

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, JUNE 20, 2002.

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2002-25 The City Council convened in an informal "B" Session at 9:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A) **Annexation Plan.** (Presented by Emil Moncivais, Director, Planning Department.)

B) **Staff Update on Expenditure Reductions for Fiscal Year 2002.** (Presented by Lou Lendman, Director of Management and Budget.)

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

The "B" Session adjourned at 11:20 A.M.

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2002-25 The regular meeting was called to order at 1:15 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza.

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2002-25 Invocation by Father Jaime Diaz, St. Timothy Catholic Church.

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2002-25 Pledge of Allegiance to the flag of the United States.

Mayor Garza invited Ms. Sylvia Schmidt, Executive Director of the NRC, to come forward and recognize the 2002 Neighborhood Resource Center (NRC) Award Winners.

Mr. Wendell Davis, Chair, NRC Board of Directors, spoke on behalf of the NRC Board and thanked the Council for their recognition of the thirteen neighborhood organizations NRC Award winners.

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2002-25 **ON A POINT OF PERSONAL PRIVILEGE**

On a point of Personal Privilege, Councilman Garcia called forward Ms. Stella Guerra Nelson, Director of CityYear, along with various high school students in recognition of the teenagers' volunteer efforts. Ms. Nelson added that CityYear is an organization involving students from all over the country volunteer for community work, mentoring and support various community events. (A video depicting the type of efforts this group conducts was presented.)

Ms. Nelson thanked the Council for their recognition of the group's efforts.

City Council members thanked Ms. Nelson and the young members of City Year for all their service hours they contributed to help San Antonio become a better place in which to live.

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2002-25 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack M. Finger, P.O. Box 12048, spoke to today's ceremonial item regarding recognition of former City Council members.

Mr. Finger also discussed his concerns with regard to possible conflicts of interest for Items #17 and #20 on the agenda.

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2002-25 **CONSENT AGENDA**

Mr. Perez made a motion to approve Agenda Items 6 through 29B constituting the Consent Agenda. Mr. Carpenter seconded the motion.

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

AN ORDINANCE 95944

APPROVING AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH FAIRFAX COUNTY, VIRGINIA AND AUTHORIZING PARTICIPATION IN CONTRACTS BETWEEN FAIRFAX COUNTY, VIRGINIA AND HERMAN MILLER, INC., HAWORTH, INC., KNOLL, INC. AND STEELCASE, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH OFFICE FURNITURE ON AN ANNUAL CONTRACT BASIS THROUGH THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE FOR AN ESTIMATED COST OF \$200,000.00.

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AN ORDINANCE 95945

AUTHORIZING THE EXERCISE OF AN OPTION TO PURCHASE AN ADDITIONAL AIRCRAFT PASSENGER BOARDING BRIDGE FOR THE AVIATION DEPARTMENT FROM THYSSEN STEARNS, INC. AT THE CONTRACT PRICE OF \$284,674.00 AS APPROVED BY ORDINANCE NO. 95501; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95946

ACCEPTING THE LOW QUALIFIED BID OF ASC PAVING IN THE AMOUNT OF \$44,857.74 FOR THE CONSTRUCTION OF GATE GOURMET/PIEDMONT DRIVEWAY AS PART OF THE LOT 9 DEMOLITION & UPGRADE AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$4,500.00 FOR CONSTRUCTION CONTINGENCIES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95947

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, LTD., IN THE AMOUNT OF \$574,519.51 IN CONNECTION WITH THE DELGADO FROM NAVIDAD TO ZARZAMORA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING \$33,127.27 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$23,189.09 FOR PROJECT OVERSIGHT COSTS; AN ADDITIONAL \$7,151.20 PAYABLE TO S.M. GALINDO ENGINEERS, INC. FOR ENGINEERING EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95948

SELECTING LOCKWOOD, ANDREWS & NEWNAM, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE AVONDALE FROM NEW BRAUNFELS TO I.H. 37 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$71,000.00; AUTHORIZING \$7,680.00 FOR ADDITIONAL SERVICES; AUTHORIZING \$7,860.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95949

SELECTING LAKE/FLATO ARCHITECTS, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE PLAZA DE LAS ISLAS DEVELOPMENT PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED \$82,000.00 FROM 2001 CERTIFICATES OF OBLIGATION; AUTHORIZING \$3,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95950

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. (MBE) AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$92,600.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE LANARK DRAINAGE #92A, PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 10; AUTHORIZING \$19,443.00 FOR ADDITIONAL SERVICES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 67657, AUGUST 4, 1988.)

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AN ORDINANCE 95951

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH CALLE & ASSOCIATES, INC. (MBE) AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$84,480.00 FROM 1996 CERTIFICATES OF OBLIGATION FUNDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SUNSET FROM JONES-MALTSBERGER TO BROADWAY METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 84649, SEPTEMBER 5, 1996.)

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AN ORDINANCE 95952

AMENDING A PROFESSIONAL SERVICES CONTRACT WITH K.M. NG & ASSOCIATES, INC. AND AUTHORIZING ADDITIONAL FUNDS IN AN AMOUNT NOT TO EXCEED \$19,250.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE MOCKERT STREET AREA (MOCKERT, FORREST, W. LAMBERT, KLEIN, CASS) PROJECT, LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91875, JUNE 1, 2000.)

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AN ORDINANCE 95953

AUTHORIZING THE EXECUTION OF A LOCAL TRANSPORTATION ENHANCEMENT PROJECT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING PAYMENT OF \$4,740.30 FROM CERTIFICATES OF OBLIGATION FUNDS TO TXDOT IN CONNECTION WITH THE HAYS STREET BRIDGE REHABILITATION, BICYCLE, AND PEDESTRIAN ROUTE PROJECT, LOCATED IN COUNCIL DISTRICT 2; AUTHORIZING \$10,000.00 PAYABLE TO DUGGER, CANADAY, GRAFE, INC. FOR APPRAISAL SERVICES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95954

ACCEPTING THE LOW BID OF R.L. JONES CO., INC. IN THE AMOUNT OF \$119,740.00 IN CONNECTION WITH THE 2000/2001 ASPHALT SPEED HUMP, TYPE I INSTALLATION PROJECT LOCATED IN COUNCIL DISTRICTS 3 AND 5; AUTHORIZING \$37,091.58 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$668.42 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95955

AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO CONSTRUCTION AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND RIVERTON SUITES, LTD., TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION ON A HOTEL AT THE SOUTHEAST CORNER OF MARKET STREET AND NAVARRO STREET TO DECEMBER 31, 2002; AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE, UPON REASONABLE EXPECTATION THAT CONSTRUCTION WILL COMMENCE WITHIN THE FOLLOWING SIX (6) MONTHS, TO ADMINISTRATIVELY EXTEND THE CONSTRUCTION COMMENCEMENT DEADLINE FROM DECEMBER 31, 2002 TO JUNE 30, 2003, WITHOUT THE NECESSITY OF FURTHER CITY COUNCIL ACTION.

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AN ORDINANCE 95956

AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND PKF CONSULTING FOR HOSPITALITY ADVISORY SERVICES TO INCLUDE A HOTEL MARKET ANALYSIS AND SUPPORT OF THE PENDING DEVELOPER SOLICITATION AND SELECTION PROCESS FOR CONVENTION HEADQUARTERS HOTEL PROJECT; AUTHORIZING FUNDS IN AMOUNT NOT TO EXCEED \$46,000.00 FOR FEES AND EXPENSES IN CONNECTION WITH SAID AMENDMENT; AUTHORIZING AN ADDITIONAL \$60,000.00 FOR ADMINISTRATIVE COSTS RELATING TO THE PROJECT; APPROPRIATING FUNDS IN A TOTAL AMOUNT OF \$106,000.00; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NOS. 84071, MAY 9, 1996; ORDINANCE NO. 85739, MARCH 13, 1997.)

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AN ORDINANCE 95957

AUTHORIZING A TEN (10) YEAR LICENSE AGREEMENT WITH SANTIKOS BANDERA/1604 LTD., TO CONSTRUCT A STORMWATER DETENTION BASIN IN A PORTION OF PUBLIC DRAINAGE RIGHT OF WAY NEAR THE INTERSECTION OF NORTH LOOP 1604 WEST AND BANDERA ROAD, FOR THE CONSIDERATION OF \$5,000.00.

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AN ORDINANCE 95958

AUTHORIZING PAYMENT IN THE AMOUNT OF \$16,010.75 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS - HAUSMAN TO DEZAVALA (\$90.40), BASSE ROAD AND SAN PEDRO INTERSECTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$108.00), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT (\$7,127.45), CULEBRA DRAINAGE #58F PROJECT (\$2,803.60), FIRE STATION NO. 25 PROJECT (\$747.40), HIGGINS ROAD - NACOGDOCHES TO STAHL PROJECT (\$108.00), PECAN VALLEY - I.H. 10 TO J STREET METROPOLITAN PLANNING ORGANIZATION PROJECT (\$73.80), SALADO CREEK GREENWAY (HIKE & BIKE) PROJECT (\$174.38), ST. MARY'S - ALAMO TO PEREIDA PROJECT

(\$3,005.58), AND THE THOUSAND OAKS INTERSECTIONS PROJECT (\$1,772.14); REVISING THE BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95959

AUTHORIZING GENERAL OBLIGATIONS OF THE CITY IN THE AMOUNT OF \$344,677.00 FOR ACQUISITION OF FEE SIMPLE TITLE TO TWENTY EIGHT (28) PARCELS OF REAL PROPERTY AND DECLARING THE SUNSET PHASE II - TEAK TO BROADWAY METROPOLITAN PLANNING ORGANIZATION PROJECT ("PROJECT") TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF THE FEE SIMPLE TITLE TO PRIVATELY OWNED REAL PROPERTY DESCRIBED BELOW, BY NEGOTIATIONS AND/OR CONDEMNATION, IF NECESSARY, FOR PUBLIC IMPROVEMENTS FOR USE AS A PART OF THE PROJECT; ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS; BEING FOR A PUBLIC PURPOSE; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS INCLUDING MISCELLANEOUS EXPENSES ASSOCIATED WITH THE PROJECT SUCH AS APPRAISALS AND ATTORNEY'S FEES; AUTHORIZING NEGOTIATIONS AND ACQUISITION ON THE APPROVED TERMS; AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; THE PROPERTY TO BE ACQUIRED IS:

PARCEL NO.	ACRE(S)	LOT(S)	NCB	SUBDIVISION
14-14664	0.015	56F and 56G	11883	Olmos Park Heights
16-14666	0.019	58	11883	Olmos Park Heights
18-14668	0.014	60	11883	Olmos Park Heights
15-14665	0.025	64 and 63	11884	Olmos Park Heights
13-14663	0.017	66	11884	Olmos Park Heights
39-14689	0.009	18	11187	Loma Vista
37-14687	0.009	18	11887	Loma Vista
35-14685	0.009	19	11887	Loma Vista
33-14683	0.009	19	11887	Loma Vista
31-14681	0.009	20	11887	Loma Vista
29-14679	0.009	20	11887	Loma Vista
27-14677	0.009	21	11887	Loma Vista
25-14675	0.009	22	11887	Loma Vista

23-14673	0.007	23	11887	Loma Vista
21-14671	0.014	23 and 24	11887	Loma Vista
19-14669	0.012	24	11887	Loma Vista
17-14667	0.020	25	11887	Loma Vista
40-14690	0.026	31 and 32	11888	Loma Vista
38-14688	0.009	30	11888	Loma Vista
36-14686	0.009	30	11888	Loma Vista
34-14684	0.008	76	11888	Loma Vista
32-14682	0.009	29	11888	Loma Vista
30-14680	0.010	28	11888	Loma Vista
28-14678	0.008	28	11888	Loma Vista
26-14676	0.008	81	11888	Loma Vista
24-14674	0.010	27	11888	Loma Vista
22-14672	0.010	26	11888	Loma Vista
20-14670	0.010	26	11888	Loma Vista

