

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 20, 2003.

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2003-07 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

- A) **Presentation of the results of the Programming Study for Terminal Expansion.** (Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager.)

- B) **Program Management Services for San Antonio International Airport.** (Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager.)

The Council members present were: Perez, Sanders, Moorhouse, Herrera, Barrera, Conner, Schubert, Carpenter, Garza. ABSENT: Martin, Castro.

The "B" Session adjourned at 12:02 P.M.

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2003-07 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: Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: None.

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2003-07 Invocation by Pastor Edward Hays from St. Stephen Baptist Church.

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2003-07 Pledge of Allegiance to the flag of the United States.

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2003-07 **PRESENTATION OF WELCOME CERTIFICATE TO MR. HWAN GIU KIM.**

Mayor Garza presented a welcome certificate to Mr. Hwan Giu Kim, a staff exchange member of the International Affairs Department from San Antonio's Sister City of Kwangju, South Korea.

Mr. Jose Luis Garcia, Chief of Protocol, International Affairs Department, briefed the Council on his visit, and explained that Mr. Kim is the first Korean staff member that has been sent in about 5 years. He further stated that Mr. Kim will be gathering information on United States events and programs during his 2-year tenure.

Through an interpreter, Mr. Kim thanked the Council for the official welcome, and stated that he was pleased to be in the City of San Antonio.

Members of the City Council welcomed Mr. Kim, and offered their best wishes for a pleasant stay.

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2003-07 **SWEARING-IN OF BOARDS AND COMMISSION APPOINTEES**

Mayor Garza spoke of the importance of voluntary work of hundreds of citizens who are part of the City's boards and commissions. He then invited City Council Members to join him up front to congratulate the new appointees.

Ms. Yolanda Ledesma, Acting City Clerk, administered the Oath of Office en masse to the appointees of various Boards and Commissions of the City of San Antonio.

Immediately following the issuance of the Oath, the Mayor and members of the City Council congratulated each board member individually. Each member also received his or her official Certificate of appointment.

Mayor Garza thanked the members for their service and dedication, and for giving their time to serve.

2003-07 Minutes of the regular City Council meeting of January 16, 2003 were approved.

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2003-07 **CONSENT AGENDA – CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to Agenda Items 6 & 8, and spoke to the issue of the bidding process, and how these particular items were not advertised as bids. He referenced campaign contributions received by various members of the Council, and urged those members to abstain from voting from these items to avoid the appearance of a conflict of interest.

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2003-07 **CONSENT AGENDA**

Councilman Perez made a motion to approve Agenda Items 6 through 17A, constituting the Consent Agenda. Councilwoman Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

AN ORDINANCE 97216

SELECTING LOCKWOOD, ANDREWS & NEWNAM, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE HILLJE FROM AVONDALE TO HOT WELLS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 28TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$36,700.00; AUTHORIZING \$6,207.50 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$2,092.50 FOR ADDITIONAL SERVICES; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97217

APPROVING FIELD ALTERATION NO. 12-FINAL IN THE AMOUNT OF \$61,291.85 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO YANTIS CORPORATION FOR ADDITIONAL CONSTRUCTION EXPENSES IN CONNECTION WITH THE BABCOCK ROAD FROM HAUSMAN ROAD TO DEZAVALA ROAD PROJECT, LOCATED IN COUNCIL DISTRICT 8; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 90063, JULY 1, 1999.)

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AN ORDINANCE 97218

AMENDING A PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$47,000.00 FROM STORM WATER REGIONAL FACILITIES FUNDS TO TURNER COLLIE & BRADEN, INC. FOR ADDITIONAL ENGINEERING SERVICES AND AUTHORIZING \$4,700.00 FOR ENGINEERING CONTINGENCY EXPENSES IN CONNECTION WITH THE MARTINEZ CREEK/WOODLAWN LAKE DRAINAGE ANALYSIS PROJECT LOCATED IN COUNCIL DISTRICT 7; FOR AN OVERALL TOTAL OF \$51,700.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 96248, AUGUST 22, 2002.)

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AN ORDINANCE 97219

ACCEPTING THE LOW, QUALIFIED BID OF \$1,737,813.00 FROM SIA ENGINEERING, INC. D/B/A ALL CONSTRUCTION COMPANY (MBE) FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE FIRE STATION NO. 48 PROJECT LOCATED IN 18100 BULVERDE ROAD IN COUNCIL DISTRICT 10; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$174,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AMENDING THE DESIGN CONTRACT WITH ALAMO ARCHITECTS, INC. FOR ADDITIONAL ARCHITECTURAL/ENGINEERING DESIGN SERVICES IN THE AMOUNT OF

\$28,457.00, FOR AN OVERALL TOTAL OF \$1,940,270.00 FROM CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97220

REAFFIRMING AND DECLARING THAT THE SAN ANTONIO WATER SYSTEM'S LOOP 410 AND MCCULLOUGH AVENUE SANITARY SEWER MAIN REPLACEMENT PROJECT IS A NECESSARY PUBLIC PROJECT; FURTHER REAFFIRMING AND DECLARING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE LOOP 410 AND MCCULLOUGH AVENUE SANITARY SEWER MAIN REPLACEMENT PROJECT; AUTHORIZING THE SAN ANTONIO WATER SYSTEM TO ACQUIRE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED REAL PROPERTIES DESCRIBED BELOW, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE LOOP 410 AND MCCULLOUGH AVENUE SANITARY SEWER MAIN REPLACEMENT PROJECT, TO WIT; A 0.028 ACRE PERMANENT EASEMENT AND A 0.087 ACRE TEMPORARY EASEMENT BOTH SITUATED IN LOT 111, NCB 12025 IN THE NORTH STAR SHOPPING CENTER SUBDIVISION OF RECORDS IN VOLUME 9514, PAGES 52-54 OF THE PLAT RECORDS OF BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE AS PART OF THE LOOP 410 AND MCCULLOUGH AVENUE SANITARY SEWER MAIN REPLACEMENT PROJECT AUTHORIZING THE SYSTEM, 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 ABOVE 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 ABOVE; FURTHER AUTHORIZING THE SYSTEM AND ITS ATTORNEYS TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, AND PROSECUTE ALL SUCH CONDEMNATION PROCEEDINGS THROUGH CONCLUSION (INCLUDING

FINAL JUDGEMENT AND ALL NECESSARY APPEALS) FOR THE CONDEMNATION OF THE PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; APPROVING, RATIFYING AND DECLARING VALID ALL PRIOR ACTS AND PROCEEDINGS DONE OR INITIATED BY ATTORNEY, AGENTS AND EMPLOYEES AND/OR ACTING FOR THE SYSTEM TO ACQUIRE SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS ACROSS, OVER, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE; DECLARING THAT THE CONVEYANCE OF ALL SUCH PERMANENT AND TEMPORARY EASEMENT INTERESTS IN CERTAIN PRIVATELY OWNED PROPERTIES AS DESCRIBED ABOVE SHALL BE TO THE CITY OF SAN ANTONIO FOR THE USE AND BENEFIT OF SAN ANTONIO WATER SYSTEM; FINDING THE ORDINANCE TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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AN ORDINANCE 97221

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL GRANT AWARD TOTALING \$591,984.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO SUPPORT THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S ONGOING SEXUALLY TRANSMITTED DISEASE (STD) PROGRAM IN THE AMOUNT OF \$235,282.00 AND THE TUBERCULOSIS (TB) PREVENTION AND CONTROL PROGRAM IN THE AMOUNT OF \$356,702.00 FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; AUTHORIZING EXECUTION OF THE CONTRACT CHANGE WITH THE TDH; REVISING THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004 - FEDERAL ACCOUNT ESTABLISHED IN ORDINANCE NO. 97154 PASSED AND APPROVED FEBRUARY 6, 2003; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES. (AMENDS ORDINANCE NO. 97154, FEBRUARY 6, 2003.)

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AN ORDINANCE 97222

AUTHORIZING THE ACCEPTANCE OF THE CALENDAR YEAR 2003 GRANT AWARD FROM THE U.S. PUBLIC HEALTH SERVICE FOR THE ONGOING IMMUNIZATION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THAT INITIALLY PROVIDES \$913,707.00 IN CASH SUPPORT, \$3,733,446.00 IN-KIND VACCINE SUPPORT, AND \$26,397.00 IN-KIND PERSONNEL SUPPORT; AUTHORIZING ACCEPTANCE OF SUBSEQUENT FUNDING IN AN AMOUNT NOT TO EXCEED \$15,549,071.00 UNDER THE GRANT FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; ESTABLISHING A FUND; ADOPTING A PROJECT BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 97223

AUTHORIZING PAYMENT IN THE AMOUNT OF \$68,678.76 TO THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR THE CITY OF SAN ANTONIO'S ANNUAL MEMBERSHIP DUES FOR CALENDAR YEAR 2003.

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AN ORDINANCE 97224

AUTHORIZING PAYMENT IN THE AMOUNT OF \$45,251.00 TO THE TEXAS MUNICIPAL LEAGUE (TML) FOR THE CITY OF SAN ANTONIO'S ANNUAL MEMBERSHIP DUES FOR THE PERIOD AUGUST 1, 2002 THROUGH JULY 31, 2003.

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AN ORDINANCE 97225

APPROVING CHANGES TO THE NEIGHBORHOOD HERITAGE INITIATIVES PROGRAM TO SUPPORT ARTS AND CULTURAL ACTIVITIES IN ELIGIBLE NEIGHBORHOOD COMMERCIALIZATION REVITALIZATION (NCR) PROJECT AREAS.

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AN ORDINANCE 97226

AUTHORIZING THE TEMPORARY CLOSURE OF MAIN STREET BETWEEN COMMERCE AND DOLOROSA/MARKET STREETS ON SUNDAY, MARCH 9, 2003 FROM 6:00 A.M. UNTIL 4:00 P.M. IN CONNECTION WITH THE CELEBRATION OF THE 273RD ANNIVERSARY OF THE FOUNDING OF THE VILLA DE SAN FERNANDO; SPONSORED BY THE FRIENDS OF THE CANARY ISLANDS - SAN ANTONIO, INC.

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AN ORDINANCE 97227

APPOINTING JAMES L. MYERS (DISTRICT 4) AND WAYNE S. ALEXANDER (DISTRICT 9) TO THE GREATER KELLY DEVELOPMENT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON NOVEMBER 30, 2004 AND NOVEMBER 30, 2003, RESPECTIVELY.

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2003-07 **INDIVIDUAL ITEMS – CITIZEN COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item #27, and made reference to a recent newspaper article. He applauded Councilman Schubert for voicing his opinion on the issue of the lawsuit filed by certain Police Officers of the San Antonio Police Department. He then spoke to Item 21, and the campaign contributions received by each of the Councilmembers. He urged them not to vote on this item, to avoid a conflict of interest due to the monies received.

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2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97228

AMENDING ORDINANCE NO. 95974 DATED JUNE 20, 2002 TO APPOINT MEMBERS OF CITY COUNCIL TO VARIOUS COUNCIL COMMITTEES,

SUBCOMMITTEES, AD HOC COMMITTEES, AND BOARDS AND COMMISSIONS. (AMENDS ORDINANCE NO. 95974, JUNE 20, 2002.)

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2003-07 **NOMINATIONS FOR "AT-LARGE" BOARD.**

Acting City Clerk Yolanda Ledesma presented the nomination for the Metropolitan Transit Authority, noting the nominees had been interviewed at the "B" Session held on February 20, 2003.

Ms. Ledesma, described the process of the nominations, and explained that there were 3 slots.

Mayor Garza then opened the floor for nominations for the 1st slot.

Councilman Perez made a motion to re-appoint Mr. Shelton Padgett. Councilman Sanders seconded the motion.

The motion, prevailed by the following roll call vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Herrera. **NAYS:** None. **ABSENT:** None.

The motion to re-appoint Mr. Shelton Padgett carries.

The Council then began nominations for the 2nd slot.

Councilwoman Moorhouse made a motion to re-appoint Ms. Grace Acuna. Councilman Barrera seconded the motion.

The motion, prevailed by the following roll call vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Herrera. **NAYS:** None. **ABSENT:** None.

The motion to re-appoint Ms. Gracie Acuna carries.

The Mayor and Council then voted on the vacant slot.

Discussion ensued between the Mayor and Council regarding the three nominees: Mr. Oliver Hill, Ms. Nancy L. Englebert, and Mr. Martin Bartlett.

After three roll call votes, the motion to appoint Mr. Oliver Hill to the vacant slot carries.

Councilman Carpenter made a motion to appoint Mr. Oliver Hill. Councilwoman Moorhouse seconded the motion.

The motion, prevailed by the following roll call vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Herrera. **NAYS:** None. **ABSENT:** None.

The Clerk then read the following Ordinance:

AN ORDINANCE 97229

REAPPOINTING SHELTON PADGETT (MAYOR) AND GRACE ACUNA (DISTRICT 3) AND APPOINTING OLIVER HILL (DISTRICT 2) TO THE METROPOLITAN TRANSIT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2004.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **ABSTAIN:** Herrera. **NAYS:** None. **ABSENT:** None.

2003-07 The Clerk read the following Resolution:

A RESOLUTION
NO. 2003-07-07

RE-NOMINATING LA QUINTA INN & SUITES AT THE SAN ANTONIO CONVENTION CENTER PROJECT, LOCATED WITHIN THE CITY'S FEDERAL EMPOWERMENT ZONE AND THE "INNER CITY" TAX INCREMENT REINVESTMENT ZONE #11, TO THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT (TXED) AS A "STATE ENTERPRISE ZONE PROJECT," WHICH WILL QUALIFY LA QUINTA CORPORATION AND ITS SUBSIDIARY CORPORATIONS AND OTHER AFFILIATES FOR STATE SALES AND USE TAX REFUNDS AND FRANCHISE TAX CREDITS BASED ON JOB CREATION AND INVESTMENT AND SPECIFYING THAT LA QUINTA CORPORATION AND ITS SUBSIDIARY CORPORATIONS AND OTHER AFFILIATES MEET THE STATUTORY REQUIREMENTS FOR STATE ENTERPRISE ZONE PROJECTS IN ACCORDANCE WITH CHAPTER 2303 OF THE TEXAS GOVERNMENT CODE.

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Councilman Perez made a motion to approve the proposed Resolution. Councilman Martin seconded the motion.

Mr. Trey Jacobson, Assistant Director of Economic Development, narrated a slide presentation regarding the re-nomination of Enterprise Zone project designation for La Quinta Inn & Suites at the San Antonio Convention Center, a copy of which was made part of the official papers of this meeting. He expounded on background information regarding the project nomination.

Councilman Perez thanked Mr. Jacobson for the presentation, and stated that this would not only benefit the downtown community, but it would successfully impact the Eastside Tax Increment Financing (TIF), which would ultimately benefit other projects on the Eastside.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Conner, Schubert, Carpenter. **NAYS:** None. **ABSENT:** Castro, Garza.

2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97230

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$1,441,952.89 FROM CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE SLURRY SEAL - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$144,195.29 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES, \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, \$9,500.00 FOR INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEM (VIVDS) PROCESSOR SYSTEM; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$63,456.75; FOR AN OVERALL TOTAL OF \$1,660,354.93; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

Mr. Tom Wendorf, Director of Public Works, narrated a slide presentation regarding Agenda Items 22, 23, 24 & 25, a copy of which is on file with the papers of this meeting. He gave an overview of the 2003 Street Maintenance Programs, and expounded on the objectives and coordination of the projects. He gave a summary of funding for the contract maintenance, including VIA funded projects. He discussed the Video Imaging Vehicle Detection System, and emphasized to the Council that the images from this system could be used to provide useful data.

(Mayor Garza returned to the meeting and presided.)

Mr. Wendorf further discussed the PowerPoint presentation in relation to Item 23, followed by discussion of Item 24. He then discussed the contract Micro-Surface for 2003, in relation to Agenda Item 25. He described the existing infrastructure, and the amount of dollars that would be included in the FY2003 Budget.

Councilman Sanders complemented the Public Works Department and Mr. Wendorf, and expressed his appreciation of the system that does not allow for the contracts to take long.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Moorhouse.

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2003-07 **EXECUTIVE SESSION**

The City Council recessed its regular session at 2:26 P.M. in order to convene in Executive Session for the purpose of:

- A) Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.
- B) To approve or reject the tentative collective bargaining agreement approved by San Antonio Police Officers' Association by the vote of its members on January 7, 8, and 9, 2003.

The City Council adjourned the Executive Session at 2:49 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2003-07 The Clerk read a proposed ordinance to approve or reject the tentative collective bargaining agreement approved by San Antonio Police Officers' Association by the vote of its members on January 7, 8, and 9, 2003.

Councilwoman Moorhouse made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

Mr. Eric Walsh, Assistant City Manager, narrated a slide presentation regarding the San Antonio Police Officers Association Collective Bargaining Agreement, a copy of which is on file with the papers of this meeting. He described the January 30 Council Resolution, and the negotiations that took place. He also described the current proposed contract, and indicated that staff did not recommend approval. He then described what would happen if the collective agreement was rejected.

The following citizen(s) appeared to speak:

Mr. Rene Rodriguez, San Antonio Police Officers Association, spoke in favor of the agreement that was initially proposed. He spoke against the current contract being negotiated, and stated that it was not acceptable. He commented that a price tag could not be placed on the work that police officers do each day. He spoke to the dangers of the profession, and how it has never been harder to be a police officer. He expounded on how the citizens of the City have always backed the men and women in blue. He acknowledged that it was a rewarding job, and that they would continue to serve vigorously despite the outcome of today.

Mr. Ron De Lord, San Antonio Police Officers Association, stated that it was in everyone's best interest that the parties receive a good faith agreement. He spoke to the 67 individuals who sought the lawsuit, and not the San Antonio Police Officers Association. He confirmed that the Association returned to the City staff after the lawsuit was filed, and both agreed that the contract would still stand. He stated the damages of any lawsuit would be miniscule. He spoke also to the Union trying to get this issue settled, and further spoke to the officers who have been killed and injured on the job. He expressed to the Council that this was a good contract that was fair to the police and to the citizens.

Mr. David Evans, San Antonio Police Officer, thanked all those who visited him while he was hospitalized. He stated society was changing, and things needed to change along with it. He gave a brief history of his career with the San Antonio Police Department, and detailed incidents that he has encountered, and damages that he has sustained. He spoke to his involvement regarding the incident at Denny's Restaurant, and how he would go back to work and proudly serve this City regardless of the dangers. He urged Council to consider this contract and approve it.

Mr. Clifford Morgan, San Antonio Police Officer, stated that he loved his job. He spoke to the pride and professionalism that police officers try to bring to their job. He described his duties, and some of the things that he has seen other police officers perform, such as collecting money for the Battered Women's Shelter. He stated that Police Officers go above and beyond the call of duty. He urged the Council not to deny the 3% raise, especially since it wasn't an exuberant amount of money.

Mr. Warren Gilstrap, San Antonio Police officer, said that he was proud to be a member of the San Antonio Police Department. He then gave his 2 minutes to Mr. Alex Ortiz.

Mr. Alejandro "Alex" Ortiz, San Antonio Police Officer, spoke in favor of the agreement. He stated that nine members of his family were in law enforcement. He then spoke of an incident in 1977, and how he had to take time off because of it. However, he noted that he was soon back in uniform very willing to serve.

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

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, stated that the police force has done a good job. He spoke to the work of City Employees, and urged management to put them on the priority list.

(Mayor Garza returned to the meeting and presided.)

Mr. Fred Balmus, San Antonio Police Officer, urged Council to accept the agreement. He stated that the terms of contract were fair and reasonable. Although the public might say that they are greedy, he hoped that they would understand the work that the officers do. He urged the Council to support this agreement.

Mr. Lawrence Doyle, San Antonio Police Department, stated that recent statements in the local press have resulted in a negative impact on the current negotiations. He stated that the lawsuit was about correcting overtime under the Fair Labor Standards Act. He spoke of a previous lawsuit and how it corrected paid overtime, and further spoke to the media's attempts to blame officers for trying to correct pay problems. He stated that the City team rejected attempts to work out a resolution. He urged Council to accept the contract, and stated that their actions would start a course to correct the mistakes from the past. He noted that police officers have worked too hard and too long, and that they deserved the pay raise being negotiated.

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Mayor Garza stated that he'd like to see the agreement approved, and how every member of Council wants the same. He thanked Mr. Rene Rodriguez for his leadership, and spoke to how difficult it was to be a president of an organization. He spoke to how collective bargaining was a tool that many police forces would love to have, and noted that some may question why the City even has this. He stated that this is a process that can work, and confirmed that it has led to where they are today. He described that it is a healthy process to have for the City. He acknowledged the duties of the police officers and marveled at how they put their lives on the line everyday. He praised Police Officer David Evans for his courage. He acknowledged that if perhaps the agreement was today and the lawsuit was next week, it could have had a different outcome. He stated that he could not sit as Mayor today and vote on this agreement. He noted that it was the right of the 67 officers to file law suit, but as they look at all the different scenarios from a potential lawsuit, the Council had to listen to their attorneys and outside counsel who advised them what their legal standing was, and have to look at the worse case scenario

for one lawsuit. He confirmed that he would not be voting for approval of the agreement today. He stated there were a lot of questions that the public has, and he stated that perhaps they could come up with an even better agreement, but given the circumstances, he could not support this agreement. However he expressed his desire to resolve this matter.

Councilman Sanders spoke to the unfortunate situation of this agreement. He stated that it was a matter of perspective, and collectively, they are given information from the staff's perspective. He spoke to the misrepresentative nature of the newspaper. He described how unfortunate it was that the City could not come together to make this happen, because police officers have served the City well. He spoke to the new projected budget shortfall, and stated that the numbers could change. He voiced his ongoing respect of what police work is like, and his appreciation for what they do.

Councilman Castro stated that he looked forward to the Council session where they can pass a police contract. He spoke of the importance of making sure that the City continues to have a well-trained law enforcement division. He spoke to what has been negotiated on a tentative agreement, and stressed the importance of the word "tentative". He stated that this adjective mattered very much, because it still had to go through a process.

Discussion ensued between Councilman Castro and Mr. DeLord regarding the 180-day rule, and the police chief disciplining officers with the exception of criminal acts. They discussed whether this item was brought to the negotiating table, and Mr. DeLord concluded that this rule was more reflective on petty acts committed by police officers.

Councilman Castro stated that he looked forward to entering a contract that would compensate San Antonio Police Officers well for their excellent work, while also protecting the best interests of the citizens of San Antonio.

Councilman Martin thanked Mr. Rene Rodriguez and Mr. Ron DeLord for their efforts on this contract.

In response to Councilman Martin's question as to whether this contract was something the Council would've been asked to approve notwithstanding the lawsuit, Mr. Walsh replied yes, and further acknowledged that it was something that the City did not know was pending prior to the initial contract being negotiated.

Discussion ensued between Councilman Martin and Mr. Walsh regarding the City's compliance with pay issues, and what would happen if the contract is voted down.

Councilman Martin spoke to the work that officers do, and their large involvement with the community. With respect to protection, he acknowledged that there wasn't one meeting that he had been to where this wasn't the number one item, and it was a constant issue for many of the Councilmembers. He spoke to the City not being at risk in his opinion, and stated that he didn't believe the entire police force should be penalized for the action of 67 officers who filed the lawsuit. He expressed his thoughts regarding the City's need to negotiate the contract being discussed, and stated that it was a matter of principle and the right thing to do. He confirmed that he would be supporting the agreement.

Councilman Perez acknowledged the issues being presented to the Council regarding the personal stories of the police officers who spoke today. He noted that the job they carry out is regularly appreciated and often taken for granted. He stated that as Councilmembers of the City, that they were sworn to carry out policies that would affect the health, safety and welfare of the community. He noted that this has included decisions regarding the reassignment of employees, cutting back trash and a number of services that make this community click. Under this contract, he acknowledged that this made the police force the only entity to receive a pay raise, and not a single other employee would receive a pay raise. He spoke to the City walking into another deficit in the coming year. He spoke also to the lawsuit, and how it was only 67 police officers involved now, but there was the possibility of the number increasing up to 1800 because it was a class action suit. He stated that the City was in an indefensible position, and he spoke to the importance of looking at everything comprehensively. He voiced that the Council has to struggle with their conscience on difficult decisions, and the right thing to do on this issue was not to approve the contract, not because he didn't believe in the work they did, but it came down to the balance of health, safety and welfare of the community.

Councilman Schubert concurred with Councilman Perez, and expressed his disagreement regarding Mr. DeLord's perspective that it would be four or five years before the lawsuit was resolved. He stated that the Council had to be good stewards of the taxpayers' dollars, and that they clearly cannot do this with this contract. He urged the police officers to put themselves in the taxpayer's position. He stated that the issue wasn't that he didn't believe that the officers are entitled to a pay increase, but it was a small piece that could add up to a lot of money. He expressed his sadness regarding the City not being able to come to an agreement. He then acknowledged the stories that he heard from the officers regarding the difficulties of their job. He noted that he has seen firsthand the pressures put upon them on a daily basis. He stated that it was important to make sure that the Council had certainty on how tax dollars are spent.

In response to Councilwoman Conner's question as to how many officers were on the police force and how many were part of the union, Mr. Rene Rodriguez confirmed that there were 2,054 officers, and 1950 of them were part of the Union.

Councilwoman Conner acknowledged that as an educator, she taught students to be respectful of police, because they are important elements of society. She confirmed that she could not support this contract, and acknowledged that it was the lawsuit that was causing the glitch. She emphasized the importance of making decisions based on good public policy.

Councilman Barrera thanked the San Antonio Police Officers Association and the City of San Antonio for their work on the contract. He stated his belief that both negotiated in good faith. He spoke to the concerns of some of the residents in his district regarding the lawsuit, and the possible results of its outcome and the impact on the City. He stated that as a good steward of the City, he could not support the contract.

Councilwoman Moorhouse thanked all those involved in the negotiations. She stated that the lawsuit would continue, even voting "no" on the contract, and the City was bargaining for a contract that was already done.

In response to Councilwoman Moorhouse's question as to how many lawsuits the City has won and how many they were actively engaged in, City Attorney Andrew Martin, confirmed that there was a good number of them.

City Attorney Martin made reference to a lawsuit that Councilman Perez mentioned, where the jury's verdict came back for \$23 million. He acknowledged that his was the only significant lawsuit he could think of off the top of his head. He added that the City's position was that this was an incorrect judgement.

Councilwoman Moorhouse confirmed that she wanted to give the public the benefit of hearing both sides. She confirmed that she would be supporting the contract.

Councilman Carpenter stated that it was a shame that the City and the Union could not come to an agreement. He thanked Mr. Walsh for his work, and wished him well in the upcoming negotiations.

Councilwoman Herrera thanked the San Antonio Police Officers Association for coming out today. She expressed her concern over the lawsuit, and stated that she could not approve the contract presented to the Council.

Councilman Perez made a motion to reject the proposed ordinance. Councilman Schubert seconded the motion.

The Clerk then issued a roll call for the vote.

After discussion, the motion to reject, failed by the following vote: **AYES:** Perez, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Sanders, Moorhouse, Martin. **ABSENT:** None.

The main motion, as amended, prevailed by the following vote: **AYES:** Perez, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** Sanders, Moorhouse. **ABSENT:** None.

The Clerk then read the following Ordinance:

AN ORDINANCE 97230 A

REJECTING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT APPROVED BY SAN ANTONIO POLICE OFFICERS' ASSOCIATION BY THE VOTE OF ITS MEMBERS ON JANUARY 7, 8, AND 9, 2003.

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2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97231

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$407,837.25 FROM RYAN O EXCAVATING INCORPORATED IN CONNECTION WITH THE ASPHALT OVERLAY - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$40,783.73 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES, \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, AND \$9,500.00 FOR INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEM (VIVDS) PROCESSOR SYSTEM; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$21,358.00; FOR AN OVERALL TOTAL OF \$480,728.98; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR

THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.

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Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Castro, Schubert.

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2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97232

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$1,610,601.45 FROM CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE ASPHALT RECYCLING AND OVERLAY - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$161,060.15 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES, \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES, \$38,000.00 FOR INSTALLATION OF VIDEO IMAGING VEHICLE DETECTION SYSTEM (VIVDS) PROCESSOR SYSTEM; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$21,731.12; FOR AN OVERALL TOTAL OF \$1,832,642.72; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.

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Councilman Sanders made a motion to approve the proposed Ordinance. Councilwoman Moorhouse seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Herrera, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Barrera, Castro, Schubert.

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2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97233

ACCEPTING THE LOW, QUALIFIED BID IN THE AMOUNT OF \$1,647,779.60 FROM CLARK CONSTRUCTION COMPANY, INC. IN CONNECTION WITH THE MICRO-SURFACE - 2003 STREET MAINTENANCE PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$164,777.96 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$750.00 FOR ADVERTISING EXPENSES AND \$500.00 FOR PRINTING AND REPRODUCTION EXPENSES; APPROVING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$64,513.00; FOR AN OVERALL TOTAL OF \$1,878,320.56; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR THE IMMEDIATE EFFECTIVE DATE UPON APPROVAL OF EIGHT (8) AFFIRMATIVE VOTES.

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Councilman Sanders made a motion to approve the proposed Ordinance. Councilman Martin seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Herrera, Conner, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Barrera, Castro, Schubert.

— — —
2003-07 The Clerk read the following Ordinance:

AN ORDINANCE 97234

AMENDING SECTIONS 31-86 AND 31-87 OF THE CITY CODE TO ADOPT AN INCREASE IN THE HOMESTEAD PROPERTY TAX EXEMPTION FROM

\$60,000.00 TO \$65,000.00 IN ASSESSED VALUATION FOR PERSONS 65 YEARS OF AGE OR OLDER, COMMENCING TAX YEAR 2003 (FISCAL YEAR 2004), AS ADOPTED IN THE FISCAL YEAR 2003 BUDGET, ORDINANCE NO. 96399; AND REVISING SECTIONS 31-88 AND 31-89 OF THE CITY CODE IN ACCORDANCE WITH STATE LAW. (AMENDS CHAPTER 31, CITY CODE.)

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Councilman Sanders made a motion to approve the proposed Ordinance. Councilman Perez seconded the motion.

Mr. Lou Lendman, Director of Budget, narrated a slide presentation regarding the Over-65 Homestead Property Tax Exemption, a copy of which was made part of the official papers of this meeting. He spoke to the proposed Ordinance increasing the Homestead property tax exemption from \$60K to \$65K for persons 65 years of age or older.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Moorhouse, Martin, Herrera, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez, Sanders, Barrera, Castro.

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2003-07 PUBLIC HEARING AND ORDINANCE: REGARDING THE AUTHORIZATION OF THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT FUNDS.

Mayor Garza declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Housing and Community Development, narrated a slide presentation regarding the reprogramming of Entitlement funds for Community Development Block Grant (CDBG), Home Investment Partnership Grant (HOME) and Urban Development Action Grant (UDAG) Program Income funds, a copy of which was made part of the official papers of this meeting. He described the purpose of this Ordinance, and detailed background information on the proposed Ordinance.

Councilman Sanders complemented the work of Mr. Cameron, and emphasized that the community wanted to see where the money was being allocated. He stated there was much-needed dollars for improvements. He then thanked Assistant City Manager Jelynn Burley and staff for their assistance with this issue.

In response to Councilwoman Herrera regarding clarification on the home fund balance, and why the balance wasn't used, Mr. Cameron explained that this money was awarded to first time homebuyers, and it was requested to have this money reprogrammed so that the money wouldn't be lost.

Councilman Perez thanked Mr. Cameron for his presentation, and requested for an amendment to the ordinance, a copy of which was submitted to the Clerk to include in the papers of this meeting. In his amendment, he has requested to move \$45,000 from UU Housing Project Renew to support the development of 4 new affordable housing units in their District 1 development. The money would leverage \$275,000 of private money and would result in the development of 4 affordable housing units. He further acknowledged the use of \$1 million on redevelopment in the downtown area, and other exciting projects. He urged the Council to support his amendments.

Councilman Perez made a motion to approve the proposed Ordinance with these amendments. Councilman Sanders seconded the motion.

Councilman Castro thanked Mr. Cameron for his work, and spoke to the money being reprogrammed. He cited upcoming projects in his district, and various improvements his district was looking forward to. He stated that he hoped some of the projects that were not able to get funded this time around would get funded next time.

Councilman Martin thanked Mr. Cameron for his work and guidance throughout the process. He stated that there was so much to do, but not enough dollars. He acknowledged that most citizens did not understand the process of the reprogramming phase.

Councilman Barrera thanked Mr. Cameron and his staff and for their work. He spoke to the Henry Guerra Branch library, and cited other projects in this district.

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There being no citizens signed to speak to this matter, Mayor Garza declared the Public Hearing to be closed.

Councilman Perez made a motion to approve the proposed Ordinance. Councilman Carpenter seconded the motion.

The amendment to the motion as presented by Councilman Perez was approved by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

The main motion, as amended, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Conner.

The Clerk then read the following Ordinance:

AN ORDINANCE 97235

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$2,676,772.82, HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$1,437,235.63, AND URBAN DEVELOPMENT ACTION GRANT (UDAG) FUNDS IN THE AMOUNT OF \$4,517,937.39 AVAILABLE FROM CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND CITY-WIDE PROJECT COMPLETIONS, CURRENT PROJECTS UNDER CONTRACT WITH AVAILABLE SURPLUS FUNDS, PROGRAM INCOME FUNDS AND CANCELLED PROJECTS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS IN CITY COUNCIL DISTRICTS 1, 2, 3, 4, 5, 6, 7, 9, 10 AND CITY-WIDE; AUTHORIZING THE CLOSEOUT AND CANCELLATION OF AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT; AUTHORIZING THE TRANSFER OF THE LEAD BASED PAINT HAZARD CONTROL PROGRAM, THE ASSOCIATED ACTIVITY CODES, INDEX CODES, PERSONNEL CLASSIFICATIONS AND PAYROLL RESPONSIBILITY FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO THE NEIGHBORHOOD ACTION DEPARTMENT; AMENDING ORDINANCE NO. 92035, PASSED AND APPROVED JUNE 22, 2000, BY CHANGING THE NAME OF U.U. HOUSING ASSISTANCE/PROJECT RENEW TO U.U. HOUSING OWNER OCCUPIED REHABILITATION - DISTRICT 1; AMENDING ORDINANCE NO. 95812, PASSED AND APPROVED MAY 16, 2002, BY CHANGING THE NAME OF U.U. HOUSING ASSISTANCE CORPORATION/PROJECT RENEW OWNER OCCUPIED REPAIR TO U.U. HOUSING OWNER OCCUPIED REHABILITATION - DISTRICT 1; RATIFYING THE RE-ALLOCATION AND RE-APPROPRIATION OF HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$119,680.00 FROM

THE METHODIST FAMILY OXFORD TRACE APARTMENTS TO THE NEIGHBORHOOD HOUSING SERVICES OF SAN ANTONIO FIRST-TIME HOME-BUYERS PROGRAM.

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2003-07 CITY MANAGER'S REPORT

City Manager Terry M. Brechtel announced that Ms. Beth Costello would serve as Director of International Affairs. She spoke of her extensive requirements to serve in this capacity, and how her knowledge would serve as an excellent resource. She welcomed her back to the City of San Antonio.

Ms. Beth Costello stated that she was happy to be here, and spoke to the exciting things happening in the City right now.

Mayor Garza and members of the City Council acknowledged that her expertise would be beneficial to the City. They congratulated and wished her well.

Ms. Brechtel stated that the Executive Team would be participating in a workshop on Friday, February 21, 2003. She noted that the theme would be "changed leadership." She stated that she was looking forward to working with the Executive Team, and spoke to the full day planned for them.

Mayor Garza spoke to the appointment of Mrs. Patricia Major, and noted that this was her 1st City Council meeting.

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2003-07 CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, stated that he was the Biblical character David and that the City of San Antonio was his opponent, Goliath.

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MS. JESSIE MCKINNEY JACKSON

Ms. Jessie McKinney Jackson, 2452 E. Houston St., urged the Mayor and City Council to help her with a problem she was having with Mr. Charles English in relation to the Jefferson Heights Association. She spoke of an incident that occurred with Mr. English, in which she alleges that he was furious that she came down to a Council meeting to apologize about things that he had done. As a result, she stated that he now had a violent attitude towards her. She urged the Council to help the citizens get back the Jefferson Heights Neighborhood Association.

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MS. JOYCE DORRYCOCH

Ms. Joyce Dorrycoch spoke of an incident involving a police officer who broke the law and who still wears a badge because of the 180-day rule that saved him. She stated that she took his violation seriously. She noted that the alleged incident involved a child being abused. She further noted that when it was reported to the Civil Service Commission, that they stated that the police chief hadn't found out about the incident within 180 days and as a result, the officer in question could not be fired. She stated that the Council will have the opportunity to take this issue up on the next round of the police contract negotiations, and she urged them to take this issue into consideration.

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MR. DON GREEN

Mr. Don Green stated that he had a great deal of admiration for law enforcement. That being said, he noted that he knows what public service is. He further stated that he knew what it meant when officers lay their lives on the line when they go to work.

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MR. CHARLES M. BARTLETT

Mr. Charles M. Bartlett, member of Open Space Advisory Board, spoke of his career as a landscape contractor. He acknowledged that he has no City contracts. He spoke to the

tree preservation ordinance, and its purpose. He urged Council to support a strong tree ordinance.

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MS. ANN E. MORRIS

Ms. Ann E. Morris, 8610 McCullough #103E, urged the Council to support the tree ordinance. She spoke of the importance of preserving trees, and stated that the City has waited too long.

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MR. RICHARD ALLES

Mr. Richard Alles, Citizen's Tree Coalition, spoke to the importance of trees, and explained to Council what the tree canopy cover is, or "shade." He narrated a slide presentation regarding the study of trees, and its relation to parking lot shade requirements. He referenced various studies that determined there was too much asphalt on the ground. He urged Council to address this issue. He cited an article in the *Express News* that discussed the current tree ordinance. He encouraged the City Council to take a hard look at their recommendations.

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MR. PAUL BROCK

Mr. Paul Brock, Olmos Park Terrace Neighborhood Assn., urged Council to support the tree ordinance. He emphasized that all citizens need to understand that trees have an intrinsic value besides just being beautiful. He spoke to the importance of Toyota, and stated that the Chairman of Toyota looked across San Antonio and was impressed with its lushness and greenery. He acknowledged that a large majority of citizens support a strong tree ordinance.

2003-07 There being no further business to come before the City Council, the meeting adjourned at 5:23 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



YOLANDA L. LEDESMA
Acting City Clerk