

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 16, 2001.

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2001-30 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following item(s):

A.) **Boards and Commissions Work Session.** Presented by Norma S. Rodriguez, City Clerk.

The City Council members present were: AYES: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Garcia.

The "B" Session adjourned at 10:30 A.M.

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2001-30 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: AYES: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Garcia.

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2001-30 Invocation by Reverend William Swantner, Hope Lutheran Church.

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2001-30 Pledge of Allegiance to the flag of the United States.

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2001-30 City Clerk Norma Rodriguez administered Oath of office to Councilman Julian Castro as Mayor Pro-Tem.

DEPARTMENT WITH REFUSE COLLECTION BODIES FOR A TOTAL SUM OF \$96,990.00.

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AN ORDINANCE 94348

ACCEPTING THE BID OF JOE HARRISON MOTORS, INC. D/B/A JOE HARRISON MOTOR SPORTS TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH POLICE MOTORCYCLES FOR A TOTAL SUM OF \$194,150.00.

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AN ORDINANCE 94349

ACCEPTING THE PROPOSAL FROM CCG SYSTEMS, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN AUTOMATED FLEET MANAGEMENT AND INVENTORY SYSTEM FOR A TOTAL SUM OF \$70,625.00.

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AN ORDINANCE 94350

ACCEPTING THE PROPOSAL FROM THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS FOR A CONTRACT WITH FERRARA FIRE APPARATUS, INC. TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIVE FIRE PUMPER TRUCKS FOR A TOTAL SUM OF \$1,475,610.73.

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AN ORDINANCE 94351

ACCEPTING THE PROPOSAL FROM THE HOUSTON/GALVESTON AREA COUNCIL OF GOVERNMENTS WITH A CONTRACT FROM BAYOU CITY FORD-STERLING FOR A TOTAL OF \$56,680.04 AND RUSH EQUIPMENT CENTER-

HOUSTON FOR A TOTAL OF \$58,566.28 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH BRUSH COLLECTION EQUIPMENT FOR A TOTAL SUM OF \$115,246.32.

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AN ORDINANCE 94352

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH TURNER, COLLIE & BRADEN, INC. FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$14,600.00 IN CONNECTION WITH THE BITTERS ROAD FROM WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93191, JANUARY 11, 2001.)

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AN ORDINANCE 94353

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$7,500.00 PAYABLE TO G.G.I. ENGINEERS FOR ADDITIONAL ENGINEERING EXPENSES IN CONNECTION WITH THE DEMPSEY FROM FARR TO GWENDA LEA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 81044, NOVEMBER 3, 1994.)

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AN ORDINANCE 94354

RATIFYING WORK COMPLETED AND APPROVING FIELD ALTERATION NO'S. 94, 95 AND 96 IN THE TOTAL AMOUNT OF \$508,099.00, PAYABLE TO CLARK/JT CONSTRUCTION, A JOINT VENTURE, FOR WORK ASSOCIATED WITH THE HENRY B. GONZALEZ CONVENTION CENTER EXPANSION

PROJECT - PHASE 1B; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 86015, MAY 8, 1997.)

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AN ORDINANCE 94355

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LICENSE AGREEMENT WITH THE WESTWOOD TERRACE LITTLE LEAGUE FOR THE USE OF APPROXIMATELY 6.153 ACRES IN LACKLAND TERRACE PARK IN CITY COUNCIL DISTRICT 6 FOR RECREATIONAL PURPOSES IN CONSIDERATION FOR THEIR MAINTENANCE OF SAID AREA.

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AN ORDINANCE 94356

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LICENSE AGREEMENT WITH THE ALAMO CITY RUGBY FOOTBALL CLUB, INC. FOR THE USE OF APPROXIMATELY 11.796 ACRES IN BROOKS PARK IN CITY COUNCIL DISTRICT 3 FOR RECREATIONAL PURPOSES IN CONSIDERATION FOR THEIR MAINTENANCE OF SAID AREA.

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AN ORDINANCE 94357

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LICENSE AGREEMENT WITH THE EAST CENTRAL LAKESIDE ATHLETIC ASSOCIATION, INC. FOR THE USE OF APPROXIMATELY 6.076 ACRES IN BROOKS PARK IN CITY COUNCIL DISTRICT 3 FOR RECREATIONAL PURPOSES IN CONSIDERATION FOR THEIR MAINTENANCE OF SAID AREA.

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AN ORDINANCE 94358

AUTHORIZING THE EXECUTION OF: (1) A SUBORDINATION, NONDISTURBANCE AND ATTORNMENT AGREEMENT BETWEEN MORGAN

GUARANTY TRUST COMPANY OF NEW YORK, A NEW YORK BANKING CORPORATION, ("LENDER") AND THE CITY ("TENANT"); AND (2) A TENANT ESTOPPEL, BOTH INSTRUMENTS RELATED TO THE MONTH-TO-MONTH LEASE AGREEMENT APPROVED BY ORDINANCE NO. 66511 ON FEBRUARY 4, 1988 FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT OF 1,050 SQUARE FEET OF STOREFRONT SPACE FOR A COMMUNITY SERVICE CENTER AT 803 CASTROVILLE ROAD, SUITE 125, FOR A MONTHLY RENTAL OF \$200.00, AS REQUESTED BY TCP LAS PALMAS PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, SUCCESSOR BY ASSIGNMENT TO COSCAN COMMERCIAL LIMITED PARTNERSHIP, A COLORADO LIMITED PARTNERSHIP, AS SUCCESSOR BY ASSIGNMENT TO UNICORP AMERICAN CORPORATION ("LANDLORD"), IN CONNECTION WITH THE REFINANCING OF THE LAS PALMAS SHOPPING CENTER BY THE LANDLORD.

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AN ORDINANCE 94359

AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR LEASE AGREEMENT RENEWAL WITH CALLAGHAN SQUARE INVESTMENTS, INC. FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF APPROXIMATELY 5,000 SQUARE FEET OF OFFICE SPACE AND CLINIC SPACE LOCATED AT 4418 CALLAGHAN ROAD FOR THE PERIOD SEPTEMBER 1, 2001 THROUGH AUGUST 31, 2006 AT A MONTHLY COST OF \$5,000.00 FOR YEARS 1 THROUGH 3 AND \$5,100.00 PER MONTH FOR YEARS 4 AND 5 IN CONNECTION WITH THE WOMEN, INFANTS AND CHILDREN NUTRITION PROJECT; AND APPROVING PAYMENTS TO THE LESSOR IN CONNECTION THEREWITH.

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AN ORDINANCE 94360

ACCEPTING A GRANT IN THE AMOUNT OF \$107,000.00 FROM THE TEXAS EDUCATION AGENCY TO SUPPORT AN ENGLISH LITERACY - CIVICS EDUCATION PROJECT AT THE WILLIE VELASQUEZ AND MARGARITA HUANTES LEARNING AND LEADERSHIP DEVELOPMENT CENTERS, AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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AN ORDINANCE 94361

ACCEPTING FUNDS IN THE AMOUNT OF \$475,000.00 TO PROVIDE INSTRUCTIONAL SUPPORT STAFF AND MATERIALS FOR THE PROVISION OF ADULT EDUCATION SERVICES TO THE CITY OF SAN ANTONIO'S FIVE LEARNING AND LEADERSHIP DEVELOPMENT CENTERS (LLDCS) WITHIN THE SAN ANTONIO INDEPENDENT SCHOOL (SAISD) DISTRICT BOUNDARIES; APPROVING A PROJECT BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING THE EXECUTION OF AN AGREEMENT SPECIFYING THE RESPONSIBILITIES OF THE CITY AND THE SAISD ADULT EDUCATION COOPERATIVE FOR THE PERIOD BEGINNING SEPTEMBER 1, 2001 AND ENDING AUGUST 31, 2002.

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AN ORDINANCE 94362

RATIFYING THE SUBMISSION OF A GRANT APPLICATION BY THE CITY ATTORNEY'S OFFICE TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD) FOR FUNDS IN THE AMOUNT OF \$182,662.00 AVAILABLE UNDER THE VIOLENCE AGAINST WOMEN ACT FOR THE EARLY INTERVENTION FOR WOMEN LIVING IN DOMESTIC VIOLENCE PROGRAM FOR THE PERIOD JUNE 1, 2001, THROUGH MAY 31, 2002 AND ACCEPTING THE SAME REQUESTED GRANT AWARDED ON JUNE 29, 2001, GRANT AWARD NUMBER WF-99-V30-13948-03.

