

**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, MAY 5, 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:

Briefing and report from the Golf Subcommittee of the Parks and Recreation Advisory Board; and Staff presentation on "best practices" report. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

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

The "B" Session adjourned at 12:30 pm.

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 Rev. Robert Arevalo, District 3, Grace Tabernacle Church.

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

CEREMONIAL ITEMS

Mayor Garza presented the following proclamations: Building Safety Week, National Historic preservation Month, and Women Empowered Week.

Special recognition was made for the City of San Antonio Employees that have completed 30, 35, 40, and 45 years of service. Ms. Leticia M. Vacek, City Clerk announced the honorees.

The minutes of the City Council meeting of April 14, 2005 were approved as presented.

On a Point of Personal Privilege, Councilmember Ron Segovia extended wishes for a Happy Mother's Day to all mothers. Councilmember Richard Perez also thanked all the mothers in the chambers and especially thanked Councilmember Patti Radle. Councilmember Patti Radle also thanked all mothers and wished all a Happy Mother's Day.

Mayor Garza recessed the meeting of the City Council and convened as the Board of Directors of the City of San Antonio, Texas Convention Center Hotel Finance Corporation.

The City Clerk read the following resolution:

A RESOLUTION 2005-18-CCHFC

AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF APPROXIMATELY \$130,000,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS CONVENTION CENTER HOTEL FINANCE CORPORATION CONTRACT REVENUE EMPOWERMENT ZONE BONDS, SERIES 2005A", AND APPROXIMATELY \$80,000,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS CONVENTION CENTER HOTEL FINANCE CORPORATION CONTRACT REVENUE BONDS, TAXABLE SERIES 2005B" FOR THE PURPOSE OF PROVIDING A PORTION OF THE FUNDS REQUIRED TO FINANCE THE DESIGN, DEVELOPMENT, CONSTRUCTION, EQUIPPING, FURNISHING AND OPENING OF A CONVENTION CENTER HOTEL; DELEGATING AUTHORITY TO THE PRESIDENT OF THE BOARD OF DIRECTORS TO APPROVE ALL FINAL TERMS OF THE BONDS; APPROVING ALL FINANCING DOCUMENTS TO WHICH THE CORPORATION IS A PARTY IN SUBSTANTIALLY FINAL FORM INCLUDING, BUT NOT LIMITED TO, A BOND PURCHASE AGREEMENT, AN INDENTURE OF TRUST; A LOAN AGREEMENT, A CASH MANAGEMENT AGREEMENT, AN ECONOMIC DEVELOPMENT AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A GUARANTY AGREEMENT, AN INSURANCE AGREEMENT, AND A LETTER OF CREDIT DELIVERY AGREEMENT; APPROVING THE FORM OF THE FINAL OFFICIAL STATEMENT, AND AUTHORIZING ALL OTHER NECESSARY ACTIONS RELATED THERETO.

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

Mr. Milo Nitschke, Director of Finance, made a presentation on the Convention Center Hotel Finance Corporation Revenue Empowerment Zone Bonds, a copy of which is on

file with the Office of the City Clerk. He delineated the transaction summary noting what the proceeds of the sale would fund, the underwriter syndicate, and tentative bond sale and delivery schedule.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to the hotel industry and that it has been slow. He also cited campaign contributions made to Councilmembers.

Ms. Julie Iris Oldham addressed the City Council and stated that she was really sad and stated that the hotel was not needed. She stated that the city needed housing for the homeless.

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

Mayor Garza recessed the meeting of the Board of Directors of the City of San Antonio, Texas Convention Center Hotel Finance Corporation and reconvened the Regular City Council meeting.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$43,000,000.00 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2005.

Mayor Garza declared the public hearing to be open.

There being no citizens to speak, Mayor Garza declared the public hearing to be closed

Ordinance 100781 is void.

The City Clerk read the following ordinance:

AN ORDINANCE 100782

SECOND SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE RELATING TO THE ISSUANCE OF OBLIGATIONS SECURED IN WHOLE OR IN

PART WITH "PASSENGER FACILITY CHARGES" (THE "MASTER PFC ORDINANCE") AND SEVENTH SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE RELATING TO THE ISSUANCE OF OBLIGATIONS SECURED WITH GROSS REVENUES OF THE CITY'S AIRPORT SYSTEM (THE "MASTER AIRPORT SYSTEM ORDINANCE") AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF CITY OF SAN ANTONIO, TEXAS PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT BONDS, SERIES 2005; GRANTING A FIRST LIEN ON PASSENGER FACILITY CHARGES UNDER THE MASTER PFC ORDINANCE AND A LIEN ON SUBORDINATE NET REVENUES OF THE AIRPORT SYSTEM UNDER THE MASTER AIRPORT SYSTEM ORDINANCE; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO INCLUDING A PURCHASE CONTRACT AND A PAYING AGENT/REGISTRAR AGREEMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100783

WAIVING FEES FOR THE USE OF HEMISFAIR PARK FOR THE BUFFALO SOLDIERS LIVING HISTORY & HERITAGE ASSOCIATION FOR AN EVENT TO BE HELD IN THE MONTH OF JULY, AS REQUESTED BY COUNCILMEMBERS JULIAN CASTRO, DISTRICT 7; JOEL WILLAMS, DISTRICT 2; AND ART A. HALL, DISTRICT 8.

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

Mr. Malcolm Matthews, Parks and Recreation Director, spoke to the Buffalo Soldiers Heritage Month Event and Fee Waiver. Mr. Matthews provided a summary of the ordinance and background information on the Buffalo Soldiers Heritage Month

Celebration. He clarified the schedule and costs of the event. He also summarized the review by the Governance Committee and Council Action.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100784

WAIVING CERTAIN RENTAL FEES IN CONNECTION WITH TEJANO CONJUNTO FESTIVAL, WHICH IS HOSTED BY THE GUADALUPE CULTURAL ARTS CENTER, SCHEDULED TO TAKE PLACE AT ROSEDALE PARK FROM MAY 4 THROUGH MAY 7, 2005, ON A ONE-TIME BASIS AND EXCLUDING THE \$1,500 DEPOSIT, IN AN AMOUNT TOTALING APPROXIMATELY \$3,700.00; AS REQUESTED BY COUNCILMEMBER PATTI RADLE, DISTRICT 5.

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

The following citizen(s) appeared to speak:

Ms. Mary Jessie Garza addressed the City Council with regards to the media attention that this event garners. She added that this event has an educational component as well other activities, and urged Council to oppose the ordinance.

Ms. Dolores Zapata also addressed the City Council in support of the event.

Mr. Jack M. Finger, PO Box 12048, addressed the City Council with regards to the fee waivers and expressed his opposition to fee waivers. He also spoke on item 21.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100785

WAIVING ALL PARKS AND RECREATION FEES, EXCEPT FOR THE REFUNDABLE DEPOSIT, INCURRED BY THE TEXAS EMANCIPATION DAY COMMISSION, INC. ASSOCIATED WITH THE USE OF PITTMAN-SULLIVAN PARK FOR THE JUNETEENTH CELEBRATION ON JUNE 18, 2005 WITH THE UNDERSTANDING THAT THE BASEBALL DIAMOND WILL NOT BE USED, AS REQUESTED BY COUNCILMEMBER JOEL WILLIAMS, DISTRICT 2.

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

2:00 P.M. – PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE

The City Clerk read the following ordinance:

AN ORDINANCE 100786

AUTHORIZING THE REPROGRAMMING OF FY 2003 EMERGENCY SHELTER GRANT (ESG) FUNDS IN THE AMOUNT OF \$20,685.00, AVAILABLE FROM THE SAN ANTONIO FOOD BANK (SAFB) DELEGATE AGENCY CONTRACT IN THE AMOUNT OF \$5,741.00 AND THE AMERICAN ASSOCIATION OF MEXICAN AMERICANS DELEGATE AGENCY CONTRACT IN THE AMOUNT OF \$14,944.00; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO THE SAFB AND THE DWYER AVENUE CENTER; AUTHORIZING THE CLOSE-OUT AND THE CANCELLATION OF THE AFFECTED PROJECTS, AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

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

3:00 P.M. - PUBLIC HEARING AND CONSIDERATION OF ORDINANCES

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Asset Management Director, made a presentation on the request to close, vacate and abandon unimproved portions of Tradesman Drive, a copy of which is on file with the Office of the City Clerk. Ms. Waldman outlined the issue and purpose of the ordinance. She cited the notification process, financial impact, and supplemental comments. She also presented data on the proposed closure of portions of Dakota, Alps & Nevada Streets Public Rights of Way (item 6B). She outlined the issue and purpose of the ordinance, and amplified on the staff coordination, posted notification, fiscal impact, policy analysis, and supplemental comments.

There being no citizens to speak, the Mayor declared the public hearing to be closed.

The City Clerk read the following ordinance:

AN ORDINANCE 100787

CLOSING, VACATING AND ABANDONING UNIMPROVED PORTIONS OF TRADESMAN DRIVE PUBLIC RIGHT OF WAY ADJACENT TO NCBS 14847 AND 14848 IN COUNCIL DISTRICT 8 AS REQUESTED BY GRATR INTERESTS, LTD., AND FENCRETE AMERICA, INC., FOR THE TOTAL CONSIDERATION OF \$26,182.00.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100788

CLOSING, VACATING AND ABANDONING PORTIONS OF IMPROVED DAKOTA, ALPS AND NEVADA STREETS PUBLIC RIGHT OF WAY ADJACENT TO NCBS 616 AND 623 IN COUNCIL DISTRICT 2 FOR THE REDEVELOPMENT OF NEW HOUSING TO FACILITATE PHASE III OF THE HISTORIC GARDENS HOUSING DEVELOPMENT MASTER PLAN, AS REQUESTED BY THE SAN ANTONIO DEVELOPMENT AGENCY, FOR THE CONSIDERATION OF \$10,137.00, WHICH INCLUDES A FIFTY PERCENT (50%) REDUCTION OF THE CLOSURE FEE AS PROVIDED BY THE CITY'S INCENTIVE SCORECARD.

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

CONSENT AGENDA - CITIZEN'S COMMENTS

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, spoke with regards to item 26 and mentioned the new firm of Bracewell & Giuliani. He also spoke on item 22.

CONSENT AGENDA

Consent agenda items 8, 12, 15, 18A, 19, 20, 23, 25, and 29F were addressed individually under the consent agenda. The remaining items 8 through 30E were approved upon motion made by Councilmember Perez and seconded by Councilmember Barrera.

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

AN ORDINANCE 100789

APPROVING FIELD ALTERATION NO. 5 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$38,248.20 TO SAN ANTONIO CONSTRUCTORS, LTD., IN CONNECTION WITH THE CLAREMONT, ELEANOR, NATALEN PHASE III

COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100790

APPROVING CITY OF SAN ANTONIO FIELD ALTERATION NO. 13 IN THE AMOUNT OF \$34,608.00 AND FIELD ALTERATION NO. 14 IN THE AMOUNT OF \$124,012.00 PAYABLE TO R.L. JONES, L.P., IN CONNECTION WITH THE W.W. WHITE - RIGSBY TO LORD PROJECT, AN AUTHORIZED 1994-1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND PROJECT LOCATED IN COUNCIL DISTRICT 2 FOR A TOTAL OF \$158,620.00 FUNDED WITH CERTIFICATES OF OBLIGATION; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100791

APPROVING SAN ANTONIO WATER SYSTEM FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$23,325.14 PAYABLE TO K.G.M.E., INC., IN CONNECTION WITH THE HARRIS STORM DRAINAGE PROJECT, AN AUTHORIZED 1999-2004 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND PROJECT LOCATED IN COUNCIL DISTRICT 5; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100792

ACCEPTING THE BEST QUALIFIED COMPETITIVE SEALED PROPOSAL IN THE AMOUNT OF \$1,875,000.00 FROM GRECO CONSTRUCTION, INC., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE CONSTRUCTION OF FIRE STATION NO. 47 AN AUTHORIZED CERTIFICATES OF OBLIGATION PROJECT LOCATED IN COUNCIL DISTRICT 8; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$131,250.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$25,313.00 PAYABLE TO BEATY & PARTNERS, ARCHITECTS FOR ARCHITECTURAL SERVICES; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$2,033,563.00 FROM FIRE DEPARTMENT CERTIFICATES OF OBLIGATION FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100793

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,950.00 FROM 1994 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS TO REALTY ASSOCIATES FUND V LP C/O TA ASSOCIATES REALTY FOR A DRAINAGE EASEMENT AND A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE JAMES PARK DEVELOPMENT AND HOLBROOK ROAD IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100794

AUTHORIZING 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS IN THE AMOUNT OF \$240,806.00 AND CERTIFICATES OF OBLIGATION FUNDS IN THE AMOUNT OF \$485,811.00 FOR THE ACQUISITION OF FEE SIMPLE TITLE AND EASEMENT INTERESTS AND FOR OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH SIX (6) PARCELS OF REAL PROPERTY AND DECLARING THE NACOGDOCHES – I.H. 410 TO DANBURY PROJECT (“PROJECT”), LOCATED IN COUNCIL DISTRICT 10, TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO AND EASEMENTS OVER PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT, ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS FOR THE ACQUISITION OF THE PROPERTIES AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY’S FEES; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND AUTHORIZING NEGOTIATIONS AND ACQUISITION OF THE FOLLOWING PROPERTIES ON THE APPROVED TERMS:

SQUARE FOOTAGE	LOT(S)	BLOCK	NCB	SUBDIVISION
97 sq. ft.	20		11972	Oak Grove Village, Unit 1
361 sq. ft.	29		11973	Pate
2,350 sq. ft.	10		12104	Oak Forrest Estates, Unit 4
797 sq. ft.	10		12104	Oak Forrest Estates, Unit 4
4,035 sq. ft.	12		12104	Oak Forrest Estates, Unit 4
13,205 sq. ft.	2	1	14047	Town & Country Estates

AN ORDINANCE 100795

AUTHORIZING 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS IN THE AMOUNT OF \$40,483.13 FOR THE ACQUISITION OF FEE SIMPLE TITLE INTEREST AND FOR OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH SEVEN PARCELS OF REAL PROPERTY AND DECLARING THE COMMERCE STREET – RAILROAD TO S. PALMETTO PROJECT (“PROJECT”) LOCATED IN COUNCIL DISTRICT 2 TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT, ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS FOR THE ACQUISITION OF THE PROPERTIES AND OTHER MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY’S FEES; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND AUTHORIZING NEGOTIATION AND ACQUISITION OF THE FOLLOWING PROPERTIES ON THE APPROVED TERMS:

ACRE(S)	LOT(S)	NCB	SUBDIVISION
0.0034	Lot 14, Block 3	590	
0.0035	South 51 feet of Lot 1, Block 1	595	
0.0034	Lot 1, also known as Arbitrary Lot A-10, Block A	597	
0.0035	Lot 1, Block 3	598	
0.0011	Lot 9, Block 4	600	
0.0006	Lot 1, Block 109	1386	
0.0011	Lot 1	1387	

AN ORDINANCE 100796

AUTHORIZING THE EXECUTION OF TENANT LEASE AGREEMENTS WITH FAMILY SERVICES ASSOCIATION OF SAN ANTONIO, INC. AND WITH MILLER CHILD DEVELOPMENT CENTER FOR 630 SQUARE FEET AND 3,542 SQUARE FEET OF OFFICE SPACE, RESPECTIVELY, FOR THE PROVISION OF DIRECT CHILDCARE ASSISTANCE IN THE CITY OWNED CLAUDE BLACK COMMUNITY CENTER, LOCATED AT 2805 EAST COMMERCE, FOR A

MONTHLY RENTAL OF \$252.00 AND \$708.40, RESPECTIVELY, FOR THE PERIOD JUNE 1, 2005 THROUGH SEPTEMBER 30, 2005.

AN ORDINANCE 100797

AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AMENDMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REPROGRAMMING \$29,904.00 FOR DWYER AVENUE CENTER OPERATIONS IN CONNECTION WITH THE 2001 SUPPORTIVE HOUSING PROGRAM FOR THE PERIOD OF FEBRUARY 1, 2005 THROUGH MAY 15, 2005; AND APPROVING A REVISED BUDGET.

AN ORDINANCE 100798

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE SAN ANTONIO HOUSING AUTHORITY ("SAHA") IN AN AMOUNT NOT TO EXCEED \$209,328.00 TO PROVIDE HOUSING PAYMENTS TO SAHA FOR SIXTEEN (16) TRANSITIONAL HOUSING UNITS IN CONNECTION WITH THE TRANSITIONAL HOUSING PROJECT FUNDED BY THE SUPPORTIVE HOUSING PROGRAM FOR THE PERIOD MAY 15, 2005 TO MAY 30, 2007.

AN ORDINANCE 100799

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ("TXDOT") FOR THE PURCHASE OF MATERIALS AND INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEMS AT VARIOUS INTERSECTIONS IN COUNCIL DISTRICTS 2 AND 3, AND PROVIDING FOR REIMBURSEMENT BY TXDOT TO THE CITY FOR ASSOCIATED COST IN AN AMOUNT NOT TO EXCEED \$150,500.00.

AN ORDINANCE 100800

AUTHORIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ACCEPT A \$90,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE "CLICK IT OR TICKET" SELECTIVE TRAFFIC ENFORCEMENT PROGRAM'S SEAT BELT AND CHILD SAFETY SEAT ENFORCEMENT PROGRAM TO BE ADMINISTERED BY THE SAN ANTONIO POLICE DEPARTMENT.

AN ORDINANCE 100801

AMENDING THE LEGAL SERVICES CONTRACT WITH BRACEWELL & PATTERSON, LLP FOR WORK IN CONNECTION WITH THE CONVENTION CENTER HEADQUARTERS HOTEL PROJECT APPROVED BY ORDINANCE NO. 100206 ON DECEMBER 21, 2004 TO IDENTIFY THE NEW FIRM NAME OF BRACEWELL & GIULIANI, L.L.P AND INCREASE THE PREVIOUSLY APPROVED TRANSACTION BUDGET BY AN ADDITIONAL \$200,000.00 FOR A TOTAL BUDGET OF \$450,000.00 TO BE PAID BY THE DEVELOPER, HOTEL INVESTMENTS, L.P. UTILIZING PRIVATE CONTRACT REVENUE BONDS.

AN ORDINANCE 100802

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR DONALDSON AND EVELYN FROM 6:00 A.M. UNTIL 9:00 A.M. ON SATURDAY, MAY 21, 2005 IN CONNECTION WITH THE JEFFERSON 5K SPONSORED BY THE RUN AWAY STORE.

AN ORDINANCE 100803

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR MARTIN LUTHER KING PARK FROM 9:45 A.M. UNTIL 11:30 A.M. ON FRIDAY MAY 20, 2005 IN CONNECTION WITH THE 60 + MARDI GRAS PARADE SPONSORED BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES.

AN ORDINANCE 100804

REAPPOINTING MARY LEE BUETTNER (DISTRICT 4) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100805

APPOINTING TOMAS LARRALDE (MAYOR) TO THE ETHICS REVIEW BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 25, 2008.

AN ORDINANCE 100806

REAPPOINTING JESSE ZUNIGA, JR. (DISTRICT 6) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 2007.

AN ORDINANCE 100807

APPOINTING DARRELL H. LEWIS (DISTRICT 2) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100808

DARRYL W. LYONS II (FINANCIAL CATEGORY - MAYOR) TO THE BROOKS DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 4, 2006.

AN ORDINANCE 100809

APPOINTING OSCAR R. SANDOVAL AND REAPPOINTING CARLOS M. BALIDO, CARMEN P. LIMON, AND MARICELA TELLO TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FIVE, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE NEW HORIZONS PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 FOR EACH APPOINTEE AND SECTION 2-404(B) OF SAID ARTICLE FOR EACH REAPPOINTEE, AND OF SECTION 2-403(C) FOR MARICELA TELLO; AND APPOINTING MARICELA TELLO AS CHAIRPERSON FOR A ONE YEAR TERM BEGINNING JANUARY 1, 2006.

AN ORDINANCE 100810

APPOINTING VIRGINIA COBARRUBIAS, CATHERINE ANN DEAN, RAY GILL, KIRKLAN WARREN KING, RICHARD ELWOOD NITSCHKE, JERROLD RAY

ROWRAY AND THOMAS M. RUMORA TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER SIXTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE BROOKS CITY-BASE PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403(C) FOR RICHARD ELWOOD NITSCHKE.

AN ORDINANCE 100811

APPOINTING ROBERT WILEY HUNT, ORSON A. KINNEY, JAMES B. NELSON AND KENNETH P. WOLF TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TWENTY, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE ROSILLO CREEK PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403(C) FOR ROBERT WILEY HUNT.

AN ORDINANCE 100812

APPOINTING KIMBERLY LYNN BUSH, WILLIAM O. SAGOONIK, GABRIEL IOANE WILTZ AND LORI DEANE WILTZ TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TWENTY-ONE, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE HEATHERS COVE PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE AND OF SECTION 2-403(C) FOR WILLIAM O. SAGOONIK.

AN ORDINANCE 100813

APPOINTING GIGI F. BOWMAN, TURNER BOWMAN, JOHN A. CAMPBELL, CHARLIE RENE GARZA AND JAMES L. MYERS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER TWENTY-TWO, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS THE RIDGE STONE PROJECT, FOR TERMS OF OFFICE BEGINNING JANUARY 1, 2005, TO EXPIRE DECEMBER 31, 2006, IN ACCORDANCE WITH THE TEXAS TAX CODE, CHAPTER 311, THE TAX INCREMENT FINANCING ACT, AND THE CITY CODE, CHAPTER 2, ARTICLE VIII, ENTITLED "BOARDS AND COMMISSIONS"; AND PROVIDING FOR THE WAIVER FOR THESE TERMS ONLY OF SECTION 2-402 OF SAID ARTICLE FOR EACH APPOINTEE.

CONSENT ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following ordinance:

AN ORDINANCE 100814

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 2005-2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$205,000.00 TO INCLUDE CONTRACTS FOR: SAN ANTONIO LIBRARY INTERNET TUTORING; AMERICAN LA FRANCE TRUCK PARTS AND SERVICE; AND PURCHASE OF BLAUER 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, Hall, Schubert. **NAYS:** None. **ABSENT:** Castro, Haass, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100815

SELECTING ALDERSON & ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE NECESSARY CONSTRUCTION OF AIR

CONDITIONING AND ELECTRICAL CAPACITY UPGRADES AT THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT COMPUTER ROOM, LOCATED AT 515 S. FRIO STREET IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$16,000.00; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES FOR A TOTAL AMOUNT NOT TO EXCEED \$18,000.00 FROM CERTIFICATES OF OBLIGATION; 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:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert. **NAYS:** None. **ABSENT:** Castro, Haass, Garza.

The City Clerk read the following ordinance:

AN ORDINANCE 100816

AUTHORIZING PAYMENT IN THE AMOUNT OF \$151,686.00 FROM 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR BRADFORD C. POWELL AND WIFE, BARBARA H. POWELL, FOR FEE SIMPLE TITLE TO ONE PARCEL (\$149,686.00) AND TITLE FEES (\$2,000.00); AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$100.00 TO BRADFORD C. POWELL AND WIFE, BARBARA H. POWELL FOR A RIGHT OF ENTRY IN CONNECTION WITH THE STAHL AT O'CONNOR AND JUDSON RECONSTRUCTION MPO PROJECT, LOCATED IN COUNCIL DISTRICT 10; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100817

AUTHORIZING THE EXECUTION OF TENANT LEASE AGREEMENTS WITH AVANCE-SAN ANTONIO CHAPTER AND PARENT/CHILD, INC. FOR 2,560 SQUARE FEET AND 3,646 SQUARE FEET OF OFFICE SPACE, RESPECTIVELY, FOR THE PROVISION OF DIRECT CHILDCARE ASSISTANCE IN THE CITY OWNED FRANK GARRETT COMMUNITY CENTER LOCATED AT 1226 NW 18TH STREET FOR AN ANNUAL RENTAL OF \$1.00 FOR THE PERIOD OF JUNE 1, 2005 THROUGH SEPTEMBER 30, 2009.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100818

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXPEND AN AMOUNT NOT TO EXCEED \$48,000.00 FOR FEES ASSOCIATED WITH THE PLATTING OF APPROXIMATELY 101 ACRES KNOWN AS UNIT 3 OF THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100819

AUTHORIZING A TEN (10) YEAR LICENSE AGREEMENT FROM THE CITY OF SAN ANTONIO TO MATHESON TRI-GAS, INC., FOR A TOTAL CONSIDERATION OF \$123,575.00 TO USE PUBLIC RIGHT OF WAY WITHIN,

UNDER AND ACROSS APPROXIMATELY 8,976 LINEAR FEET (1.7 MILES) OF STREET AND DRAINAGE CHANNEL RIGHTS OF WAY FOR APPLICANT'S PROPOSED INSTALLATION OF A SIX INCH (6") INSIDE DIAMETER NITROGEN PIPELINE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Castro 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.

Item 23 is a proposed ordinance approving the second amendment to the Golf Food and Beverage Agreement with Polanco and Company, L.L.C., to revise revenue payment to the City during four (4) months in each year for the duration of the contract from sixteen percent (16%) to twelve percent (12%), effective in fiscal year 2006.

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

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

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

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

Councilmember Segovia made a motion to approve the proposed Ordinance and to bring it back in one year for review. Councilmember Williams seconded the motion.

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

AN ORDINANCE 100820

APPROVING THE SECOND AMENDMENT TO THE GOLF FOOD AND BEVERAGE AGREEMENT WITH POLANCO AND COMPANY, L.L.C., TO REVISE REVENUE PAYMENT TO THE CITY DURING FOUR (4) MONTHS IN EACH YEAR FOR THE DURATION OF THE CONTRACT FROM SIXTEEN PERCENT (16%) TO TWELVE PERCENT (12%), EFFECTIVE IN FISCAL YEAR 2006.

The City Clerk read the following ordinance:

AN ORDINANCE 100821

APPROVING THE SETTLEMENT AGREEMENT IN THE LAWSUIT STYLED *ALLSTARS, PT'S, SUGAR'S, XTC, JANE ROE I AND JANE ROE II V. CITY OF SAN ANTONIO*, ET AL, CAUSE NO. SA-03-CA-356 FB, U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION.

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

Item 29F is an ordinance appointing Elginio Rodriguez (District 5) to the Zoning Commission for a term of office to expire on June 30, 2006.

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

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

STAFF BRIEFING ON THE STATUS OF THE CITY'S STATE LEGISLATIVE PROGRAM FOR THE 79TH LEGISLATIVE SESSION.

Mr. Ray Baray, Intergovernmental Relations Manager, presented an update on the City's approved State Legislative Program, a copy of which is on file with the Office of the City

Clerk. He presented the issues presently being considered, bill comparisons on the school property taxes, sales taxes, alcohol tax and business tax. He cited the City of San Antonio related bills, such as the Espada Development District, the Pre-Funded Healthcare House bill, municipal bills, and key points with regard to the relocation of Telecommunication and Cable facilities within the City's right of way. He further highlighted on the key deadlines, and last day of the 79th Session.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following ordinance:

AN ORDINANCE 100822

AUTHORIZING THE EXECUTION OF A TWO-YEAR GENERAL FUND CONTRACT WITH THE JEFFERSON WOODLAWN LAKE COMMUNITY DEVELOPMENT CORPORATION FOR \$50,000.00 PER YEAR FOR PARTICIPATION IN THE CITY OF SAN ANTONIO'S NEIGHBORHOOD COMMERCIAL REVITALIZATION PROGRAM FOR A TERM THAT COMMENCED ON APRIL 1, 2005 AND ENDS MARCH 31, 2007; AND AUTHORIZING PAYMENTS.

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

Mr. David Garza, Neighborhood Action Director, narrated a powerpoint presentation on the Neighborhood Commercial Revitalization (NCR) Program, a copy of which is on file with the Office of the City Clerk. Mr. Garza provided background on the NCR Program, funding, performance measures, and Deco District. He amplified on the Deco District and Fiscal Years 99-04 performance outcomes. He then provided an overview of the contract, fiscal impact, coordination, and staff recommendation.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, 140 Dora, addressed the City Council with regards to supporting this project.

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

Ms. Claudia Silva Lipsey addressed the City Council in support of the program.

Mr. John Davis addressed the City Council with regards to supporting the Community Development Corporation (CDC), and spoke to the involvement by the community on this project.

Ms. Marianna Donnelly also addressed the City Council in support of the CDC.

Ms. Charolett Kohl urged the City Council to support the funding of the CDC.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100823

AMENDING CHAPTER 19, ARTICLE I OF THE CITY CODE; ADOPTING AN EXCEPTION TO THE CITY CODE 19-8 TO ALLOW FOR THE SOLICITATION OF NEWSPAPERS FROM AN OFF-ROADWAY SURFACE TO THE OCCUPANTS OF MOTOR VEHICLES ON PUBLIC STREETS; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

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

Ms. Martha Sepeda, Acting City Attorney narrated a powerpoint presentation on the Amendment to City Code 19-8, Motor Vehicles and Traffic, a copy of which is on file with the Office of the City Clerk. Ms. Sepeda expounded on the amendment and City Code Section 19-8. She provided a review of the suit filed by the Express-News against the City, and presented the proposed amendments relating to Section 19-8.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100824

AMENDING THE CITY CODE, CHAPTER 20, MUNICIPAL COURT, BY REPEALING OUTDATED REGULATIONS; ADOPTING COMPREHENSIVE REGULATIONS SETTING OUT THE COURT'S AUTHORITY, OPERATIONS AND PROCEDURES; CLARIFYING DUTIES, BUDGETARY INPUT AND STAFFING FOR THE JUDICIARY; CREATING FUNDS AND PROVIDING FOR EFFECTIVE DATES.

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

Ms. Martha Sepeda, Acting City Attorney narrated a powerpoint presentation on the Revisions to Chapter 20 of the City Code – Municipal Courts, a copy of which is on file with the Office of the City Clerk. Ms. Sepeda provided a history of the Municipal Courts and background information on the Charter amendment, current City Code, and current provisions. She amplified on revisions to the City Code, Office of Judiciary, Municipal Court Administrative Services, and revenues.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100825

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF EMERGENCY SERVICES DISTRICT #4 WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION FOR THE PROVISION BY THE DISTRICT OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES FOR INDIVIDUALS RESIDING WITHIN ITS BOUNDARIES.

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

Mr. Ray Baray, Intergovernmental Relations Manager, narrated a powerpoint presentation on the City of San Antonio Emergency Services District (ESD) #4, Interlocal Agreement, a copy of which is on file with the Office of the City Clerk. Mr.

Baray provided background information on ESD's. He then explained the creation of ESD #4, the ESD agreement, and other provisions. He also provided the financial impact, coordination and recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100826

AUTHORIZING THE TRANSFER OF \$30,000.00 OF FISCAL YEAR 2005 COUNCIL DISTRICT 10 HUMAN DEVELOPMENT SERVICES FUNDS TO THE FAMILIES SAVE INDIVIDUAL DEVELOPMENT ACCOUNT (IDA) PROGRAM TO BE USED AS MATCH FUNDING FOR THE FAMILIES SAVE IDA PROGRAM FOR SCHOLARSHIPS FOR POST-SECONDARY EDUCATION; AND REVISING THE FAMILIES SAVE IDA BUDGET.

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

Mr. Dennis Campa, Community Initiatives Director, narrated a powerpoint presentation on the Families SAVE Individual Development Account (IDA), a copy of which is on file with the Office of the City Clerk. Mr. Campa provided background information on the Family Economic Success Program and the IDA Program. He amplified on the IDA eligibility requirements, accountability measures, and staff recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100827

AMENDING ORDINANCE NUMBER 100652 BY RESCINDING THE TRANSFER OF COUNCIL DISTRICT 9 HUMAN DEVELOPMENT SERVICES FUNDS IN THE AMOUNT OF \$50,000.00 TO THE FAMILIES SAVE INDIVIDUAL DEVELOPMENT ACCOUNT (IDA) PROGRAM AUTHORIZING THE EXECUTION OF A

CONTRACT IN THE AMOUNT OF \$50,000.00 WITH THE SAN ANTONIO EDUCATION PARTNERSHIP FOR SCHOLARSHIPS THROUGH SEPTEMBER 30, 2005 FOR STUDENTS WHO ARE CITY OF SAN ANTONIO RESIDENTS ATTENDING WINSTON CHURCHILL HIGH SCHOOL, RONALD REAGAN HIGH SCHOOL AND ALAMO HEIGHTS HIGH SCHOOL; AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS IN CONNECTION THEREWITH; AND REVISING THE FAMILIES SAVE IDA BUDGET.

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

Mr. Dennis Campa, Community Initiatives Director, narrated a powerpoint presentation on the San Antonio Education Partnership (SAEP) – Human Development Service Fund, a copy of which is on file with the Office of the City Clerk. Mr. Campa outlined the purpose of the ordinance and provided background information on SAEP. He then clarified the proposed action, program results and performance, and staff recommendation.

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

The City Clerk read the following resolution:

A RESOLUTION 2005-19-19

IN SUPPORT OF CONTINUED LOCAL CONTROL FOR WATER QUALITY AND REGULATIONS; AS REQUESTED BY COUNCILMAN ART A. HALL, DISTRICT 8.

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

Mr. Ray Baray, Intergovernmental Relations Manager, made a presentation on the City of San Antonio Local Control of Water Quality Regulations, a copy of which is on file with the Office of the City Clerk. Mr. Baray outlined background information on the proposed resolution, noting that the legislation currently being considered in Austin proposes to centralize water quality regulation with the Texas Commission on Environmental Quality (TCEQ) which would effectively eliminate all of SAWS' water quality protection plans and revoke the City's Aquifer protection ordinance. He added that it would further prohibit local regulations from exceeding standards adopted by TCEQ.

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

The City Clerk read the following ordinance:

A RESOLUTION 2005-19-20

SUPPORTING VANESSA DEL FIERRO, ONE OF SIX FINAL CONTESTANTS REPRESENTING SAN ANTONIO ON TELEMUNDO'S INTERNATIONAL COMPETITION "NUEVAS VOCES DE AMERICA"; AS REQUESTED BY MAYOR EDWARD D. GARZA.

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

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

CITIZENS TO BE HEARD

Mr. Faris Hodge, Jr., 140 Dora, addressed the City Council and noted the quorum issue experienced during the meeting. He also distributed a handout relating to a write-up on the Police Officer whose gun went off while in the bathroom.

Mr. Rhett Smith spoke about the National Day of Prayer event that took place in front of City Hall. He also noted that not all of the candidates are invited to forums and felt that this was not fair.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, spoke with regards to the story about the Runaway Bride in Georgia and about pure water and the animals living in peace.

(Mayor Garza returned to the meeting and presided.)

EXECUTIVE SESSION

Mayor Garza recessed the Regular Session at 7:12 pm. in order to convene in Executive Session for the purpose of:

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, 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).

Discuss acquisition and disposition of an interest in real property for a senior citizen's center and related uses, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property).

Discuss the lawsuit styled *Farmco Trust: Richard Schaefer, Nancy Shaefer, John M. Shaefer and Mary Shaefer v. City of San Antonio*, Cause No. 2003-CI-05122, 150th Judicial District Court, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the Regular Session from Executive Session at 8:30 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.

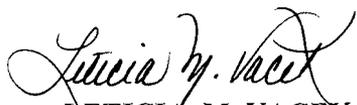
There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 8:31 pm.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk