

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 5, 2003

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2003-23 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) **Fiscal Year 2004 Budget Process Orientation.** (Presented by Lou Lendman, Director, Management and Budget.)

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

The "B" Session adjourned at 11:10 A.M.

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2003-23 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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2003-23 Invocation by Councilman Enrique Barrera.

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2003-23 Pledge of Allegiance to the flag of the United States.

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Ms. Barnum-Newman congratulated the Council and explained briefly the work of the commission and added that the group would have a booth at the Folklife Festival. She invited everyone to visit the booth.

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2003-23 SAN ANTONIO HOUSING AUTHORITY INTERIM BOARD MEMBERS.

Mayor Garza introduced interim board members from the San Antonio Housing Authority that were present in the audience and thanked them for accepting the service. He stated that tonight's meeting would be their first since their appointment as an interim board. He identified the five members on the board as: Mr. Bill Sinkin, Ms. Carol Rodriguez, Ms. Maria Berriozabal, Ms. Cherry Correa and Mr. Phil Nelson. He then invited them to address the Council.

Mr. Sinkin, Ms. Rodriguez and Ms. Berriozabal thanked the Mayor for his vote of confidence and all stated that they would do their best to assure that the people who depend on the San Antonio Housing Authority were served well.

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2003-23 Minutes of the Regular City Council Meeting of May 1, 2003 were approved.

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2003-23 CONSENT AGENDA

Councilman Flores made a motion to approve Agenda Items 7 through 22, constituting the Consent Agenda, except for Item 17, which was pulled for individual consideration. Councilman Schubert seconded the motion.

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

AN ORDINANCE 97728

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH NAVISTAR INTERNATIONAL & CRANE CARRIER CORP. TRUCK PARTS & SERVICE, TRUCK & INDUSTRIAL TIRES, ONAN GENERATOR PARTS & SERVICE, AND RENTAL OF MATERIAL POWER SCREENER ON AN ANNUAL CONTRACT BASIS FOR FISCAL YEAR 2003-2004 FOR A TOTAL AMOUNT OF APPROXIMATELY \$326,300.00.

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AN ORDINANCE 97729

EXTENDING AND AMENDING A CONTRACT WITH SYNCLINE, INC. TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS RIGHT-OF-WAY MANAGEMENT DIVISION WITH CONTINUED WEB-HOSTING, MAINTENANCE AND SUPPORT OF THE WEB-BASED STREET CUTTING PERMIT APPLICATION SOFTWARE PROGRAM FOR A ONE YEAR PERIOD BEGINNING ON JUNE 12, 2003 THROUGH JUNE 12, 2004, AND TO PROVIDE TRACKING AND REPORTING ENHANCEMENTS TO THE SOFTWARE FOR A TOTAL SUM OF \$35,000.00. (AMENDS ORDINANCE NO. 95735, MAY 9, 2002.)

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AN ORDINANCE 97730

SELECTING GOULD EVANS ASSOCIATES, P.L.L.C., TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE GREAT NORTHWEST BRANCH LIBRARY EXPANSION PROJECT, LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$135,394.00 FROM 1999 G.O. LIBRARY BOND FUNDS; AUTHORIZING \$5,000.00 FOR REIMBURSABLE EXPENSES; AUTHORIZING \$1,000.00 FOR ADVERTISING EXPENSES AND \$13,500.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$154,894.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97731

APPROVING FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$26,411.54 PAYABLE TO SAN ANTONIO CONSTRUCTORS, LTD. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE ST. FRANCIS FROM DOWDY TO PROBANDT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5; AUTHORIZING \$2,641.15 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,848.40 FOR EXPENSE RECOVERY FOR A TOTAL AMOUNT OF \$30,901.09; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95397, MARCH 7, 2002.)

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AN ORDINANCE 97732

AMENDING AN AGREEMENT WITH THE SAN ANTONIO RIVER AUTHORITY AND AUTHORIZING AN ADDITIONAL \$500,000.00 FROM REGIONAL STORMWATER DETENTION FACILITIES FUNDS PAYABLE TO SAN ANTONIO RIVER AUTHORITY FOR THE CONSTRUCTION OF PHASE II OF THE SALADO 15R FLOOD CONTROL DAM BEING CONSTRUCTED IN MCALLISTER PARK, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 86711, NOVEMBER 25, 1997; ORDINANCE NO. 88480, NOVEMBER 17, 1998; ORDINANCE NO. 92634, OCTOBER 5, 2000.)

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AN ORDINANCE 97733

AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,400.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR JPMORGAN CHASE BANK, TRUSTEE OF THE WILLIAM AND CHAVE GONZABA GRANTOR TRUST U/A DATED 9/19/89 FOR FEE SIMPLE TITLE TO ONE PARCEL (\$7,800.00) AND TITLE FEES (\$600.00) IN CONNECTION WITH THE OCTAVIA DRAINAGE #63, PHASE II, PART 1 PROJECT LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97734

AUTHORIZING THE RENEWAL OF TWO-YEAR LEASE AND ONE-YEAR LICENSE AGREEMENTS FOR SEVEN TENANTS WHO OPERATE BUSINESSES IN THE FARMERS MARKET PLAZA IN THE CITY OF SAN ANTONIO'S MARKET SQUARE IN CITY COUNCIL DISTRICT 1, IN ACCORDANCE WITH THE TERMS OF THEIR ORIGINAL LEASE AGREEMENTS APPROVED IN ORDINANCE NO. 96012 ON JUNE 27, 2002.

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AN ORDINANCE 97735

AUTHORIZING THE EXECUTION OF A STANDARD FIVE (5) YEAR LEASE AGREEMENT WITH DICK'S LAST RESORT OF TEXAS, INC. D/B/A DICK'S LAST RESORT FOR LEASE OF PATIO SPACE ON THE SAN ANTONIO RIVER WALK IN CITY COUNCIL DISTRICT 1 FOR OUTDOOR DINING PURPOSES.

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AN ORDINANCE 97736

APPROVING THE ASSIGNMENT AND AMENDMENT OF AN EIGHT (8) YEAR LEASE AGREEMENT FROM MS. ODILIA CASTORENO D/B/A ODIE'S IMPORTS TO MR. ANTONIO AMEZCUA D/B/A LYRIS IMPORTS IN THE CITY OF SAN ANTONIO'S FARMER'S MARKET AT MARKET SQUARE IN CITY COUNCIL DISTRICT 1.

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AN ORDINANCE 97737

GRANTING A LICENSE AGREEMENT TO LAREDO JM, LTD. TO USE AND MAINTAIN ONLY FOR THE PURPOSE OF LANDSCAPING AN IRREGULAR PORTION OF OLD THOUSAND OAKS DRIVE PUBLIC RIGHT OF WAY LOCATED APPROXIMATELY 850 FEET SOUTHEAST OF JONES MALTSBERGER ROAD, IN NCB 13732, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$5,000.00.

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AN ORDINANCE 97738

AUTHORIZING PAYMENT IN THE AMOUNT OF \$100,500.00 FROM THE STINSON AIRPORT IMPROVEMENTS AND CONTINGENCY FUND TO 99TH STREET INCORPORATED FOR ACQUISITION OF ONE METAL STORAGE HANGAR LOCATED AT 1234 99TH STREET, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS IN CONNECTION WITH THE STINSON AIRPORT IMPROVEMENTS PROJECT LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97739

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXERCISE THE OPTION FOR A ONE-YEAR EXTENSION AND AMENDMENT WITH EMPLOYEE ASSISTANCE PROGRAMS INTERNATIONAL (A WHOLLY OWNED SUBSIDIARY OF HORIZON BEHAVIORAL SERVICES) TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM FOR ALL NON-UNIFORMED ACTIVE CITY EMPLOYEES AND THEIR ELIGIBLE FAMILY MEMBERS FOR EVALUATION, ASSESSMENT AND SHORT-TERM COUNSELING FOR AN ESTIMATED AMOUNT OF \$151,017.00 FOR THE TERM AUGUST 1, 2003 THROUGH JULY 31, 2004.

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AN ORDINANCE 97740

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) LEAD BASED PAINT HAZARD REDUCTION CONTROL PROGRAM GRANT IN THE AMOUNT OF UP TO \$3,000,000.00 TO MEET THE APPLICATION PROCESS REQUIREMENTS; AND AUTHORIZING THE ACCEPTANCE OF THE HUD LEAD BASED PAINT HAZARD REDUCTION CONTROL PROGRAM GRANT AWARD TO CONTINUE THE CITY OF SAN ANTONIO'S LEAD BASED PAINT HAZARD REDUCTION CONTROL PROGRAM TO OFFSET THE COST OF ADDRESSING

THE LEAD ABATEMENT REQUIREMENTS IMPOSED ON RESIDENTIAL REHABILITATION PROJECTS, AND TO ASSIST WITH SCREENING HIGH-RISK YOUTH FOR ELEVATED LEAD LEVELS.

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AN ORDINANCE 97741

AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$50,000.00 FROM THE NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES (NIEHS) FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO CONDUCT AN EFFORT MEANT TO INCREASE COMMUNITY INVOLVEMENT IN ENVIRONMENTAL HEALTH ISSUES DURING THE PERIOD JUNE 1, 2003 THROUGH MAY 31, 2004; ADOPTING A BUDGET; AND AUTHORIZING PAYMENTS CONTRACTUAL SERVICES.

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AN ORDINANCE 97742

APPOINTING EMILY D. THUSS (PROVIDER OF HANDICAPPED SERVICES - MAYOR) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2005.

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2003-23 The Clerk read the following Ordinance:

AN ORDINANCE 97743

DESIGNATING CERTAIN MEMBERS OF THE 2003-2005 CITY COUNCIL AS MAYOR PRO TEM FOR SPECIFIED PERIODS OF TIME FROM JUNE 5, 2003 THROUGH MAY 31, 2005, AND SWEARING IN OF THE MAYOR PRO TEM FOR THE PERIOD OF JUNE 5, 2003 THROUGH AUGUST 15, 2003, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES.

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Councilman Haas made a motion to approve the proposed Ordinance. Councilman Castro seconded the motion.

Ms. Yolanda Ledesma, Acting City Clerk, asked Council members to draw for their term as Mayor Pro Tem. She stated that the terms for the Mayor Pro Tem were evenly divided among the ten City Council members for service over their two-year term.

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.

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2003-23 SWEARING-IN OF INCOMING MAYOR PRO-TEM, COUNCILMAN ENRIQUE BARRERA, DISTRICT 6.

Mayor Garza stated that Councilman Enrique Barrera would serve as Mayor Pro Tem from June 5, 2003 through August 15, 2003.

Acting City Clerk Yolanda Ledesma administered the formal Oath of Office to incoming Mayor Pro Tem Councilman Barrera of District 6, and congratulated him.

Mayor Garza and members of the City Council also congratulated Councilman Barrera on his new duties.

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2003-23 The Clerk read the following Ordinance:

AN ORDINANCE 97744

AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS FOR THE PROVISION OF PROGRAM SERVICES IN SUPPORT OF THE CITY'S HUMAN DEVELOPMENT CORE ISSUE OF EARLY CHILDHOOD EDUCATION AND FAMILY STRENGTHENING INITIATIVES WITH THE FOLLOWING AGENCIES: AVANCE - \$51,208.00, FAMILY SERVICES ASSOCIATION OF SAN ANTONIO, INC. - \$24,231.00, UNIVERSITY OF THE INCARNATE WORD - \$78,220.00, FAMILY SERVICES ASSOCIATION OF SAN ANTONIO, INC. - \$30,737.00, YMCA OF GREATER SAN ANTONIO AND THE HILL COUNTRY - \$82,025.00, UNIVERSITY OF TEXAS AT SAN ANTONIO - \$48,306.00, GOOD

SAMARITAN - \$43,542.00 FOR AN OVERALL TOTAL AMOUNT OF \$358,269.00;
AND ADOPTING A REVISED BUDGET IN CONNECTION WITH SAID
DELEGATE AGENCY CONTRACTS.

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Councilman Castro made a motion to approve the proposed Ordinance. Councilman Barrera seconded the motion.

Mr. Henry Ross, Assistant Director, Department of Community Initiatives, narrated a slide presentation on the execution of delegate agency contracts to purchase Early Care and Education for Young and School Age Children's services and improvements. A copy of the presentation is filed with the papers of this meeting. He spoke to adopting a revised budget allocating funds to delegate agencies, issuing a request for proposal and supporting the goals of building a high quality early childhood education system as well as strengthening the quality of after-school care. He also outlined the proposed services and stated that 10 proposals had been received and six (Avance, Family Services Association, Good Samaritan Center, University of the Incarnate Word, Family Services Association in partnership with YMCA, and UTSA) were recommended for funding. He further spoke to the federal match guidelines and to the contract monitoring accountability system required.

In response to a question by Councilman Barrera, Mr. Xavier Urrutia, Grant Management Officer, Department of Community Initiatives, provided examples of some of the performance measures that were required.

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.

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2003-23 The Clerk read the following Ordinance:

AN ORDINANCE 97745

AN ORDINANCE COMPLYING WITH THE REQUIREMENTS CONTAINED IN
SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12, INCLUDING THE

APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE OF APPROXIMATELY \$57,865,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2003-A"; 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.

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Councilman Barrera made a motion to approve the proposed Ordinance. Councilman Castro seconded the motion.

Mr. Milo Nitschke, Director of the Finance Department, narrated a slide presentation on the approval and distribution of a preliminary official statement pertaining to the issuance of \$47,595,000 City of San Antonio, Texas, General Improvement Refunding Bonds, Series 2003-A. A copy of the presentation is filed with the papers of this meeting. He spoke to the estimated gross savings of \$4,331,030 and the present value savings of \$2,834,287 and identified the underwriting syndicate, including Ramirez & Company, the senior manager. He further outlined the tentative bond sale, delivery, and final closing on July 16, 2003.

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.

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2003-23 Agenda Item 26, being a proposed ordinance approving a Dolorosa Street Parking Lot Lease Agreement in Market Square with Market Square Parking, L.L.C., for lease of approximately 14,615 square feet of parking lot space in City Council District 1 for a ten-year term with one five year extension, in consideration of an annual lease amount of \$32,500.00 in Year One to \$42,500.00 in Year 5 with market analysis adjustments thereafter, was pulled from consideration.

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AN ORDINANCE 97747

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO THE PARKS AND RECREATION DEPARTMENT FOR USE OF ONE SHOWMOBILE WITH SOUND SYSTEM FOR THE GREAT NORTHWEST COMMUNITY IMPROVEMENT ASSOCIATION'S 2ND ANNUAL FIESTA BBQ COOK-OFF, WHICH WAS HELD ON APRIL 26, 2003; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Barrera made a motion to approve the proposed Ordinance. Councilman Castro seconded the motion.

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

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2003-23 The Clerk read the following Ordinance:

AN ORDINANCE 97748

AUTHORIZING THE EXPENDITURE OF \$550.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO THE PARKS & RECREATION DEPARTMENT FOR THE USE OF ONE SHOWMOBILE, WITH SOUND SYSTEM, FOR THE JOHN JAY HIGH SCHOOL TAKS CELEBRATION WHICH WAS HELD ON MAY 7, 2003; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Castro made a motion to approve the proposed Ordinance. Councilman Flores seconded the motion.

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

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2003-23 The Clerk read the following Ordinance:

AN ORDINANCE 97749

AUTHORIZING THE EXPENDITURE OF \$3,842.10 FROM THE DISTRICT 7 CONTINGENCY ACCOUNT FUND TO THE PARKS AND RECREATION DEPARTMENT, TO BE USED TO OFFSET THE COSTS ASSOCIATED WITH THE EARTH DAY FESTIVAL WHICH WAS HELD ON APRIL 19, 2003 AT WOODLAWN LAKE PARK; AS REQUESTED BY COUNCILMAN JULIAN CASTRO.

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Councilman Barrera made a motion to approve the proposed Ordinance. Councilman Castro seconded the motion.

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

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2003-23 **CITY MANAGER'S REPORT**

City Manager Terry Brechtel stated she had asked Ms. Rebecca Waldman, Director of the Department of Asset Management, to brief the Council on the "High Risk" contracts process. She added that on a monthly basis, the Council would receive a report notifying them of "high risk" contracts that were coming before them.

Ms. Waldman narrated a slide presentation on the "High Risk" Contracting Initiatives and the Bi-Weekly Contracting Report. A copy of the presentation is filed with the papers of this meeting. She provided an overview of the contracting initiative from May 2001 to the present, the Contracting Policy and Process Manual, Contract Reporting, and the Bi-Weekly Contracting Report. She outlined the City Attorney's Office recommended six strategies to improve the contract management processes, the four fundamental contracting goals that were established, and those goals that have been achieved since May 2001. She spoke to the Contracting Policy and Process Manual as intended to provide the City staff with one single reference for contracting policy and process and to highlights in the manual. She further spoke to the high risk contracting

initiative that is determined by the four risk criteria which include dollar amount of contract, procurement method, contract complexity and community interest. She then spoke of the bi-weekly report to the City Council and Management Team that would provide comprehensive information regarding upcoming "high risk" contracting initiatives and to other information the report would contain.

Councilman Castro spoke to this being the result of a long process and was pleased that the staff was focusing on "high risk" contracts. He stated that the standardization of the Request for Proposal (RFP) process was good and he agreed with standardization with respect to the analysis that the staff undertakes. He added that once that took place, the process needed to be conveyed to the Council, and staff needed to apprise the Council of how it came to its conclusion. He added that the scoring system needed to be transparent and the Council needed to have a good sense of exactly what logic was used by the staff to score the contracts.

In response to questions by Councilman Williams, Ms. Waldman spoke to the certification process and the retention skills for the contracting officers.

In response to questions by Councilman Hall, Ms. Waldman stated that there were 30 – 40 high risk contracts out of 2,000 that are awarded annually and spoke further to the evaluation criteria.

Ms. Waldman, in response to Councilwoman Radle, provided information on the criteria used to determine the level of community interest and stated that many times staff would seek community input before undertaking an initiative or, in some case, community representatives would be asked to serve on the evaluation committee.

In response to questions by Councilman Perez, Ms. Waldman explained "high-risk" contracts further.

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2003-23 PUBLIC HEARING AND ORDINANCE: CONSIDERATION OF AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF FY 2002 EMERGENCY SHELTER GRANT (ESG) FUNDS FROM THE ST. PETER ST. JOSEPH CHILDREN'S HOME.

Mayor Garza declared the Public Hearing to be open.

Mr. Dennis Campa, Director, Community Initiatives Department, narrated a slide presentation on the Community Action Division's ESG Reprogramming in which he explained that St. Peter St. - Joseph's Home would not be spending \$7,426 of ESG funds that had previously been awarded to them. A copy of the presentation is filed with the papers of this meeting. He added that these funds were to be reprogrammed to the Dwyer Avenue Center to be used to offset costs associated with providing security.

The following citizen(s) appeared to speak:

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the unused monies being returned by St. Peter St. - Joseph's, and questioned whether it was legal to transfer funds from one entity to another. He quoted Texas law, Article 1, Section 7 that stated that no funds should be approved for the benefit of any sect.

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

In response to questions by Councilpersons Perez and Radle, Mr. Campa explained that these monies were being returned because St. Peter St. - Joseph's was not going to use them. He further explained how the monies would be used once reprogrammed to the Dwyer Avenue Center. He also noted that there were no legal issues involved in transferring the monies to another project.

The Clerk then read the following Ordinance:

AN ORDINANCE 97750

AUTHORIZING THE REPROGRAMMING OF FY 2002 EMERGENCY SHELTER GRANT (ESG) FUNDS IN THE AMOUNT OF \$7,426.00 AVAILABLE FROM THE ST. PETER ST. JOSEPH CHILDREN'S HOME; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECT AND THE CREATION AND/OR MODIFICATION OF THE APPROPRIATE PROJECT AND PROJECT BUDGET; REVISING THE APPROPRIATE PROJECT BUDGETS; AUTHORIZING THE APPROPRIATION AND ALLOCATION OF SAID FUNDS TO THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION FOR THE PURPOSE OF OPERATING THE DWYER AVENUE CENTER; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND

OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH; AND PROVIDING FOR PAYMENT.

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Councilman Haass made a motion to approve the proposed Ordinance. Councilman Barrera 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.

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2003-23 **EXECUTIVE SESSION**

The City Council recessed its regular session at 2:19 P.M. in order to convene in Executive Session for the purpose of:

- A) Discuss legal issues relating to Robert Milam v. City of San Antonio, SA-01-CA-1123-EP, and Robert Milam v. G. Escobedo, R. Coronado, R. Land, No. 200-CI-17517; 150th Judicial District, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 3:06 P.M. and reconvened in regular session, at which time Mayor Garza stated that the City Council had been briefed on the above-styled matter and had given staff direction, but had taken no official action. There being no other items to consider at this time, the meeting was recessed until 5:00 P.M.

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2003-23 Mayor Garza reconvened the regular meeting at 5:00 P.M.

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2003-23 **RECONSIDERATION OF ITEM NUMBER 28 (SEE PAGE 12.)**

At this time, Councilman Segovia made a motion to reconsider Item 28, which authorized expenditure of \$500.00 from the District 6 Contingency Account Fund to the Edgewood

Seminoles to be used to purchase uniforms and equipment for the football and cheerleading teams, to include \$250.00 from the District 3 Contingency Account Fund. Councilman Barrera seconded the motion.

The motion, to reconsider this item at this time, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The Clerk then read the following Ordinance:

AN ORDINANCE 97746

AUTHORIZING THE TOTAL EXPENDITURE OF \$750.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS TO THE EDGEWOOD SEMINOLES TO BE USED TO PURCHASE UNIFORMS AND EQUIPMENT FOR THE FOOTBALL AND CHEERLEADING TEAMS; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Segovia amended the motion to add \$250.00 from the District 3 Contingency Account Fund. Councilman Castro seconded the motion.

Councilman Castro made a motion to approve the proposed Ordinance as amended. Councilman Hall seconded the motion.

The amendment to the motion as presented by Councilman Segovia was approved by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

The main motion, as amended, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

CITIZENS TO BE HEARD

MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to various issues including the process of using HUD money in various categories, to his educational background, the Citizens To Be Heard portion of the minutes of May 1, 2003, the agenda of April 3, 2003, to the Garden of Eden and the four rivers that flow from the area.

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MS. ANTONIETTA SERNA

Ms. Antonietta Serna, 756 W. Villaret, co-director of SEIU, Local 1967, spoke on behalf of her organization offering congratulations to the new City Council. She stated that expectations were quite high and that their first moves and first votes will be closely assessed. She asked Council to consider its own City employees and stated that SEIU had identified many issues that needed to be addressed, adding that workers' safety is a serious concern and liability. She further asked the Council to keep in mind the City employees, this City's greatest asset.

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MS. RACHEL CYWINSKI

Ms. Rachel Cywinski, President, Highland Park Neighborhood Association, identified her neighborhood's location. She then requested that the City Council consider rescinding all provisions in the temporary commercial sign ordinance. She spoke of complaints that her organization had filed against one person who had continuously violated this ordinance. She noted that when she spoke to her former Council representative, she had been advised not to remove the signs because the ordinance did not permit everyone to remove signs. She stated that the ordinance allowed only the Chief Sign Inspector to remove signs. However, she added that now that the Chief Sign Inspector has retired, there was no one to remove the signs. She asked that the Council take action to resolve this issue or her association would consider legal action.

Mayor Garza stated that the Council had been looking at this issue and that Council District 9 was also having a similar problem. He added that the new Quality of Life Committee, that would be appointed shortly, would look at this issue more carefully and

review the present ordinance. He further added that there would be more review and analysis on this issue.

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MS. NANCY ENGLEBERT

Ms. Nancy Englebert, 10486 Pine Glade, President of the Heritage Neighborhood Association, stated that last Saturday a building inspector was supposed to have come to her neighborhood but he did not show up. She further stated that her neighborhood was also full of signs and, in her opinion if there was going to be an ordinance on the books, it should be enforced. She then spoke to trees being taken down in her neighborhood by developers that are going to put 30 houses behind her residence. She stated that she learned that because the area was platted last month, it fell under the old ordinance. She noted that she did not feel that 150 trees deserved to die. (Ms. Englebert was unable to continue her presentation, so a member of the association continued to speak on her behalf.) The representative added that this issue had previously come before the Council. She spoke to the location of the neighborhood and stated that the neighbors were not anti-business or anti-development, but they felt this was all one sided. She stated that they would like someone to intervene with the developers in an effort to work out a compromise so that some of the trees could be saved but that no action had been taken.

Mayor Garza stated that many properties had been grandfathered but the City was trying to work with the owners of these grandfathered properties to get them to agree to voluntarily comply with the new ordinance.

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MR. FRANK BARTLETT

Mr. Frank Bartlett, 351 Culebra, stated that he met regularly with a group of businessmen who had some proposals to bring businesses back into the downtown area. He noted that the businessmen believed that the bike patrol had run off many businessmen and tourists with threats of ticketing and towing away their vehicles. He spoke to a ticketing and towing incident on Broadway that had personally involved him. He added that he had been appealing the issue for the last 15 months and would like for the Council to consider resolution of the incident during an Executive Session.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, read from the headlines and commented on articles related to the City of San Antonio that appeared in recent newspaper articles. He suggested that the City buy the Kress Building, tear it down and build an 8-story building to be used to provide shelter for the homeless, and wash down the sidewalks. He further suggested that the City Council integrate its staff and put the smoking ordinance on the ballot for the voters to decide. He took exception to the tool artwork that the City had recently purchased and stated his opinion that the money would have been better spent towards giving City employees a 14% raise.

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MR. JOE PEREZ

Mr. Joe Perez spoke to the recent death of a little girl who was riding her bicycle on Eisenhower Road east of Eisenhower Baptist Church and west of KTSA. Although he was not positive as to the circumstances of her death, he placed some culpability on the positioning of some light poles that obstructed the sidewalk. He presented photographs (which are filed with the papers of this meeting) of the area and further stated that the little girl would still be alive if the sidewalk had been built properly. He requested that the Council initiate action to have the problem remedied.

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MR. CHARLES ENGLISH

Mr. Charles English, Jefferson Heights Association, spoke to an area of roadway in the SBC Center vicinity that was reconfigured and presented a traffic problem that needed to be corrected. He spoke to the City's lack of action on resolving this issue. He also spoke to other problems residents of Jefferson Heights were experiencing, including homes that have utility obstructions in front of their homes. He stated that he had spoken to the utility companies but nothing had been done. Mr. English further expressed his concern at having to address the Council as an individual rather than an organization. He expressed his opinion that the Mayor should allow him additional time.

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2003-23 At 5:32 P.M., the Mayor recessed the City Council meeting, noting that it would reconvene at 7:00 P.M. for the Budget Open House.

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2003-23 **BUDGET OPEN HOUSE PRESENTATION**

The Mayor reconvened the regular meeting of the City Council at 7:00 P.M. for a Budget Open House whose purpose was to solicit citizen input on the question "What Is A Basic City Service or a Priority City Function?"

Ms. Rubena Jackson, facilitator of the Open House, gave the audience the guidelines for the conduct of the presentation.

Mr. Lou Lendman, Director, Management and Budget, narrated a slide presentation outlining the objectives of the two open house sessions which was to get input on the City's inventory of city services and to help set service priorities for the FY 2004 budget. A copy of the presentation is filed with the papers of this meeting. Mr. Lendman provided the timelines for the budget approval including budget work sessions and public hearings.

The following individuals/organizations provided input:

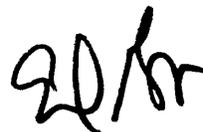
Ms. Nancy Hart
Ms. Leticia Ortiz
Ms. Cathy Castillo
Ms. Anna O'Conner
Ms. Mary Rich
Mr. Augustin Garza Beltran
Mr. Ralph Ortiz
Mr. David Dunne
Mr. Nazarite Ruben Flores Perez
Mr. Juan Solis
Ms. Stephanie A. Lamprea
Ms. Julie Fish
Mr. Larry Bird
Mr. Hector Cardenas
Ms. Betty Culbertson
Ms. Lisa Uribe
Ms. Carolyn Meyer
Mr. Chuck Gill

Dr. Gogi Dickson
Ms. Debra Carr
Mr. Ken Olsen
Mr. Don Counts
Ms. Barbara Isner
Mr. Mark Richter
Ms. Jackie Gorman
Mr. Guillermo Vazquez
Ms. Mary L. Cantu
Ms. Rachel Cywinski
Ms. Lucy Gale
Ms. Lorraine Barnes
Ms. Loni Dear
Mr. Dick Massey
Ms. Dawn Dixon
Ms. Betty Eckert
Ms. Alicia Velez
Ms. Julie Gowen
Dr. Suzanne Winter
Mr. Faris Hodge, Jr.
Ms. Leslie Kelsie-Grubbs
Mr. Charles English
Mr. Kenneth Bloom
Sister Gabriella Lohan
Mr. Robert Cruz
Mr. Leroy Favela
Mr. Ray Hamilton
Ms. Julie Wyatt
Mr. John Buchanan

Some of the issues that were presented for consideration were quality early childhood education, children's resources and referrals, childcare delivery system, family strengthening and parental involvement, library services, mentorship programs, emergency food and shelter programs, after school programs, Project Worth (eg. Teen Pregnancy) Project Healthy Schools, Community Initiatives, Youth Services, library services and system support, building maintenance, land development services, zoning, elderly services, homemaker program, comprehensive nutrition program, elderly transportation program, substance abuse treatment services, Patrician Movement, and support of the arts programs (e.g. Symphony). Also presented for consideration were animal care programs, police services, affordable housing services, air quality, neighborhood sweeps, disability access programs, job training services, police services, public utilities supervision and public health services.

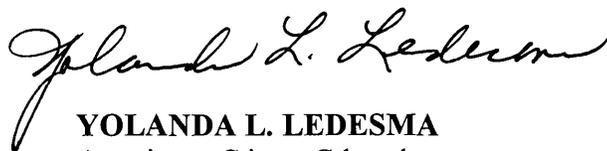
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2003-23 There being no further business to come before the City Council, the meeting was adjourned at 9:35 P.M

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest.



YOLANDA L. LEDESMA
Acting City Clerk