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AN ORDINANCE 95960

AMENDING ORDINANCE NO. 95339, PASSED AND APPROVED FEBRUARY 21, 2002, AUTHORIZING THE APPROPRIATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$4,950.00 FOR ACQUISITION OF FEE SIMPLE TITLE TO TWO (2) PARCELS OF PRIVATELY OWNED REAL PROPERTY IN CONNECTION WITH THE YELLOWSTONE MISSION ROAD TO ROOSEVELT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; BY APPROPRIATING AN ADDITIONAL \$150.00 FOR A TOTAL AMOUNT OF \$300.00 PAYABLE TO THE SAN ANTONIO CONSERVATION SOCIETY FOUNDATION FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND IN CONNECTION WITH THE YELLOWSTONE - MISSION ROAD TO ROOSEVELT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE EXECUTION OF ALL RELATED DOCUMENTS; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95339, FEBRUARY 21, 2002.)

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AN ORDINANCE 95961

AUTHORIZING FUNDS IN THE AMOUNT OF \$1,975.00 PAYABLE TO DUGGER, CANADAY, GRAFE, INC., FOR EXPERT TESTIMONY AND APPRAISAL SERVICES IN CONNECTION WITH THE HOUSTON STREET - WALTERS TO ONSLOW METROPOLITAN PLANNING ORGANIZATION PROJECT (\$825.00), MEDICAL AT FREDERICKSBURG METROPOLITAN PLANNING ORGANIZATION PROJECT (\$800.00), AND THE SOUTHCROSS BOULEVARD - NEW BRAUNFELS TO PRESA METROPOLITAN PLANNING ORGANIZATION PROJECT (\$350.00); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95962

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,606.37 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE FEES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III & V (\$250.00), HOUSTON STREET - WALTERS TO ONSLOW METROPOLITAN PLANNING ORGANIZATION PROJECT (\$444.79), MISSION TRAILS PACKAGE IV METROPOLITAN PLANNING ORGANIZATION PROJECT (\$475.79), AND THE STAHL ROAD AT O'CONNOR AND JUDSON RECONSTRUCTION METROPOLITAN PLANNING ORGANIZATION PROJECT (\$435.79); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 95963

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR STATE/FEDERAL ASSISTANCE PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$77,286.00, TO BE USED FOR CONTINUATION OF PERSONNEL EXPENSES FOR THE DEPARTMENT SYSTEMS SUPERVISOR CURRENTLY FUNDED BY THE TECHNICAL ASSISTANCE NEGOTIATED GRANT.

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AN ORDINANCE 95964

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL ASSISTANCE PROVIDED THROUGH THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$238,947.00, TO BE USED FOR ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN CENTER.

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AN ORDINANCE 95965

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE BROOKS AEROSPACE FOUNDATION (BAF) IN THE AMOUNT OF \$50,000.00 TO BE CONTRIBUTED TOWARD THE MANAGEMENT AND OPERATION OF THE CHALLENGER LEARNING CENTER OF SAN ANTONIO FOR THE PURPOSE OF PROMOTING PUBLIC INTEREST IN SCIENCE, MATHEMATICS AND TECHNOLOGY THROUGH INTERACTIVE AEROSPACE EDUCATION.

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AN ORDINANCE 95966

APPOINTING JACQUELINE CARRILLO TO THE SAN ANTONIO YOUTH COMMISSION (MAYOR) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2004.

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AN ORDINANCE 95967

APPOINTING ANNIE URIBE TURNER (MAYOR) AS DIRECTOR/ TRUSTEE AND CINDY TAYLOR (DISTRICT 3) AS TRUSTEE FOR TERMS OF OFFICE TO EXPIRE ON MAY 9, 2005 AND REAPPOINTING ROOSEVELT TENNESSEE (DISTRICT 2) AS DIRECTOR FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 2004 TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY.

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AN ORDINANCE 95968

APPOINTING PAUL MILLER TO THE TAX PHASE IN ADVISORY COMMITTEE (DISTRICT 9) FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2003.

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AN ORDINANCE 95969

REAPPOINTING PAULA MASSENGALE TO THE DISABILITY ACCESS ADVISORY COMMITTEE (CONSUMER OF HANDICAPPED SERVICES CATEGORY - DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004.

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AN ORDINANCE 95970

APPOINTING RAMON QUINTERO TO KEEP SAN ANTONIO BEAUTIFUL, INC. (DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 2002.

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AN ORDINANCE 95971

APPOINTING HENRY R. AVILA TO THE ZONING COMMISSION (DISTRICT 4) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2003.

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AN ORDINANCE 95972

APPOINTING FIVE (5) INDIVIDUALS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FOURTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO SKY HARBOR DEVELOPMENT PROJECT, FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004. [NOMINEES: ABRAHAM ELLIOTT, LANCE F. ELLIOT, HARRY HAUSMAN, LAURA HAUSMAN AND ABEL TOVAR]

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AN ORDINANCE 95973

APPOINTING FIVE (5) INDIVIDUALS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF SAN ANTONIO, TEXAS, COMMONLY REFERRED TO AS NORTH EAST CROSSING DEVELOPMENT PROJECT, FOR A TERM OF OFFICE TO EXPIRE JUNE 30, 2004. [NOMINEES: RAOÚL BERLANGA, DANIEL P. DIEPENHORST, BECKY PENCE-THOMAS, MOLLIE J. SHIPLER AND KEN WRIGHT]

— — —
2002-25 MEETING OF THE BOARD OF DIRECTORS OF THE SAN ANTONIO HOUSING TRUST FINANCE CORPORATION (SAHTFC).

Mayor Garza called for a Recess from the regular City Council meeting and moved to convene to the meeting of the Board of Directors of the San Antonio Housing Trust Finance Corporation (SAHTFC).