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AN ORDINANCE 94363

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION IN THE AMOUNT OF \$54,049.50 TO TELECOMMUNICATIONS INFRASTRUCTURE FUND BOARD TO BE USED FOR THE PURCHASE OF COMPUTER EQUIPMENT FOR COMPUTER TRAINING AND DISTANCE EDUCATION FOR STAFF OF THE SAN ANTONIO PUBLIC LIBRARY AND THE MEMBERS OF THE ALAMO AREA LIBRARY SYSTEM.

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AN ORDINANCE 94364

AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$78,335.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THROUGH THE DIVISION OF EMERGENCY MANAGEMENT OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TO FUND THE ADMINISTRATIVE STAFF AND OVERHEAD COSTS OF THE CITY'S EMERGENCY MANAGEMENT OFFICE.

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AN ORDINANCE 94365

ACCEPTING ADDITIONAL FUNDING FOR FY 2000 AND 2001 TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) REGIONAL SOLID WASTE PASS-THROUGH GRANTS PROGRAM TOTALING \$96,941.11 THROUGH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) FOR CITY PURCHASE OF EQUIPMENT AND SUPPLIES TO SUPPORT PROGRAMS RELATED TO RECYCLING, SOLID WASTE STREAM REDUCTION, AND MUNICIPAL ENFORCEMENT OF ANTI-DUMPING LAWS.

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2001-30 ITEMS FOR INDIVIDUAL CONSIDERATION – CITIZEN COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to the needs of the community, and cited the monies out of the contingency funds for special projects.

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2001-30 ITEMS FOR INDIVIDUAL CONSIDERATION

The Clerk read the following Ordinance:

AN ORDINANCE 94366

SETTING THE FOLLOWING DATES, TIMES, AND PLACE FOR THE FIRST AND SECOND PUBLIC HEARINGS ON THE PROPOSED BUDGET FOR FY 2001-2002: TUESDAY, SEPTEMBER 4, 2001, 7:00 P.M., AND THURSDAY, SEPTEMBER 20,

2001, 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA; AND SETTING THURSDAY, SEPTEMBER 6, 2001, 3:00 P.M., AS THE DATE AND TIME FOR A PUBLIC HEARING ON THE PROPOSED TAX RATE FOR THE TAX YEAR BEGINNING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2001 IN THE CITY COUNCIL CHAMBERS, 103 MAIN PLAZA.

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Mr. Sanders made a motion to approve the proposed Ordinance. Ms. Conner 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, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Garcia, Carpenter.

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94367

RATIFYING THE ACTIONS OF STAFF IN ACCEPTING A TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) GRANT IN THE AMOUNT OF \$1,424,437.00, WITH A CITY MATCH OF \$424,407.00 AND AUTHORIZING INTERLOCAL AGREEMENTS BETWEEN THE CITY, BEXAR COUNTY DISTRICT ATTORNEY'S OFFICE AND SHERIFF'S OFFICE, TO FUND A PROSECUTOR POSITION FOR AN AMOUNT NOT TO EXCEED \$81,484.00 AND ONE (1) SERGEANT AND TWO (2) DEPUTIES FOR AN AMOUNT NOT TO EXCEED \$205,206.00, TO AUGMENT THE SAN ANTONIO POLICE DEPARTMENT'S EFFORT IN REDUCING AUTO THEFT.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. Martin seconded the motion.

Police Deputy Chief Albert Ortiz, narrated a slide presentation on the Automobile Theft Prevention Authority, a copy of which presentation is made a part of the papers of this meeting. He outlined the history, REACT activities, statistical data on auto thefts, and the financial obligation.

After consideration, 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. **NAYS:** None. **ABSENT:** Garcia.

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2001-30 **TAX INCREMENT REINVESTMENT ZONE BOARDS**

The Clerk read a proposed ordinance revising Ordinance Nos. 88996, 88998, 90311, 90312, 90975, 90969, 93100, 93101 by modifying the powers delegated to the Tax Increment Reinvestment Zone Boards Numbers Two, Four, Five, Six, Seven, Nine, Ten, and Eleven by reserving the power to manage the tax increment funds of the Tax Increment Reinvestment Zones to the City; applying this reservation of powers to future Tax Increment Reinvestment Zone Boards; and authorizing any other necessary action in relation thereto.

Ms. Frances Gonzalez, Assistant to the City Manager, narrated a slide presentation on the administration and management of the Tax Increment Financing (TIF) Funds, a copy of which presentation is on file with the papers of this meeting. She outlined the purpose and background, the affected (TIF) projects, the roles and responsibilities of the TIRZ Board of Directors, the City's role in the management of funds, and status of construction projects.

Mayor Garza stated that further review was necessary, specifically comparing our City with other large Texas cities.

Mr. Sanders expressed concern on the appointment process addressed in the ordinance, as well as the powers of the Board. He made a motion that the ordinance be postponed until such time that proper re-examination was completed. Mr. Carpenter seconded the motion.

In response to Mayor Garza, Ms. Gonzalez stated that the staff was committed to assure all the projects were completed by October. She noted that staff would proceed to present this issue to the Housing and Neighborhood Council Committee for further evaluation.

Other members of the City Council expressed concern on the stated issues and concurred with Mr. Sanders motion.

After discussion, the motion to postpone the ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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2001-30

The Clerk read the following Resolution:

A RESOLUTION
NO. 2001-30-32

REAFFIRMING THE CITY'S COMMITMENT AS THE NOMINATING ENTITY FOR THE RECENT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM (STEP) TO PROVIDE FUNDING OF APPROXIMATELY \$720,000.00 AS THE CITY OF SAN ANTONIO'S TWENTY PERCENT (20%) TEA-21 MATCH THAT WOULD BE IMPOSED UPON THE CITY OF SAN ANTONIO FOR THE HAYS STREET BRIDGE REHABILITATION AND BICYCLE AND PEDESTRIAN ROUTE PROJECT.

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Mr. Perez made a motion to approve the proposed Resolution. Mr. Sanders seconded the motion.

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the Hay Street Bridge improvements, a copy of which presentation is made a part of the papers of this meeting. He presented an update on the project, outlining the comparison of the budget from May to August 2001, the match fund status, the City's commitment, return on investment, and the timeline of the proposed project.

The following citizen(s) appeared to speak:

Ms. Jill Souter, San Antonio Conservation Society, commended City staff for the work expended on this project and spoke in support of the Resolution, specifically noting all the individuals who have been involved to preserve the Hays Street Bridge.

Ms. Nettie Hinton, Hay Street Bridge Restoration Group, spoke in support of the restoration project. (A prepared statement was submitted by Ms. Hinton, a copy of which is on file with the papers of this meeting.)

Mr. Doug Steadman, spoke on the community support for this project, and urged City Council to support the proposed Resolution.

Mayor Garza spoke in support of the Hays Street Bridge renovation, and commended the partnerships developed in efforts to preserve the historic bridge.

Members of the City Council reiterated their support of this effort and also commended all community groups for their involvement and commitment.

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

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94368

AUTHORIZING THE REIMBURSEMENT OF \$3,600.00 FROM THE DISTRICT 4 ADMINISTRATIVE BUDGET TO COUNCILMAN ENRIQUE MARTIN FOR ADMINISTRATIVE SERVICES CONTRACTS WITH MARIE HUNE (\$1,800.00) AND CHRISTINA VALENCHECK (\$1,800.00) FROM AUGUST 1, 2001 THROUGH AUGUST 31, 2001; AS REQUESTED BY COUNCILMAN ENRIQUE MARTIN.

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Mr. Carpenter made a motion to approve the proposed Ordinance. Mr. Castro 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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94369

AUTHORIZING THE EXPENDITURE OF \$600.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND AND \$600.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, TOTALING \$1,200.00, TO THE ALAMO AREA COUNCIL, BOY SCOUTS OF AMERICA FOR REIMBURSEMENT OF EXPENSES FOR BUS TRANSPORTATION TO CLUB ODYSSEY DAY CAMP ON JULY 24 THROUGH JULY 27, 2001; AS REQUESTED BY COUNCILMEMBERS DAVID GARCIA AND ENRIQUE M. BARRERA.

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Mr. Perez made a motion to approve the proposed Ordinance. Ms. Moorhouse 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, Barrera, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia, Castro.

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94370

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO THE COLUMBIA TRACK CLUB FOR REIMBURSEMENT OF TRAVEL EXPENSES TO THE NATIONAL JUNIOR OLYMPICS IN HAMPTON, VIRGINIA THAT WAS HELD JULY 26, 2001 TO AUGUST 5, 2001; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Mr. Castro made a motion to approve the proposed Ordinance. Ms. Moorhouse seconded the motion.

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

2001-30 The Clerk read a proposed ordinance authorizing the expenditure of \$750.00 from the District 6 Contingency Fund to the Edgewood Seminoles for the purchase of new football equipment; as requested by Councilman Enrique M. Barrera.

Mr. Barrera made a motion to approve the proposed Ordinance. Mr. Carpenter seconded the motion.

Mr. Perez made an amendment to the motion to add additional funds for the proposed, \$500 from the District 1 contingency fund and the Mayor added \$250.00 from his account. Mr. Carpenter seconded the motion.

The amendment to the motion, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Barrera, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia, Castro.

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

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AN ORDINANCE 94371

AUTHORIZING THE EXPENDITURE OF \$250.00 FROM THE MAYOR'S CONTINGENCY FUND, \$750.00 FROM THE DISTRICT 6 CONTINGENCY FUND, AND \$500.00 FROM DISTRICT 1 CONTINGENCY FUND, TO THE EDGEWOOD SEMINOLES FOR THE PURCHASE OF NEW FOOTBALL EQUIPMENT; AS REQUESTED BY MAYOR ED GARZA, COUNCILMAN ENRIQUE M. BARRERA, AND COUNCILMAN BOBBY PEREZ, RESPECTIVELY.

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2001-30 The Clerk read the following Ordinance

AN ORDINANCE 94372

APPOINTING A PRESIDING JUDGE AND FULL-TIME AND PART-TIME JUDGES TO THE MUNICIPAL COURTS FOR TERMS OF OFFICE COMMENCING SEPTEMBER 1, 2001, AND ENDING AUGUST 31, 2003; AND PROVIDING FOR

AN EFFECTIVE DATE OF SEPTEMBER 1, 2001, AS REQUESTED BY THE CITY COUNCIL'S MUNICIPAL COURT COMMITTEE.

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Mr. Perez thanked members of the Municipal Court Committee for their participation in the selection process. He also recognized the judges who have served and those new ones who are being recommended for appointment. He then made a motion to amend the listing by removing the name of Mr. Guzman as a part-time judge, and adding Mr. John Smith. Mr. Carpenter seconded the motion.

The following citizen(s) appeared to speak:

Ms. Monica Lopez, expressed concern on the appointment process.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the process of appointment of judges.

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The amendment to the motion, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94373

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM THE DISTRICT 1 CONTINGENCY FUND TO THE SAN ANTONIO LADY ALL STARS FOR TRAVELING EXPENSES TO A BASKETBALL TOURNAMENT IN LAKE CHARLES, LOUISIANA THAT WAS HELD ON AUGUST 14, 2001; AS REQUESTED BY COUNCILMAN BOBBY PEREZ.

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Mr. Perez made a motion to approve the proposed Ordinance. Mr. 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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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2001-30 The Clerk read the following Ordinance:

AN ORDINANCE 94374

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 2 CONTINGENCY FUND TO "ONE DOWN ONE TO GO" PROGRAM FOR THE PURCHASE OF EQUIPMENT TO REPAIR HOMES FOR SENIORS ON THE EASTSIDE; AS REQUESTED BY COUNCILMAN JOHN SANDERS.

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Ms. Moorhouse made a motion to approve the proposed Ordinance. Mr. Sanders 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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Garcia.

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2001-30 **EXECUTIVE SESSION**

The City Council recessed its regular session at 2:24 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney-Client consultation regarding the lawsuit styled Farmco Trust vs. City of San Antonio Planning Commission, Cause No. 99-CI-16047 and Survivor Inc., et al, v. City of San Antonio, Cause No. 2000-CI-05220.

- B) Attorney-Client consultation regarding the lawsuit styled James Baer vs. City of San Antonio, Cause No. 98-CI-17885.

C) Attorney-Client consultation regarding the lawsuit styled City of San Antonio vs. Casino Club, Ltd., Cause No. 98-CI-04892.

The City Council adjourned the Executive Session at 3:30 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.

2001-30 PRESENTATION OF PROPOSED CITY OF SAN ANTONIO FISCAL YEAR 2001-2002 BUDGET.

City Manager Terry Brechtel presented the proposed budget for FY 2001-2002, a copy of which presentation is made a part of the papers of this meeting. She outlined the priorities, consolidated budget overview, major general fund revenue sources, overall tax rate, City sales tax, CPS revenues, proposed new and adjusted revenues, and key expenditure elements. She further delineated on current services, expenditures, Council priorities, other funds, employee perspective, authorized positions, budget objectives and the proposed work session schedule.

Mayor Garza stated that the City was a step closer to the adoption of the budget, and noted that the budget was targeted at the City's priorities, which included basic services, economic development, and quality of life issues. He added on the need to focus on priorities and commended the City Council for communicating those priorities. He acknowledged the City employees in attendance, and commended the Budget Department, and Management staff for their hard work and contributions to the budget process and encouraged all City employees to work creatively to meet the City's needs.

2001-30 SECOND PUBLIC HEARING ON THE VOLUNTARY ANNEXATION OF APPROXIMATELY 16 ACRES KNOWN AS HEIGHTS OF STONE OAK PLANNED UNIT DEVELOPMENT, AND APPROXIMATELY 96 ACRES OUT OF 122.6 ACRE COMMERCIAL TRACT REFERRED AS THE I.H. 10 WEST/BOERNE STAGE ROAD PROPERTY

Mr. Emil Moncivais, Director of Planning, narrated a slide presentation on the City of San Antonio's Annexation goals, a copy of which presentation is made a part of the papers of this meeting. He cited the acreage involved, the service plan, emergency services, demographics, annexation schedule and participating departments and agencies.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, expressed concern for the delivery of services, stating that the inner City areas needed to be a primary focus of service before annexation.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the issues affecting annexation, and expressed concern on the pollution problems.

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There being no citizens to speak the Mayor declared the Public Hearing to be closed.

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2001-30

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CITIZENS TO BE HEARD

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MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez, expressed concerns about future annexation actions by the Council and increases to the City budget caused by extension of City services.

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MR. BOB MARTIN

Mr. Bob Martin, President of HTA, spoke regarding the sales tax increases, which may be considered, and the impact on the general citizenry. He expressed concern about the Better Jobs Programs and the existing programs. He questioned the City's numbers on a budget shortfall. He also questioned the matter of incentives being planned to discourage development over the Aquifer.

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MR. RUBEN ESPRONCEDA

Mr. Ruben Espronceda, spoke to the City Council about a permit being issued by the Building Inspections Department and the neighborhood's concerns on what is actually being built. He feels that their neighborhood is not being protected.

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PREACHER JOE

Preacher Joe, National Association of Prayer, spoke about the need to reinstate prayers back in schools. He stated that it is time to reverse the decision of the Supreme Court.

2001-30 PUBLIC HEARING AND ORDINANCE: CALLING A SPECIAL CHARTER REVISION ELECTION

Mayor Garza explained the purpose of the public hearing and opened the hearing to hear the citizens signed up to speak:

The following citizens appeared to speak in opposition to the proposed proposition removing the civil service classification:

Mr. William P. Durland, Asst. City Attorney
Ms. Carla Morrison, City Attorney's Office
Ms. Camila Kunau, City Attorney's Office
Ms. Roxanna Gonzales, City Attorney's Office
Ms. Denise Monday, City Attorney's Office
Mr. Dennis Drouillard, City Attorney's Office
Ms. Serina Dawson, City Attorney's Office

Mr. Ernani Falcone, Northwest Neighborhood Alliance, requested that the City Council reconsider adding term limits on the ballot.

Mr. Bob Martin, HTA, spoke in support of term limits.

Mr. Faris Hodge, Jr., 140 Dora, spoke in favor of term limits.

Ms. Maria J. Dominguez, spoke in favor of filling vacancies of Council members through the election process.

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke in favor of term limits.

Mr. Jack M. Finger, P.O. Box 12048, spoke on the lack of materials for citizens to review on the public hearing, and urged the City Council to obtain a petition on a proposed change to term limits.

Mr. Ruben Espronceda, expressed concern on the responsibilities of the City Auditor, and urged the City Council to review the proposed amendments.

Ms. Beth Thomas, spoke in favor of maintaining term limits.

Mr. Brett Thomas, spoke in support of term limits.

Ms. Susan Guinn, Assistant City Attorney, spoke against the amendment regarding civil service classification.

Mr. Andrew Dunrossil, spoke against removal of civil service protection.

Ms. Lauren O'Connor, Assistant City Attorney, spoke against removal of civil service protection, and urged the City Council to review the proposed amendment further before placing it on the ballot.

Ms. Nikki Kuhns, expressed concern on the lack of proper posting regarding the subject of term limits two weeks ago, and spoke against the introduction of fluoride into our water system.

Ms. Barbara Hernandez, expressed concern on environmental issues, and also spoke against fluoride.

Ms. Fanny Thomas, expressed concern on the removal of civil service protection for Assistant City Attorneys and other professionals.

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

The Clerk then read the following Ordinance:

AN ORDINANCE 94375

ORDERING A SPECIAL MUNICIPAL ELECTON TO BE HELD ON TUESDAY, NOVEMBER 6, 2001 FOR THE PURPOSE OF AMENDING THE CHARTER OF THE CITY OF SAN ANTONIO RELATED TO THE CITY AUDITOR, CITY ATTORNEY'S OFFICE AND CIVIL SERVICE SECTIONS; AS REQUESTED BY THE CITY COUNCIL CHARTER REVIEW COMMITTEE.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Moorhouse seconded the motion.

Mayor Garza explained the purpose of this Special Election and his reasons for postponing the vote on term limits and that he would rather concentrate on the accountability election.

Mr. Perez spoke on the deficiencies of term limits, but noted he would support the Mayor to move forward with the proposed package. He requested that the City Attorneys be patient, as the City Council proceeds in making our form of government more efficient.

Ms. Conner spoke on the petition process and added that the City Council is trying to institute good public policy and accountability.

Mr. Sanders stated that he will support this issue but had questions on the accountability proposition, and noted he supported the inclusion of the term limits issue.

Ms. Moorhouse stated she would support the Mayor's proposal and added that this was an effort to build a better future and foundation.

Mr. Schubert stated he favored the propositions, but noted his concern about the timing of this election because if any one of these propositions would pass, there can be no charter revision election on term limits for two more years. He spoke to the history of other Charter Revision Committees' and their recommendations, and stated he would prefer the appointment of a Blue Ribbon Committee to come back to the City Council with recommendations by June of 2002 for a vote on November of 2002.

At this point, Mayor Garza stated that Councilman Garcia, being out of town on official business, asked that his remarks be presented at this time.

Mr. Garcia via video spoke on behalf of postponing this issue until such time as the term limit proposition can be voted upon. He added that if this was not possible at this time, he would support the majority of the Council on what it deemed best.

Mr. Castro also stated that the issue of term limits should be considered in the future, however, he stressed the importance of the Better Jobs Issue. He then asked the City Attorney to address the civil service issue.

City Attorney Frank Garza recommended that the issue of the pros and cons of the civil service issue be discussed in Executive Session.

Mr. Barrera added that this was the beginning of a more efficient form of government as the accountability issue is very important.

Mr. Martin reiterated on the accountability issue, and stated he had the utmost respect for all City employees, but added that it was necessary to begin the process of establishing a new form of government.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Garza. **NAYS:** Schubert, Carpenter. **ABSENT:** Garcia.

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2001-30 There being no further business to come before the City Council, the meeting was adjourned at 7:44 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk