

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 21, 2005

* * * *

The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, 103 Main Plaza, San Antonio, Texas 78205.

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

Mayor Garza recessed the Regular Session at 10:39 am 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 legal issues relating to *San Antonio Express News v. City of San Antonio*, Cause No. 99-CI-01933, In the District Court, 73rd Judicial District, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the Regular Session from Executive Session at 11:54 am, 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.

The "B" Session adjourned at 11:54 am.

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 Dr. Charles Johnson, Pastor, District 1, Trinity Baptist Church.

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

CEREMONIAL ITEMS

Mayor Garza presented the following proclamations: King Antonio, Fiesta Flambeau Parade, Walk & Roll to Work Day, and Waste Management's 5th Annual Scholarship Golf Tournament.

On a point of personal privilege, Councilmember Flores recognized Mr. Ben Brewer of the Downtown Alliance (Amigos) and thanked them for their support and the work performed in the downtown area.

On a point of personal privilege, Councilmember Segovia recognized Mr. Ryan Bueche who was leaving employment with his office to attend law school at Baylor University. He presented a Certificate of Appreciation.

The minutes of the Regular City Council meeting of March 31, 2005 were approved as presented.

CONSENT AGENDA - CITIZEN'S COMMENTS

Mr. Jack M. Finger, PO Box 12048, addressed the Council on item 11 and stated this is a capital improvement and no bidding took place while on item 13, no bidding as well. He asked anyone who received contributions abstain from voting on said items.

CONSENT AGENDA

Items 10, 13, 15, 17, 19, 21, and 24 were addressed individually from the consent agenda. The remaining items 6 through 31C were approved upon motion made by Councilmember Perez and seconded by Councilmember Williams.

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

AN ORDINANCE 100713

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY TANSECO SYSTEMS (WBE) TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH INTEGRATED VIDEO SYSTEMS AT VARIOUS CITY FACILITIES FOR A TOTAL COST OF \$49,082.00 FROM HOMELAND SECURITY GRANT FUNDS.

AN ORDINANCE 100714

ACCEPTING THE LOW, RESPONSIVE BID SUBMITTED BY ELECTROSONIC SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A COMPREHENSIVE VIDEO MANAGEMENT SYSTEM FOR A TOTAL COST OF \$137,380.14 FROM THE 2004 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FUNDS.

AN ORDINANCE 100715

ACCEPTING THE OFFER SUBMITTED BY FISHER SAFETY, UTILIZING THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT, TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH WEB EOC HARDWARE AND SOFTWARE FOR A TOTAL COST OF \$227,766.18 FROM HOMELAND SECURITY GRANT FUNDS.

AN ORDINANCE 100716

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 \$443,270.00 TO INCLUDE CONTRACTS FOR: TRUCK AND INDUSTRIAL TIRES; FLEX BEAMS AND ALLIED ITEMS; POLICE SEDAN ACCESSORIES AND SERVICES; PASSENGER TIRES; LIBRARY CASSETTE ALBUMS; MEDIA AND AUDIO SUPPLIES; AND PRINTING OF PASSES AND TICKETS.

AN ORDINANCE 100717

AMENDING A PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$26,540.00 TO BAIN MEDINA BAIN, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE NACOGDOCHES ROAD – I.H. 410 TO DANBURY MPO PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$2,654.00 FOR ADDITIONAL ENGINEERING CONTINGENCY EXPENSES, FOR A TOTAL AMOUNT OF \$29,194.00 FROM 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND FUNDS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100718

ACCEPTING THE LOW, RESPONSIVE BID OF E-Z BEL CONSTRUCTION, LTD. (MBE) IN THE AMOUNT OF \$404,741.25 IN CONNECTION WITH THE W. FRENCH – ZARZAMORA TO NAVIDAD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$24,737.88 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,000.00 FOR DESIGN CONTINGENCY AND CONSTRUCTION PHASE SERVICES; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$157,362.50 FOR SEWER AND WATER EXPENSES, FOR A TOTAL AMOUNT OF \$432,479.13; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100719

AUTHORIZING CITY PUBLIC SERVICE (CPS) TO APPROPRIATE FUNDS IN THE AMOUNT OF \$689,000.00 FROM THE CPS OVERHEAD CONVERSION FUND FOR THE RELOCATION/CONVERSION OF OVERHEAD ELECTRICAL SUPPLY LINES TO UNDERGROUND IN CONNECTION WITH THE PRUE ROAD WEST ELEMENTARY SCHOOL, LOCATED IN COUNCIL DISTRICT 8.

AN ORDINANCE 100720

SELECTING KINNISON AND ASSOCIATES, ARCHITECTS, TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE SAN PEDRO PARK BRANCH LIBRARY RENOVATIONS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$72,900.00; AUTHORIZING \$7,290.00 FOR MISCELLANEOUS DESIGN CONTINGENCY EXPENSES; AUTHORIZING \$5,103.00 FOR CAPITAL ADMINISTRATION COSTS; AUTHORIZING \$2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$87,293.00; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100721

ACCEPTING THE LOW, QUALIFIED BID WITH ADDITIVE BID ALTERNATE 1 OF RST CONSTRUCTION, INC. (SBE/MBE) IN THE AMOUNT OF \$36,991.90 IN CONNECTION WITH THE NORTHEAST YMCA BUILDING IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$3,851.14 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,264.96 FOR BID ADVERTISING AND PRINTING EXPENSES; AUTHORIZING \$5,902.00 FOR ARCHITECTURAL FEES PAYABLE TO INDEPENDENT DESIGN, FOR A TOTAL AMOUNT OF \$48,010.00; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

AN ORDINANCE 100722

APPROVING RENEWAL AND EXTENSION OF THE LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS LANDLORD, AND THE UNIVERSITY OF LAS PALMAS DE GRAN CANARIA, ACTING BY AND THROUGH FUNDACION CANARIA UNIVERSITARIA DE LAS PALMAS (CANARY ISLANDS OFFICE), AS TENANT, FOR THE CONTINUED USE OF SUITE 160 AT THE INTERNATIONAL CENTER, 203 S. ST. MARY'S STREET.

AN ORDINANCE 100723

DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF A 0.1343 ACRE TRACT OF CITY-OWNED REAL PROPERTY LEGALLY DESCRIBED AS LOTS 1 AND 2, BLOCK 14, NEW CITY BLOCK 3189 (2700 WADE STREET), TO UPWARD FAITH BUILDERS, INC.

AN ORDINANCE 100724

DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF FEE SIMPLE TITLE OF CITY OWNED REAL PROPERTY FROM THE HOUSING ASSET RECOVERY PROGRAM, LEGALLY DESCRIBED AS LOT 12 AND THE WEST 1.3 FT OF LOT 13, BLOCK 2 NEW CITY BLOCK 1964, LOCATED AT 1936 W. MISTLETOE TO THE NEIGHBORHOOD HOUSING SERVICES OF SAN ANTONIO, INC. FOR A TOTAL SUM OF \$11,000.00 FOR THE PUBLIC PURPOSE OF PROVIDING AFFORDABLE HOUSING; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH.

AN ORDINANCE 100725

APPROVING AN EXTENSION OF LINE-OF-DUTY (LOD) LEAVE FOR FIREFIGHTER JESUS B. PEREZ, JR. FOR ACCRUED PERSONAL LEAVE BEGINNING OCTOBER 22, 2003 TO AUGUST 12, 2004, FOR AN ON DUTY INJURY SUFFERED OCTOBER 21, 2002, TO RESTORE TWO THOUSAND THREE HUNDRED AND TWENTY EIGHT (2,328) HOURS, OR NINETY SEVEN (97) SHIFTS.

AN ORDINANCE 100726

AUTHORIZING USAA TO HOLD A FIREWORK DISPLAY FOR THEIR ANNUAL COMPANY PICNIC ON SATURDAY, MAY 7, 2005.

AN ORDINANCE 100727

AUTHORIZING THE METROPOLITAN FIRE CHIEFS ASSOCIATION TO HOLD A FIREWORK DISPLAY ON SATURDAY, MAY 7, 2005 AT THE INSTITUTE OF TEXAN CULTURES PARKING LOT IN CELEBRATION OF THEIR 40TH

ANNIVERSARY DURING THE CITY'S HOSTING OF THEIR ANNUAL CONFERENCE FROM MAY 7, 2005 THROUGH MAY 12, 2005.

AN ORDINANCE 100728

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT BUILDING (5358 W. COMMERCE) FOR THE CINCO DE MAYO CELEBRATION SPONSORED BY THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT TO BE HELD FROM 8:00 A.M. TO NOON ON SATURDAY, MAY 7, 2005.

AN ORDINANCE 100729

APPROVING THE PARADE PERMIT AND TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR FREDERICKSBURG ROAD FOR THE HUMANE SOCIETY'S MUTT STRUTT TO BE HELD FROM 8:30 A.M. TO 10:30 A.M. ON SATURDAY, MAY 7, 2005.

AN ORDINANCE 100730

AUTHORIZING THE TEMPORARY CLOSURE OF ALAMO PLAZA EAST, ALAMO PLAZA WEST, CROCKETT STREET AND BLUM STREET FOR A SPECIAL PRESENTATION OF *REUNION AT THE ALAMO* CONCERT SERIES FEATURING LYLE LOVETT, THE GIPSY KINGS, LOS LOBOS AND ARC ANGLES AS PART OF A FILMING CAMPAIGN OF THE ANNUAL 10-DAY FIESTA SAN ANTONIO CELEBRATION, A DOCUMENTARY FILMING OF THE ALAMO AND A DOCUMENTARY FILMING OF CULTURAL/HISTORICAL SITES THROUGHOUT SAN ANTONIO; SPONSORED BY DOC BROWN ENTERTAINMENT; AS REQUESTED BY COUNCILMAN ROGER O. FLORES, DISTRICT 1.

AN ORDINANCE 100731

APPOINTING PAUL FRISCH (DISTRICT 3) AND HARRIET ROMO (MAYOR) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON SEPTEMBER 30, 2006.

AN ORDINANCE 100732

APPOINTING MERIUM J. MALIK (CONSUMER OF HANDICAPPED SERVICES – DISTRICT 10) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

AN ORDINANCE 100733

APPOINTING ROBERT FREUND (PROFESSIONAL ENGINEER CATEGORY – DISTRICT 9) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 2007.

CONSENT AGENDA ITEMS CONSIDERED INDIVIDUALLY

The City Clerk read the following ordinance:

AN ORDINANCE 100734

AMENDING A PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$39,488.93 TO O'NEILL CONRAD OPPELT, ARCHITECTS, INC. FOR ADDITIONAL DESIGN SERVICES IN CONNECTION WITH THE NEW FIRE TRAINING ACADEMY, LOCATED ON CALLAGHAN ROAD IN COUNCIL DISTRICT 6; AUTHORIZING THE TRANSFER OF \$39,488.93 FROM THE NEW FIRE TRAINING ACADEMY CONSTRUCTION CONTINGENCY ACCOUNT FUND TO THE DESIGN FEES ACCOUNT FUND; 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, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Hall.

The City Clerk read the following ordinance:

AN ORDINANCE 100735

AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED \$83,000.00 TO BAIN MEDINA BAIN, INC., AND PAYMENT IN THE AMOUNT NOT TO EXCEED \$215,000.00 TO HNTB CORPORATION FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES, PURSUANT TO A PREVIOUSLY AUTHORIZED INDEFINITE DELIVERY PROFESSIONAL SERVICES AGREEMENT, FOR A TOTAL AMOUNT OF \$298,000.00 FROM GENERAL OBLIGATIONS OF THE CITY, IN CONNECTION WITH VARIOUS CITY SIDEWALK PROJECTS LOCATED IN COUNCIL DISTRICTS 1, 4, 5, 6 AND 7; 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, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following ordinance:

AN ORDINANCE 100736

AMENDING THE CONSTRUCTION CONTRACT AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$818,256.00 TO RAM BUILDING SERVICES, L.L.C. (MBE) TO ADD SEVEN (7) ADDITIONAL SIDEWALK CONSTRUCTION PROJECTS TO THE EXISTING PROJECT LIST; AUTHORIZING \$27,000.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$18,900.00 FOR CAPITAL ADMINISTRATION EXPENSES, FOR A TOTAL AMOUNT OF \$864,156.00 FROM GENERAL OBLIGATIONS OF THE CITY; 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, Castro, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Haass.

The City Clerk read the following ordinance:

AN ORDINANCE 100737

ACCEPTING THE PROPOSAL AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,400.00 FROM HOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE AND REFUNDING BOND, SERIES 2004B FUNDS, FOR ELECTRICAL AND MECHANICAL ENGINEERING SERVICES TO BE PROVIDED BY ALDERSON & ASSOCIATES, INC., UNDER A PREVIOUSLY AUTHORIZED ON-CALL PROFESSIONAL ELECTRICAL ENGINEERING SERVICES AGREEMENT, IN CONNECTION WITH THE INSTALLATION OF A BAKER'S AID OVEN AT THE HENRY B. GONZALEZ CONVENTION CENTER LOCATED IN COUNCIL DISTRICT 1; 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, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Garza. **NAYS:** None. **ABSENT:** Castro, Haass.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100738

AUTHORIZING A THREE YEAR RENEWAL AND EXTENSION OF A LEASE AGREEMENT WITH DAVID T. MASON D/B/A DANTE'S PIZZA, AS "TENANT", FOR THE USE OF 1,965 SQUARE FEET OF SPACE AT THE RIVERBEND PARKING GARAGE.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100739

APPROVING THE THIRD AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, AS LANDLORD, AND THE NORTH AMERICAN DEVELOPMENT BANK (NADBANK), AS TENANT, FOR THE CONTINUED USE OF OFFICE SPACE WITHIN SUITE 300 AT THE INTERNATIONAL CENTER, 203 S. ST. MARY'S STREET.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100740

APPROVING OR CONSENTING TO A PROPOSED ASSIGNMENT OF THE RECYCLING PROCESSING SERVICES CONTRACT BETWEEN VISTA FIBERS OF SAN ANTONIO, LTD. ("VISTA FIBERS") AND THE CITY OF SAN ANTONIO, TO MID-AMERICA RECYCLING COMPANY UPON COMPLETION OF DUE DILIGENCE TO CONFIRM THE PROPOSED ASSIGNEE IS COMPETENT TO PERFORM.

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

INDIVIDUAL ITEMS – CITIZENS' COMMENTS

Mr. Jack M. Finger, PO Box 12048, addressed the Council relating to items 33, 34, 37 and 38. He spoke to the bonds for the soccer league.

Mr. Clifford Hickel addressed the Council with regards to item 32. He noted many areas of the City were not safe for riding bicycles which is a very healthy activity.

The City Clerk read the following ordinance:

AN ORDINANCE 100741

ADOPTING A CITY-WIDE BICYCLE FACILITIES MASTER PLAN IN ACCORDANCE WITH THE 1997 CITY MASTER PLAN.

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

Mr. Tom Wendorf, Director of Public Works made a presentation on the proposed Regional Bicycle Facilities Master Plan, a copy of which is on file with the Office of the City Clerk. He presented background information on the timeline of the process for the master plan development, the need for the master plan, Unified Development Code requirements, and vision statement for the bicycle master plan. He further outlined the goals and objectives and status of each, views of the types of bicycle facilities, and funding sources.

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

The City Clerk read the following resolution:

A RESOLUTION 2005-17-15

AUTHORIZING THE ACCEPTANCE OF AN URBAN LAND INSTITUTE (ULI) REPORT ON THE ST. PAUL DISTRICT, AS COMPLETION OF THE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE ULI, TO DEVELOP A CONCEPT PLAN AND RECOMMEND MARKETING AND DEVELOPMENT STRATEGIES FOR THE EAST COMMERCE STREET CORRIDOR, BETWEEN I.H. 37 AND MONUMENTAL, IN COUNCIL DISTRICT 2.

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

Mr. Emil Moncivais, Planning Director, made a presentation on the Urban Land Institute (ULI) Panel Report for the St. Paul Gateway District, a copy of which is on file with the Office of the City Clerk. He stated that the report addresses and makes recommendations regarding the East Commerce Street corridor, development issues such as transportation barriers, physical conditions, low level of City services, transitioning

and transient population. He emphasized the framework strategies, the organizational strategy and recommendations of the ULI report.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100742

AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF SAN ANTONIO, TEXAS TAXABLE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2005A IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$22,500,000; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS, AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH OBLIGATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Milo Nitschke, Director of Finance, narrated a slide presentation on the notice of intention for the issuance of the Combination Tax and Revenue Certificates of Obligation, a copy of which is on file with the Office of the City Clerk. He spoke to the authorization and approval of the publication of notice, background information on the marketing of the Alamodome and Major League Soccer (MLS). He cited the games held at the Alamodome, and the number of fans that attended, MLS interest in San Antonio, City Soccer initiative, and the uses of the funds for improvements of the Alamodome and Sports Complex. He further amplified on the issuance of the certificates of obligation, the maturity and level debt service.

(Mayor Garza returned to the meeting 3:03 P.M. and presided.)

The following citizen(s) appeared to speak:

Mr. Mike Dennis, soccer volunteer spoke on behalf of this ordinance and noted his support and the need for more soccer fields/tournaments.

Ms. Susan Blackwood, San Antonio Sports Foundation, addressed the Council with regards to support of the Council's efforts to start with a complex.

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

3:00 PM – PUBLIC HEARING AND COUNCIL CONSIDERATION OF AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Mr. Andrew Cameron, Director of Housing and Community Development, made a presentation on the Community Development Block Grant (CDBG) Funds, a copy of which is on file with the Office of the City Clerk. He presented background information on the HUD funds and verification by HUD to ensure that all statutory requirements are followed. He spoke to the reprogramming action to reallocate funds from projects that have received previous awards in order to maintain an acceptable spending ratio and have good use of the fiscal resources. He delineated the current City Council Policy with respect to funding reallocations, amount available for reprogramming from CDBG and HOME funds. He expounded on CDBG allocations for the respective districts and proposed HOME allocations, and fiscal impact.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, PO Box 12048, addressed the Council on said item with regards to this having the provision of a forgivable loan and asked what the acronyms meant.

Mr. Byron Miller addressed the Council on said item with regards to the applications and lack of funding thereto and for their agency (CERA). He stated he was disappointed that CERA was not included for funding from District 2.

Mr. Faris Hodge, 140 Dora, addressed the Council relating to postponing the action or vote on said item. He added that there were duplicate funds for expenditure.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100743

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$3,016,498.04 AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF

\$1,467,965.47 AVAILABLE FROM CITY COUNCIL DISTRICTS 1, 3, 5, 6, AND CITY-WIDE PROJECT COMPLETIONS, PROGRAM INCOME FUNDS AND CANCELLED PROJECTS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS IN CITY COUNCIL DISTRICTS 1, 3, 4, 5, 6, AND CITY-WIDE; AUTHORIZING THE CITY'S NEIGHBORHOOD ACTION DEPARTMENT (NAD) TO PROVIDE FUNDS IN THE AMOUNT OF \$250,465.47 AVAILABLE FROM THE NAD RENTAL REHABILITATION PROGRAM TO THE CALGARY APARTMENTS TRANSITIONAL HOUSING REHABILITATION PROJECT AS A FORGIVABLE LOAN; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; ESTABLISHING ACCOUNTS AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

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

Councilmember Flores proposed the following amendment: \$316,276 Refugio Street Park & Community Center, \$200,000 San Antonio Children's Shelter. \$11,000 Crockett Park Improvements, \$15,000 Buckeye Park and \$84,000 HemisFair Park Historic Home Repairs. Councilmember Segovia seconded the motion.

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

Councilmember Radle proposed the following amendment: \$20,000 from Say Si and give it to the YMCA on Castroville for ADA Improvements. Councilmember Segovia seconded the motion.

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

Councilmember Segovia proposed the following amendments: \$150,000 – For Saddlebrook , \$200,000 U U Housing (remove \$50,000), \$317,000 – Almeda Housing (remove \$50,000), \$100,000 – For Rosemont District 3, \$150,000 – For Costa Cadiz District 2. Councilmember Perez seconded the motion.

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

After consideration, the main motion as amended, 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 100744

AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$4,000,000 FROM THE ECONOMIC DEVELOPMENT INCENTIVE FUND TO THE STREET MAINTENANCE & IMPROVEMENT FUND, WITHIN THE FY2005 BUDGET, IN ORDER TO OFFSET HIGHER THAN PROJECTED STREET MAINTENANCE COSTS AND TO PROVIDE FOR ADDITIONAL STREET MAINTENANCE; AND AMENDING THE FY2005 BUDGET, ADOPTED THROUGH ORDINANCE 99725 ON SEPTEMBER 16, 2005 IN ACCORDANCE HEREWITH.

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

Mr. Peter Zanoni, Director of Management and Budget, made a presentation on 2005 Street Maintenance Budget, a copy of which is on file with the Office of the City Clerk. He spoke to the Economic Development Incentive Fund (EDIF) established in FY 2004 with one-time CPS revenues in the amount of \$12 million. He stated that \$3 million were committed for two economic development projects, the Maxim Integrated Products Inc. for customized job training, and the Brooks Development Authority/DPT Laboratories grant for infrastructure improvements, and further spoke to the fiscal impact with the transfer of funds from the EDIF to the Street Maintenance Fund.

Councilmember Perez made a motion for an amendment to distribute remainder of funds for street maintenance equally among the 10 districts. Councilmember Segovia seconded the motion.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100745

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$799,999.50 FROM SAN ANTONIO CONSTRUCTORS FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE ASPHALT RECYCLING AND OVERLAY – 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$39,999.98 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; AUTHORIZING \$36,945.26 FOR REIMBURSEMENT OF CITY FORCES FOR VIDEO IMAGING VEHICLE DETECTION SYSTEM AND OTHER TRAFFIC IMPROVEMENTS FOR A TOTAL AMOUNT OF \$878,194.74 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

(Mayor Garza returned to the meeting at 4:24 P.M. and presided.)

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

Mr. Tom Wendorf, Director of Public Works made a presentation on Items 36A – 36F regarding the 2005 Street Maintenance Program, a copy of which is on file with the Office of the City Clerk. He spoke to the objectives of the program, causes for pavement distress, the maintenance strategies and treatments for the various condition ranges, the video imaging vehicle detection system installation, and summary of funding. He delineated the selection process for the various street projects; historical activity by applications, expenditures and miles; the 2005 street contractual maintenance; the applications criteria, and recommendations.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100746

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$2,966,034.70 FROM CLARK CONSTRUCTION OF TEXAS, LTD., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE ASPHALT OVERLAY - 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$148,301.74 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; AUTHORIZING \$15,864.64 FOR CONSULTANT MATERIAL TESTING; AUTHORIZING \$122,603.28 FOR REIMBURSEMENT OF CITY FORCES FOR VIDEO IMAGING VEHICLE DETECTION SYSTEM AND OTHER TRAFFIC IMPROVEMENTS FOR A TOTAL AMOUNT OF \$3,254,054.60 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100747

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$1,813,381.84 FROM CLARK CONSTRUCTION OF TEXAS, LTD., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE MICRO-SURFACE - 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$90,669.09 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; AUTHORIZING \$3,892.50 FOR REIMBURSEMENT OF CITY FORCES FOR VIDEO IMAGING VEHICLE DETECTION SYSTEM AND OTHER TRAFFIC IMPROVEMENTS FOR A TOTAL AMOUNT OF \$1,909,193.43 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS;

PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100748

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$581,141.20 FROM CLARK CONSTRUCTION OF TEXAS, LTD., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE SLURRY SEAL - 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$29,057.06 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, FOR A TOTAL AMOUNT OF \$611,448.26 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100749

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$1,933,557.05 FROM CLARK CONSTRUCTION OF TEXAS, LTD., FOR CONSTRUCTION

SERVICES IN CONNECTION WITH THE HOT PAVER-LAID MICRO-SURFACE - 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$96,677.85 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; AUTHORIZING \$74,492.63 FOR REIMBURSEMENT OF CITY FORCES FOR VIDEO IMAGING VEHICLE DETECTION SYSTEM AND OTHER TRAFFIC IMPROVEMENTS FOR A TOTAL AMOUNT OF \$2,105,977.53 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100750

ACCEPTING THE LOW, RESPONSIVE BID IN THE AMOUNT OF \$153,913.00 FROM R.L. JONES, L.P., FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE CONCRETE BUS DECELERATION PADS - 2005 STREET MAINTENANCE PROJECT LOCATED IN VARIOUS COUNCIL DISTRICTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$7,695.65 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES; AUTHORIZING \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, FOR A TOTAL AMOUNT OF \$162,858.65 FROM STREET MAINTENANCE AND IMPROVEMENT FUNDS; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) VOTES.

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

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

The City Clerk read the following ordinance:

AN ORDINANCE 100751

REDUCING AN INCREASED ASSESSED FEE FOR THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT'S CONSTRUCTION OF ITS WESTCREEK AREA HIGH SCHOOL FROM \$61,648.43 TO \$6,164; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA, DISTRICT 6.

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

Mr. Florencio Pena, Director of Development Services made a presentation on the reduction of assessed fee for the Northside Independent School District. He outlined background information on the request and initial review by Development Services staff, requirements pursuant to the 1997 Uniform Building Code regarding the permit fee and staff recommendation.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the City Council relating to the reduction of fees and recommended they proceed cautiously in the future.

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

The City Clerk read the following resolution:

A RESOLUTION 2005-17-16

OF SUPPORT FOR A "FAIR AND EQUITABLE" FINANCE SYSTEM FOR TEXAS PUBLIC SCHOOLS.

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

Mr. Ray Baray, Intergovernmental Relations Manager, made a presentation on the Public School Finance Resolution, a copy of which is on file with the Office of the City Clerk. He spoke to the history of major court rulings and legislation in efforts to remedy concerns over the public school system, school reform, the focus of the 79th legislative session in order to increase school funding while providing property tax relief and staff recommendation.

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

The City Clerk read the following ordinance:

AN ORDINANCE 100752

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH SW DIAGNOSTIC BUILDING, INC., FOR 1,000 SQUARE FEET OF LEASED SPACE AT 102 PALO ALTO ROAD, SUITE 460, FOR THE DISTRICT 4 CONSTITUENT OFFICE, FOR A RENTAL RATE OF \$1,000.00 PER MONTH FOR A TERM TO COMMENCE ON MAY 1, 2005 AND ENDING ON APRIL 30, 2007, WITH ONE (1) TWO YEAR RENEWAL PERIOD, SUBJECT TO CITY COUNCIL APPROVAL AND CONTINGENT UPON APPROPRIATION OF FUNDS; AS REQUESTED BY COUNCILMAN RICHARD PEREZ, DISTRICT 4.

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

CITIZENS TO BE HEARD

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

Mr. Faris Hodge Jr., 140 Dora, addressed the Council regarding: the mayoral candidates sticking to the issues, the offer made to the City Manager candidate, wanting the Alamodome named after him, and about not signing in before 5:00 pm.

EXECUTIVE SESSION

Mayor recessed the Regular Session at 5:25 pm in order to convene in Executive Session for the purpose of:

Discuss legal issues relating to *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(In the U.S. Dist. Court for the Western District of Texas, San Antonio Division), *Tripolis Enterprises, Inc. d/b/a The Palace Men's Club, and FLWW, Inc., d/b/a Babe's v. City of San Antonio*, Civil Action No. SA-03-CA-0357-FB (NN), United States District Court, Western District of Texas, San Antonio Division, and *AVM-HOU, Ltd., AVW, Inc. d/b/a Adult Video Megaplex, and Ave, Inc., d/b/a Adult Video v. City Of San Antonio, et al.*, Civil Action No. SA-03-CA-1288-OG, in the United States District Court, Western District Of Texas, San Antonio Division, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Garza reconvened the Regular Session from Executive Session at 6:08 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 6:09 pm.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest: 
LETICIA M. VACEK
City Clerk