCIL DISTRICT 9; THE CULEBRA/LOOP 410 DETENTION POND PROJECT, LOCATED IN COUNCIL DISTRICT 6; AND THE SALADO CREEK GREENWAY (HIKE & BIKE TRAIL) PHASE I PROJECT, A CITY WIDE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99642

AN ORDINANCE AUTHORIZING FUNDS IN THE AMOUNT OF \$3,750.00 FROM 1994 GENERAL OBLIGATION DRAINAGE BOND FUNDS PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR FERNANDO G. CASTANEDA AND KANDRA J. CASTANEDA FOR FEE SIMPLE TITLE TO ONE PARCEL (\$3,250.00) AND TITLE FEES (\$500.00) IN CONNECTION WITH THE SCIENCE PARK DRAINAGE #58 H, I AND J PROJECT, LOCATED IN COUNCIL DISTRICT 7; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99643

AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,350.00 FROM GENERAL OBLIGATIONS OF THE CITY TO DUGGER, CANADAY, GRAFE, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE HILDEBRAND – I.H. 10 TO BREEDEN MPO PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99644

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE AN EXTENSION OF AN AGREEMENT WITH THE FEDERAL RESERVE BANK OF DALLAS AND ACCEPTING AN ANNUAL PAYMENT IN THE AMOUNT OF \$38,550.00 FROM THE FEDERAL RESERVE BANK OF

DALLAS TO OFFSET THE LOSS OF PARKING FUND REVENUE ASSOCIATED WITH THE PREVIOUS REMOVAL OF TWENTY-NINE (29) PARKING METERS ADJACENT TO THE FEDERAL RESERVE BUILDING LOCATED IN COUNCIL DISTRICT 1.

AN ORDINANCE 99645

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT A \$500,000.00 GRANT FOR THE FOURTH YEAR OF THE TEXAS DEPARTMENT OF TRANSPORTATION DWI SELECTIVE TRAFFIC ENFORCEMENT PROGRAM, WHICH WILL CONTINUE TO FUND AN OVERTIME PROGRAM FOR DWI ENFORCEMENT, FOR THE GRANT PERIOD OCTOBER 1, 2004 TO SEPTEMBER 30, 2005; AND AUTHORIZING AN IN-KIND MATCH OF \$39,440.00 AND A CASH MATCH OF \$16,116.00.

AN ORDINANCE 99646

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT A \$333,785.00 LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, TO BE USED TO SUPPORT CONTINUED OPERATIONS OF THE SAN ANTONIO POLICE DEPARTMENT'S GANG DETAIL AND TO PURCHASE SIXTEEN IN-CAR VIDEO RECORDING DEVICES AND ASSOCIATED COMPUTER HARDWARE NECESSARY TO STORE THE VIDEO IMAGES; ESTABLISHING A BUDGET; APPROPRIATING AND AUTHORIZING EXPENDITURE OF ALL PROJECT ACCRUED INTEREST; AUTHORIZING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY REGARDING THE DISTRIBUTION OF THE COMBINED CITY AND COUNTY GRANTS; AND AUTHORIZING A \$37,087.00 LOCAL MATCH FROM THE CONFISCATED PROPERTY FUND.

AN ORDINANCE 99647

AN ORDINANCE APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF: 1) A CHANGE ORDER IN THE AMOUNT OF \$3,125,000.00 WITH CLARK/JT CONSTRUCTION ON BEHALF OF TODD-FORD AND LEWIS AND LAMBERT, SUBCONTRACTORS ON THE CONVENTION CENTER EXPANSION PROJECT; AND 2) A MUTUAL RELEASE AND SETTLEMENT AGREEMENT IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 99648

AN ORDINANCE APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR MISSION SAN JOSE IN CONNECTION WITH THE MISSION HERITAGE 5K TO BE HELD ON SUNDAY, SEPTEMBER 19, 2004 FROM 6:30 A.M. UNTIL 10:00 A.M., SPONSORED BY MISSION SAN JOSE.

CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 99649

AN ORDINANCE ACCEPTING THE LOW BID IN AN AMOUNT NOT TO EXCEED \$1,338,768.29 FROM RAM BUILDING SERVICES, L.L.C. (MBE) FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE CITY-WIDE NEIGHBORHOOD IMPROVEMENT CONSTRUCTION PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$130,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$1,469,768.29; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99650

AN ORDINANCE AUTHORIZING FUNDS IN THE AMOUNT OF \$45,689.63 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO BRACEWELL & PATTERSON, L.L.P. FOR LEGAL SERVICES NECESSARY TO THE REAL ESTATE ACQUISITIONS FOR THE FOLLOWING APPROVED CITY PROJECTS: HILDEBRAND AVENUE FROM IH 10 TO BREEDEN MPO PROJECT, LOCATED IN COUNCIL DISTRICT 1; PLEASANTON ROAD – SOUTHCROSS TO MAYFIELD MPO PROJECT, LOCATED IN COUNCIL DISTRICT 5; AND THE WESTERN

AVENUE DRAINAGE #74 III-A PROJECT, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 99651

AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,400.00 FROM GENERAL OBLIGATIONS OF THE CITY TO ECKMANN GROLL, INC. FOR APPRAISAL SERVICES IN CONNECTION WITH THE MISSION TRAILS PACKAGE IV PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; SCIENCE PARK DRAINAGE #58 H, I AND J PROJECT, LOCATED IN COUNCIL DISTRICT 7; AND THE WURZBACH PARKWAY PHASE V PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Segovia 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, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 99652

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH WNLV, LTD., A TEXAS LIMITED PARTNERSHIP, FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF APPROXIMATELY 3,000 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 4020 NACO-PERRIN BOULEVARD IN COUNCIL DISTRICT 10 FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH JANUARY 31, 2005 AT A RATE OF \$2,850.00 PER MONTH; APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH; AND

PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT VOTES.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99653

AN ORDINANCE GRANTING (1) A LICENSE AGREEMENT TO ALAMO QUARTERS, LTD., A TEXAS LIMITED PARTNERSHIP TO USE, MAINTAIN AND OPERATE TWO EXISTING BALCONIES (23.5 FEET BY 5 FEET AND 27.5 FEET BY 5 FEET, RESPECTIVELY) OVER PUBLIC RIGHT OF WAY AT 242 LOSOYA STREET AND 248 LOSOYA STREET, RESPECTIVELY, AND TO CONSTRUCT A THIRD BALCONY OVER PUBLIC RIGHT OF WAY AT 246 LOSOYA STREET, ALL BALCONIES ADJACENT TO A BUILDING AT 248 AND 254 LOSOYA STREET, CO-OWNED WITH KBOUDI PARTNERSHIP, A TEXAS GENERAL PARTNERSHIP, FOR A LICENSE FEE OF \$7,597.00; AND (2) A LICENSE AGREEMENT WITH KBOUDI PARTNERSHIP, TO USE, MAINTAIN AND OPERATE AN EXISTING BALCONY OVER PUBLIC RIGHT OF WAY ADJACENT TO THE BUILDING AT 254 LOSOYA STREET FOR A LICENSE FEE OF \$2,545.00, ALL LOCATED IN NCB 145, IN COUNCIL DISTRICT 1, EACH LICENSE AGREEMENT FOR A TEN (10) YEAR TERM FOR A TOTAL CONSIDERATION OF \$10,142.00 WHICH INCLUDES A 75% REDUCTION OF THE LICENSE FEES AS PROVIDED BY THE CITY'S INCENTIVE SCORECARD, PASSED AND APPROVED BY CITY COUNCIL ON MAY 29, 2003.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99654

AN ORDINANCE AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS), ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION 19-68(B) TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULE FOR "FULL TRAFFIC SIGNAL LOCATIONS", "ONE WAY AT ALL TIMES", "ALL WAY STOPS", "CROSS STREET STOP", "CROSS STREET YIELD", "MAXIMUM SPEED LIMIT", "PARKING PROHIBITED AT ALL TIMES, INCLUDING SUNDAYS AND HOLIDAYS", "STOPPING, STANDING OR PARKING PROHIBITED DURING CERTAIN HOURS EXCEPT SUNDAYS AND HOLIDAYS PROHIBITED SEVEN A.M. TO NINE A.M. AND TWO P.M. TO FOUR P.M. SCHOOL DAYS ONLY", "SCHOOL SPEED ZONES", "SCHOOL CROSSWALKS (MID-BLOCK)", "SCHOOL CROSSWALKS (INTERSECTION)", AND "STUDENT LOADING ZONE SEVEN A.M. TO NINE A.M. AND TWO P.M. TO FOUR P.M. SCHOOL DAYS ONLY", AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE THAN \$200.00, AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-225 (ADMINISTRATIVE ADJUDICATION OF STOPPING, STANDING AND PARKING VIOLATIONS), AND ESTABLISHING AN EFFECTIVE DATE OF NO MORE THAN FIVE (5) DAYS AFTER PUBLICATION IN ACCORDANCE WITH ARTICLE 2, SECTION 17, OF THE CITY CHARTER.

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.

PUBLIC HEARING TO CONSIDER PUBLIC COMMENT AND TO DISCUSS THE LEVYING OF A SUPPLEMENTAL SPECIAL ASSESSMENT TO FUND SERVICES AND IMPROVEMENTS FOR THE PUBLIC IMPROVEMENT DISTRICT.

Mayor Garza declared the Public Hearing to be open.

Mr. Ramiro Cavazos, Economic Development Director, narrated a slide presentation regarding the public hearing and consideration of ordinances related to the Downtown Public Improvement District (PID) service and assessment plan, management agreement, and VIA interlocal agreement, a copy of which was made part of the files of the City Clerk. He outlined the specific services and improvements to be provided by the PID, and identified the special assessment rate to be levied on all downtown property owners. He discussed in detail the six components of the service and assessment plan, which includes district management/administration, operations, maintenance, landscaping, public service representatives (Amigos), and marketing. He spoke to the City contribution to PID, as well as specific details regarding the interlocal agreement in relation to VIA.

There were no citizens signed to speak.

Mayor Garza declared the Public Hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 99655

AN ORDINANCE APPROVING THE LEVY OF A SUPPLEMENTAL SPECIAL ASSESSMENT TO FUND SUPPLEMENTAL SERVICES FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (PID); LEVYING AN ASSESSMENT RATE AT \$0.11 PER \$100 VALUE OF REAL PROPERTY IN THE PID; AND APPROVING THE FISCAL YEAR 2005 SERVICES AND ASSESSMENT PLAN FOR THE PID TO INCLUDE AN ANNUAL BUDGET, A FIVE-YEAR FISCAL FORECAST, THE SUPPLEMENTAL SPECIAL ASSESSMENT RATE, A MAINTENANCE AND LANDSCAPING PROGRAM, A MARKETING PROGRAM, AND A PUBLIC SERVICES REPRESENTATIVES PROGRAM.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99656

AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONTRACT WITH CENTRO SAN ANTONIO MANAGEMENT CORPORATION, A NON-PROFIT ENTITY, TO PROVIDE SPECIFIED SERVICES AND DEVELOP ANNUAL SERVICE AND ASSESSMENT PLANS FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (PID) FOR A FIVE-YEAR PERIOD ENDING SEPTEMBER 30, 2009.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99657

AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A FIVE (5) YEAR INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR ITS ANNUAL CONTRIBUTION OF AN AMOUNT NOT TO EXCEED \$60,000.00 UPON PASSAGE OF THE ADVANCED TRANSPORTATION DISTRICT REFERENDUM, BUT IN ANY EVENT, NOT LESS THAN \$30,000.00, TO THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (PID), TO BEGIN OCTOBER 1, 2004 AND TERMINATE ON SEPTEMBER 30, 2009.

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

INDIVIDUAL ITEMS

The City Clerk read the following ordinance:

AN ORDINANCE 99658

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CITY'S TAX PHASE-IN AGREEMENT WITH ROYAL OAK INDUSTRIES, INCORPORATED (APPROVED BY ORDINANCE NO. 96358 DATED SEPTEMBER 12, 2002) TO ADJUST THE EXISTING TEN (10) YEAR TERM OF THE AGREEMENT TO COMMENCE JANUARY 1, 2004; AMENDING THE JOB CREATION DEADLINE AND FACILITY COMPLETION DATE CORRESPONDING WITH THE ADJUSTED TERM OF THE AGREEMENT; REVISING THE DESCRIPTIONS OF REAL AND PERSONAL PROPERTY IMPROVEMENTS AND INVESTMENT LEVELS; AND ASSIGNING THE RIGHTS AND OBLIGATIONS OF THE AGREEMENT TO TEXAS MACHINING ENTERPRISES II, L.L.P., AN AFFILIATE ENTITY OF ROYAL OAK INDUSTRIES, INCORPORATED.

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding an amendment to the Tax Phase-In agreement with Royal Oak Industries, a copy of which was made part of the official papers of the City Clerk's Office. He provided background information on Royal Oak Industries, and the nature of their business. He indicated that on September 12, 2002, City Council had approved a Tax Phase-In agreement, and Royal Oak had committed to creating 100 full-time positions by the end of 2003. He then expounded on the current status 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 99659

AN ORDINANCE AUTHORIZING CERTAIN ACTIONS RELATING TO OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

Mr. Ben Gorzell, Public Utilities Supervisor, narrated a slide presentation for agenda items 31A and 31B regarding certain actions relating to outstanding obligations designated as City of San Antonio, Texas Electric and Gas Systems Junior Lien Revenue Bonds, and the authorization of certain actions relating to outstanding obligations designated as City of San Antonio, Texas Electric and Gas Systems Commercial Paper Notes, a copy of which was made part of the official papers of the City Clerk's Office. He spoke to the purpose of the amendment, and discussed the current credit agreement.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99660

AN ORDINANCE AUTHORIZING CERTAIN ACTIONS RELATING TO OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS COMMERCIAL PAPER NOTES, SERIES A, INCLUDING APPROVAL OF A REVOLVING CREDIT AGREEMENT, AN AMENDED AND RESTATED DEALER AGREEMENT, AND AN AMENDED AND RESTATED COMMERCIAL PAPER ISSUING AND PAYING AGENCY AGREEMENT; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99661

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A FUNDING AGREEMENT WITH THE METROPOLITAN PLANNING

ORGANIZATION (MPO) AND ACCEPTING REIMBURSEMENT FROM THE MPO IN AN AMOUNT NOT TO EXCEED \$130,000.00; AND ADOPTING A PERSONNEL COMPLEMENT FOR ONE TWO-YEAR STAFF POSITION ENTITLED HIKE AND BIKE COORDINATOR (SPECIAL PROJECT COORDINATOR).

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

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation regarding the agreement with Metropolitan Planning Organization (MPO) to fund a Hike and Bike Coordinator position, a copy of which was made part of the official papers of the City Clerk's Office. He spoke to the purpose of the position, and amplified on the City's involvement in MPO's planning process and participation on committee and task forces.

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

The City Clerk read the following ordinance:

AN ORDINANCE 99662

AN ORDINANCE APPROVING REVISIONS TO CHAPTER 19, SECTION 251 OF THE CITY CODE REGARDING "SCHOOL ZONES DESIGNATED; DRIVING RESTRICTIONS", TO ALLOW FOR 1) THE ESTABLISHMENT OF REDUCED SPEED ZONES AT VARIOUS SPEEDS OTHER THAN 20 MPH; AND 2) SCHOOL ZONE TIMES OTHER THAN 7-9 A.M. AND 2-4 P.M. FOR FLASHING BEACON LOCATIONS.

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

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation regarding proposed revisions to Chapter 19, section 251 of the City Code entitled "School Zones Designated; Driving Restrictions," a copy of which was made part of the official papers of the City Clerk's Office. He amplified on school zone speed limits, and on the existing school zone ordinance. He then outlined the reasons to update the ordinance.

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. **NAYS:** None. **ABSENT:** Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 99663

AN ORDINANCE AMENDING THE FINAL PROJECT PLAN FOR REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS (KNOWN AS THE INNER CITY TIRZ LOCATED IN COUNCIL DISTRICTS 1, 2 AND 5), AS APPROVED BY ORDINANCE NOS. 94006 AND 98568, BY ADDING THE EASTSIDE SPORTS COMPLEX TO THE LIST OF APPROVED PROJECTS, PLACING THE EASTSIDE SPORTS COMPLEX FIRST ON THE LIST, RETAINING THE ORIGINALLY APPROVED LIST OF PROJECTS; AND REVISING THE FINAL FINANCING PLAN TO REFLECT THOSE CHANGES TO THE FINAL PROJECT PLAN.

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

Mr. David Garza, Director of Neighborhood Action, narrated a slide presentation regarding the Inner City Tax Increment Reinvestment Zone (TIRZ) #11 final project and finance plan amendments, a copy of which was made part of the official papers of the City Clerk's Office. He discussed the background of TIRZ #11, and presented an overview of the proposed amendments. He then discussed the financial 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, Schubert. **NAYS:** None. **ABSENT:** Haass, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 99664

AN ORDINANCE TO ACT ON THE APPEAL BY MR. ADAM CARDENAS, JR. OF THE DECISION OF THE ELECTRICAL EXAMINING AND SUPERVISING BOARD TO REFUSE TO CERTIFY THE RESULTS OF THE MASTER ELECTRICIAN'S EXAMINATION GIVEN IN APRIL 2004. (STAFF RECOMMENDS THAT THE EXAMINATION BE CERTIFIED. THE ELECTRICAL EXAMINING AND SUPERVISING BOARD RECOMMENDS THE EXAMINATION NOT BE CERTIFIED.)

Mr. Florencio Pena, Director of Development Services, narrated a slide presentation regarding the appeal of a decision of the Electrical Examining and Supervising Board by Mr. Adam Cardenas, a copy of which was made part of the official papers of the City

Clerk's Office. He spoke to the purpose of the Electrical Examining and Supervising Board, indicating the State had assumed the role of testing and issuing electrical licenses. He indicated the Board was recommending not accepting the examination results and refunding the examination fees, and Staff was recommending accepting the examination results as reported and not refunding examination fees.

The following Citizens appeared to speak:

Mr. Adam Cardenas, no address listed
Mr. John Gonzalez, 8114 Foster Rd.
Mr. Jaime Meza, 1449 Culebra
Mr. Ray Gutierrez, 9318 Valley Gate
Ms. Olivia Rodriguez, 206 Hosack

Councilmember Radle made a motion to certify the exam and refund the examination fee to all applicants. 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, Haass, Garza. **NAYS:** None. **ABSENT:** None.

TRAVEL AUTHORIZATION

Ratification of Travel Authorization for Councilmember Barrera who attended the Trade Mission in Mexico City, Mexican Stock Market during August 29-31, 2004.

Councilmember Perez 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.

CITY MANAGER'S REPORT

Mr. Mark Webb, Assistant Director of Asset Management, made a presentation on the high risk contracts, a copy of which is on file with the Office of the City Clerk.

CITIZENS TO BE HEARD

The following citizens appeared to speak on various issues:

Mr. Raymond Zavala, no address listed
Mr. Faris Hodge Jr., 140 Dora
Mr. Nazarite Ruben Flores Perez, 627 Hearne Ave.

EXECUTIVE SESSION

The City Council recessed its regular session at 6:44 pm in order to convene in Executive Session for the purpose of:

Discuss 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 Texas Government Code Section 551.087 (deliberations regarding economic development negotiations).

Discuss the lawsuit styled *Dynamic Conversions, Inc., and Dynamic National Industries, L.L.C. vs. City of San Antonio*, Cause No. 2003-CI-11189, 57th District Court, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 7:38 pm 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 PM BUDGET WORK SESSION

Aviation Department

Development Services Department work session was rescheduled to the City Council Meeting of September 9, 2004.

There being no further business to come before the City Council the meeting was adjourned at 9:55 p.m.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk