

**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, APRIL 7, 2005**

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The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room for the following:

Interviews with nominees for the new Charter-created Ethics Review Board.

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

The "B" Session adjourned at 11:36 am.

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

The Invocation was delivered by Pastor David Allen, District 9, Northside Church of Christ.

Mayor Garza led the Pledge of Allegiance to the flag of the United States.

CEREMONIAL ITEMS

Mayor Garza presented the following proclamations: National Crime Victims' Rights Awareness Week, Official Fiesta Celebration, and Alamo Angels, Ambassadors of Goodwill.

The minutes of the City Council meeting of March 24, 2005 were approved as presented.

CONSENT AGENDA - CITIZEN'S COMMENTS

Items 8, 9, 11, 13, 14, 15, 20, and 23 were addressed individually from the consent agenda. The remaining items 6 through 25B were approved upon motion made by Councilmember Perez and seconded by Councilmember Hall.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, spoke on Item 24, 10, 11 and noted those with no bidding process and those that related to campaign contributions for certain Councilmembers.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke to Item 6 on the agenda. He also addressed issues with Items 15 and 16.

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

AN ORDINANCE 100637

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY COMMERCIAL DATA SYSTEMS, UTILIZING THE TEXAS DEPARTMENT OF INFORMATION RESOURCES "GO DIRECT" PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH INPUT OUTPUT CARDS AND HOST BUS ADAPTERS FOR SUN F12K SERVERS FOR A TOTAL COST OF \$45,648.00.

AN ORDINANCE 100638

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY DIGITAL SAFETY TECHNOLOGIES, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT HELICOPTER DETAIL WITH FOUR MOBILE DIGITAL VIDEO RECORDING UNITS FOR A TOTAL COST OF \$36,235.00.

AN ORDINANCE 100639

AUTHORIZING FUNDS IN THE AMOUNT OF \$10,053.60 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.

AN ORDINANCE 100640

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,450.00 FROM GENERAL OBLIGATIONS OF THE CITY TO ECKMANN, GROLL, INC., FOR APPRAISAL SERVICES IN CONNECTION WITH THE FOLLOWING APPROVED CITY PROJECTS: SEMLINGER ROAD -- RIGSBY TO LORD PROJECT, LOCATED IN COUNCIL DISTRICT 2; AND THE STAHL ROAD -- O'CONNOR TO JUDSON PROJECT, LOCATED IN COUNCIL DISTRICT 10; REVISING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100641

AUTHORIZING THE EXECUTION OF TWO ASSIGNMENTS OF AGREEMENT WHICH TRANSFER ALL RIGHTS AND OBLIGATIONS OF FATHER FLANAGAN'S GIRLS AND BOYS TOWN OF SAN ANTONIO IN TWO DELEGATE AGENCY CONTRACTS TO THE NEWLY CREATED ENTITY CALLED THE GIRLS AND BOYS TOWN OF SAN ANTONIO IN CONNECTION WITH THE FAMILY PRESERVATION SERVICE TO HOMELESS FAMILIES AND ASSESSMENT AND SHORT TERM RESIDENTIAL PROGRAM PROJECTS.

AN ORDINANCE 100642

AUTHORIZING THE SUBMISSION OF A CONTINUATION GRANT APPLICATION TO, AND UPON AWARD THE ACCEPTANCE OF A JUVENILE ACCOUNTABILITY BLOCK GRANT FROM, THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS, BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES, IN THE AMOUNT OF \$55,944.00 TO SUPPORT THE STRIVING TOGETHER TO ACHIEVE REWARDING

TOMORROWS PROGRAM IN THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR THE PERIOD AUGUST 1, 2005 TO JULY 31, 2006; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

AN ORDINANCE 100643

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO, AND UPON AWARD THE ACCEPTANCE OF A TITLE V GRANT FROM, THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS, BY THE CITY OF SAN ANTONIO, DEPARTMENT OF COMMUNITY INITIATIVES, IN THE AMOUNT OF \$125,944.00 TO SUPPORT THE EXPANSION OF THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS PROGRAM IN TWO ADDITIONAL SCHOOLS IN THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT FOR THE PERIOD SEPTEMBER 1, 2005 TO AUGUST 31, 2006; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

AN ORDINANCE 100644

RATIFYING THE SUBMISSION OF AN APPLICATION TO, AND AUTHORIZING THE ACCEPTANCE OF A GRANT FROM, THE LOCAL BOARD OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S EMERGENCY FOOD AND SHELTER PROGRAM IN THE AMOUNT OF \$130,900.00 FOR THE PROVISION OF MORTGAGE AND RENTAL ASSISTANCE BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, FOR THE PERIOD OCTOBER 1, 2004 TO SEPTEMBER 30, 2005; AND APPROVING A BUDGET AND A PERSONNEL COMPLEMENT; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS IN CONNECTION THEREWITH.

AN ORDINANCE 100645

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO, AND UPON AWARD THE ACCEPTANCE OF A JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS BY THE CITY OF SAN ANTONIO,

DEPARTMENT OF COMMUNITY INITIATIVES IN THE AMOUNT OF \$227,906.00 FOR THE SUPPORT OF THE NEIGHBORHOOD CONFERENCING COMMITTEE (NCC) PROGRAM FOR JUVENILE OFFENDERS REFERRED FROM THE MUNICIPAL COURT SYSTEM FOR THE PERIOD OF SEPTEMBER 1, 2005 TO AUGUST 31, 2006; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

AN ORDINANCE 100646

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO, AND UPON AWARD THE ACCEPTANCE OF A JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS IN THE AMOUNT OF \$180,166.00 FOR SUPPORT OF THE EXPANSION OF THE STRIVING TOGETHER TO ACHIEVE REWARDING TOMORROWS (START) PROGRAM IN THREE ADDITIONAL SCHOOLS IN THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR THE PERIOD OF SEPTEMBER 1, 2005 TO AUGUST 31, 2006; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION THEREWITH.

AN ORDINANCE 100647

AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A GRANT AMENDMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ("TXDOT") ROUTINE AIRPORT MAINTENANCE PROGRAM IN AN AMOUNT NOT TO EXCEED \$30,000.00; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$30,000.00 TO TXDOT FOR THE CITY'S PORTION OF CONSTRUCTION COSTS ASSOCIATED WITH THE REJUVENATION/ASPHALT OVERLAY AND MARKINGS OF AIRPORT PARKING LOTS AND APRON AREAS AT STINSON MUNICIPAL AIRPORT, FOR A TOTAL PROJECT COST OF \$60,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100648

CONFIRMING THE APPOINTMENT OF MARTHA SEPEDA AS ACTING CITY ATTORNEY OF THE CITY OF SAN ANTONIO, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF SAN ANTONIO.

AN ORDINANCE 100649

APPOINTING BETTY ANN GRAHAM (DISTRICT 5) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100650

REAPPOINTING MARY ANN VELTRI (DISTRICT 9) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2006.

CONSENT ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100651

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 FISCAL YEAR 2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$299,181.00 TO INCLUDE CONTRACTS FOR: JANITORIAL SERVICES FOR COMMUNITY LINK CENTERS; HOME HEALTH MAINTENANCE VOUCHER PROGRAM; SATELLITE PHONE SERVICE; AND PURCHASE OF WORK UNIFORMS.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100652

AUTHORIZING THE ACCEPTANCE OF GRANT FOR THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), ADMINISTRATION FOR

CHILDREN AND FAMILIES, IN THE AMOUNT OF \$300,000.00 FOR THE INDIVIDUAL DEVELOPMENT ACCOUNT (IDA) PROGRAM FOR THE PERIOD OF OCTOBER 1, 2004 TO SEPTEMBER 30, 2009; AUTHORIZING THE ACCEPTANCE OF FUNDS FROM CITIGROUP CORP. (\$50,000.00), THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION (\$25,000.00), FROST BANK (\$10,000.00) AND J.P. MORGAN CHASE BANK ONE (\$5,000.00) THROUGH THE SAN ANTONIO HOUSING TRUST, TO BE USED AS MATCH FUNDING FOR THE FAMILIES SAVE IDA PROGRAM FOR THE PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005; AUTHORIZING THE REDUCTION OF THE FISCAL YEAR 2005 COUNCIL DISTRICT 9 HUMAN DEVELOPMENT SERVICES FUND (HDSF) BY \$50,000.00 AS MATCH FUNDING FOR THE FAMILIES SAVE IDA PROGRAM AND APPROPRIATING SAID \$50,000.00 TO THE FAMILIES SAVE IDA PROGRAM; AUTHORIZING THE REDUCTION OF THE DEPARTMENT OF COMMUNITY INITIATIVES GENERAL FUND BUDGET BY \$20,000.00 AS MATCH FUNDING FOR THE FAMILIES SAVE IDA PROGRAM AND APPROPRIATING SAID \$20,000.00 TO THE FAMILIES SAVE IDA PROGRAM; AUTHORIZING THE ALLOCATION OF SAID \$20,000.00 PER YEAR FROM THE DEPARTMENT OF COMMUNITY INITIATIVES GENERAL FUND BUDGET, SUBJECT TO THE APPROPRIATION OF SAID FUNDS BY THE SAN ANTONIO CITY COUNCIL, FOR FY 2005 THROUGH FY 2009 TO BE USED AS MATCH FOR THE IDA PROGRAM IN ACCORDANCE WITH THE TERMS OF THE DHHS GRANT; AUTHORIZING THE ACCEPTANCE OF FUTURE GRANTS FOR LOCAL MATCHING FUNDS IN AN AMOUNT UP TO \$210,000.00; ADOPTING A FAMILIES SAVE IDA BUDGET; AUTHORIZING THE EXECUTION OF ANY AND ALL NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100653

AUTHORIZING \$116,479.65 PAYABLE TO RAM BUILDING SERVICES, L.L.C. (MBE) FOR SERVICES PURSUANT TO AN ON-CALL CONSTRUCTION CONTRACT DATED SEPTEMBER 2, 2004; AUTHORIZING \$11,648.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF

\$128,127.62 TO BE APPROPRIATED FROM THE PARKING OPERATING FUND, IN CONNECTION WITH THE FRIO STREET PARKING LOT LOCATED IN COUNCIL DISTRICT 1; AND PROVIDING FOR PAYMENT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100654

DECLARING THE SINCLAIR ROAD AT ROSILLO CREEK PROJECT ("PROJECT") TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; TO WIT, ALL OR PORTIONS OF THE PROPERTIES BEING DESCRIBED AS: (1) BEING 0.494 ACRES OF LAND OUT OF A 1.812 ACRE TRACT OUT OF NEW CITY BLOCK 10780, (2) BEING A 0.016 OF AN ACRE TRACT OUT OF LOT 9, NEW CITY BLOCK 10780, WAUKESHA-PEARCE INC. SUBDIVISION; AND (3) BEING 5.041 ACRES OF LAND OUT OF A 133.502 ACRE TRACT OF LAND OUT OF NEW CITY BLOCK 18239; IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE AS PART OF THE PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS IN THE AMOUNT OF \$33,242.00 FROM 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS FOR THE PROJECT, INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY'S FEES; AUTHORIZING THE CITY STAFF AND/OR ITS DESIGNATED REPRESENTATIVES TO NEGOTIATE WITH AND TO ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND ESTABLISHING AN EFFECTIVE DATE.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100655

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,325.00 FROM GENERAL OBLIGATIONS OF THE CITY TO DUGGER, CANADAY, GRAFE, INC., FOR APPRAISAL SERVICES IN CONNECTION WITH THE FOLLOWING APPROVED CITY PROJECTS: HARDY OAK EXTENSION PROJECT, LOCATED IN COUNCIL DISTRICT 10; HENDERSON PASS LWC (LORENCE CREEK) PROJECT, LOCATED IN COUNCIL DISTRICT 9; JAMES PARK DEVELOPMENT AND HOLBROOK ROAD IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 2; MILITARY DITCH #65 PROJECT, LOCATED IN COUNCIL DISTRICT 4; STAHL ROAD – O’CONNOR TO JUDSON PROJECT, LOCATED IN COUNCIL DISTRICT 10; AND THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III A PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGETS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

(Mayor Garza was obliged to leave the meeting at 2:05 P.M. Mayor Pro Tem Hall presided).

The City Clerk read the following ordinance:

AN ORDINANCE 100656

DECLARING THE PROPOSITION THREE CREEKWAYS LINEAR PARKS ACQUISITION AND PARK EXPANSION PROJECT (“PROJECT”) TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL

PROPERTY, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR USE AS A PART OF THE PROJECT; TO WIT, ALL OR PORTIONS OF THE PROPERTIES BEING DESCRIBED BELOW, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE AS PART OF THE PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS IN THE AMOUNT OF \$1,355,926.00 FROM PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT PROPOSITION THREE SALES TAX FUNDS FOR THE PROJECT, INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY'S FEES; AUTHORIZING THE CITY STAFF AND/OR ITS DESIGNATED REPRESENTATIVES TO NEGOTIATE WITH AND TO ACQUIRE THE PROPERTY FROM THE OWNERS ON THE APPROVED TERMS; AND AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; SAID PROPERTIES BEING DESCRIBED AS FOLLOWS:

Lot(s)	Block	NCB	Subdivision
5	-0-	10575	Friederichs
Guillermo Nunez Survey No. 151	Abs 548	10575	Guillermo Nunez Survey No. 151
11 & 12	20	10698	Wheatley Heights
20, 21, & 22	29	10710	Wheatley Heights
26	30	10711	Wheatley Heights
7, 16, 20	32	10713	Wheatley Heights
1, 14	33	10713	Wheatley Heights
6, 18 & 19	34	10715	Wheatley Heights
20	40	10721	Wheatley Heights
5, 11, 12, 15, 21, 23, 24, 26 & 30	41	10722	Wheatley Heights
11	44	10722	Wheatley Heights
24	47	10723	Wheatley Heights
1 & 2	43	10724	Wheatley Heights
12	44	10725	Wheatley Heights

2, 3, 4, 5, 15, 16, 29 & 30	45	10726	Wheatley Heights
15	3	10729	Wheatley Heights
1, 16, 19 & 20	3	10729	Brookdale
5, 12, & 17	4	10730	Brookdale
8, 17, 18, & 20	5	10731	Brookdale
east 50 ft of the west 100 of the north irr 404.7 ft of Tr D	22	10732	Grandview
7	5	10730	Meadowcliff
1, 3, 4, 5, & 21	3	16513	Meadowcliff
1, 2, 3, 4, 5, 8, 9, 14, 17, 18, 19, 20, & 21	5	16515	Meadowcliff
Pinckney Caldwell Survey No. 83	Abs 124	12750	Pinckney Caldwell Survey No. 83
G. Rodriguez Survey No. 131	Abs 621	12163	G. Rodriguez Survey No. 131
G. Rodriguez Survey No. 131	Abs. 621	12153	G. Rodriguez Survey No. 131
Elizabeth Plunkett Survey #72	Abs 573	18058	Elizabeth Plunkett Survey #72
Tract C		13962 as more particularly described in an instrument of record at Vol. 10349, Page 2266 of the Bexar County Deed Records	

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

The City Clerk read the following ordinance:

AN ORDINANCE 100657

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT NO. 5 WITH ALAMO WORKFORCE DEVELOPMENT, INC., D/B/A ALAMO WORKSOURCE, WHICH AWARDS ADDITIONAL FUNDS OF \$200,000.00 AND REVISES THE STATEMENT OF WORK TO REQUIRE THE PROVISION OF ADDITIONAL QUALITY IMPROVEMENT ACTIVITIES WITHIN THE ALAMO AREA CHILD CARE DELIVERY SYSTEM (CCDS) PROGRAM FOR THE PERIOD BEGINNING APRIL 1, 2005 AND ENDING SEPTEMBER 30, 2005; AUTHORIZING THE ACCEPTANCE OF SAID ADDITIONAL FUNDS IN CONNECTION THEREWITH; APPROVING A REVISED CCDS PROGRAM BUDGET FOR FISCAL YEAR 2005; AUTHORIZING EXECUTION OF AN AMENDMENT OF THE DELEGATE AGENCY CONTRACT WITH FAMILY SERVICE ASSOCIATION OF SAN ANTONIO, INC., PROVIDING ADDITIONAL FUNDS IN THE AMOUNT OF \$180,000.00 FOR A CONTRACT TOTAL OF \$726,426.00 FOR THE PROVISION OF ADDITIONAL QUALITY IMPROVEMENT ACTIVITIES IN CONNECTION WITH THE ALAMO AREA CCDS PROGRAM FOR THE PERIOD BEGINNING APRIL 1, 2005 AND ENDING SEPTEMBER 30, 2005.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100658

AUTHORIZING EXECUTION OF A CONTRACT WITH MAXIMUS, INC. TO PREPARE THE COST ALLOCATION PLANS AND INDIRECT COST RATE PROPOSAL FOR USE IN THE FY 2005-2006 BUDGET PROCESS, FOR AN AMOUNT NOT TO EXCEED \$34,409.00, AND AUTHORIZING UP TO THREE (3) ADDITIONAL SUCCESSIVE ONE YEAR RENEWALS, SUBJECT TO AVAILABLE FUNDING.

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

ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZENS’ COMMENTS

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, stated that on Item 15 there was no quorum. He also spoke to the item creating a Library District and the tax for same. He added there was no ethics disclosure for item 29.

Ms. Betty Eckert, 233 W. Wildwood, spoke to item 27, noting her support and requesting for City Council approval. She also cited item 29, noting there was only one bidder and encouraged that it be re-bid.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100659

APPROVING AN ADDENDUM RELATED TO THE CREATION OF AN URBAN LIBRARY DISTRICT TO THE CITY’S STATE LEGISLATIVE PROGRAM FOR THE 79TH LEGISLATIVE SESSION THAT WAS ADOPTED BY ORDINANCE NO. 99966 PASSED AND APPROVED ON NOVEMBER 4, 2004.

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

Mr. Ray Baray, Intergovernmental Relations Manager, narrated a slide presentation on the Proposed Urban Library District Legislation, a copy of which is on file with the Office of the City Clerk. Mr. Baray stated the purpose of the legislative initiative related to the creation of the urban library district, presented background information on the City’s state legislative program, outlining the process which followed and direction given by the Council Committee.

Ms. Frances Gonzalez, Assistant City Manager, provided detailed information on public libraries and their rapid transformation which has raised the question of adequacy of traditional revenue streams. She addressed the current law which allowed counties to

create library districts and adopt a local sales tax subject to voter approval. She further outlined the legislation for the creation of a district, the district governance, its general powers and taxing authority. She cited other communities with similar enabling legislative authority which have successfully created library districts. She spoke to the pending issues such as the qualifications of board members and existing Charter language, and the next steps to follow.

Mr. John Nicholas, Chair of the San Antonio Public Library Board introduced the new library Director, Mr. Ramiro Salazar. Mr. Nicholas then spoke to the objective of this endeavor which was to stabilize the funding source for the library and have a dedicated fund to support the library.

The following citizen(s) appeared to speak:

Mr. Dennis Martinez addressed the Council speaking in favor of the Library District.

Mayor and City Council expressed their concerns with this item.

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

3:00 P.M. PUBLIC HEARING TO CONSIDER THE PROPOSED DESIGNATION OF A DEFENSE ADJUSTMENT MANAGEMENT AUTHORITY (DAMA)

Ms. Jelyne LeBlanc Burley, Assistant City Manager, narrated a slide presentation on the Defense Adjustment Management Authority (DAMA), a copy of which is on file with the Office of the City Clerk. She outlined the legislative action regarding the DAMA Act and its purpose, creation of the DAMA and who was authorized to create it. She delineated the requirements and limitation, proposed boundaries of the DAMA, proposed powers, eligible projects under the DAMA, revenue sources and the DAMA Master Plan. She further spoke to the creation of the board of directors for the DAMA, calendar for the creation of the DAMA, and the master plan TIP components and the project and financing plan requirements.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, noted that on item 15 Councilman Haass was not seated when the vote took place. He pointed out certain concerns on Item 4.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to various community issues

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following resolution:

A RESOLUTION 2005-15-11

OF SUPPORT FOR SENATE BILL 57, AUTHORED BY TEXAS SENATOR JANE NELSON, THAT WOULD GRANT TEXAS COUNTIES THE AUTHORITY TO REGULATE BILLBOARD CONSTRUCTION WITHIN THEIR JURISDICTION.

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

Mr. Ray Baray, Intergovernmental Relations Manager, narrated a slide presentation of the Scenic Texas Resolution, a copy of which is on file with the Office of the City Clerk. Mr. Baray spoke to the purpose of the proposed bill which would grant counties the authority to regulate billboard construction within their jurisdictions. He presented background information on Scenic Texas and the resolution approved in 2003 by City Council supporting two Scenic Texas proposals. He presented statistical data on the billboards in the state and efforts of Texas municipalities to stop billboard construction. He added that the Council Intergovernmental Relations Committee has reviewed the item and recommended that it be presented to the full Council for consideration, noting that City staff had also reviewed it and had no concerns with its adoption.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100660

AUTHORIZING THE EXECUTION OF A PROFESSIONAL DESIGN-BUILD SERVICES AGREEMENT WITH THC, INC., FOR THE RESIDENTIAL ACOUSTICAL TREATMENT PROGRAM AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A FEE IN AN AMOUNT NOT TO EXCEED \$3,308,316.00; AUTHORIZING \$8,814,813.00 FOR CONSTRUCTION;

AUTHORIZING \$15,000.00 FOR LEGAL FEES AND EXPENSES; AUTHORIZING \$20,000.00 FOR ADMINISTRATIVE FEES; APPROPRIATING FUNDS; AUTHORIZING PAYMENTS AND ESTABLISHING A BUDGET.

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

Mr. Kevin Dolliole, Director of Aviation, made a presentation on the professional services agreement for the acoustical treatment consultant, a copy of which is on file with the Office of the City Clerk. He outlined the various fees associated with the contract, background information on THC, Inc. who was selected to provide architectural, engineering and construction services in connection with the residential acoustical treatment program. He further delineated the services to be provided under the contract, program services, funding sources, and SBEDA goals.

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

CITIZENS TO BE HEARD

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke on the Freedom of Speech.

Mr. Mark Gonzalez, San Antonio Airport Police Officers' Association President, spoke on the memo sent by the City Manager with regards to political activity by City employees, noting that this action was denying their constitutional freedoms. He asked Council to take immediate action at the next Council Meeting so that it can be properly addressed.

Ms. Patricia Rodriguez addressed the Mayor with regards to Mayor Garza's tenure with the City of San Antonio. She expressed sincere thanks to Mayor Garza and members of the City Council for their services, citing special appreciation to Mayor Garza for bringing Toyota to San Antonio.

Ms. Hermelinda Garza, 526 Sandalwood, addressed the City Council with regards to an accident she had and explained the specifics. She added that she will be suing the city on said claim.

Ms. Stephanie Collins representing the Ad Hoc Committee on Public Amenities spoke about their concern for the downtown area and services for the homeless. She added

several churches have volunteered to set up safe zones and wanted to work with law enforcement on this issue.

EXECUTIVE SESSION

The City Council recessed its regular session at 5:25 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 offer of financial or other incentives related to economic development negotiations with the following business prospects: Texas A&M University System, Faulkner USA, Hanford Development Corporation, Park Centre Towers, Ltd., and one or more other business prospects, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); 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).

Deliberate the exchange and value of real property owned by the University of Texas at HemisFair Park for city property located in the central business district, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property).

Discuss legal issues related to a pending request for annexation submitted by the City of Timberwood Park Committee, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the Regular Session from Executive Session at 10:28 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.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100661

TERMINATING THE SELRICO SERVICES, INC., CONTRACT AUTHORIZED BY ORDINANCE NO. 99782, AND ACCEPTING THE BEST VALUE BID OF SELRICO SERVICES, INC., TO PROVIDE THE DEPARTMENT OF COMMUNITY INITIATIVES WITH MEAL PREPARATION AND DELIVERY SERVICES FOR THE COMPREHENSIVE NUTRITION PROJECT FOR THE PERIOD OF JUNE 1, 2005 THROUGH SEPTEMBER 30, 2006, FOR AN APPROXIMATE COST OF \$3,038,918.00.

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

Mr. Dennis Campa, Director of Community Initiatives, made a presentation on the Comprehensive Nutrition Program Selrico Contract, a copy of which is on file with the Office of the City Clerk. He denoted this action would terminate the existing contract with Selrico Services effective May 31, 2005 and accept the best value bid of Selrico Services to provide meals for the senior nutrition program. He stated the contract would be in effect June 1, 2005 through September 30, 2006. He outlined background information on the contract, fiscal impact of the proposed contract compared to the current one, performance of Selrico since March 2004. He spoke to the quality control measures, accountability measures, termination/default provisions and the service enhancements of the proposed contract.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100662

AUTHORIZING THE EXECUTION OF A CONTRACT AND CERTAIN AMENDMENTS THERETO, WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO ("UTSA") TO SUPPORT A CONFERENCE FOR PROJECT BRIDGE (BRING TOGETHER RESOURCES IN INDUSTRY, DEVELOPMENT, GOVERNMENT, AND EDUCATION) DURING THE PERIOD APRIL 7, 2005

THROUGH SEPTEMBER 30, 2005; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS FROM CITY COUNCIL FOR THE UTSA PROJECT BRIDGE PROGRAM.

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

Mr. Dennis Campa, Director of Community Initiatives, presented background information on the Project Bridge, its purpose, strategies, and the commitments received thus far from the various school districts.

Members of the City Council made friendly amendments to the motion adding additional funding from the respective district Human Development Services Funds.

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

Item 31 being an ordinance authorizing the execution and delivery of a Fourth Amendment to the Agreement for Transfer of Use, Benefit, and Control of Property between the City and SAWS relating to the SAWS' Headquarters Building; the Amendment (1) deferring to August 1, 2006 the date by which SAWS must close (2) establishing a daily rate amount by which the purchase price of the property will be reduced if SAWS fails to close by August 1, 2005, and (3) listing personal property that will be conveyed from SAWS to the City at Closing was pulled from consideration.

TRAVEL AUTHORIZATION - Granted:

Confirmation of Travel Authorization for Councilman Enrique M. Barrera, District 6, who attended the Bond Rating & Bond Insurance Presentation in New York for the Convention Center Hotel Bonds from Saturday, April 2, 2005 through Tuesday, April 5, 2005 and for Mayor Edward D. Garza and Councilman Roger O. Flores, District 1, who attended the presentation from Sunday, April 3, 2005 through Tuesday, April 5, 2005.

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

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

EXECUTIVE SESSION

Mayor Garza recessed the Regular Session at 10:55 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).

Mayor Garza reconvened the Regular Session from Executive Session at 10:59 pm, at which time he stated said item was not addressed.

CITY MANAGER'S REPORT

Councilmember Perez spoke to the brush collection notice, noting the subject matter would be presented to the Council Committee and then would follow with a presentation to the full City Council.

There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 11:01 pm.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk