

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 6, 2003.**

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2003-05 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

A.) **Boards and Commissions Work Session.** (Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager.)

B.) **Convention Center Expansion Project Briefing.** (Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager.)

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

The "B" Session adjourned at 11:45 A.M.

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2003-05 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Sanders, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: Perez.

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2003-05 Invocation by Reverend Allan Randolph, Trinity Baptist Church.

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2003-05 Pledge of Allegiance to the flag of the United States.



2003-05      THE DEMISE OF MR. MAURY MAVERICK JR., NEWSPAPER COLUMNIST AND MR. CHARLES SHANNON, CO-CHAIR OF VIA BOARD.

Mayor Garza asked for a moment of silence for the recent passing of Mr. Maury Maverick, Jr., liberal attorney, legislator and newspaper columnist, and Mr. Charles Shannon, Co-Chair of the VIA Board, who were both icons of dedicated citizens to their communities.

Councilman Sanders spoke of his long time friendship with Mr. Shannon and his dedication to the community. He thanked his family for sharing Mr. Shannon with so many people and to so many successful civic efforts.

On a point of personal privilege, Councilman Sanders made a motion to direct staff to prepare a resolution of respect for Mr. Shannon for a future Council meeting. Councilwoman Conner seconded the motion.

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

Councilman Sanders stated that he would also look to other ways in the community to honor Mr. Shannon in addition to the resolution of respect.

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2003-05      RECOGNITION OF THE MARTIN LUTHER KING DAY MARCH.

Councilman Sanders also noted the success of the recent Martin Luther King Day March, which was recognized as the largest peaceful march in the country. He called forward Dr. J. Carlton Allan, Chairman of the City of San Antonio Martin Luther King Celebration, and presented him with a plaque for his efforts. Mr. Allan thanked the City Council for the presentation.

Councilman Sanders called forward Assistant City Manager, Mr. Travis Bishop, and presented him with a Letter of Appreciation for his years of leadership, dedication and service on the Martin Luther King Observance.

Councilman Sanders noted that on Saturday, February 8, 2003 in commemoration of the Martin Luther King Observance, the San Antonio Witte Museum will exhibit "A Journey in Freedom". The exhibit depicts the history of the movement of the civil rights in this nation, and what events were taking place in the City of San Antonio at the time when

civil rights issues were a major concern in the nation. He announced the display by the Emancipation Proclamation Company from February 8 to September 1, 2003. He also invited everyone to the opening reception at the Witte Museum on Saturday, February 8, 2003 from 6:00 P.M. to 8:00 PM.

Mayor Garza thanked Councilman Sanders for his efforts on the exhibit.

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2003-05 Minutes of the Regular City Council Meeting of December 19, 2002 were approved.

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2003-05 **CONSENT AGENDA – CITIZENS COMMENTS**

Mr. Jack Finger, P. O. Box 12048, spoke to the recent death of Mr. Charles Shannon. He also spoke to Item #17 regarding a one-year contract for federal initiatives, and noted that no one was signed up to speak on that item.

Mr. Charles English, President of the Jefferson Heights Association, 807 Canton Street, spoke of his acquaintance with Mr. Charles Shannon. He presented a video regarding his concerns with various construction projects performed by the Texas Department of Transportation (TXDOT) in District 2. He also spoke to Item #11 regarding a bicycle route, and how such a route could never be constructed along Houston Street after the construction by TXDOT.

Councilman John Sanders stated that he was opposed to the No Parking Anytime signs along East Houston Street issue. He also stated that he was not aware of the barricades and contacted TXDOT about the lack of communication with the neighborhoods about those barricades. He also plans a public hearing with the community regarding the artwork in his district.

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2003-05 **CONSENT AGENDA**

Councilwoman Moorhouse made a motion to approve Agenda Items 6 through 22D, constituting the Consent Agenda, except for Item 17, which was pulled for individual consideration. Councilman Martin seconded the motion.

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

AN ORDINANCE 97145

ACCEPTING THE OFFER SUBMITTED BY VISUAL INNOVATIONS COMPANY, INC. (WBE), A QUALIFIED INFORMATION SYSTEMS VENDOR, TO INSTALL AUDIOVISUAL EQUIPMENT FOR THE CITY OF SAN ANTONIO'S INTERNATIONAL CENTER FOR A TOTAL SUM OF \$39,499.00.

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AN ORDINANCE 97146

ACCEPTING THE LOW BID SUBMITTED BY THE HILLER GROUP, INC. TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT'S HELICOPTER DETAIL WITH BULK JET-A-FUEL ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED ANNUAL COST OF \$45,000.00.

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AN ORDINANCE 97147

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY CENTRAL POLY-CORP., ITEMS 1, 2, 3, 4; AND ALL AMERICAN POLY, ITEM 5 TO PROVIDE PLASTIC BAGS FOR THE CITY OF SAN ANTONIO ALAMODOME, AVIATION, CONVENTION FACILITIES, HEALTH, PARKS AND RECREATION AND PUBLIC WORKS DEPARTMENTS FOR A TOTAL SUM OF \$105,474.80.

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AN ORDINANCE 97148

ACCEPTING THE LOW, QUALIFIED BIDS SUBMITTED BY SANIVAC DAVIS, ITEMS 1, 3 AND 4; AND COLEMAN ENTERPRISES (WBE), ITEM 2 TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME, AVIATION, CONVENTION FACILITIES, HEALTH, PARKS AND RECREATION AND PUBLIC WORKS

DEPARTMENTS WITH CUSTODIAL PAPER PRODUCTS FOR A TOTAL SUM OF \$224,336.20.

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AN ORDINANCE 97149

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$216,178.64 IN CONNECTION WITH THE BAETZ - MOURSUND TO PLEASANTON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 3; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$18,093.70 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$13,932.15 FOR EXPENSE RECOVERY; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97150

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A SURFACE TRANSPORTATION PROGRAM - METROPOLITAN MOBILITY REHABILITATION AGREEMENT (AMENDMENT #1) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING THE APPROPRIATION OF \$2,000.00 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS AND THE REIMBURSEMENT OF \$8,000.00 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A TOTAL AMOUNT OF \$10,000.00 IN CONNECTION WITH THE BICYCLE ROUTE STREET MAP (MPO) PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97151

APPROVING FIELD ALTERATION NO. 24 IN THE AMOUNT OF \$422,047.00 FROM GENERAL OBLIGATIONS OF THE CITY PAYABLE TO E-Z BEL CONSTRUCTION COMPANY FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III & V, LOCATED IN COUNCIL DISTRICT 3; REVISING THE BUDGET;

APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 91371, MARCH 2, 2000.)

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AN ORDINANCE 97152

AUTHORIZING THE APPROPRIATION OF \$3,000.00 PAYABLE TO E.S. MORAN CONSULTING ENGINEERING, INC. FROM 1999 PARK BOND FUNDS FOR ENGINEERING CONSULTANT SERVICES IN CONNECTION WITH THE SEELING PARK IMPROVEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING CITY STAFF TO ALLOCATE FUNDS AND ESTABLISH EXPENDITURE INDEX CODES WITHIN THE PROJECT BUDGET; AND ENCUMBERING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97153

APPROVING A NEW LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TRADE AND INVESTMENT OFFICE OF THE GOVERNMENT OF THE CANARY ISLANDS, SPAIN, SOCIEDAD CANARIA DE FOMENTO ECONÓMICO SAN ANTONIO, AKA SOCIEDAD CANARIA DE FOMENTO ECONÓMICO SOCIEDAD ANOMIA, (SOFESA, SAN ANTONIO INC.) FOR APPROXIMATELY 481 SQUARE FEET OF SPACE IN THE INTERNATIONAL CENTER, LOCATED AT 203 S. ST. MARY'S STREET, FOR A PERIOD OF ONE (1) YEAR WHICH COMMENCED ON JANUARY 4, 2003, WITH THE OPTION FOR ONE (1) ONE-YEAR RENEWAL FOR AN ANNUAL PAYMENT OF \$4,617.60.

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AN ORDINANCE 97154

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH (TDH) FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 2003/2004 AND THE ACCEPTANCE OF AN INITIAL GRANT AWARD TOTALING \$81,344.00 FROM THE TDH TO SUPPORT THE ONGOING HIV/AIDS SURVEILLANCE PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) DURING THE PERIOD JANUARY 1, 2003 THROUGH

DECEMBER 31, 2003; ESTABLISHING A FUND; ADOPTING A BUDGET; AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 97155

AMENDING ORDINANCE NO. 68403, PASSED AND APPROVED NOVEMBER 29, 1988, TO APPROVE AND INCLUDE A FORM AGREEMENT FOR NURSING SERVICES BETWEEN THE CITY OF SAN ANTONIO, THROUGH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT, AND LICENSED NURSES. (AMENDS ORDINANCE NO. 68403, NOVEMBER 29, 1988.)

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AN ORDINANCE 97156

AUTHORIZING THE EXECUTION OF CONTRACTS WITH THE SALVATION ARMY, A GEORGIA CORPORATION, TO OPERATE THREE SENIOR NUTRITION SITES; AND AUTHORIZING CONTRACT AMENDMENTS WITH TWENTY-SEVEN SENIOR NUTRITION SITES TO CLARIFY REIMBURSEMENT RATES AS ESTABLISHED IN ORDINANCE NO. 95807, PASSED AND APPROVED ON MAY 23, 2002 IN CONNECTION WITH THE COMPREHENSIVE NUTRITION PROJECT. (AMENDS ORDINANCE NO. 95807, MAY 23, 2002.)

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AN ORDINANCE 97157

AUTHORIZING AN AMENDMENT TO THE ADMINISTRATIVE SERVICES AGREEMENT WITH THE SAN ANTONIO FIRE AND POLICE PENSION FUND BOARD OF TRUSTEES ("FUND") RELATED TO ADMINISTRATIVE LEAVE FOR ACTIVE FIRE AND POLICE MEMBERS SERVING ON THE FUND'S BOARD OF TRUSTEES; AUTHORIZING AND APPROVING THE EXECUTION OF AN AMENDMENT TO THE ADMINISTRATIVE SERVICES AGREEMENT; AND PROVIDING THAT ALL OTHER TERMS AND CONDITIONS SHALL REMAIN THE SAME. (AMENDS ORDINANCE NO. 94614, SEPTEMBER 27, 2001.)

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AN ORDINANCE 97158

AUTHORIZING THE TEMPORARY CLOSURE OF SAN SABA STREET, BETWEEN W. COMMERCE STREET AND DOLOROSA STREET FOR 13 SPECIAL EVENTS IN MARKET SQUARE FOR THE YEAR 2003, FROM 6:00 P.M. THE DAY PRIOR TO EACH EVENT UNTIL 8:00 A.M. ON THE DAY AFTER THE LAST DAY OF EACH EVENT ON THE FOLLOWING DATES: MARCH 15-16; APRIL 4-6 AND APRIL 18; MAY 2-4 AND MAY 24-26; JUNE 21-22; JULY 4-6, JULY 19-20 AND JULY 25; AUGUST 2-3 AND AUGUST 30-SEPTEMBER 1; SEPTEMBER 12-14; NOVEMBER 28-30, AS REQUESTED BY THE PARKS AND RECREATION DEPARTMENT.

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AN ORDINANCE 97159

AUTHORIZING THE TEMPORARY CLOSURE OF MAIN STREET BETWEEN COMMERCE AND MARKET FROM 3:00 A.M. TO 5:00 P.M. ON SATURDAY, MARCH 29, 2003 FOR THE SAN FERNANDO CATHEDRAL REDEDICATION MASS AND RELATED ACTIVITIES AND AUTHORIZING THE FRIDAY APRIL 18, 2003 PASSION MARCH FROM MILAM PARK TO SAN FERNANDO CATHEDRAL, HOUSTON STREET (EAST TO MAIN STREET SOUTH, WITH THE CLOSURE OF MAIN) BETWEEN COMMERCE AND MARKET.

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AN ORDINANCE 97160

APPOINTING WILLIAM M. ADAMS (DISTRICT 2) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 31, 2005.

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AN ORDINANCE 97161

APPOINTING HOMER SANDOVAL FLORES (DISTRICT 4) TO THE

COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 2004.

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AN ORDINANCE 97162

REAPPOINTING VIRGINIA VAN STEENBERG (DISTRICT 9) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 2004.

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AN ORDINANCE 97163

APPOINTING MARY L. BUETTNER (DISTRICT 4) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 2004.

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(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Conner presided.)  
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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97164

AUTHORIZING THE CITY MANAGER TO EXERCISE A ONE (1) YEAR AGREEMENT EXTENSION WITH LOEFFLER, JONAS & TUGGEY, L.L.P., TO PROVIDE FEDERAL GOVERNMENT AFFAIRS SERVICES FOR THE PERIOD BEGINNING ON FEBRUARY 1, 2003 AND ENDING ON JANUARY 31, 2004, WITH THE OPTION OF AN ADDITIONAL ONE-YEAR EXTENSION, FOR AN ANNUAL AMOUNT OF \$172,800.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

Mr. Jim Campbell, Director, External Relations, presented the summary, background, policy analysis, financial impact and supplemental information (a copy of which is on file with the papers of this meeting).

Councilwoman Conner, Chair of the Federal Initiatives Committee, spoke in support of having this firm as an advocate for the City of San Antonio at the congressional level. She stated that she would support this Ordinance.

Councilman Schubert thanked Mr. Campbell for this effort, and noted that he also supports the Ordinance.

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

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(Mayor Garza returned to the meeting and presided )  
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**2003-05 PUBLIC HEARING AND ORDINANCE: APPOINTING A REPLACEMENT FOR THE CITY COUNCIL DISTRICT 5 VACANCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE.**

Mayor Garza declared the Public Hearing to be open.

The Mayor requested that Mr. Ralph Gomez, interim candidate for District 5, come forward before hearing the citizens.

Mr. Gomez, thanked the Mayor and City Council for the opportunity to address the Council. Because of a recent change of plans, he sought to withdraw his name from the list of candidates for the interim position as Councilperson for District 5. He then revealed to the Council that he would be offering candidacy for a permanent seat for the District 5 Council chair in the upcoming election.

The following citizen(s) appeared to speak:

Pastor Tony Salvo, 1125 S. Zarzamora, Ways of Christ Church, spoke to his opposition to Mr. Ralph Gomez attaining a seat on the City Council. He stated his support of Ms. Nora Herrera if she were to run for the District 5 City Council position, and for Ms. Dora Ramos to hold the interim position in District 5.

Ms. Nicole Martinez, 3409 Tripla, spoke in support of Ms. Dora Ramos for the interim City Council seat in District 5.

Mr. Ruben Espronceda, President of *Velka* Association, District 3, 4 and 5, and a representative of concerned citizens in District 5, spoke in favor of Ms. Nora Herrera and Ms. Dora Ramos for the District 5 City Council representative. He stated that his neighborhood association will support whichever of the two is selected.

Ms. Francine Agueros, 128 Main Plaza, #301, spoke of her support for Ms. Dora Ramos for a District 5 Council member.

Mr. Elginio Rodriguez, 450 N. San Gabriel, welcomed Toyota to San Antonio and spoke to his opposition to the PGA Village proposition, and his concerns on voter registration issues. A copy of his presentation is on file with the papers of this meeting.

Mr. Charles English, 807 Canton, spoke to neighborhoods and requested for the City Council to select a candidate that will represent the community.

Mr. Robert Aquinaga, 8630 Fairhaven, Apt. 412, spoke regarding his support for Ms. Nora Herrera, whom he knows professionally and personally to be the best candidate for the District 5 City Council interim position.

Mr. Jose Gallegos, Jr., 214 W. Academy, congratulated the City Council for bringing Toyota Manufacturing to San Antonio. He thanked Councilman Sanders for recognizing his friend, Mr. Charles Shannon. Mr. Gallegos spoke to his dedication to working for District 5, and of his support for either of the candidates, Ms. Nora Herrera and Ms. Dora Ramos.

Mr. Jack M. Finger, P. O. Box 12048, spoke to the District 5 City Council nominees, and his opposition to the PGA Village proposition.

Ms. Julie Iris Oldham, 4523 Alleheny Drive, a resident of District 8 and a property owner in District 3, spoke in support of Ms. Nora Herrera for the interim City Council District 5.

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

**NOMINATIONS FOR INTERIM POSITION FOR CITY COUNCIL DISTRICT 5:**

Mayor Garza called forward Ms. Nora Herrera and Ms. Dora Ramos, whom he commended for their interest in serving District 5. He requested that both ladies work in support of the other for the betterment of District 5.

Mayor Garza then requested two nominations from the City Council.

Councilman Carpenter nominated Ms. Dora Ramos for District 5. Councilman Sanders seconded the motion.

In response to Councilman Sanders regarding whether Ms. Herrera, if selected, would use the position and endorse any of the candidates in the May election, Ms. Herrera stated that she would support the vision for District 5, but that currently she is not endorsing a future candidate.

In response to Mayor Garza regarding support to more than one candidate, would she support more than one candidate, Ms. Herrera stated that she had not considered that situation.

Councilwoman Moorhouse nominated Ms. Nora Herrera. Councilman Barrera seconded the nomination.

Councilwoman Conner thanked both ladies for offering their services to serve District 5. She stated that regarding future endorsement of candidates, she agrees with Ms. Herrera's answer regarding her support of future candidates.

The Council members thanked Ms. Ramos and Ms. Herrera for their dedication to District 5.

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**THE CLERK TAKES ROLL CALL VOTES ON INTERIM CANDIDATES:**

Ms. Yolanda Ledesma, Acting City Clerk, called the roll on the vote for Ms. Dora Ramos as interim City Councilperson for District 5.

On a roll-call vote, the motion nominating Ms. Ramos, failed by the following vote: **AYES:** Sanders, Castro, Carpenter, Garza. **NAYS:** Moorhouse, Martin, Barrera, Conner, Schubert. **ABSENT:** Perez.

The motion for Ms. Dora Ramos failed.

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Ms. Yolanda Ledesma, Acting City Clerk, then called the roll on the vote for Ms. Nora Herrera as interim City Councilperson for District 5.

On a roll-call vote, the motion nominating Ms. Herrera, prevailed by the following vote: **AYES:** Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS:** None. **ABSENT:** Perez.

The motion for Ms. Nora Herrera carries.

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#### **INTERIM COUNCILPERSON FOR DISTRICT 5 ANNOUNCED:**

Mayor Garza announced that the new representative for District 5 for the remainder of this term is Ms. Nora Herrera.

Acting City Clerk Yolanda Ledesma then administered the Oath of Office to Ms. Herrera.

Councilwoman Herrera recognized her family for their continued support. She thanked the City Council for the opportunity to serve.

In response to Councilwoman Moorhouse regarding the nameplates for the three candidates, Ms. Terry M. Brechtel, City Manager, stated that the plates were temporary, and that three nameplates were prepared for each of the nominees. She added that a permanent plate would be ordered for Ms. Herrera.

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

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

The Clerk then read the following Ordinance:

AN ORDINANCE 97165

APPOINTING A REPLACEMENT FOR THE CITY COUNCIL DISTRICT 5 VACANCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE OF EIGHT (8) AFFIRMATIVE VOTES. (NORA X. HERRERA.)

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2003-05      INDIVIDUAL ITEMS - CITIZENS COMMENTS

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item #23 appointing City Council members to various City Council Subcommittees. He also spoke to Item #23 regarding the San Antonio Sports Foundation to sponsor the Pan American Games and his opposition to funding the event. Mr. Finger also spoke to Item #28 regarding annexation of the south side of San Antonio.

Mr. Charles English congratulated Ms. Herrera on being selected as interim Council person for District 5. He spoke on Item #23 and his request for improved communication with City staff, City Council member, and board appointees on issues dealing with neighborhood parks and communities.

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Councilman Sanders stated that his appointee, Ms. Lily Harris, to the Parks and Recreation Board has been instrumental in various community park activities. He also stated that the Lincoln Park project is moving along as scheduled with the community's input.

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2003-05      The Clerk read the following Ordinance:

AN ORDINANCE 97166

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

SUBCOMMITTEES, AD HOC COMMITTEES, AND BOARDS AND COMMISSIONS.

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

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

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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97167

APPROVING THE CITY'S 2003 FEDERAL INITIATIVES PROGRAM FOR THE 108<sup>TH</sup> CONGRESS - 1<sup>ST</sup> SESSION.

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

Mr. Jim Campbell, Director, External Relations, made a presentation on the City of San Antonio Federal Legislative Program, 108<sup>th</sup> Congress – 1<sup>st</sup> Session, a copy of which is on file with the papers of this meeting. He discussed the process, the proposed federal program, homeland security appropriations, Hope VI, inland port San Antonio, International Airport letter of intent funding, and Kelly USA material science and engineering lab and center of excellence. He further expounded on military affairs, Mission Trails project, national energy policy, port of entry designation for the San Antonio International Airport, TEA-21 reauthorization, omnibus legislative policy and coordination efforts.

In response to Councilwoman Conner as to whether these issues would be on-line, Mr. Campbell stated that they would be on-line within twenty-four (24) hours once approved.

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

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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97168

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$150,000.00, WITH THE SAN ANTONIO SPORTS FOUNDATION TO SUPPORT THE SOLICITATION OF AMATEUR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS AND CONVENTIONS AND MEETINGS OF SPORTS-RELATED ASSOCIATIONS; AND PROVIDING FOR PAYMENT.

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

Mr. Dale Lockett, Acting Director, Convention & Visitors Bureau, narrated a presentation for Items #25A, 25B, and 25C on the San Antonio Sports Foundation 2003 Professional Service Agreements which included background, policy analysis and financial impact, a copy of which is on file with the papers of this meeting.

In response to Councilman Barrera regarding the source of funding, Mr. Lockett stated that all the monies are generated from hotel occupancy tax and not general funds. He noted that some restrictions on those funds that are set by state law state-wide, includes that they be used only for the marketing and promotion of designations for sports association meetings to market to the consumer Mr. Lockett also stated that San Antonio meets those criteria.

In response to Councilman Barrera regarding the restrictions on these funds, Mr. Lockett stated it is a common misconception, but the general delineation on the use of these funds is to promote the destination and bring economic development back to the community through the Hotel/Motel Tax.

In response to Councilman Castro regarding the use of these funds and the limits for their use, Mr. Lockett stated that the hotel occupancy tax is what the out-of-town visitors pay when they stay in San Antonio. He noted that it is important that a majority of the funds go into a sales and marketing and promotion of the destination, while keeping a balance to be able to compete in that arena.

Councilman Castro stated that San Antonio is on a good rotation with other cities, and seemed hopeful that we can continue that.

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

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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97169

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE SAN ANTONIO SPORTS FOUNDATION IN AN AMOUNT NOT TO EXCEED \$350,000.00, PREVIOUSLY ALLOCATED FROM THE PAN AMERICAN GAMES RESERVE, FOR HOSTING OBLIGATIONS, SITE INSPECTIONS AND BID FEES IN ORDER TO SECURE AMATEUR REGIONAL, NATIONAL AND INTERNATIONAL COMPETITIVE SPORTING EVENTS, CONVENTIONS AND MEETINGS OF SPORT-RELATED ASSOCIATIONS FOR SAN ANTONIO; AND PROVIDING FOR PAYMENT.

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

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

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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97170

AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE ONE (1) - YEAR PROFESSIONAL SERVICES CONTRACT WITH THE SAN ANTONIO SPORTS FOUNDATION TO PROVIDE AN ADDITIONAL \$100,000.00 FOR BID RELATED EXPENDITURES ASSOCIATED WITH THE SOLICITATION OF THE 2007 PAN AMERICAN GAMES TO SAN ANTONIO; AND PROVIDING FOR PAYMENT.

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

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

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2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97171

AUTHORIZING THE CARRY FORWARD OF UNSPENT FY 2002 FUNDS IN THE AMOUNT OF \$1,694,704.86 IN THE YOUTH OPPORTUNITY PROGRAM BUDGET TO FY 2003; ACKNOWLEDGING UNILATERAL MODIFICATION #4 TO THE YOUTH OPPORTUNITY (YO) GRANT CONTRACT WITH THE ALAMO WORKFORCE DEVELOPMENT BOARD AWARDING FUNDS IN THE AMOUNT OF \$283,041.14; ADOPTING A REVISED BUDGET AND APPROVING A REVISED PERSONNEL COMPLEMENT FOR THE PERIOD JULY 1, 2002 THROUGH JUNE 30, 2003; AND AUTHORIZING THE AMENDMENT OF THE FACILITY LEASE AGREEMENT WITH THE ELLA AUSTIN COMMUNITY CENTER IN CONNECTION THEREWITH.

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

Mr. Dennis Campa, Director, Department of Community Initiatives (DCI), gave a presentation on the Youth Opportunity (YO) Program, a copy of which is on file with the papers of this meeting. He discussed purpose, San Antonio Empowerment Zone, background, San Antonio YO! Collaborative, proposed actions, proposed action, performance measure, YO participant profile, and success story.

In response to Councilman Sanders regarding the amendment to the facility agreement with Ella Austin Community Center, Mr. Campa stated that the amendment includes not using the gymnasium in one of the other buildings because of the increase usage at the Margarita Huantes and St. Philips Learning Centers, and noted that next year's budget will drop even more. He also noted that DCI is dedicating more money in job training and stipends, and mentioned working cooperatively with the Ella Austin Community Center as a significant partner.

Councilman Sanders stated that he wants to make sure that everyone has the opportunity for services and participation in the program.

In response to Councilman Barrera regarding the amount of funds listed and the amount of total carry-over, Mr. Campa stated that the program is carrying over \$1.6 million.

In response to Councilman Barrera for clarification on the number of projected participants, Mr. Campa stated that the program now has over 2,000 participants enrolled, but added that participation is measured only when individuals spend a minimum of five hours in one activity during the month. He further noted that currently there are more than 2,200 young people enrolled who are participating on a regular basis in a learning program, job training, self-improvement or job placement. Mr. Campa explained that participation has improved by 150% over last year's participation of 670, in comparison to this year's 1,301 participants.

In response to Councilman Barrera regarding the low participation level, Mr. Campa discussed the amount of hours young people could spend engaged in a learning program, but if they do not spend five hours in a singular activity, they are not considered participants. He also explained that the program is leading the country in the program participation rate of school age youth, but it is the five hours of any one activity that is the dividing line of participants. Mr. Campa stated that the program has exceeded the participation rate from last year, and it is expected that it will exceed the contracted amount of participation next year. He stated that he concurs that five hours a month is not enough, and the goal of the program is to have young people engaged in life-long learning activities far more than five hours a month.

Mr. Campa stated that he would provide Councilman Barrera a listing of the types and number of activities available to participants, as well as overall statistics of the services provided.

Mr. Campa then asked three participants of the program to step forward and give their comments on their successes in the YO program.

The following citizen(s) appeared to speak:

Ms. Tanya McGuire, a member of the YO Program, applauded the program for all the assistance that have been afforded to her, such as the opportunity to obtain her high school diploma, counseling, day care and parenting classes. She encouraged other young people to participate in the program.

Ms. Evelyn Gonzales, stated that she has been a participant in the program for nine months and is very appreciative of the assistance afforded to her for education, transportation, counseling, clothing, as well as a sense of self esteem.

Mr. Hector Alisel, stated that he has been a participant in the YO Program for over a year. He stated that the program has provided him with financial assistance, counseling and other workshops such as resume writing and success in college. He noted that the program helps young people accomplish their life goals.

\* \* \* \*

Mayor Garza thanked the participants for their comments.

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

— — —  
2003-05 The Clerk read the following Ordinance:

AN ORDINANCE 97172

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH TRUE FLAVORS CULINARY PLANNERS FOR THE PURPOSE OF SHORTENING THE TERM OF THE CONTRACT TO SEPTEMBER 30, 2003, PROVIDING FOR

ADDITIONAL QUALITY CONTROL MEASURES, AND MODIFYING OTHER CONTRACTUAL PROVISIONS IN SUPPORT OF THE CITY OF SAN ANTONIO'S COMPREHENSIVE NUTRITION PROJECT (CNP), ADMINISTERED BY THE DEPARTMENT OF COMMUNITY INITIATIVES, ELDERLY AND DISABLED SERVICES DIVISION.

\* \* \* \*

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

Mr. Dennis Campa, Director, Community Initiatives Department, narrated a presentation on the Comprehensive Nutrition Program Contract Amendment, a copy of which is on file with the papers of this meeting. The discussion included contract compliance issues, background, performance bond, food quality, scope of work, food quality survey, and other issues pertaining to the contract.

The following citizen(s) appeared to speak:

Ms. Lee Buettner, 10334 Old Farm, spoke to her concerns about quality assurance with regards to the food being prepared for the senior citizens. She thanked the City Council for providing meals for the elderly, and asked that the program be continued.

Ms. Nancy Englebert, 10486 Pine Glade, stated that she has visited a nutrition site and found the meals to be acceptable. She spoke regarding the seniors in the Heritage neighborhood and the lack of a lunch program in that area. She also noted that bus routes continue to decrease availability to the citizens.

\* \* \* \*

In response to Councilman Martin and the fact that the City received only two proposals, Mr. Campa explained there were not many providers available who are up to the challenge of serving up to 4,000 meals on a daily basis over a large geographical area in an urban community. He stated that it is a difficult task to undertake, transport the product and maintain standards, including providing the required daily nutritional allowance in fifty-five sites. He further noted all these factors combined are difficult for one provider who then must make a profit.

In response to Councilman Martin whether Value, Inc., and True Flavors were the only two providers in San Antonio, Mr. Campa stated that there are a number of other providers who provide up to 2,000 meals, but the challenge lies in providing more than that amount. Mr. Campa continued to discuss the advantages to the City and to the

seniors when considering how the providers can meet the requirements, assure a long-time plan, maintain safety measures, be competitive and deliver a quality product.

Mr. Campa added that based on the survey his department conducted, there are a number of providers who indicated an interest in this program who believe this would sufficiently be attractive to more vendors because it is a smaller set and a smaller geographical area to cover.

In response to Councilman Martin regarding an alternate plan if three qualified vendors are not obtained, Mr. Campa spoke of a number of options to include revisiting with the City Manager and the City Council Committee and possibility considering scenarios with the community colleges and other venues with available kitchens. He noted that while the program is set for the next seven months, there is ample time to find qualified vendors and several scenarios that would be acceptable to the City Council to insure the affordability and the quality to seniors.

Councilman Martin discussed the scope of work by the current vendor and the concerns relayed by the nutrition centers. He noted inconsistent amounts of available milk, food spillage, improper food temperature, incomplete meals and that only 3,750 meals were served instead of the 4,600 required. Councilman Martin spoke to the importance of providing seniors with healthy and consistent meals, and urged his colleagues to not lose sight of the process over the next difficult budget years. He applauded the work and progress by Mr. Campa and his department in addressing these issues.

Mr. Campa thanked Councilman Martin for his comments and added that for over a year, no seniors have been on the waiting list to be served hot meals. He also noted that the issue of food security is a concern and thanked the City Council for their human development funds to leverage the food bank in order to provide seniors with additional food for the weekend, mornings and evenings.

Councilman Martin encouraged Mr. Campa to revisit the City Council for Human Development funds should it be necessary to go to a Plan B in considering opening sight kitchens for outbound meals.

Councilman Sanders thanked Mr. Campa and recognized Ms. Joan Case for her work in submitting reports on this subject last year. Councilman Sanders reiterated Councilman Martin's comments about the importance of caring for our seniors, and how anything less than high quality food is not acceptable.

In response to Councilwoman Moorhouse regarding what type of contract will be processed, Mr. Campa stated that last time a request for proposal was conducted, it was heavily slanted towards cost. He noted that this program balances costs versus quality,

experience, taste tests and references. He further noted that as the City moves forward on this issue, the contract would ensure that quality meals are delivered for the price to serve all seniors.

Councilwoman Moorhouse discussed complaints from seniors as stated by Councilman Martin, and applauded that taste tests should be a special condition to the contract.

Councilman Barrera thanked Mr. Campa and his staff for working on this project, in specific, being able to secure a \$2 million bond. He further discussed the concerns as voiced by the seniors and how True Flavors has been responsive to those concerns. Councilman Barrera stated that his main concern relates to a good contract that will provide a product that seniors will like. He spoke to making sure that people know the contractor has been supportive of the recommendations and that they are willing to accept the reduction of the contract.

On a point of personal privilege, Councilman Barrera introduced Mr. Johnny Hernandez, owner of True Flavors.

Mr. Hernandez stated that his company is committed to providing quality and freshness in their product to the seniors of San Antonio. He discussed the changes as presented and noted that True Flavors will submit their bid for a future contract. Mr. Hernandez thanked Mr. Campa for his support.

In response to Councilman Martin regarding consolidation of nutritional sites, Mr. Campa stated that it is an option, but noted that there are issues such as accessibility to surrounding centers, the relationship issue with the congregations and the seniors' affiliation with the community centers. He stated that they will continue to look at that possibility.

Councilman Carpenter thanked Ms. Joan Case for her work on this issue. He spoke to the deficit shortfalls on every level, and voiced how it behooves all to streamline and develop the most effective contract for the betterment of the City. He suggested that Mr. Campa consolidate outbound meals to one location for a cost saving.

In response to Councilwoman Herrera as to how many seniors were not being served, Mr. Campa stated that everyone, who comes in to the center, gets a meal; and he reiterated that there are no seniors on the waiting list. He further added that almost 3,700 seniors are served daily.

Councilwoman Herrera stated that she is aware of concerns in District 5.

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

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2003-05      EXECUTIVE SESSION

The City Council recessed its regular session at 4:44 P.M. in order to convene in Executive Session for the purpose of:

- A) Attorney-client consultation pursuant to Sec. 551.071 of the Texas Government Code, to discuss legal issues relating to Luis Morales vs. City of San Antonio, Cause No. 2000-CI-16821, 131st District Court.
- B) Attorney-client consultation pursuant to Sec. 551.071 of the Texas Government Code, to discuss legal issues relating to Matthew J. Jackson, et al, and other Similarly Situated Persons vs. City of San Antonio, Cause No. 2002-CI-18233, 408th Judicial District Court, Bexar County, Texas, and legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association.

The City Council adjourned the Executive Session at 5:35 P.M. and reconvened in regular session, at which time Mayor Garza stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

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2003-05      The Clerk read the following Ordinance:

AN ORDINANCE 97173

ESTABLISHING INTERIM DEVELOPMENT CONTROLS IN AREAS ANNEXED JANUARY 5, 2003 BY THE CITY OF SAN ANTONIO FOR LIMITED PURPOSES; TEMPORARILY RESTRICTING THE POWER OF A LANDOWNER TO FILE AN APPLICATION FOR A PERMIT, AS THAT TERM IS DEFINED IN CHAPTER 245 OF THE TEXAS LOCAL GOVERNMENT CODE, FOR A 180-DAY PERIOD PENDING CONSIDERATION AND ADOPTION OF A COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS NECESSARY TO IMPLEMENT THAT PLAN FOR THE ANNEXED AREA; AND ESTABLISHING AN APPEAL AND

WAIVER PROCESS FOR THOSE ADVERSELY AFFECTED BY THIS ORDINANCE; AS REQUESTED BY MAYOR EDWARD D. GARZA.

\* \* \* \*

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

Mr. Emil Moncivais, Director, Planning Department, gave a presentation on the Southside Initiative, a copy of which is on file with the papers of this meeting. He discussed the south side initiative planning process, limited purpose annexed areas 1 – 6, general purpose of ordinance, ordinance provisions, consensus building process, south side initiative community summit, guiding principles for south side initiative and south side initiative deliverables.

Ms. Jelynn Burley, Assistant City Manager, noted that one additional benefit would be to include a corporate plan with Toyota.

The following citizen(s) appeared to speak:

Mr. Philip Ross, attorney for landowners, spoke in opposition of the Ordinance and stated that none of the affected property owners were aware of this Ordinance. Mr. Ross stated that the perception is that the City Council has dictated the terms of future development on the south side without any communication from the stakeholders. He requested that public hearings be conducted in areas that have been annexed prior to the adoption of any more developments. He reiterated his concerns that no notices were made available to the community about this ordinance. He further added that many citizens on the south side have not been notified that they are not in Bexar County and are now in the City because they have not received formal notice, or do not know about the required permits as City residents. Mr. Ross discussed how communication cannot be only one way. He voiced criticism of the process and procedure on how the City conducted this annexation. Mr. Ross urged the City Council to seriously consider the individuals and the undergoing projects that this Ordinance will affect. He requested that before the City Council approves this Ordinance, a moratorium be adopted. He asked Council members to vote against this Ordinance and give the community a means to digest the implications.

Ms. Cindy Taylor, President of South San Antonio Chamber of Commerce, spoke in conditional support of the Ordinance and of Smart Growth for the south side. She stated that this Ordinance reflects the basis of the Southside Chamber for planned and sustained growth patterns for the south sector of the City. Ms. Taylor further noted that the South side Chamber supports this Ordinance with the following conditions: that during the

proposed six-month moratorium, the process should not be suspended. She explained that this would allow the development to continue as long as it is compatible with the goals and objectives of the planning process. Ms. Taylor suggested appointing an Oversight Committee comprised of individuals committed to the development of the south sector of the City, to assist in this process.

\* \* \* \*

Mayor Garza spoke to the long process identified through annexation. He discussed how state law mandates that a land-use plan for that area begins with working with property owners in that area, and that the process will be followed. He added that landowners would be involved as part of a master plan that will be able to maximize balance growth and agricultural needs in the area. Mayor Garza anticipated an upcoming report from the Urban Land Institute with a vision plan and stated that he planned to take that to the community for feedback. He noted that an oversight committee will be instituted and will include property owners in the planning process. He spoke of developing a process to define variances, and that plans will be reviewed with the property owners to allow those projects to move forward. He further noted that for those who have not legally fulfilled the requirements that they will be considered on a one-on-one basis. Mayor Garza added that it is an exciting time for our city regarding the Toyota Manufacturing decision to come to San Antonio, and stated that there is an opportunity to do something unique and maximize the value for the property owners as well. He further noted that this action is part of the south side initiative and specified that he would be asking his colleagues for full support of this Ordinance.

In response to Councilman Martin regarding any options for those individuals who had not yet filed with the City on this designated area, Mr. Moncivais stated that a process does exist as listed on page 9 of the presentation in terms of the development meeting land-use principles.

Councilman Martin spoke of his concerns that the southside is considered for in the master plan for positive growth. He noted that he will be supporting Mayor Garza on this initiative.

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

2003-05      TRAVEL AUTHORIZATION - Granted:

Travel authorization for Councilmembers Antoniette Moorhouse, District 3, Bonnie Conner, District 8, and Carroll W. Schubert, District 10, who will travel to Washington, D.C. on Monday, February 10, 2003 to Wednesday, February 12, 2003 to participate with the City's delegation in representing the City of San Antonio's 2003 Federal Initiatives Program to the U.S. Congressional members and Federal agencies.

Councilwoman Moorhouse made a motion to approve the proposed Travel Authorization. Councilman Martin seconded the motion.

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

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2003-05      CITY MANAGER'S REPORT

Ms. Melissa Vossmer, Assistant City Manager, narrated the Process for the 2003 Bond Program, a copy of which is on file with the papers of this meeting. She discussed the issues of the proposed 2003 G.O. bond program process, proposed schedule and cost estimate services.

Mayor Garza stated that a timeline is necessary for this project, and asked the staff to engage the community to identify projects throughout the City and the need for the projects in our City.

Mr. Tom Wendorf, Director of the Public Works Department presented the second City Manager's Report on a Briefing on Dam Inspections Reports. He discussed the purpose, dam inspections, the Woodlawn Lake earthen dam and concrete spillway inspection briefing, history of the structure, inspection summary, probable maximum flood, and action plan. He further delineated 19<sup>th</sup> Street, Labrynth and Wier inspection report (Elmendorf Lake), history of the structure, inspection summary, probable maximum flood, action plan; Olmos Dam inspection report, history of the structure, inspection summary and action plan.

In response to Mayor Garza, Mr Wendorf stated that he will provide a list of those property owners who were contacted by the Public Works Department regarding buyouts.

In response to Councilman Castro regarding what would the limits be for the Woodlawn Lake Dam, Mr. Wendorf stated that the amount of rain needed to overburden the dam would not be meteorologically feasible.

In response to Councilman Castro on the matter of a contract for the Josephine Street channel walls by the Army Corp of Engineers, Mr. Wendorf stated that those issues are addressed in the report as "upstream and downstream wing walls". He noted a complete design and survey contract can be expected to be ready in eight to twelve months. He further noted that several solutions to the Woodlawn flood area are being considered, as well as an analysis of adding stormwater retention facilities on Fredericksburg Road.

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2003-05

CITIZENS TO BE HEARD

**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, congratulated Councilwoman Herrera on her appointment. Mr. Perez spoke on several issues on biblical scriptures.

(At this point, Mayor Garza was obliged to leave the meeting. Councilman Carpenter presided.)

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**MRS. JESSEEN MCKINNEY-JACKSON**

Mrs. Jesseen McKinney-Jackson, Jefferson Heights Association, apologized to Mayor Garza and Councilman Sanders about Mr. Charles English's conduct at the past City Council meetings. She discussed her experiences with Mr. English as a member of the Jefferson Heights Association.

(Mayor Garza returned to the meeting and presided.)

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SUBURBAN TRANSPORTATION

The following citizen(s) from Suburban Transportation appeared to speak:

Mr. John Myrick, Suburban Transportation, ground transportation unit distributed copies of correspondence to the City Council (a copy of which is on file with these papers). Mr. Myrick spoke in defense against any violations issued to drivers of Suburban Transportation, citing corrections have already been made.

Councilman Sanders stated that he has observed some of the activities occurring in the Ground Transportation Unit. He noted that some impartial review needed to be verified, and further stated that some process also needed to be initiated for a conclusion. He asked City Manager Brechtel to begin a process. He mentioned that he wanted to know whether this company has been treated unfairly.

Deputy Chief Rosemary Flammia, San Antonio Police Department, noted that Suburban Charter was issued a letter of notification that the City recommend that a permit not be renewed. She concurred that this is part of the process under the City Code and confirmed that they have documentation to serve the notice. She expounded on the process, which includes an appeal after discussion with Mr. Myrick, and stated that this appeal will be held next Wednesday.

Councilman Martin thanked the staff. He asked for a chronology of events as they have occurred and acknowledged that he wanted to see documentation that will support the actions taken to date. If not warranted, he concluded that the City should make sure that a win-win situation be created. He further noted that there is an appeals process, and concurred with Councilman Sanders that efforts be made to assure that the City have the final results.

Mayor Garza spoke to the Quality of Life Committee that will handle these issues.

Mr. Albert Perez, Suburban Transportation, spoke in support of their company and the service that they provide to the military personnel visiting San Antonio. He urged that this situation be resolved as quickly as possible.

Mr. Ronald Maestes, Suburban Transportation, spoke in support of Suburban Transportation, and cited utilizing fair practices and affordable service to the public.

Mr. Buford Allen Hendricks, Suburban Transportation, spoke to being treated unfairly as a driver of Suburban Transportation.

Mr. Kyle Hendricks, Suburban Transportation, stated that any complaints against the company mainly derive from former drivers. He discussed a service contract with Ft. Sam Houston that has helped the company survive.

Mr. Christian Lambert, Suburban Transportation, stated that he is an employee with Suburban Transportation. He stated that this company has provided him a respectable livelihood in order to support his family. Mr. Lambert discussed the problems that he has had with the Ground Transportation Unit. He also affirmed his commitment to supporting Suburban Transportation.

Mr. Erik S. Medina, Suburban Transportation, spoke in opposition of GTU's recommendation to stop Suburban Transportation from conducting business. He requested that the City Council assist the company in returning to its business of providing service to military personnel.

Ms. Donna Speer, 2554 N.E. Loop 410, #601, spoke as an employee of Suburban Transportation and her need to continue working.

Ms. Tracy Lynn Gifford, 2554 N.E. Loop 410, #601, requested that the City Council keep an open mind when deciding to close down Suburban Transportation.

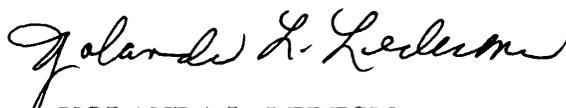
— — —  
2003-05 There being no further business to come before the City Council, the meeting was adjourned at 7:47 P.M.

A P P R O V E D



EDWARD D. GARZA  
M A Y O R

Attest:



YOLANDA L. LEDESMA  
Acting City Clerk