Mr. David D. Garza, Director, Neighborhood Action Department, and Mr. John Canaday, Director, Housing Trust, made a presentation on 2002 Single Family Mortgage Revenue Bond and Mortgage Credit Certificate Program, a copy of which is attached to the papers of this meeting. Mr. Garza introduced the resolution, Purpose of Programs, 2002 Mortgage Revenue Bonds/Mortgage Credit certificates Program, Lender Participants, targeted and non-targeted areas, federally targeted census tracts within Bexar County, priority loan areas, down payment assistance, risk and rewards, and financial impact, a copy of the PowerPoint presentation is on file with the papers of this meeting.

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

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

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, took exception to the 2002 Single Family Mortgage Revenue Bond and Mortgage Credit Certificate Program.

Mr. Faris Hodge, Jr., 140 Dora, expressed his concerns regarding membership of the Council members on various subcommittees, and his intentions to write to the Attorney General and the Secretary of State on this matter.

Councilman Perez spoke regarding the City Council regularly convening to set up corporations as today's meeting for the Board of Directors of the San Antonio Housing Trust Finance Corporation (SAHTFC). He noted the sessions are to protect the assets and citizens of San Antonio, and to achieve policies of the City. He added that the SAHTFC is committing to a joint effort with Bexar County to prioritize areas targeted inside of Loop 41 and Highway 90 with Tax Increment projects throughout the City to development home ownership. He then thanked the County staff for their efforts on this item.

In response to Councilman Garcia regarding the sale of these bonds, Mr. Canaday stated the staff responsible for the sale of bonds on this contract consists of two senior underwriters, one Bexar County employee and one City employee. He also stated that SouthWestern Capital Markets and William Huffman are the accounting managers for this project.

Councilman Garcia stated he would like to see more minority participation over the current 20 percent.

Mr. Sanders thanked Mr. Perez as Chairman of this Committee in an effort to bring together two programs for the betterment of the community.

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

With no other citizens signed up to speak, Mayor Pro Tem Sanders closed the hearing.

(Mayor Garza returned to the meeting and presided.)

The City Clerk read the following Resolution:

A RESOLUTION

RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$25,000,000.00 OF SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2002; APPROVING THE FORM AND SUBSTANCE OF A TRUST INDENTURE, AN ORIGINATION AND SERVICING AGREEMENT, A PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND AN

OFFERING DOCUMENT; AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT A SINGLE FAMILY MORTGAGE PURCHASE PROGRAM; AUTHORIZING A MORTGAGE CREDIT CERTIFICATE PROGRAM; AUTHORIZING A LOAN FROM SAN ANTONIO HOUSING TRUST FOUNDATION, INC.; AUTHORIZING AN AGREEMENT WITH BEXAR COUNTY HOUSING FINANCE CORPORATION; NAMING THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. TO PROVIDE STAFF SERVICES TO THE CORPORATION; MAKING CERTAIN FINDINGS AND DETERMINATIONS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Mayor Garza adjourned the meeting of the San Antonio Housing Finance Corporation and reconvened the regular City Council meeting as follows.

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2002-25 The Clerk read the following Resolution:

A RESOLUTION
NO. 2002-25-26

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$25,000,000.00 OF SAN ANTONIO HOUSING TRUST FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE BONDS, SERIES 2002 AND MORTGAGE CREDIT CERTIFICATES; AND CERTAIN RELATED ACTIONS.

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

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

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2002-25 The Clerk read the following Ordinance:

A RESOLUTION
NO. 2002-25-27

A RESOLUTION AUTHORIZING THE BEXAR COUNTY HOUSING FINANCE CORPORATION TO USE PROCEEDS OF HOUSING MORTGAGE REVENUE BONDS WITHIN THE CITY LIMITS OF SAN ANTONIO.

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The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to Ordinance #95579 on April 4, 2002 regarding his opposition to the PGA Village.

He also spoke to his concerns regarding the consolidation of the new City Council committees on Item #30. He noted his opposition to the funds allotted for Item #31.

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

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

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2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95974

AMENDING ORDINANCE NO. 94091 BY CONSOLIDATING THE TWENTY FOUR CITY COUNCIL COMMITTEES THAT WERE CREATED AND APPOINTED ON JUNE 14, 2001 INTO SEVEN NEW COMMITTEES WITH NEW MEMBERS; AS REQUESTED BY MAYOR EDWARD GARZA. (AMENDS ORDINANCE NO. 94091, JUNE 14, 2001.)

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

Mayor Garza discussed the task and challenge of Council Subcommittees, and stated that the Council members have recommended consolidating the existing twenty-four (24) City Council committees into seven new committees.

The new Council Committees are: Economic and Human Development, Governance, Intergovernmental Relations, International Relations, Military Affairs, and quality of Life (as listed on Attachment I of this ordinance).

Mayor Garza asked that Committee Chairs set committee agendas before they meet in August. He added that the time life for achieving individual committee goals is expected to change with the input of the committee members.

Councilman Perez made a motion to amend the ordinance by removing Councilman Sanders from the City's Community Action Advisory Board. Mr. Garcia seconded the motion.

Councilwoman Conner thanked Mayor Garza for his efforts on these subcommittees.

Mayor Garza spoke to the development of minutes and distribution of minutes to support these subcommittees. He encouraged committee members to proceed with the budget process, maintain regular attendance and to continue to add structure to the committees before August.

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

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

— — —
2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95975

APPROVING THE ENTERPRISE RESOURCE PLANNING (ERP) AND CUSTOMER RELATIONSHIP MANAGEMENT (CRM) COMPONENTS OF PHASE III OF THE ENTERPRISE RESOURCE MANAGEMENT (ERM) PROJECT TO THE EXISTING

CONTRACT (ORDINANCE NO. 94040, APPROVED MAY 31, 2001) WITH DELOITTE CONSULTING L.P. TO OBTAIN PROFESSIONAL SERVICES FOR THE IMPLEMENTATION OF ERP AND CRM SYSTEMS; APPROPRIATING AND ENCUMBERING FUNDS IN AN AMOUNT NOT TO EXCEED \$48,402,500.00; AUTHORIZING PAYMENT AND EXECUTION OF THE REQUIRED DOCUMENTS; AND DELEGATING THE AUTHORITY TO APPROVE CHANGE ORDERS AS MAY BE REQUIRED BY THE CITY OF \$25,000.00 OR LESS TO THE DIRECTOR OF FINANCE.

* * * *

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

Mr. Milo Nitschke, Director of Finance, narrated a power point presentation, a copy of which is on file with the papers of this meeting. He outlined Staff's recommendation for approval of the Phase III Enterprise Resource Management (ERM) Project – Enterprise Resource Planning (ERP)/Customer Relationship Management (CRM) Software and Consulting Services to include background, ERM Project safeguards, ERM project overview, ERP software vendor selection process, site visits and references. He also discussed SAP Business Agreement, Deloitte Consulting Agreement, SBEDA Participation in Consulting Fees, Summary of Costs, Implementation Schedule, and ERP/CRM Phase II and ERM Implementation.

Mr. Nitschke introduced Ms. Barbara Rivera, Vice President Government Business Unit, who acknowledged SAP Public Service, Inc. (SAP's) commitment to the City and success to this project. Ms. Rivera discussed the following as depicted by a power point presentation (a copy of which is in file with the papers of this meeting): SAP in government, SAP's vision and commitment to the City of San Antonio, E-Government, State and Local Government – US customers, Federal Government – US customers, and companies that use SAP in San Antonio.

Mayor Garza thanked staff for the presentation and process of the proposal, and noted that the investment will not exceed \$48 million.

In response to Mayor Garza's question as to what this investment means and the justification for the cost, Ms. Terry M. Brechtel, City Manager, stated the City is totally in support of this proposal for a customer service development/services financial package to include areas for Human Resources, Budget, and Purchasing. She noted this proposal is recognized as a significant investment for the citizens, and the City is totally focused on improving its services. Ms. Brechtel stated this software will help move the city into

reengineering production processes; i.e., paying bills, customer services, and other significant improvements.

Ms. Brechtel noted that considerations will be taken into the system and the redesign of the functional processes to better provide support for the City Council with a quality customer service model. She added that this package has numerous benefits to include tracking of customer demands and information for City Council members to better understand the citizenry. She added that in terms of investment, it is the best proposal for the money through the processes that have been utilized.

Ms. Brechtel explained that various price scenarios were considered, and the proposed system has multiple components. In particular, she noted an integration component that will integrate many of the City's current systems. She stated the City is taking less of a risk by considering a proposal at a fixed price manner by consultants who would be required to deliver a product within a thirty-day period.

Ms. Brechtel added it is the City's desire to take the ERM system, and to have the knowledge and the training to utilize the software for maximum capacity, while recognizing that these factors have costs elements. She stated the consultants will be sought for guidance and assistance in the transition throughout the organization.

In response to Mayor Garza regarding accountability measures in the process and project compliance, Ms. Brechtel stated the contract includes audit provisions as in any other contract.

Mr. Nitschke responded to Councilman Sanders regarding dual roles of this contract, and stated that Deloitte and Touche are the consultants who will conduct 25% of the auditing, and Garza/Gonzales (GG) as subcontractors will audit 75% of the contract.

Councilman Garcia commended staff on their efforts on this proposal. In response to his question regarding Phase III of the contract involving Implementation and Garza/Gonzales's role, Mr. Chip Blagg, Deloitte Consultant, stated that Garza/Gonzales, Associates has honored that commitment. Mr. Blagg stated that Garza/Gonzales, Associates maintains accounting through various technology, and that they have provided a list including certifications, training and staff, and a variety of issues related to technology.

Rene Gonzales, Senior Partner representing Garza/Gonzales, Associates, spoke to their partnership with national firms, and stated it is Deloitte's responsibility that the product be delivered to the City. He assured City Council that the product will be top quality and managed by dependable personnel.

Councilman Garcia stated his confidence in both companies, and will rely on the SBEDA requirements for minority contractors with such contracts. He stated the purpose of the SBEDA is to facilitate in assisting for minority contractors to ultimately be considered for major contracts as this. Mr. Garcia noted his support on this proposal and for the City to moving technologically forward.

In response to Mr. Garcia, Mr. Gonzales stated that in anticipation of the company's growth, their technological staff complement will be enhanced to provide the best product the City can expect.

Discussion continued on the issue of who would be selected to provide the remainder of the contract if Gonzales/Garza has 25% of the contract.

Mr. Garcia then made an amendment to the motion that the 32.5% stay the same on this contract, except with the SBEDA portion of the contract until that time that a list of 40+ contractors may be reviewed to determine which best benefits the City. Councilman Sanders seconded the motion.

In response to Mr. Perez, Ms. Brechtel clarified the auditing perspective and explained that the first component includes a separate group who will be working on the auditor contract. She added the second component begins once the audit is completed whereby measures will be used to keep the ERM component separate from the audit functions; and finally, that the City always has the opportunity to look at that configuration to make sure there is that independence.

Mr. Blagg stated that the Government Accounting Office (GAO) had provided clarification of the rules, which state that the auditing perspective will be a total separation from the consulting functions from the prime contract perspective.

In response to Mr. Perez regarding the role of Internal Review, Ms. Brechtel stated that there is a position dedication for the ERM project.

In response to Mr. Perez with regard to minimum limits required for general liability, Mr. Nitschke stated the City sought to identify the liable party from the onset. He stated the coverage factor for the development services, work order, and integration of all those system is the responsibility of Deloitte who are obligated up to \$ 1.4 million if they fail to provide that portion with respect to the software. Mr. Nitschke added that with respect to what is being covered, it is two times of whatever the amount; the risk being a low probability .

Mr. Blagg added that there would be a sufficient amount of coverage, and as a result of the litigation process, the City's portion would be \$3.5 million.

Mr. Nitschke also stated that insurance coverage is \$10 million in liability.

Councilman Perez commended staff on their work for this project.

In response to Mayor Garza on the issue of a separation of two funds and independence of employees within the firm, Mr. Gonzales stated a separation has been implemented.

In response to Councilman Carpenter and his concerns regarding safeguards to protect the City against the fast pace and unknowns of high tech, Ms. Brechtel gave assurance in that other cities have successfully completed an ERM process. She added that in terms of San Antonio obtaining software that will incorporate current systems, our City will be ahead of the curve and coming up to par by taking advantage of what other cities have had to learn the hard way.

In response to Mayor Garza, Ms. Brechtel stated commitments from Deloitte & Touche confirm there are no conflicts of interest, and that this issue may be studied again in the future.

Council Schubert stated his concerns to the main motion, and is familiar with this type of contract. In response to Mr. Schubert regarding sufficient safeguards, Mr. Andrew Martin, City Attorney, expressed his confidence in City staff, and called on City Attorney Bill Wood who has worked on this project for the last two years. Mr. Wood reassured the Council that staff had done as much as possible to make sure the proper tools are in place to monitor the performance, and protect the City.

Mr. Schubert reiterated his concerns about safeguards on a project of this magnitude, and how staff felt about Internal Review's performance. Ms. Brechtel responded that additional staff has come on board to assist the City team. She stated she feels confident on the success of the project in that the City team includes a City Manager with a dual process to insure that the City will adhere to the implementation to this project, as well as to monitor the contracts.

Councilman Schubert acknowledged the need for an independent entity who could review this contract, begin implementation and report to the Council on a timely basis if something goes wrong. He noted he would support this motion, and stated that while he understood the integration process, he would be pushing for Internal Audit to review this project.

Mr. Brechtel stated that a staff person is dedicated to work with the consultants and with the Council to assure this project is successful.

In response to Councilman Castro's concern regarding the issue of Deloitte's plans of dividing and how comfortable Mr. Gonzales was with that split, Mr. Gonzales stated his firm would be willing to commit to that split.

Mr. Castro stated he would be sending the contract back to the Council for review of the list of providers in an effort to better serve the citizens.

Mayor Garza responded that the issue dealt with splitting the percentage rather than who would get the small SBEDA contract.

Councilman Garcia stated his question related to patronage in an effort to give a fair percentage based on the dollar value of the contract. He added if he pulls back his motion, he would request the Technology Committee and Deloitte & Touche review the list of potential contractors to select the most qualified for the job; and secondly, that the City staff review the list as well.

Ms. Brechtel responded that these items be included as conditions to Deloitte's contract where Deloitte be separated, and secondly, a subsequent meeting with City staff to determine who are the best firms with the best knowledge and expertise, and in keeping with SBEDA guidelines.

In response to Mayor Garza, Mr. Wood stated the contract with Deloitte is that they comply with the SBEDA program, and added that during performance, if a contractor finds that they cannot perform the contract as set out with the firms, there is recourse to an appeals process for the City to adjust and supplement.

Councilman Garcia stated that if Councilman Sanders approves, he would withdraw his motion.

Councilman Sanders concurred and withdrew his second to the motion.

Mayor Garza stated the Council has concurred to move forward in authorizing to implement the ERP systems but because of the dialog and direction today, directed that staff and Deloitte address two issues: The first issue is regarding the structure of a corporation; and that staff and Deloitte assess the qualifications of firms who have submitted their letters of interest, make recommendations to this contract and maximize dollars that will be spent. He directed that staff review and bring back to Council for a presentation.

Councilman Garcia thanked his colleagues and plans for them to move forward for the City to hire a firm to do an independent review.

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

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2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95976

SELECTING SAP PUBLIC SERVICES, INC. TO PROVIDE THE CITY OF SAN ANTONIO WITH ENTERPRISE RESOURCE PLANNING (ERP) AND CUSTOMER RELATIONSHIP MANAGEMENT (CRM) SOFTWARE IN AN AMOUNT OF \$3,895,466.00 FOR THE ACQUISITION OF PROPRIETARY SOFTWARE LICENSES; PROVIDING FOR THE TRAINING OF PROJECT PERSONNEL IN AN AMOUNT NOT TO EXCEED \$400,000.00; PROVIDING FOR SERVICE AND MAINTENANCE FOR FIVE YEARS AT AN INITIAL AMOUNT OF \$666,370.00 PER YEAR AND PROVIDING FOR ADJUSTMENT IN FEES SUBJECT TO A MAXIMUM ANNUAL INCREASE; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

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

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2002-06 The Clerk read the following Ordinance:

AN ORDINANCE 95977

APPROVING THE CREATION OF SIX ADDITIONAL PERSONNEL POSITIONS; APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTIONS TO COMPLETE THE IMPLEMENTATION OF THIS ORDINANCE.

* * * *

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, Garcia, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** None.

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2002-25 The Clerk read the following Resolution:

A RESOLUTION
NO. 2002-25-28

SUPPORTING THE REESTABLISHMENT OF THE MISSION TRAILS OVERSIGHT COMMITTEE FOR THE PURPOSES OF ADVISING THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ON FUNDING, PROJECT MANAGEMENT, AND CONSTRUCTION OF THE FINAL PHASES OF THE MISSION TRAILS PROJECT, LOCATED IN COUNCIL DISTRICTS 1 AND 3; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE, DISTRICT 3.

* * * *

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

Mr. Tom Wendorf, Director of Public Works Department, presented the Mission Trails Oversight Committee Appointments, a copy of which is on file with the papers of this meeting. Mr. Wendorf spoke to the project overview, project status, Resolution for Mission Trails Oversight Committee appointments and purpose.

Ms. Moorhouse made a motion to amend the Resolution by adding three entities to this list: North American Indians, Spanish Colonial Missions and the Hispanic Chamber of Commerce. Mr. Sanders seconded the motion.

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

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

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2002-25 Item 33 being a proposed ordinance considering amendments to or the repeal of Ordinance no. 95579, enacted April 4, 2002, approving a Development Agreement among the City of San Antonio, the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, and Lumbermen's Investment Corporation on the terms and conditions set out therein; providing for, and conditioned upon, ratification of the proposed agreement by the district's governing body upon its formation; and providing for the execution of all necessary documents required pursuant to that Development Agreement; as requested by Mayor Edward Garza, was pulled from consideration by the City Manager.

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2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95978

AUTHORIZING THE EXPENDITURE OF \$500.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE ALL AMERICAN ARMED FORCES PARADE ASSOCIATION, TO BE USED TO HELP DEFRAY THE COSTS OF SETTING UP BARRICADES FOR THE PARADE THAT WAS HELD ON MAY 19, 2002; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95979

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PECAN VALLEY NEIGHBORHOOD ASSOCIATION, TO BE USED TO HELP DEFRAY THE COSTS ASSOCIATED WITH NATIONAL NIGHT OUT ACTIVITIES TO BE HELD ON TUESDAY, AUGUST 6, 2002; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

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

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2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95980

AUTHORIZING THE EXPENDITURE OF \$100.00 FROM THE DISTRICT 3 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE SUNNY SLOPE/PASADENA HEIGHTS NEIGHBORHOOD ASSOCIATION, TO BE USED TO OFFSET COSTS ASSOCIATED WITH NATIONAL NIGHT OUT ACTIVITIES TO BE HELD ON TUESDAY, AUGUST 6, 2002; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

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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, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

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2002-25 The Clerk read a proposed ordinance authorizing the expenditure of \$200.00 from the District 3 Contingency Account Fund, payable to the San Antonio Mustangs basketball team, to be used to help defray the costs for uniforms, tournament fees and travel expenses to the Amateur Athletic Union National Tournament to be held Saturday June 22, 2002 through Sunday June 30, 2002 in Memphis, Tenn.; as requested by Councilwoman Antoniette Moorhouse.

Mr. Perez made a motion to approve the proposed Ordinance with additional funds from the following Districts: District 1 - \$100; District 2 - \$50.00; District 6 - \$100; District 11 - \$150. Ms. Moorhouse seconded the motion.

The Clerk then read the following Ordinance:

AN ORDINANCE 95981

AUTHORIZING THE TOTAL EXPENDITURE OF \$600.00 FROM VARIOUS CITY COUNCIL CONTINGENCY ACCOUNT FUNDS, PAYABLE TO THE SAN ANTONIO MUSTANGS BASKETBALL TEAM, TO BE USED TO HELP DEFRAY THE COSTS FOR UNIFORMS, TOURNAMENT FEES AND TRAVEL EXPENSES TO THE AMATEUR ATHLETIC UNION NATIONAL TOURNAMENT TO BE HELD SATURDAY JUNE 22, 2002 THROUGH SUNDAY JUNE 30, 2002 IN MEMPHIS, TENN. AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

* * * *

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

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2002-25 The Clerk read the following Ordinance:

AN ORDINANCE 95982

AUTHORIZING THE EXECUTION OF A RENEWAL AND EXTENSION OF A LEASE AGREEMENT-CITY COUNCIL DISTRICT 5 OFFICE SPACE WITH THE AVENIDA GUADALUPE ASSOCIATION, AS LANDLORD, FOR THE RENTAL OF

APPROXIMATELY 435 SQUARE FEET OF OFFICE SPACE AT 1408 EL PASO, FROM JULY 1, 2002 THROUGH JUNE 20, 2005 AT THE RATE OF \$200.00 PER MONTH, CONTINGENT UPON ANNUAL APPROPRIATION OF FUNDS AND WITH A RIGHT TO RENEW AND EXTEND FOR AN ADDITIONAL ONE (1) YEAR PERIOD ON THE SAME TERMS AND CONDITIONS, SUBJECT TO CITY COUNCIL APPROVAL; AS REQUESTED BY COUNCILMAN DAVID GARCIA.

* * * *

Mr. Sanders 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, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Martin, Garcia.

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2002-25 **CITY MANAGER'S REPORT**

Melissa Vossmer introduced Mr. Dan Cardenas, Director, Environmental Services, who presented the City's new brush pickup program and action plan to increase compliance.

Ms. Brechtel stated that the City staff is aware of Council's concerns on brush collection, and Mr. Cardenas and his staff will address their concerns.

— — —
2002-25 **CITIZENS TO BE HEARD**

MR. FRANK BARTLETT

Mr. Frank Bartlett, Case Manager, Executive Discussion Group Renewal, spoke to the issue of salaried employees. He also expressed his concern over the lack of parking meters and the fact that his car was towed.

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

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MR. JUAN SOLIS

Mr. Juan Solis, representing the American Federation of State and County Employees, Local 2349, expressed his concerns over not enough safety measures for refuse collectors who handle potentially dangerous materials in their daily work. He urged City Council to consider changes to keep these employees safe in their job.

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MS. NANCY ENGLEBERT

Ms. Nancy Englebert thanked Judy Babbitt, Planning Department, for the larger printing of the City Council Agenda. She also expressed her concern about the lack of Parks and Recreation activities for the summer.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to the Agenda of May 30, 2002, related to violation of state law.

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MS. ELODIA ZUNIGA

Ms. Elodia Zuniga, 130 Hearn Ave., came forward to discuss several murders in her neighborhood, and complained about the activity in the area.

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MS. OLIVA ZUNIGA

Ms. Olivia Zuniga also spoke to several personal concerns about this area.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, submitted a report to the staff of the City Clerk and also spoke to the issue of PGA petition verification conducted by the City Clerk's Office.

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MS. NICKKI KUHNS

Ms. Nickki Kuhns, 14003 Fairway Oaks, spoke to the affidavit submitted to the City Attorney on fluoridation and took exception to the introduction of fluoride into the water system.

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2002-25 The meeting was recessed at 5:13 p.m. and re-adjourned at 5:30 p.m. for the public hearing on redistricting.

— — —
2002-25 **PUBLIC HEARING AND CONSIDERATION OF ORDINANCE: COUNCIL COMMITTEE ON REDISTRICTING.**

Mayor Pro Tem Sanders declared the Public Hearing to be open.

Mr. Frank Garza, General Counsel, discussed the background of the implementation of the Council Committee on Redistricting. He discussed the overview, legal requirements, City Charter requirements, the Census Reveals Population Imbalance Before and After Redistricting, legal obligations in Redistricting, timeline for preclearance, retrogression, redistricting legal standards, Single Member Districts Changes since the adoption in 1977. He noted that the records indicate that the City has become more Hispanic during the past three decades. He expounded upon the 2000 Census and San Antonio Council Districts, factors to consider when redistricting, public hearings, timeline for Redistricting, Redistricting maps, and the next steps for City Council.

Mr. Garza requested direction from City Council as to which map to send forward to the Department of Justice.

Mr. Rolando Rios, Consultant, presented eight plans, all variations of the original S1 and S2 plans.

The following citizen(s) appeared to speak:

Mr. Dominick Dina, 9050 Ryelle, spoke on behalf of Guilbeau Park and Gardens at Guilbeau. He stated the proposed redistricting map boundaries will affect Guilbeau Road and split Guilbeau Gardens in two. He added that by moving the boundary to Braun Road, it would alleviate splitting these two neighborhoods and would maintain geographical boundaries. He expressed concerns that the new S9 and S10 maps also split these two neighborhoods. Mr. Dina requested adding precinct 2076 to alleviate splitting neighborhoods between two council districts.

Mr. Harold Fears, 200 Chickering, Pasadena Heights Neighborhood Association, spoke to his objection to adding precinct 1021 to District 3.

Mr. Harold Jackson, 100 Dasaleo, stated the City Council should not add precinct 1021 to their neighborhood.

Mr. Ramon Quintero, 510 Hicks, expressed his concerns to the redistricting proposal.

Ms. Virginia Gill, Lackland Terrace Association, expressed her objections to the carving out of sections of various districts in her neighborhood and prefers to not proceed with the redistricting.

Ms. Irene Ritchman, representing the Lackland Terrace Association, stated that she had attended previous public hearings in District 6 and felt that the maps provided were not accurate. Ms. Ritchman expressed her objections to the redistricting proposals that would not be appreciated in her neighborhood.

Mr. Jody Sherrill, Northwest Neighborhood Association, expressed concern on neighborhoods being split. He also stated that while the proposal may already be in the making, he is concerned that these districts may not properly reflect their growth in the future.

Mr. Richard Kleinjan, 7919 Westshire, spoke to his longtime residence in the Lackland Terrace Neighborhood. He expressed his objections to the redistricting and how it should not be dividing his neighborhood.

Mr. Richard Diaz, 543 Chicago, spoke to precinct 1021 and the proposed redistricting and his agreement with Plan #10.

Mr. Faris Hodge, Jr., 140 Dora, spoke to his ten-page report to the State of Texas regarding the redistricting proposal.

Ms. Connie Boyle, Shearer Hills/Ridgeview Neighborhood Association, spoke on behalf of her neighbors, and stated she is looking forward to becoming part of District 1, but she and her neighbors have objections to part of their districts being redesigned into other districts. She spoke to the criteria used to determine the redistricting which includes commercial sections.

(Mayor Garza returned to the meeting and presided.)

Ms. Boyle asked Council to reconsider the redistricting proposal.

Ms. Nancy Englebert, Heritage Northwest, noted that she felt a disparity of service to District 4. She offered her solution to the redistricting which would better serve her neighborhood.

* * * *

Mayor Garza closed the public hearing.

In response to Mr. Perez, Mr. Frank Garza reiterated the goals and mandates of the Justice Department. He stated that in using the 2000 census, the population in all districts were a challenge, nothing that District 5 was the least populated and Districts 1, 2 and 3 had to grow so the shift would be to the east and west to try and maintain seven minority districts.

In response to Councilman Perez's request to discuss the task of redistricting, Mr. Garza stated that one of the factors that was dealt with was attempting to keep neighborhoods together. He added it was difficult to accomplish that 100%, but overall, based on citizen and council input, all plans were developed taking all factors into consideration; however, no one map would satisfy all citizens.

Mr. Garza explained how District 6 would change its 12 percent deviation with the proposed redistricting.

Discussion continued regarding the current map and current deviation.

Mr. Perez commented that this process was started a year ago, and has culminated in ten proposals all within the given guidelines and public hearings in every single district and complying with several legal requirements. He stated that over the last few weeks, some changes have been made and this Council has tried to remove politics over this plan, and it has been an effort to do the best for the community.

Mr. Perez moved that plan S10 be modified by moving precinct 1016 in D4 to D3, and moving 4014 in D3 to D2 on plan S10. Mr. Garcia seconded the motion.

Mr. Perez also noted that Kelly USA be included in D4 and asked the map be corrected to reflect that. He asked the same change be made to include Brooks on the map as part of D3 and D4 because now they are excluded as part of the City.

Mayor Garza thanked Mr. Perez and Ms. Conner on the redistricting process as well as the rest of the Council. He added that while it is not a perfect plan to satisfy every citizen, there was agreement with the Council who had continuous dialogue with their constituents. He concurred to move forward with the S10 map.

Ms. Conner stated that there were no politics involved in this plan. She added that neighborhoods in her districts were not split up, and felt the Council did the best it could. She thanked the citizens for their input at today's hearing.

At this point, Mr. Frank Garza explained population deviation and how it pertains to redistricting. He noted that boundary lines are not based on neighborhood lines, but rather on voting precincts which are established by Bexar County. He stated the City is prohibited from drawing its own districts.

Council members thanked Mr. Garza and Rolando Rios, Consultant, on a difficult process, and commended them for their work on this project, and for developing districts that everyone can support.

Mr. Garza noted that map S11 will now be created with the proposed changes as presented.

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

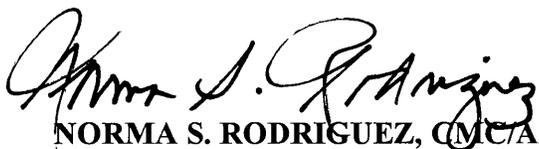
2002-25 There being no further business to come before the City Council, the meeting was adjourned at 6:50 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest:



NORMA S. RODRIGUEZ, CMC/AAE
City Clerk