

**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, MARCH 31, 2005**

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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.

The Invocation was delivered by Chaplain (Captain) Regina O. Samuel, Basic Military Training Branch, Lackland Air Force Base, guest of Mayor Edward D. Garza.

Mayor Pro Tem Hall led the Pledge of Allegiance to the flag of the United States.

**CEREMONIAL ITEMS**

Mayor Pro Tem Hall presented the following honorariums: proclamation for "Sexual Assault Awareness Month"; proclamation for "Beautify San Antonio Association Week"; and an Official Welcome Certificate to the Mitchell Lake Audubon Center.

**1:30 P.M. CONSIDERATION OF ORDINANCES**

The City Clerk read the following ordinance:

**AN ORDINANCE 100592**

**AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$122,485,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 2005"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW AND TRUST AGREEMENT,**

AND A PURCHASE CONTRACT; COMPLYING WITH THE PROVISIONS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

Mr. Milo D. Nitschke, Finance Department Director, narrated a powerpoint presentation regarding the sale of General Improvement and Refunding Bonds a copy of which is on file with the Office of the City Clerk. He also discussed item 4B (Ordinance 100593), regarding the sale of Combination Tax and Revenue Certificates of Obligation, Series 2005. He cited the bond ratings of Fitch, Moody's and Standard & Poor's, and spoke to specific details of the transaction summary. He indicated the New Money portion of the 2005 Bonds represented the second installment of the 2003 authorized Bond program. He discussed the allocation of funds, and spoke to the underwriter syndicate. He then outlined the tentative bond sale and delivery schedule.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to various agenda items, citing possible conflicts of interest among various Council members. He urged Council to abstain from voting from any items that would appear to have a conflict of interest, based on any monies received for their campaign.

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 100593

AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$10,740,000.00 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2005"; PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY A LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER

MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE PROVISIONS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

The minutes of the Regular City Council meeting of March 10, 2005, and the Special City Council meetings of March 16 and March 17, 2005 were approved as presented.

#### CONSENT AGENDA - CITIZEN'S COMMENTS

Items 7, 8, 9, 10, 13, 16, 17, 18, 19, 21, 24, 25, 28, 30, 35, and 37 were addressed individually from the consent agenda. The remaining items 6 through 38E were approved upon motion made by Councilmember Perez and seconded by Councilmember Williams.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to several items on the consent agenda.

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

#### AN ORDINANCE 100594

ACCEPTING THE BID SUBMITTED BY EXPRESS VIDEO, INC. FOR THE PURCHASE OF (175) GAMBLING DEVICES (EIGHT LINERS) IN THE AMOUNT OF \$107,231.00, SEIZED AS A RESULT OF CRIMINAL INVESTIGATIONS BY THE SAN ANTONIO POLICE DEPARTMENT AND SUBSEQUENTLY FORFEITED

BY ORDERS OF THE COURTS; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$28,324.24 TO THE BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE.

AN ORDINANCE 100595

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$184,124.00 FROM TURNER ROOFING COMPANY, LTD., TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE PARK FACILITY ROOF REPLACEMENT PACKAGE, WHICH INCLUDES THE WESTSIDE YMCA BUILDING IN ROSEDALE PARK (2900 RUIZ STREET IN COUNCIL DISTRICT 5), AND THE CUELLAR PARK COMMUNITY CENTER (5626 SAN FERNANDO IN COUNCIL DISTRICT 6); AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$18,413.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,500.00 FOR MANDATORY PROJECT FEES, FOR A TOTAL AMOUNT OF \$204,037.00 FROM 2003-2007 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100596

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$256,500.00 FROM UNITED ENTERPRISES (SBE/DBE/MBE) TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE FRIEDRICH PARK IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$61,750.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,506.46 FOR MANDATORY PROJECT FEES; AUTHORIZING AN ADDITIONAL \$119.54 FOR BID ADVERTISING AND PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$319,876.00 FROM 1999-2004 PARK BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100597

APPROVING FIELD ALTERATION NO. 5-FINAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$25,492.19 FROM THE PROJECT'S CONSTRUCTION CONTINGENCY FUND TO R.L. JONES, L.P., IN CONNECTION WITH THE BRANIFF - TURBO TO U.S. 281 PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100598

APPROVING SAWS FIELD ALTERATION NO. 1 BY REDUCING THE CONTRACT WITH SAN ANTONIO CONSTRUCTORS, INC., BY \$37,470.73 IN CONNECTION WITH THE FLORES/BREEDEN/BEACON DRAINAGE OUTFALL, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 1; AND REVISING THE PROJECT BUDGET.

AN ORDINANCE 100599

AUTHORIZING FUNDS IN THE AMOUNT OF \$2,400.00 FROM 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS PAYABLE TO JAMES W. PONTON, MAI, FOR APPRAISAL SERVICES IN CONNECTION WITH THE MARBACH ROAD PHASE I – MILITARY DRIVE TO PINN ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 6; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100600

AUTHORIZING THE ACCEPTANCE OF A GIFT DEED FROM THE MELOGRANO APARTMENTS, L.P., A TEXAS LIMITED PARTNERSHIP, ITS PREDECESSOR IN INTEREST OR ANY OTHER PREDECESSOR IN INTEREST FROM WHICH IT WOULD BE APPROPRIATE TO SECURE A CORRECTION DEED IF REQUIRED, TO EXECUTE THE TRANSFER OF 0.09 ACRE AND 0.10 ACRE ACRE TRACTS OF LAND, BOTH FROM LOTS 1 AND 2, BLOCK 3, NCB 17253, FOR A RIGHT OF WAY DEDICATION WITHIN THE OAKRIDGE SUBDIVISION, LOCATED IN COUNCIL DISTRICT 8.

AN ORDINANCE 100601

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$286,541.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES (“TDSHS”) TO AUGMENT SUPPORT FOR THE INNER-CITY SCHOOL IMMUNIZATION PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AND TO EXTEND THE GRANT PERIOD THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDSHS; REVISING THE PROGRAM BUDGET; AND AMENDING THE PERSONNEL COMPLEMENT.

AN ORDINANCE 100602

AUTHORIZING THE ACCEPTANCE OF THE CALENDAR YEAR 2005 GRANT AWARD FROM THE U.S. PUBLIC HEALTH SERVICE FOR THE IMMUNIZATION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THAT INITIALLY PROVIDES \$1,026,164.00 IN FINANCIAL SUPPORT, \$3,696,227.00 IN-KIND VACCINE SUPPORT AND \$27,907.00 IN-KIND PERSONNEL SUPPORT; AUTHORIZING ACCEPTANCE OF SUBSEQUENT FUNDING IN AN AMOUNT NOT TO EXCEED \$15,833,611.00 FROM THE U.S. PUBLIC HEALTH SERVICE FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005; ADOPTING A PROJECT BUDGET; AND APPROVING PERSONNEL COMPLEMENTS.

AN ORDINANCE 100603

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$31,000.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("TDSHS") TO AUGMENT SUPPORT FOR THE TITLE X FAMILY PLANNING PROGRAM 2004/2005 OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH AUGUST 31, 2005; APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDSHS; ADOPTING THE PROGRAM BUDGET; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100604

AUTHORIZING THE ACCEPTANCE OF \$37,672.00 FROM THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO ("UTHSCSA") FOR THE PARTICIPATION OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT IN THE SAN ANTONIO CENTER FOR THE STUDY OF STILLBIRTH PROJECT FOR THE PERIOD AUGUST 1, 2004 THROUGH JULY 31, 2005; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH UTHSCSA; ADOPTING THE PROJECT BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT.

AN ORDINANCE 100605

AUTHORIZING THE ACCEPTANCE OF DONATIONS IN THE TOTAL AMOUNT OF \$5,350.00, \$3,850.00 FROM COX RADIO, INC., \$1,000.00 FROM THE UNITED SERVICES AUTOMOBILE ASSOCIATION, AND \$500.00 FROM KINETIC

CONCEPTS, INC.. IN ORDER TO SUPPORT THE SPECIAL IMMUNIZATIONS PROMOTIONS PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AND REVISING THE PROGRAM BUDGET.

AN ORDINANCE 100606

AUTHORIZING THE EXECUTION OF AN AGREEMENT IN THE AMOUNT OF \$55,000.00 WITH THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR ("USGS") WHEREBY THE USGS WILL PROVIDE SURFACE WATER DATA COLLECTION AND MONITORING ACTIVITIES FOR LEON CREEK, UPSTREAM AND DOWNSTREAM FROM THE FORMER KELLY AIR FORCE BASE DURING THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AND AUTHORIZING PAYMENT FOR CONTRACTUAL SERVICES.

AN ORDINANCE 100607

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARENT/CHILD INCORPORATED (PCI) WHICH WILL ALLOW THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE APPROXIMATELY 5,800 PHYSICAL EXAMINATIONS FOR CHILDREN ENROLLED IN PCI PROGRAMS ON A REIMBURSABLE FEE-FOR-SERVICE BASIS IN AN AMOUNT NOT TO EXCEED \$238,600.00 FOR THE PERIOD FEBRUARY 1, 2005 TO JANUARY 31, 2006; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES, AND RENTAL PAYMENTS.

AN ORDINANCE 100608

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDS IN THE AMOUNT OF \$366,258.00 FOR THE FY 2004 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM ADMINISTERED BY THE UNITED STATES FIRE ADMINISTRATION, WHICH WILL BE USED FOR FIRE OFFICER I AND II CERTIFICATION, ADVANCED INCIDENT MANAGEMENT AND COMMUNICATIONS TRAINING AND COMMUNICATION EQUIPMENT.

AN ORDINANCE 100609

REAPPOINTING CHRISTOPHER J. BRADY (CITY MANAGER'S DESIGNEE CATEGORY - DISTRICT 10) TO THE BROOKS DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 4, 2006.

AN ORDINANCE 100610

APPOINTING BRIG. GEN. ROBERT MURDOCK (MAYOR) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100611

REAPPOINTING RUBY MAE JOHNSON (DISTRICT 6) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2006.

AN ORDINANCE 100612

APPOINTING RENE BALDERAS (DISTRICT 1) TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 2007.

AN ORDINANCE 100613

APPOINTING TIMOTHY B. CONE (GENERAL/REAL ESTATE LAW CATEGORY - DISTRICT 1) TO THE HISTORIC DESIGN AND REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

**CONSENT ITEMS CONSIDERED INDIVIDUALLY**

The City Clerk read the following ordinance:

AN ORDINANCE 100614

ACCEPTING THE PROPOSAL SUBMITTED BY PHILPOTT MOTORS, LTD. UTILIZING THE TEXAS BUYBOARD CONTRACT, TO PROVIDE THE CITY OF

SAN ANTONIO FIRE DEPARTMENT WITH ONE (1) SPORT UTILITY VEHICLE FOR A TOTAL COST OF \$30,249.00, FROM URBAN AREA SECURITY INITIATIVES GRANT FUNDS.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100615

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY GOLF CARS, ETC., TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS AND PARKS AND RECREATION DEPARTMENTS WITH SIX (6) REPLACEMENT UTILITY VEHICLES FOR A TOTAL COST OF \$79,648.08.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100616

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY TEXAS SPECIALTY STEEL TO PROVIDE THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH STEEL AND IRON FENCING MATERIALS FOR THE HISTORIC EASTSIDE CEMETERIES FENCING PROJECT FOR A TOTAL COST OF \$39,981.84; AND APPROVING THE APPROPRIATION AND ENCUMBRANCE OF \$50,000.00 FROM 2003-2007 PARKS AND RECREATION IMPROVEMENTS BOND FUNDS.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100617

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY FITNESS IN MOTION TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH (6) TREADMILLS FOR A TOTAL COST OF \$37,474.50.

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. **NAYS:** Castro. **ABSENT:** Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100618

APPROVING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$19,632.12 FROM 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS AND SAN ANTONIO WATER SYSTEM FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$22,554.60, FOR A TOTAL AMOUNT OF \$42,186.72 PAYABLE TO K.G.M.E, INC., IN CONNECTION WITH THE MOCKERT AREA STREETS PROJECT, LOCATED IN COUNCIL DISTRICT 5; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez 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. **NAYS:** None. **ABSENT:** Flores, Haass, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100619

AUTHORIZING PAYMENT IN THE AMOUNT OF \$19,800.00 TO KINNISON & ASSOCIATES, ARCHITECTS (SBE) FOR STAND-BY ARCHITECTURAL SERVICES, PASSED AND APPROVED ON SEPTEMBER 2, 2004, BY ORDINANCE NO. 99637, IN CONNECTION WITH THE CLAUDE BLACK COMMUNITY CENTER ROOFING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING \$1,980.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES; AUTHORIZING \$900.00 FOR REIMBURSABLE EXPENSES, FOR A TOTAL AMOUNT OF \$22,680.00; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100620

ACCEPTING THE LOW, RESPONSIVE BID OF SALINAS CONSTRUCTION TECHNOLOGIES, LTD. (SBE/DBE/MBE) IN THE AMOUNT OF \$1,966,250.69 IN CONNECTION WITH THE AVONDALE - NEW BRAUNFELS TO IH37/HILLJE - AVONDALE TO HOT WELLS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$115,188.31 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$80,631.82 FOR EXPENSE RECOVERY; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM THE SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$537,216.53 FOR SEWER AND WATER EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM CITY PUBLIC SERVICE (CPS) OF \$277,151.04, FOR A TOTAL AMOUNT OF \$2,164,070.82; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100621

AUTHORIZING \$30,000.00 FOR IN-HOUSE DESIGN CAPITAL ADMINISTRATIVE COSTS IN CONNECTION WITH THE LINDA LOU – PRESA TO HACKBERRY PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$2,000.00 FOR DESIGN CONTINGENCY EXPENSES; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$1,500.00 FOR ENVIRONMENTAL SERVICES DEPARTMENT ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$35,500.00 FROM 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100622

AUTHORIZING \$30,000.00 FOR IN-HOUSE DESIGN CAPITAL ADMINISTRATIVE COSTS IN CONNECTION WITH THE HACKBERRY – STEVES TO SOUTHCROSS PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING \$2,000.00 FOR DESIGN CONTINGENCY EXPENSES; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$1,500.00 FOR ENVIRONMENTAL SERVICES DEPARTMENT ADMINISTRATIVE COSTS, FOR A TOTAL AMOUNT OF \$35,500.00 FROM 1999-2004 GENERAL OBLIGATION STREET

IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

Councilmember Perez 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. **NAYS:** None. **ABSENT:** Flores, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100623

AUTHORIZING FUNDS IN THE AMOUNT OF \$15,061.85 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; LOOP 410 AT NACOGDOCHES DRAINAGE IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10; AND THE MISSION TRAILS PACKAGE IV PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3 AND 5; REVISING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

Item 23 being an Ordinance authorizing the expenditure of funds in the amount of \$1,355,926.00 for fee simple title and/or easement interest to seventy-four (74) privately owned real properties along Salado Creek in Council Districts 2 and 9 and along Leon Creek in Council Districts 4 and 6, and for other expenses associated with acquiring the properties, in connection with the Proposition Three Creekways Linear Parks Acquisition

and Park Expansion Project; appropriating funds; and providing for payment, was pulled from consideration.

The City Clerk read the following ordinance:

AN ORDINANCE 100624

AUTHORIZING THE EXECUTION OF SIX (6) PATIO DISPLAY LICENSE AGREEMENTS LOCATED IN THE OUTDOOR PATIO AT MARKET SQUARE IN COUNCIL DISTRICT 1, WHICH WILL COMMENCE ON APRIL 1, 2005 AND EXPIRE ON MARCH 31, 2010, WITH RENTAL RATES OF \$1.08 PER SQUARE FOOT PER MONTH TO BE ADJUSTED EACH YEAR BY THE CONSUMER PRICE INDEX.

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

Councilmember Flores made an amendment to the motion to approve to postpone for one week. Councilmember Perez seconded the motion.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100625

AUTHORIZING THE ASSIGNMENT OF AN EIGHT (8) YEAR STANDARD FORM EL MERCADO LEASE AGREEMENT FROM LYDIA SMITH D/B/A LYDIA'S TO PERLA AND MARIANO GARCIA D/B/A LA PERLA IN THE CITY OF SAN ANTONIO'S EL MERCADO AT MARKET SQUARE IN COUNCIL DISTRICT 1; AND AMENDING THE AGREEMENT TO REFLECT CURRENT LEASE TERMS AND CONDITIONS.

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, Segovia, Barrera, Castro, Hall, Schubert, Haass. **NAYS:** Perez. **ABSENT:** Williams, Radie, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100626

AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("TDSHS") IN ORDER TO CHANGE THE FUNDING OF THE GRANT PERIOD FOR THE SEXUALLY TRANSMITTED DISEASE CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FROM AUGUST 31, 2005 TO DECEMBER 31, 2004 IN ORDER TO REDUCE PROGRAM SUPPORT BY \$51,364.00; AND REVISING THE PROGRAM BUDGET.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100627

AUTHORIZING THE ACCEPTANCE OF \$33,925.00 FROM THE MARCH OF DIMES BIRTH DEFECTS FOUNDATION TO RENEW SUPPORT FOR THE "LEARN, EAT AND ENJOY" PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD MARCH 1, 2005 THROUGH FEBRUARY 28, 2006; AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE MARCH OF DIMES; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENT FOR CONTRACTUAL SERVICES.

(Mayor Garza entered the meeting and presided.)

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

The City Clerk read the following ordinance:

AN ORDINANCE 100628

AUTHORIZING A SECOND AMENDMENT TO THE FIESTA CARNIVAL AND PARADE ROUTE CONCESSIONS CONTRACT BETWEEN FIESTA SAN ANTONIO, INC., AND REED EXPOSITION MIDWAYS TO OPERATE A "CARNIVAL ANNEX" AT 303 SANTA ROSA, AS REQUESTED BY THE FIESTA SAN ANTONIO COMMISSION, INC.

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 100629

AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE 2005 FIESTA SAN ANTONIO CELEBRATION; APPROVING THE LOCATIONS, DATES AND TIMES FOR THE FIESTA CARNIVAL AND OFFICIAL FIESTA EVENTS; AND RELATED REQUIREMENTS AND CONDITIONS; APPROVING THE FIESTA PARADE ROUTES; PROVIDING FOR A FINE OF NOT MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF THIS ORDINANCE, ORDINANCE NO. 88270, AND ORDINANCE NO. 97380.

Councilmember Perez 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.

### ITEMS FOR INDIVIDUAL CONSIDERATION

The following citizen(s) appeared to speak:

Jack M. Finger, PO Box 12048, San Antonio, TX 78212 addressed the City Council with regards to items 42, 44 and 48. He noted the crime downtown and with regards to item 44, and stated that in previous years, the Council had a "Human Development Fund" which was used for various projects and organizations. He cited a rule indicating a Councilmember could not spend monies before the election.

The City Clerk read the following ordinance:

#### AN ORDINANCE 100630

DESIGNATING A PETPALS OF TEXAS EVENT ON MAY 21, 2005 AS AN OFFICIAL CITY OF SAN ANTONIO CO-SPONSORED EVENT, ON A ONE-TIME BASIS AND WAIVING ASSOCIATED FEES; AS REQUESTED BY COUNCILMAN ART A. HALL, DISTRICT 8.

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

Mr. Malcolm Matthews, Parks and Recreation Director, narrated a slide presentation regarding the PetPals of Texas Event, a copy of which is on file with the Office of the City Clerk. He summarized the ordinance, indicating it would approve the event as a City co-sponsored event and waive associated fees. He discussed background information, and stated City Council member Art Hall had submitted a Council Consideration Request memorandum to designate an event with the PetPals of Texas. He noted it would provide information and support to citizens owning animals across the City, and would help increase awareness of responsible pet ownership. He cited the event costs, and the recommendation of the City Council Governance Committee.

The following citizen(s) appeared to speak:

Councilmember Hall recognized the President of PetPals who spoke in favor of said item, and offered specific details of the PetPals program.

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 100631

APPROVING A CONTRACT FOR ELECTION SERVICES, WITH BEXAR COUNTY THROUGH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR, AUTHORIZING THE BEXAR COUNTY ELECTIONS ADMINISTRATOR TO OFFICIALLY CONDUCT THE SATURDAY, MAY 7, 2005 JOINT GENERAL AND SPECIAL ELECTION AND TO CONDUCT A RUN-OFF ELECTION ON TUESDAY, JUNE 7, 2005, IF NECESSARY; SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE CITY OF SAN ANTONIO AND THE BEXAR COUNTY ELECTIONS ADMINISTRATOR; APPOINTING ELECTION JUDGES AND CLERKS FOR THE CITY OF SAN ANTONIO FOR SAID JOINT GENERAL AND SPECIAL ELECTION AND FOR SAID RUN-OFF ELECTION, IF NECESSARY; AND AUTHORIZING PAYMENT FOR ELECTION SERVICES.

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

Ms. Leticia M. Vacek, City Clerk, narrated a powerpoint presentation regarding agenda items 39 (Ordinance 100631) and 40 (Ordinance 100632), a copy of which is on file with the Office of the City Clerk. She stated these ordinances would approve a contract for election services with Bexar County through the Bexar County Elections Administrator, as well as approve a joint election agreement with the Northside Independent School District for the Joint General and Special Election that will be held on Saturday, May 7, 2005. She indicated the contract would set forth the agreed duties and responsibilities of the Administrator, as well as provide scheduled payments for these services to Bexar County. She amplified on said duties, and acknowledged the City of San Antonio has historically contracted with Bexar County for election services, enabling the City to contract with other entities, thus decreasing costs associated with the election process.

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 100632

APPROVING A JOINT ELECTION AGREEMENT WITH THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT FOR THE JOINT GENERAL AND SPECIAL ELECTION TO BE HELD ON SATURDAY, MAY 7, 2005, TO BE CONDUCTED BY THE BEXAR COUNTY ELECTIONS ADMINISTRATOR.

Councilmember Haass 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 100633

AUTHORIZING THE EXECUTION OF AN OPERATING AGREEMENT IN THE AMOUNT OF \$2,157,654.00 BETWEEN THE CITY OF SAN ANTONIO AND THE BROOKS DEVELOPMENT AUTHORITY WITH AN EXPIRATION DATE OF SEPTEMBER 30, 2005.

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

Mr. Ramiro Cavazos, Director of Economic Development, narrated a slide presentation regarding the Brooks Development Authority (BDA) Operating Agency Contract, a copy of which is on file with the Office of the City Clerk. He stated the ordinance would authorize the execution of an operating agreement between the City and Brooks Development Authority, expiring on September 30, 2005. He amplified on the responsibilities of the BDA, and acknowledged they were responsible for managing and developing the Brooks City-Base property with a goal to reduce costs to the Air Force, improve military mission effectiveness, and promote economic development on Brooks and the surrounding community. He cited funding sources, and spoke to the operating expenses.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke about Mr. Michael Quinn who testified against him.

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 100634

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION/RECONSTRUCTION, MAINTENANCE, AND OPERATION OF ADDITIONAL AESTHETIC IMPROVEMENTS IN CONNECTION WITH THE HOUSTON AND COMMERCE UNDERPASS (HOUSTON AND COMMERCE AT I.H. 37) ENHANCEMENTS PROJECT, LOCATED IN COUNCIL DISTRICTS 1 AND 2.

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

Mr. Doug Yerkes, City Engineer, narrated a slide presentation regarding Houston and Commerce Underpass Enhancements Project, a copy of which is on file with the Office of the City Clerk. His presentation also included information regarding item 42B, Ordinance 100635. He acknowledged the execution of two separate funding agreements with St. Paul Square Association and Bexar County, and stated local artist Bill Fitzgibbons was selected by TxDot and the City of San Antonio in April 2002 to provide design services. He discussed LED lighting improvements, and noted the proposed LED system would require low maintenance and result in low heat production. He further noted the upgrades would result in improved pedestrian safety, and the creation of a strong and prominent visual appearance for downtown visitors. He stated it would also connect the central business district to the east side of downtown.

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 100635

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO EXECUTE TWO FUNDING AGREEMENTS WITH THE ST. PAUL SQUARE ASSOCIATION, INC., AND BEXAR COUNTY IN CONNECTION WITH THE HOUSTON AND COMMERCE UNDERPASS ENHANCEMENTS PROJECT; AUTHORIZING THE ACCEPTANCE OF \$50,000.00 FROM THE ST. PAUL SQUARE ASSOCIATION, INC., AND THE ACCEPTANCE OF \$155,000.00 FROM BEXAR COUNTY; APPROPRIATING \$150,000.00 FROM GENERAL OBLIGATIONS OF THE CITY; AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AND PAYMENT IN THE AMOUNT OF \$319,500.00 TO BILL FITZGIBBONS FOR CONSTRUCTION SERVICES; AUTHORIZING \$35,500.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$355,000.00; AND PROVIDING FOR PAYMENT.

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

(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Hall presided.)

The following citizens appeared to speak:

Ms. Cindy Holliday, representing Daisy Tours, urged City Council to support this ordinance and approve the project, which she noted would benefit San Antonio.

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 100636

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO MAKE A JOINT APPLICATION WITH BEXAR COUNTY FOR A JUSTICE ASSISTANCE GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR A CITY/COUNTY PROJECT ADDRESSING CHILD ABUSE; AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY REGARDING THE DISTRIBUTION OF THE GRANT FUNDS AND DESIGNATING BEXAR COUNTY AS THE GRANT FISCAL AGENT.

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

Chief Albert Ortiz, San Antonio Police Department, narrated a slide presentation regarding a grant known as the Edward Byrne Memorial Justice Assistance Grant (JAG) from the Bureau of Justice, Office of Justice Program, and U.S. Department of Justice that would allow local governments to support a broad range of activities, a copy of which is on file with the Office of the City Clerk. He acknowledged this would be the first year of a possible four year grant, and stated the funds would support a joint City/County project addressing child abuse. He further stated the project would reduce the number of interviews required of a child victim, and minimize the negative impact of the investigation and prevent re-victimization of the child. He indicated the City's portion of the grant would fund one Police Sergeant and two Police Detective Investigator positions to investigate sexual assault/abuse cases involving children, which would lower the current caseloads of the presently assigned Detectives. He then cited the financial impact.

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

The City Clerk read the following resolution:

A RESOLUTION 2005-14-10

AFFIRMING THE CITY OF SAN ANTONIO'S CONTROL OVER, AND PROHIBITION OF, DRILLING AND MINING IN MEDINA RIVER PARK TO SATISFY A CONDITION CONTAINED IN A GRANT FROM THE TEXAS PARKS AND WILDLIFE.

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

(Mayor Garza returned to the meeting and presided.)

Mr. Malcolm Matthews, Director of Parks and Recreation, narrated a slide presentation regarding this resolution which would satisfy a condition contained in a grant from the Texas Parks and Wildlife Department, a copy of which is on file with the Office of the City Clerk. He spoke to the Council's approval of donations of properties from the San Antonio Water System and the San Antonio Parks Foundation on August 9, 2001, indicating it would establish the 362-acre Medina River Park in City Council District 4.

He explained the regionally significant Medina River Park would provide opportunities to experience the natural resources of an underdeveloped portion of the Medina River, and acknowledged the action being taken would provide a record of the City's control over mining and drilling, and prohibition of these activities.

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

Item 46 being Travel Authorization for Councilman Enrique M. Barrera, District 6, who will attend the 92<sup>nd</sup> Annual Texas Municipal League Conference and Exhibition at the American Bank Center in Corpus Christi, Texas from Saturday, April 2, 2005 through Tuesday, April 5, 2005, was pulled from consideration.

### **CITIZENS TO BE HEARD**

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke on issues related to Kelly Air force Base. He then cited various biblical verses.

### **EXECUTIVE SESSION**

Mayor Garza recessed the Regular Session at 4:19 pm in order to convene in Executive Session for the purpose of:

Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Deliberate the purchase, exchange, lease, or value of real property located at 1001 E. Market Street, San Antonio, Texas 78205, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property).

Mayor Garza reconvened the Regular Session from Executive Session at 9:10 pm., at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

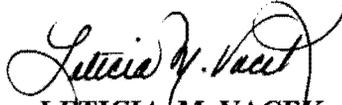
There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 9:11 pm.

A P P R O V E D



EDWARD D. GARZA  
MAYOR

Attest:



LETICIA M. VACEK  
City Clerk