

**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, JUNE 2, 2005**

**\* \* \* \***

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **ABSENT:** None.

The Invocation was delivered by Father Fidele O. Dikete, District 6, Our Lady of Good Counsel Catholic Church.

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

The minutes of the Regular City Council meeting of May 12, 2005 and Special City Council meeting of May 17, 2005 were approved as presented.

**CONSENT AGENDA - CITIZEN'S COMMENTS**

Mr. Jack M. Finger, PO Box 12048, spoke to the bidding process, and the selection of discretionary contracts.

**CONSENT AGENDA**

Consent agenda items 6, 7, 9, 10, 11, 12, 13, 14, and 19 were pulled for individual consideration. The remaining items 8 through 23B were approved upon motion made by Councilmember Perez and seconded by Councilmember Haass.

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

AN ORDINANCE 100966

ACCEPTING THE BID SUBMITTED BY LENCO INDUSTRIES, UTILIZING THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT, TO PROVIDE AN ARMORED RESPONSE AND RESCUE VEHICLE FOR THE POLICE DEPARTMENT FOR A TOTAL COST OF \$258,726.00, FROM THE URBAN AREAS SECURITY INITIATIVES GRANT FUND.

AN ORDINANCE 100967

AUTHORIZING 2003 STORM WATER REVENUE BOND FUNDS IN THE AMOUNT OF \$213,800.00 FOR THE ACQUISITION OF FEE SIMPLE TITLE AND/OR EASEMENT INTEREST AND FOR OTHER MISCELLANEOUS EXPENSES IN CONNECTION WITH TWENTY-NINE PARCELS OF REAL PROPERTY AND DECLARING THE SEMLINGER ROAD – LORD TO RIGSBY PROJECT “PROJECT”, LOCATED IN COUNCIL DISTRICT 2, TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE AND/OR EASEMENT INTEREST TO PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY.

LOT(S)	BLOCK	NCB
95	2A	10753
76		10754
2		12886
2A		12886
2B		12886
2C		12886
South 50-foot part of Lot 2D		12886
North part of Lot 2D		12886
2F		12886
3		12886
3A		12886
3B		12886
4A		12886

4B		12886
P-22A		12886
19	13	13182
19	13	13182
19b	13	13182
19b	13	13182
22	13	13182
22	13	13182
17	14	13183
17	14	13183
37N	14	13183
37N	14	13183
41	14	13183
41	14	13183
42	14	13183
42	14	13183

AN ORDINANCE 100968

DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S 24" TRANSMISSION MAIN FROM LOOP 410 AT F.M. 1937 TO PLEASANTON ROAD PROJECT "PROJECT" IS A NECESSARY PUBLIC PROJECT; FURTHER DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED BELOW FOR USE AS PART OF THE PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM "SAWS", ITS EMPLOYEES, AGENTS, AND/OR THEIR AUTHORIZED INDEPENDENT NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL SALES AND OTHER AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED BELOW AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED BELOW; FURTHER AUTHORIZING THE GENERAL COUNSEL OF SAWS TO FILE CONDEMNATION PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE TEMPORARY AND PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND

UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED BELOW; AND ANY OTHER PARCEL OR TEMPORARY OR PERMANENT EASEMENT INTEREST REQUIRED FOR PUBLIC NECESSITY THAT MAY DEVELOP ALONG THE PROPOSED ALIGNMENT OF THE PROJECT BETWEEN PARCEL NO. SAWS-6730 AND PARCEL NO. SAWS-6736 INCLUSIVELY; APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF AND/OR ACTING FOR SAWS TO ACQUIRE SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED HEREIN; DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT AND TEMPORARY EASEMENTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED HEREIN SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAWS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE; SAID PROPERTIES DESCRIBED AS FOLLOWS:

PARCEL	ACRE/SQ.FT EASEMENTS PERMANENT (P)	ACRES/SQ.FT. EASEMENTS TEMPORARY (T)	LEGAL DESCRIPTION	COUNTY BLOCK
SAWS-6730	0.029/1,241		Lot-37, Blk-1	5699
SAWS-6730-T		0.024/1,061	Lot-38, Blk-1	
SAWS-6732	0.147/6,407		Abstract No.3	5935
SAWS-6732T		0.184/8,010	Abstract No.3	
SAWS-6733	0.711/30,959		Abstract No.3	4006
SAWS-6733-T		0.888/38,692	Abstract No.3	
SAWS-6736	3.127/136,203		Abstract No.3	4006
SAWS-6736-T		3.918/170,672	Abstract No.3	

AN ORDINANCE 100969

DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S US 281: MUD CREEK TO STONE OAK PARKWAY PROJECT ("PROJECT") IS A NECESSARY PUBLIC PROJECT; FURTHER DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED BELOW FOR USE AS PART OF THE PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM (SAWS), ITS EMPLOYEES, AGENTS, AND/OR THEIR AUTHORIZED INDEPENDENT

NEGOTIATORS TO NEGOTIATE AND EXECUTE ALL SALES AND OTHER AGREEMENTS, EASEMENTS AND OTHER NECESSARY DOCUMENTS WITH THE OWNERS OF CERTAIN PRIVATELY OWNED PROPERTIES DESCRIBED BELOW AND TO TAKE ALL OTHER LAWFUL ACTIONS NECESSARY OR INCIDENTAL TO SURVEY, SPECIFY, CLARIFY, DEFINE AND ACQUIRE THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED BELOW; FURTHER AUTHORIZING THE GENERAL COUNSEL OF SAWS TO FILE CONDEMNATION PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING FINAL JUDGMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE TEMPORARY AND PERMANENT EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED BELOW; AND ANY OTHER PARCEL OR TEMPORARY OR PERMANENT EASEMENT INTEREST REQUIRED FOR PUBLIC NECESSITY THAT MAY DEVELOP ALONG THE PROPOSED ALIGNMENT OF THE PROJECT BETWEEN PARCEL NO. SAWS-9629 AND PARCEL NO. SAWS-9666 INCLUSIVELY; APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF AND/OR ACTING FOR SAWS TO ACQUIRE SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED HEREIN; DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT AND TEMPORARY EASEMENTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED HEREIN SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAWS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE; SAID PROPERTIES DESCRIBED AS:

<i>PARCEL</i>	ACRES/ S.F.- EASEMENTS PERMANENT (P)	ACRES/S.F.- EASEMENTS TEMPORARY (T)	LEGAL DESCRIPTION  NEW CITY BLOCK/  LOT NO.
SAWS-9629-B	0.0689/3,000	0.0654/2,850	Lot-4, Blk-25, NCB 19219
SAWS-9631-A	0.1174/5,114	0.0398/1,732	S. Jett Survey 92 ½, Abstract-855
SAWS-9631-B	0.2649/11,537	0.0883/3,846	S. Jett Survey 92 ½, Abstract-855
SAWS-9632	0.0098/426	0.0026/115	S. Jett Survey 92 ½, Abstract-855
SAWS-9633-A	0.2307/10,051	0.0770/3,356	C. Sheilbel Survey 360 ½, Abstract-724
SAWS-9633-D	0.0733/3,193	0.0163/708	C. Sheilbel Survey 360 ½, Abstract-724
SAWS-9638	0.1838/8,008	0.0614/2,676	S. Jet Survey 92 ½, Abstract-855

AN ORDINANCE 100970

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT BEING DESCRIBED AS A 0.1337 ACRE (5,826 SQUARE FEET) TRACT OF LAND, OUT OF AND A PORTION OF LOT 23, NEW CITY BLOCK 9503, SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, NAMELY THE IMPROVEMENT AND MAINTENANCE OF THE MILITARY DITCH #65 PROJECT, LOCATED IN COUNCIL DISTRICT 4; AND AUTHORIZING THE CITY ATTORNEY AND SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS.

AN ORDINANCE 100971

APPROVING THE TEMPORARY STREET CLOSURE OF WOODWARD PLACE BETWEEN DWYER AVENUE AND THE DEAD END FROM 10:00 A.M. SATURDAY, JUNE 18, 2005 TO 2:00 A.M. SUNDAY, JUNE 19, 2005 IN ORDER TO HOLD A WEDDING RECEPTION AT THE INN ON THE RIVER.

AN ORDINANCE 100972

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS NEAR THE SBC CENTER IN CONNECTION WITH THE JUNETEENTH PARADE SPONSORED BY THE JUNETEENTH COALITION TO BE HELD FROM 8:30 A.M. TO NOON ON SATURDAY, JUNE 18, 2005.

AN ORDINANCE 100973

AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF JOSEPHINE TOBIN DRIVE, FRENCH STREET, CRAIG STREET, AND ASHBY STREET IN THE WOODLAWN LAKE PARK AREA IN COUNCIL DISTRICT 7 FROM 5:00 P.M. TO 10:30 P.M. ON MONDAY, JULY 4, 2005 SO THAT THE CITY OF SAN ANTONIO AND SAN ANTONIO PARKS FOUNDATION MAY CONDUCT THE ANNUAL JULY 4<sup>TH</sup> CELEBRATION IN WOODLAWN LAKE PARK.

AN ORDINANCE 100974

APPOINTING DAVID FERNANDEZ (GENERAL/NEIGHBORHOOD REPRESENTATIVE CATEGORY – DISTRICT 4) 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 100975

RATIFYING A CONTRACT WITH INFICON, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN UPGRADE TO HAPSITE SMART EQUIPMENT FOR A TOTAL COST OF \$27,294.00, FROM HOMELAND SECURITY 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100976

ACCEPTING THE BID SUBMITTED BY THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES TO PROVIDE WEB DEVELOPER SERVICES FOR THE FIRE DEPARTMENT FOR A TOTAL COST OF \$98,899.20, FROM THE URBAN AREAS SECURITY INITIATIVES GRANT FUND.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** Wolff. **ABSENT:** None.

On a Point of Personal Privilege, Councilmember McNeil spoke to the passing of Mr. Donald McClure, a prominent resident of San Antonio. A moment of silence was observed.

On a Point of Personal Privilege, Councilmember Haass recognized Boy Scout Troop 233 who was in the audience observing government at work.

The City Clerk read the following ordinance:

AN ORDINANCE 100977

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 \$912,922.00 FOR THE FOLLOWING: HYSTER/HYPAC ROLLER AND J.C.B. TRACTOR LOADER BACKHOE PARTS & SERVICE; SPARTAN MOTOR PARTS & SERVICE; SIMON LTI AERIAL LADDER TRUCK PARTS & SERVICE; TRUCK MOUNTED LIFTGATE PARTS & SERVICE; WHEELED COACH AMBULANCE PARTS; INFLUENZA VACCINE; TIME MANUFACTURING VERSALIFT AERIAL TOWER PARTS & SERVICE; REGULATORY DATABASE INFORMATION SERVICES; AND HERBICIDES.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Garza. **NAYS:** None. **ABSENT:** Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 100978

AUTHORIZING THE PURCHASING & GENERAL SERVICES DEPARTMENT TO ACCEPT THE OFFER SUBMITTED BY CASE LOGICAL DESIGN, INC. TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH AN ANNUAL CONTRACT FOR BUSINESS OBJECTS SOFTWARE LICENSES, MAINTENANCE, SUPPORT, TRAINING AND PROFESSIONAL SERVICES, FOR AN ESTIMATED ANNUAL COST OF \$574,890.50.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100979

APPROVING FIELD ALTERATION NO. 8 (FINAL) AND REDUCING THE CONTRACT AMOUNT WITH SAN ANTONIO CONSTRUCTORS, INC., BY \$62,444.79 IN CONNECTION WITH THE FLORES/BREEDEN/BEACON DRAINAGE OUTFALL, PHASE II PROJECT, LOCATED IN COUNCIL DISTRICT 1; AND REVISING THE PROJECT BUDGET.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100980

APPROVING FIELD ALTERATION NO. 2 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$37,738.79 TO R.L. JONES, L.P., IN CONNECTION WITH THE COURTLAND - NORTH MAIN TO MCCULLOUGH AND OGDEN - EAST DEWEY TO EAST ASHBY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100981

ACCEPTING A PROPOSAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$11,000.00 FROM DISTRICT 2 NEIGHBORHOOD ACCESSIBILITY AND MOBILITY PROGRAM FUNDS FOR TRAFFIC ENGINEERING SERVICES TO BE PROVIDED BY PAPE-DAWSON ENGINEERS, INC., UNDER A PREVIOUSLY AUTHORIZED ON-CALL PROFESSIONAL TRAFFIC ENGINEERING SERVICES AGREEMENT, IN CONNECTION WITH THE RAILROAD QUIET ZONE STUDY OF THE UNION PACIFIC RAILROAD LINE BETWEEN SHERMAN AND ESSEX, LOCATED IN COUNCIL DISTRICT 2; 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100982

AMENDING AN EXISTING PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$190,428.50, WHICH SUM INCLUDES PAYMENT FOR SERVICES PREVIOUSLY PERFORMED IN CONNECTION WITH IMPROVEMENTS TO THE CODY BRANCH LIBRARY, TO ARIZPE GROUP, INC. (SBE/MBE/DBE) FOR ARCHITECTURAL SERVICES IN CONNECTION WITH LIBRARY IMPROVEMENTS FOR BAZAN BRANCH LIBRARY IN COUNCIL DISTRICT 5; CARVER BRANCH LIBRARY IN DISTRICT 2; CODY BRANCH LIBRARY IN COUNCIL DISTRICT 8; CORTEZ BRANCH LIBRARY IN COUNCIL DISTRICT 4; FOREST HILL BRANCH LIBRARY IN COUNCIL DISTRICT 7; JOHNSTON BRANCH LIBRARY IN COUNCIL DISTRICT 4; MCCRELESS BRANCH LIBRARY IN COUNCIL DISTRICT 3; MEMORIAL BRANCH LIBRARY IN COUNCIL DISTRICT 5; PAN AMERICAN BRANCH LIBRARY IN COUNCIL DISTRICT 4; AND WESTFALL BRANCH LIBRARY IN COUNCIL DISTRICT 1; AUTHORIZING \$18,340.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; \$13,300.00 FOR CAPITAL ADMINISTRATION EXPENSES; \$8,000.00 FOR ADVERTISING EXPENSES FOR A TOTAL

ORDINANCE AMOUNT OF \$230,068.50; 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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Garza. **NAYS:** None. **ABSENT:** Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 100983

ALLOCATING \$77,000.00 FROM 1999 GENERAL OBLIGATION LIBRARY BOND FUNDS FOR THE PURCHASE OF FURNITURE, FIXTURES AND EQUIPMENT FOR THE BROOK HOLLOW BRANCH LIBRARY, LOCATED AT 530 HEIMER ROAD IN CITY COUNCIL DISTRICT 9.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Garza. **NAYS:** None. **ABSENT:** Haass.

On a Point of Personal Privilege, Councilmember Radle recognized Mr. Manuel Castillo who spoke to the upcoming Walk/Run event in support of the San Antonio Cultural Arts.

Item 23A being an Ordinance appointing Rick W. Cockerham (District 3) to the Ethics Review Board for a term of office to expire on April 25, 2008 was pulled from consideration.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following ordinance:

AN ORDINANCE 100984

IMPOSING AND LEVYING A ONE-EIGHTH CENT SALES AND USE TAX FOR PROPOSITION NO. 1—EDWARDS AQUIFER PROTECTION VENUE PROJECT PROPOSITION AND PROPOSITION NO. 2—PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT PROPOSITION, THE ADOPTION OF WHICH WERE AUTHORIZED AND APPROVED BY THE VOTERS OF THE CITY AT THE MAY 7, 2005 SPECIAL ELECTION.

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

Mr. Chris Brady, Assistant City Manager, made a presentation on the imposition of tax and establishment of venues for Propositions 1 and 2, a copy of which is on file with the Office of the City Clerk. He stated that the ordinance approves the imposition and levy of a one-eighth cent sales and use tax for Proposition No. 1, the Edwards Aquifer Protection Venue Project, and Proposition No. 2, the Parks Development and Expansion Venue Project. He also addressed Item 27B which was the resolution to approve the establishment of the funds for each of the propositions for the deposit of all sales and use tax proceeds and any and all other funds to be used in connection with the venue projects. He presented background information on the election of May 7, 2005 where the propositions were approved by the voters, and the specific projects targeted with the funds. He further highlighted on the roles of the Conservation Advisory Board and the Linear Creekway Parks Advisory Board in relation to the projects targeted under the respective propositions, and fiscal impact.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, spoke on all items and noted the silly rules for addressing Council. On item 27, he asked when the Council would ratify the tax freeze proposition. He also noted the period to wait two years to serve on boards with regards to the establishment of the board. For item 25 he noted the corruption printed in Roddy Stinson's article of the Head Start Commission.

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

The City Clerk read the following resolution:

A RESOLUTION 2005-24-26

APPROVING THE ESTABLISHMENT OF VENUE PROJECT FUNDS TO BE USED IN CONNECTION WITH THE EDWARDS AQUIFER PROTECTION VENUE PROJECT AND THE PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100985

EXPANDING THE COMPOSITION AND REVISING THE PURPOSE OF THE CONSERVATION ADVISORY BOARD TO PROVIDE INPUT AND ADVICE TO CITY COUNCIL ON THE ACQUISITION AND DEVELOPMENT OF VENUE PROJECTS FUNDED WITH SALES TAX REVENUES; AND AMENDING ORDINANCE NO. 91566, APPROVED ON APRIL 6, 2000, AND ORDINANCE NO. 92098, APPROVED JUNE 29, 2000; AS REQUESTED BY COUNCILMAN ART A. HALL, DISTRICT 8.

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

Mr. Chris Brady, Assistant City Manager made a presentation on the ordinance to expand the composition and revise the purpose of the Conservation Advisory Board (CAB), a copy of which is on file with the Office of the City Clerk. He addressed the initial creation and appointments of the Conservation Advisory Board, and the new role that the CAB would take with respect to the Edwards Aquifer Protection Venue Project. He further expanded on the composition revision of the CAB, the role of the Scientific Evaluation Team and its composition.

The following citizen(s) appeared to speak:

Ms. Bonnie Conner addressed the Council relating to the transparent and successful process that has taken place. She stated the committee reviews the sensitive areas and

determines what properties to purchase and that the final decision will be made by the Council.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100986

RECOMMENDING FIVE (5) PROJECTS FOR THE UNIFIED PLANNING WORK PROGRAM FUNDING FROM THE BEXAR COUNTY – METROPOLITAN PLANNING ORGANIZATION FOR FISCAL YEAR 2006-2007; AND RECOMMENDING FIVE (5) PROJECTS FOR FUTURE YEAR INCLUSION.

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

Mr. Tom Wendorf, Director of Public Works narrated a slide presentation on the Unified Planning Work Program (UPWP), a copy of which is on file with the Office of the City Clerk. He stated the ordinance would recommend five projects for UPWP funding from the Bexar County-Metropolitan Planning Organization (MPO) for FY 2006-07 and recommends an additional five projects for future year inclusion. He outlined the process to select the projects and identified those selected and its associated costs.

Councilmember Perez made an amendment to the motion to include the Zarzamora corridor from S.W. Military Drive to Barlite as a traffic model and to move up the sidewalk gap analysis. Councilmember Flores seconded the motion.

After consideration, the motion on the amendment prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Haass, Garza. **NAYS:** Hall, Wolff. **ABSENT:** None.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100987

ABOLISHING THE HEAD START COMMISSION EFFECTIVE JUNE 12, 2005; ABOLISHING THE HEAD START POLICY COUNCIL FOR THE HEAD START PROGRAM FOR SAN ANTONIO AND BEXAR COUNTY EFFECTIVE UPON APPOINTMENT OF MEMBERS TO THE HEAD START POLICY COMMISSION; REPEALING ORDINANCE NO. 99788 AND SECTION 1 OF ORDINANCE NO. 99349, EFFECTIVE JUNE 12, 2005; REPEALING SECTION 2 OF ORDINANCE NO. 99349 EFFECTIVE UPON THE APPOINTMENT OF MEMBERS TO THE HEAD START POLICY COMMISSION; ESTABLISHING A HEAD START POLICY COMMISSION COMPRISED OF TWENTY-THREE (23) MEMBERS, AUTHORIZED TO ACT AS THE POLICY COUNCIL FOR SAN ANTONIO AND BEXAR COUNTY IN ACCORDANCE WITH HEAD START FEDERAL REGULATIONS.

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

Mr. Dennis Campa, Director of Community Initiatives made a presentation on items 25A and 25B regarding the Head Start Commission and the acceptance of a supplemental award in the amount of \$35,000 from Health and Human Services (HHS) for car seats and classroom computers, a copy of which is on file with the Office of the City Clerk. He provided background information on the Head Start program and the services provided by Head Start, the Head Start Governance, its creation and appointment of members in 2004, the roles and responsibilities of Head Start Governance and the proposed structure. He expounded on the executive compensation, the compensation adjustments, and the 2004 accomplishments of Head Start.

Councilmember Barrera made an amendment to the motion to reduce the number of members to 15. Councilmember Perez seconded the motion.

After consideration, the motion on the amendment prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Barrera, Hall, Wolff, Haass, Garza. **NAYS:** Radle, Castro. **ABSENT:** None.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100988

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES – ADMINISTRATION FOR CHILDREN AND FAMILIES IN THE AMOUNT OF \$35,000.00 FOR THE PURCHASE OF CHILD RESTRAINTS/AUTO SAFETY SEATS AND CLASSROOM COMPUTERS FOR THE HEAD START EARLY CHILD CARE PROGRAM; REVISING THE CITY'S 2005 HEAD START EARLY CHILD CARE PROGRAM BUDGET IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH PARENT/CHILD, INCORPORATED (PCI) INCREASING THE TOTAL AMOUNT OF THE CONTRACT BY \$35,000.00 FOR A TOTAL CONTRACT AMOUNT OF \$45,398,107.00 AND REVISING THE PCI HEAD START PROGRAM BUDGET IN ACCORDANCE THEREWITH.

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, McNeil, Gutierrez, Perez, Radle, Barrera, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100989

RELEASING 67 ACRES IN THE WILD WIND SUBDIVISION FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO AS PETITIONED BY THE CITY OF GARDEN RIDGE, IN COMAL COUNTY.

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, McNeil, Gutierrez, Perez, Radle, Castro, Hall, Wolff, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera.

**CITY MANAGER'S REPORT.**

Mr. Ray Baray, Intergovernmental Relations Manager, presented City Council with an update on the federal program. He highlighted on the legislative issue assignments, performance measures, federal initiatives coordination, and details on the firm of Holland & Knight.

Mr. Mark Webb Director of Contract Services delineated the various high risk contracting initiatives in development.

### **CITIZENS TO BE HEARD**

Ms. Eliodia Flores Zuniga addressed the City Council relating to the San Antonio Water System.

Ms. Pat Rodriguez thanked the Mayor and City Council for their service to the community, and sang a song for the Mayor and City Council in English and Spanish.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, stated there was some corruption going on in regards to Item 25. He also referenced item 6 and item 29.

Mr. Faris Hodge, 140 Dora, sang a verse of "Deep in the Heart of Texas". He mentioned the salary arrangements for the new City Manager should be in open session.

The City Council meeting was recessed at 5:07 pm and reconvened at 6:05 pm for the purpose of the time certain item at 6:00 pm.

### **6:00 PM – FIRST PUBLIC HEARING ON THE PROPOSED FULL PURPOSE ANNEXATION OF THE SOUTHSIDE INITIATIVE EXPANSION AREA.**

Mr. Emil Moncivais, Director of Planning made a presentation on the expansion of the Southside Initiative proposed full purpose annexation, a copy of which is on file with the Office of the City Clerk. He outlined background information on the six Southside Initiative Areas which were annexed for limited purposes effective January 5, 2003, the amendment of the three-year annexation plan approved in July, 2004, noting that the limited purpose annexation extended the various municipal codes in August 2004. He further addressed the Southside Initiatives Expansion Service Plan process and the full purpose annexation schedule.

Mr. Peter Zaroni, Director of Management and Budget, presented the factors for cost/revenue analysis. He cited the cost factors such as police services, fire services, street maintenance, code compliance, animal control, library services, and revenue factors such as property tax, sales tax, alarm permit revenue, CPS revenue from new development and SAWS revenue loss from "inside city limit rates". He further amplified on the Stormwater Fund and the Environmental Services Fund.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr. addressed the Council and stated that he was against the annexation.

Mr. Nazarite Ruben Flores Perez addressed the Council regarding certain areas of town that do not have sidewalks.

Mr. Joe Perez addressed the Council and asked if the services of fire and police would be provided adequately. He added that there are many sidewalks and roads that have not been addressed.

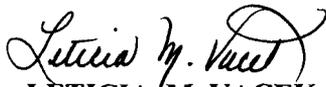
There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 6:24 pm.

A P P R O V E D



EDWARD D. GARZA  
MAYOR

Attest:

  
LETICIA (M. VACEK  
City Clerk