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2003-02 The City Council convened in an informal “B” Session at 10:00 A.M., Municipal Plaza Building “B” Room, to consider the following item(s):

A) **Staff Briefing on the Enterprise Resource Management Project.** (Presented by Troy Elliott, Director, ERM Project; Gary Moeller, Director of ITSD; and Tony Bosman, 311 Director.)

B) **Presentation and Demonstration of New Electronic Voting Equipment.** (Presented by Clifford R. Borofsky, Bexar County Elections Administrator.)

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

The “B” Session adjourned at 12:05 P.M.

2003-02 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. ABSENT: Garcia.

2003-02 Invocation by Councilman Enrique M. Barrera, District 6.

2003-02 Pledge of Allegiance to the flag of the United States.

January 16, 2003
PRESIDATION OF A PROCLAMATION TO THE "COWBOY BREAKFAST FOUNDATION".

Mayor Garza invited Mr. Joel Kline and members of the Cowboy Breakfast Foundation to come forward to accept a Proclamation proclaiming January 24, 2003, to be "Cowboy Breakfast Day" in San Antonio.

Mr. Kline thanked the Council for the Proclamation, identified the event sponsors and noted the change of location for this year's breakfast to Sunset Station.

At this time, reference was made to Agenda Item 37.

At this point, Councilman Perez made a motion to move Agenda Item 37 forward for consideration. Councilman Carpenter seconded the motion.

The motion, to consider this Item at this time, prevailed by the following vote: AYES: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Garcia.

The Clerk then read the following Ordinance:

AN ORDINANCE 97027

AUTHORIZING THE EXPENDITURE OF $500.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND, PAYABLE TO THE COWBOY BREAKFAST FOUNDATION TO ASSIST WITH THE COST OF STAGES TO BE USED AT THE COWBOY BREAKFAST ON JANUARY 24, 2003; AS REQUESTED BY MAYOR EDWARD D. GARZA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Garcia.
PRESENTATION OF A PLAQUE TO THE FINANCE DEPARTMENT.

Mayor Garza invited Mr. Milo Nitschke, Director of Finance, to come forward to accept the “Certificate of Achievement for Excellence in Financial Reporting” presented to the Finance Department by the Government Finance Officers Association of the United States and Canada.

Mr. Nitschke accepted the award on behalf of the department and spoke to the criteria required to receive this award. He recognized members of his staff who were in the audience.

Several members of the Council and the City Manager congratulated the department for their hard work.

ON A POINT OF PERSONAL PRIVILEGE

On a point of personal privilege, Councilman Sanders recognized certain City employees who assisted in the planning, coordination, and/or attendance at a town hall meeting held in his district on January 11, 2003. He noted that their participation contributed to the success of the meeting and presented each individual with a certificate of appreciation.

RESIGNATION OF COUNCILMAN DAVID GARCIA, DISTRICT 5

Mayor Garza announced today’s resignation, effective immediately, of Councilman David Garcia, District 5, from the San Antonio City Council. He then spoke to the timeline for accepting applications from interested individuals who would like to be appointed to the Council seat. The Mayor set out the following timeline and rules for appointment included the following:

1. Advertise for a replacement for the District 5 seat by publishing notices in the San Antonio Express-News and La Prensa newspapers beginning Friday, January 17th, through Tuesday, January 28th, with applications required to be received in the City Clerk’s Office before 4:30 P.M. on Tuesday, January 28th.
2. All applicants must be residents of District 5.
3. After applications are received, a public comment and interview session will be held during the City Council meeting of January 30th at 4:00 P.M.
4. Upon completion of the interviews, the City Council will make a selection and direct staff to place the selection for a vote on February 6th.
5. There will be a public comment period on January 30th and February 6th.
6. The person selected on January 30th prior to the February 6th meeting will hold a public hearing in District 5.
7. Include as part of the advertisement that each candidate will undergo a criminal check, a formal resume, a financial disclosure report and a statement on why he/she wants to be a City Council member.

In response to a question by Mayor Garza on whether a vote was needed to accept David Garcia’s resignation, City Manager Brechtel stated that an ordinance could be placed on the February 6th agenda accepting David Garcia’s resignation and appointing a replacement.

Mayor Garza added that he personally would look very carefully at the applicants and would consider those applicants that would only fill the position on an interim basis and not consider being a candidate in the May election.

Councilman Castro spoke to the need to establish a fair, open, and thorough appointment process. He concurred with the procedure set out by the Mayor.

2003-02 Minutes of the Regular City Council Meeting of October 31, 2002 were approved.

2003-02 CONSENT AGENDA – CITIZEN COMMENTS

Mr. Jack Finger, P. O. Box 12048, commented on Councilman Garcia’s resignation, Item 37, awarding monies to the Cowboy Breakfast, as well as Consent Agenda Items 16, 18, 24, and 25. He asked those Council members who had received campaign contributions from various entities refrain from voting on certain ordinances to prevent the appearance of conflict of interest.
Councilwoman Moorhouse made a motion to approve Agenda Items 5 through 30, constituting the Consent Agenda, except for Items 11, 12, which was pulled for individual consideration. Councilwoman Conner seconded the motion.

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

AN ORDINANCE 97028

ACCEPTING THE LOW BID SUBMITTED BY INDUSTRIAL COMMUNICATIONS TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES, POLICE AND FIRE DEPARTMENTS WITH AN ANNUAL CONTRACT FOR MOBILE DIGITAL TERMINAL MAINTENANCE FOR AN ESTIMATED TOTAL OF $233,028.00.

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AN ORDINANCE 97029

ACCEPTING THE BID FROM DELL COMPUTER CORPORATION UTILIZING THE TEXAS DEPARTMENT OF INFORMATION SERVICES "GO DIRECT" PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN ANNUAL CONTRACT FOR DESKTOP COMPUTERS FOR AN ESTIMATED COST OF $55,939.00.

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AN ORDINANCE 97030

ACCEPTING THE BID FROM ANALYTICAL COMPUTER SERVICES UTILIZING THE TEXAS DEPARTMENT OF INFORMATION SERVICES "GO DIRECT" PROGRAM TO PROVIDE THE CITY OF SAN ANTONIO POLICE AND FIRE DEPARTMENTS WITH AN ANNUAL CONTRACT FOR FLAT SCREEN MONITORS FOR AN ESTIMATED COST OF $56,558.00.

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AN ORDINANCE 97031

ACCEPTING THE LOW, QUALIFIED BID OF 3TI, INC. IN THE AMOUNT OF $39,000.00 IN CONNECTION WITH THE ROMAN COMMUNITY CENTER IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 3; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING $8,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING $1,150.00 FOR BID ADVERTISING AND PRINTING EXPENSES; AUTHORIZING $1,850.00 FOR PARK MATERIALS; REVISIONS THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97032

APPROPRIATING $2,400.00 FROM 2002 CERTIFICATES OF OBLIGATION FUNDS TO TCQ CONSTRUCTION FOR REPAIRS ON THE EXISTING MASONRY APPARATUS ROOM WALL AT FIRE STATION NO. 33, LOCATED AT 2002 SW 36TH STREET IN COUNCIL DISTRICT 6.

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AN ORDINANCE 97033

APPROVING A COOPERATIVE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REIMBURSEMENT OF AN AMOUNT NOT TO EXCEED $12,594.00 TO THE CITY FOR THE COST OF FURNISHING AND INSTALLING TRAFFIC SIGNAL EQUIPMENT ON LOCKHILL-SELMA ROAD AT GEORGE ROAD IN CONJUNCTION WITH MPO PROJECT STP 98(271)MM; AND AUTHORIZING CITY STAFF TO ACQUIRE AND INSTALL THE TRAFFIC SIGNAL EQUIPMENT.

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AN ORDINANCE 97034

APPROPRIATING $69,000.00 FROM 2001 CERTIFICATES OF OBLIGATION TO THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE MEDICAL CENTER
IMPROVEMENTS PHASE I PROJECT, LOCATED IN COUNCIL DISTRICT 8; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97035

ACCEPTING THE LOW BID IN THE AMOUNT OF $1,143,500.00 SUBMITTED BY UNITED ELECTRICAL CONTRACTORS, INC. D/B/A UNITED ENTERPRISES FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE EXPANSION OF TWO POLICE SUBSTATIONS LOCATED AT 3635 E. HOUSTON ST. AND 5020 PRUE ROAD; AUTHORIZING $60,120.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; FOR AN OVERALL TOTAL OF $1,203,620.00 FROM 1999 PUBLIC SAFETY IMPROVEMENTS G.O. BONDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97036

SELECTING SAN ANTONIO DESIGN GROUP, INC., TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE NAVIDAD FROM MARTIN TO SALINAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A 28TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT NOT TO EXCEED $14,987.00; AUTHORIZING $3,300.00 FOR ADDITIONAL SERVICES; AUTHORIZING $1,499.00 FOR ENGINEERING CONTINGENCY EXPENSES, REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97037

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF $97,174.75 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS TO HDR ENGINEERING, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE 36TH STREET FROM U.S. 90 TO GROWDON (MPO) PROJECT LOCATED IN COUNCIL DISTRICT 6; AUTHORIZING $9,717.47 FOR MISCELLANEOUS
ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97038

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF $16,305.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS TO HOYT CONSULTING ENGINEERS, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE NAKOMA FROM U.S. 281 TO WARFIELD PROJECT LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97039

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF $20,170.60 FROM 2000 CERTIFICATES OF OBLIGATION TO TURNER COLLIE & BRADEN, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE BITTERS ROAD FROM WEST AVENUE TO HEIMER (MPO) PROJECT LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING $2,017.06 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 93191, JANUARY 11, 2001.)

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AN ORDINANCE 97040

AMENDING THE PROFESSIONAL SERVICES CONTRACT AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF $36,760.00 FROM 2001 CERTIFICATES OF OBLIGATION TO MAESTAS & BAILEY, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE ISOM ROAD - RAMSEY TO U.S. 281 PROJECT LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND
Providing for payment. (Amends ordinance no. 89813, May 27, 1999.)

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An ordinance 97041

Authorizing the execution of a railroad crossing improvement agreement with the Union Pacific Railroad Company (UPRC) for improvements to the existing railroad crossing surface on Uvalde Road in Council District 3 and authorizing the payment of $21,986.00 from street maintenance and improvement funds to UPRC; appropriating funds; and providing for payment.

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An ordinance 97042

Authorizing work and payment in the amount of $15,394.00 from 2001 certificates of obligation to Drash Consulting Engineers, Inc., for environmental services under an existing environmental professional service consulting contract in connection with the Houston Street from Pine to Walters project, located in Council District 2; and providing for payment.

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An ordinance 97043

Authorizing payment in the amount of $500.00 from 2001 certificates of obligation to Eckmann Groll, Inc. for appraisal services in connection with the Loop 410 at Nacogdoches drainage improvements project located in Council District 10; appropriating funds; and providing for payment.

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AN ORDINANCE 97044

AUTHORIZING PAYMENT IN THE AMOUNT OF $664.95 TO LAWYERS TITLE OF SAN ANTONIO FOR TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80, PHASES III & V; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97045

AUTHORIZING PAYMENT IN THE AMOUNT OF $13,601.69 TO BRACEWELL & PATTERSON, L.L.P., FOR LEGAL SERVICES IN CONNECTION WITH THE ASHLEY ROAD - BASCUM BLVD. TO SOUTH FLORES PROJECT ($7.25), BLANCO ROAD & JACKSON KELLER INTERSECTION (MPO) PROJECT ($18.00), ESCALON STREET #1008 DRAINAGE PROJECT ($5,316.29), FIRE STATION NO. 7 ($2,454.32), HI-LIONS DRAINAGE PROJECT #80, PHASES III & V ($2,295.00), HILDEBRAND AVENUE - I.H. 10 TO BREEDEN (MPO) PROJECT ($18.00), HUNT LANE - MARBACH TO U.S. 90 (MPO) PROJECT ($677.33), PEDESTRIAN BRIDGE AT HIDDEN COVE ELEMENTARY PROJECT ($574.00), AND THE W.W. WHITE PHASE I - RIGSBY TO LORD PROJECT ($2,241.50); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97046

AUTHORIZING PAYMENT IN THE AMOUNT OF $10,764.37 TO DAVIDSON & TROILO, P.C., FOR LEGAL SERVICES IN CONNECTION WITH THE BABCOCK ROAD/LEON CREEK IMPROVEMENTS PROJECT ($795.15), BITTERS ROAD - WEST AVENUE TO HEIMER METROPOLITAN PLANNING ORGANIZATION PROJECT ($8,177.92), PLEASANTON ROAD - SOUTHCROSS TO MAYFIELD METROPOLITAN PLANNING ORGANIZATION PROJECT ($640.00), SALADO CREEK GREENWAY (HIKE & BIKE, PHASE I) PROJECT ($979.18), AND THE THOUSAND OAKS INTERSECTIONS METROPOLITAN PLANNING ORGANIZATION PROJECT ($172.12); REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97047

DECLARING AS SURPLUS AND AUTHORIZING THE SALE TO PETRA I. GUERRERO, ABUTTING PROPERTY OWNER, OF A PARCEL OF PROPERTY LOCATED AT 131 PECHE STREET WITHIN NCB 2150 WHICH PROPERTY IS CURRENTLY BEING HELD IN TRUST BY THE CITY OF SAN ANTONIO AS A RESULT OF A TAX FORECLOSURE IN 1969, FOR THE TOTAL SALES PRICE OF $2,659.00, WITH THE SALES PROCEEDS TO BE DISTRIBUTED TO THE PROPER TAXING ENTITIES PURSUANT TO CHAPTER 34 OF THE TEXAS TAX CODE.

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AN ORDINANCE 97048

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL CASH SUPPORT TOTALING $18,808.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO AUGMENT THE ONGOING TUBERCULOSIS PREVENTION AND CONTROL PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); APPROVING THE EXECUTION OF A CHANGE TO THE CONTRACT WITH TDH; REVISING THE PUBLIC HEALTH STATE SUPPORT PROJECT 2002/2003-STATE FUND; REVISING THE BUDGET; AND APPROVING THE PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 94306, AUGUST 9, 2001.)

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AN ORDINANCE 97049

AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES ESTABLISHED BY CHAPTER 19 (TRAFFIC REGULATIONS), ARTICLE III (TRAFFIC CONTROL DEVICES), SECTION 19-68 (B) TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULE FOR "STOP" SIGNS, "YIELD RIGHT OF WAY" SIGNS, "PROHIBITED PARKING AT ALL TIMES" SIGNS; AUTHORIZING THE PERMANENT INSTALLATION OF SAID DEVICES; DECLARING THEM AS OFFICIAL TRAFFIC CONTROL DEVICES OF THE CITY OF SAN ANTONIO; AND DECLARING VIOLATIONS OF THESE TRAFFIC REGULATIONS, EXCEPT THE CIVIL PARKING VIOLATIONS, TO BE
MISDEMEANOR CRIMES PUNISHABLE BY A FINE OF NOT MORE THAN $200.00, AND DECLARING VIOLATIONS OF THE CIVIL PARKING VIOLATIONS TO BE SUBJECT TO THE ENFORCEMENT PROVISIONS OF CITY CODE SECTION 19-225.

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AN ORDINANCE 97050

APPOINTING TINA VARA ENRIQUEZ TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2004.

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AN ORDINANCE 97051

APPOINTING DR. CECILIA GONZALES TO THE ALAMO WORKFORCE DEVELOPMENT BOARD FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2005.

2003-02 Item 11 being a proposed ordinance authorizing payment in the amount of $394,741.59 from 2002 Certificates of Obligation to the Texas Department of Transportation for construction costs in connection with the Rittiman Road from Austin Highway to Harry Wurzbach (MPO) Project located in Council District 10; appropriating funds; and providing for payment, was pulled from consideration by the City Manager.

2003-02 Item 12 being a proposed ordinance authorizing payment in the amount of $155,953.56 from 2002 Certificates of Obligation to the Texas Department of Transportation for construction costs in connection with the New Braunfels from I.H. 35 to Grayson (MPO) Project located in Council District 2; appropriating funds; and providing for payment, was pulled from consideration by the City Manager.
Mr. Jack Finger, P. O. Box 12048, spoke to Item 33 and the acceptance of grant money from the Casey Foundation and to Items 37 – 44. He spoke against approval of the items in which the Council members designated contingency funds to various organizations or functions.

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97052

AMENDING THE SAN ANTONIO PARKS AND RECREATION SYSTEM PLAN TO INCLUDE THE "LAND USE AND MANAGEMENT PLANNING GUIDELINES FOR NATURAL AREAS," (AMENDS ORDINANCE NOS. 89162, JANUARY 28, 1999; ORDINANCE NO. 93920, MAY 10, 2001.)

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

Mr. Malcolm Matthews, Director, Parks and Recreation Department, spoke briefly to these guidelines and the acquisition of some additional property acquisitions. He then introduced Adams Environmental, Inc. consultant, Dr. Lynn Kitchen, who narrated a slide presentation on Land Use and Management Planning Guidelines for Natural Areas, a copy of which presentation is made a part of the papers of this meeting. The presentation included the guidelines that will serve as a basis for the formation of management practices, capital improvement plans and maintenance programs for properties already purchased as well as those that may be acquired in the future. It was noted that the document would apply to all of the City’s natural areas.

Mayor Garza, Councilwoman Conner and Councilman Castro spoke to the merits of these guidelines and thanked the company for their hard work.

Councilwoman Conner publicly thanked former Mayor Howard Peak for his role in securing passage of this plan.
After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES**: Perez, Sanders, Moorhouse, Martin, Barrera, Castro, Conner, Schubert, Carpenter, Garza. **NAYS**: None. **ABSENT**: Garcia.

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2003-02  The Clerk read the following Ordinance:

**AN ORDINANCE 97053**

ADOPTING REVISIONS TO THE EXISTING CITY OF SAN ANTONIO COMMUNITY DEVELOPMENT HOUSING PROGRAM POLICY GUIDE FOR UTILIZATION IN CONNECTION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP (HOME) PROGRAMS ADMINISTERED BY THE CITY'S HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT.

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

Mr. Andrew Cameron, Director, Housing and Community Development, narrated a slide presentation on the Proposed CDBG and HOME Housing Program Policies, a copy of which presentation is made a part of the papers of this meeting. The presentation included major changes to the existing policies, background information, development of housing program policies, anticipated future steps for dissemination of new housing program policies and consolidated budget process.

Councilman Sanders spoke to the reduction of CDBG funds from $20.5 million to the proposed FY03 allocation of $17.7 million.

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

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2003-02  The Clerk read the following Ordinance:
AN ORDINANCE 97054

ACCEPTING GRANT FUNDS IN THE AMOUNT OF $27,500.00 FROM THE ANNIE E. CASEY FOUNDATION IN CONNECTION WITH THE COLLABORATIVE LEADERSHIP PROJECT, FAMILY ECONOMIC SUCCESS PROGRAM TECHNICAL ASSISTANCE, AND EARNED INCOME TAX CREDIT RETURN ON INVESTMENT STUDY AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT IN CONNECTION WITH SAID AWARD.

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

Mr. Dennis J. Campa, Director, Department of Community Initiatives, narrated a slide presentation on acceptance of Annie E. Casey Foundation Grants, related to acceptance of grant awards for various early childhood and family economic success programs, a copy of which is on file with the papers of this meeting. He noted that staff recommended approval.

In response to a question from Councilman Barrera, Mr. Campa spoke to the origin of these grant funds and their allocation.

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

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97055

AUTHORIZING THE WAIVER OF ALL OF THE STREET CLOSURE PERMIT FEES TO TEMPORARILY CLOSE MIRACLE LANE, MERCY LANE, FULLER LANE, AND BIRDIE LANE BETWEEN THE HOURS OF 8:00 A.M. AND 4:00 P.M. ON FRIDAYS AND SATURDAYS THROUGH DECEMBER 2003 ON AN "AS NEEDED BASIS" FOR THE PURPOSE OF CONSTRUCTING NEW HOMES BY HABITAT
FOR HUMANITY OF SAN ANTONIO; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

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

Mr. Thomas G. Wendorf, P.E., Director, Public Works, narrated a slide presentation in which he provided information on the request for waiver of temporary street closure fees for Miracle, Mercy, Fuller and Birdie Lanes on behalf of Habitat for Humanity of San Antonio.

Councilman Castro spoke in favor of the Ordinance and to the organization's work in creating homes for low income citizens. He asked for Council support on this Ordinance.

Councilman Castro offered an amendment to grant a full waiver of fees for these projects. Councilman Barrera seconded the motion.

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

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

2003-02 Item 35 being a proposed ordinance to discuss and consider the declaration of forfeiture of the Place 5 City Council membership of David A. Garcia pursuant to Article II, Section 7 of the City Charter; and to establish a process to fill the resulting vacancy pursuant to Article II, Section 8 of the City Charter; as requested by Mayor Edward D. Garza, was pulled from consideration by the City Manager.

2003-02 The Clerk read the following Ordinance:
AN ORDINANCE 97056

AUTHORIZING THE TOTAL EXPENDITURE OF $2,350.00 FROM THE MAYOR'S CONTINGENCY ACCOUNT FUND AND FROM VARIOUS CITY COUNCILMEMBERS CONTINGENCY ACCOUNT FUNDS, PAYABLE TO SAN ANTONIO FILMMAKERS LAURA VARELA AND FERNANDO CANO II, FOR THEIR "AS LONG AS I REMEMBER" DOCUMENTARY FILM PROJECT, TO BE USED TO OFFSET TRAVEL EXPENSES AND PRODUCTION RELATED EXPENSES FOR THE DOCUMENTARY FILM, WHICH CHRONICLES THE MEXICAN AMERICAN EXPERIENCE IN VIETNAM; AS REQUESTED BY MAYOR EDWARD D. GARZA

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Councilman Perez made a motion to approve the proposed Ordinance with additional funds from the following districts: District 1 - $100; District 4 - $250; District 5 - $250; District 6 - $250; District 7 - $250; District 9 - $250; District 10 - $500. Councilman Martin seconded the motion.

Ms. Laura Varela, filmmaker of a documentary film project entitled "As Long As I Remember" spoke to the purpose of the film and its anticipated completion date in December 2004. She added that this film would fill a void in the history of the Vietnam War.

Several Councilmembers commended Ms. Varela for her work on this project.

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

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97057

AUTHORIZING THE EXPENDITURE OF $500.00 FROM THE DISTRICT 2 CONTINGENCY ACCOUNT FUND, PAYABLE TO PASCHALL ELEMENTARY PTO TO ASSIST WITH THE COST OF EDUCATIONAL FIELD TRIPS FOR
STUDENTS IN THE GIFTED AND TALENTED PROGRAM; AS REQUESTED BY COUNCILMAN JOHN H. SANDERS, DISTRICT 2.

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

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

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97058

AUTHORIZING THE EXPENDITURE OF $1,250.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND, PAYABLE TO JOY CONCESSIONS FOR PROVIDING A STAGE ($500.00) AND A LIGHT AND SOUND SYSTEM ($750.00) FOR THE HERITAGE NEIGHBORHOOD ASSOCIATION'S CHRISTMAS CELEBRATION THAT WAS HELD ON DECEMBER 20, 2002 AT CODY ELEMENTARY SCHOOL; AS REQUESTED BY COUNCILMAN ENRIQUE "KIKE" MARTIN.

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

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

2003-02 The Clerk read the following Ordinance:
AN ORDINANCE 97059

AUTHORIZING THE EXPENDITURE OF $300.00 FROM THE DISTRICT 5 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT, TO BE USED TO OFFSET THE COSTS ASSOCIATED WITH THE DISTRICT 5 "OUR PARK OF TOWN TALENT SHOW" HELD AT OUR LADY OF THE LAKE UNIVERSITY; AS REQUESTED BY COUNCILMAN DAVID A. GARCIA, DISTRICT 5.

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Councilman Perez 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: Perez, Sanders, Martin, Barrera, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Moorhouse, Garcia, Castro.

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97060

AUTHORIZING THE EXECUTION OF A CONTRACT WITH DRESS FOR SUCCESS SAN ANTONIO (DFSAA) FOR GENERAL OPERATING SUPPORT; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF $1,000.00 FROM THE DISTRICT 6 HUMAN DEVELOPMENT SERVICES FUND, $1,000.00 FROM THE DISTRICT 1 HUMAN DEVELOPMENT SERVICES FUND, $500.00 FROM THE DISTRICT 4 HUMAN DEVELOPMENT SERVICES FUND, $200.00 FROM THE DISTRICT 8 HUMAN DEVELOPMENT SERVICES FUND, AND $500.00 FROM THE MAYOR'S CONTINGENCY FUND, IN CONNECTION THEREWITH; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Perez made a motion to approve the proposed Ordinance with additional funds from the following districts: District 1 - $1,000; District 4 - $500; District 8 - $200; District 11 - $500. Councilman Martin seconded the motion.
Mr. Dennis Campa, Director, Department of Community Initiatives, narrated a slide presentation outlining the Dress for Success San Antonio program, its background information, accountability, and the Ordinance summary, a copy of which is on file with the papers of this meeting.

Ms. Pamela L. Taylor, Executive Director, Dress for Success San Antonio, gave a brief overview of the program and requested any additional funds that the Council could allocate for its continued operation.

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

2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97061

AUTHORIZING THE EXPENDITURE OF $1,000.00 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE TAFT HIGH SCHOOL ATHLETIC BOOSTER CLUB, TO BE USED TO OFFSET THE COSTS ASSOCIATED WITH THE PURCHASE OR CONSTRUCTION OF A TROPHY CASE IN THE HALLWAY OF TAFT HIGH SCHOOL; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Martin 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: Perez, Sanders, Martin, Barrera, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Moorhouse, Garcia, Castro.

2003-02 The Clerk read the following Ordinance:
AN ORDINANCE 97062

AUTHORIZING THE EXPENDITURE OF $124.14 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT, TO BE USED TO OFFSET THE COSTS ASSOCIATED WITH THE DISTRICT 6 "OUR PART OF TOWN TALENT SHOW" HELD AT JORDAN MIDDLE SCHOOL; AS REQUESTED BY COUNCILMAN ENRIQUE M. BARRERA.

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Councilman Barrera 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: Perez, Sanders, Martin, Barrera, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Moorhouse, Garcia, Castro.

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2003-02 The Clerk read the following Ordinance:

AN ORDINANCE 97063

AUTHORIZING THE EXPENDITURE OF $78.52 FROM THE DISTRICT 8 CONTINGENCY ACCOUNT FUND, PAYABLE TO THE PARKS AND RECREATION DEPARTMENT, TO BE USED TO OFFSET THE COSTS ASSOCIATED WITH THE DISTRICT 8 "OUR PART OF TOWN TALENT SHOW" HELD AT STINSON MIDDLE SCHOOL; AS REQUESTED BY COUNCILWOMAN BONNIE J. CONNER, DISTRICT 8.

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Councilman Martin 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: Perez, Sanders, Martin, Barrera, Conner, Schubert, Carpenter, Garza. NAYS: None. ABSENT: Moorhouse, Garcia, Castro.
City Manager Terry Brechtel noted that she had requested a full investigation of the Karotkin Building collapse, which occurred in December, 2002. She asked Mr. Florencio Pena, Director, Development Services, to provide a status report.

Mr. Pena reported that immediately after the collapse of the building a structural engineer was employed to determine what caused the collapse. He noted that Advanced Engineering Solutions, led by Mr. James B. Jones, P.E., had been engaged to conduct a structural forensics analysis of the facade collapse. He then introduced Mr. Jones who narrated a slide presentation on his findings.

Mr. Jones gave an in depth presentation of the area and the structure. After a detailed investigation of the collapse, he offered the following conclusions:

1. The bracing was installed in general compliance with the approved permit plans (and revisions).
2. The southern facade collapsed due to compressive failure of the masonry in column F8 (southwest corner). The failure appeared to have occurred at the under-cut column base and/or at the bearing area of the lintel over the opening at the Commerce Street level.

He added that several bricks were removed from the base of the columns at the Commerce Street level in order to permit the construction of concrete collars around a portion of the masonry columns. This reduction in masonry compromised the columns’ ability to support the weight of the wall. By shifting the bearing load to the remaining interior weaker bricks, the columns at the southwestern corner collapsed due to the weight of the masonry facade. Mr. Jones also advised that his firm was providing some recommendations for the Council to consider adopting for use when dealing with construction affecting historic structures.

The Mayor spoke to the recommendations that Advanced Engineering Solutions provided and to how important these issues are as San Antonio has many historic buildings. He asked that as City staff studies these recommendations they seek information on what other communities are doing in this regard.

Councilwoman Conner thanked the company for the report and noted that she was looking forward to staff coming to the Council with recommendations.
2003-02  MARTIN LUTHER KING, JR. CELEBRATION

Councilman Sanders spoke to the upcoming Martin Luther King celebration. He noted that San Antonio’s observance is the largest in the country. It is a month-long observance, which includes educational activities, religious functions, panel discussions, youth programs and one of the most diverse events in the nation in which 50,000 people gather for a parade calling attention to human rights. He invited his Council colleagues to participate in some of the events.

2003-02  EXECUTIVE SESSION

The City Council recessed its regular session at 3:10 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 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 3:45 P.M. and reconvened in regular session, at which time Mayor Pro Temp Conner stated that City Council had been briefed on the above-styled matters and had given staff direction, but had taken no official action.

2003-02  CITIZENS TO BE HEARD

MR. RUBEN ESPONCEDA

Mr. Ruben Esponceda, P. O. Box 14463, spoke in favor of letting the interim appointee to the District 5 Council seat run for office in the May elections and letting the people of the District decide whether they want to keep that person in office. He further spoke of a public hearing in District 5 to meet the applicants for the position.
Several Councilmembers spoke to the requirements that the Mayor had outlined as part of the conditions for securing an interim appointment to the District 5 seat.

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MR. NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the resignation of Mr. Garcia as the District 5 representative and to various legal issues.

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MR. FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke against requiring that the District 5 interim appointee not run for City Council during the May elections, the police contract, the renaming of Durango Street, the USA Pageant and for awarding rebates to customers whose trash was not picked up during City holidays.

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MR. JOE PEREZ

Mr. Joe Perez, 1502 Holbrook #6, spoke to his recent incarceration and to obtaining justice in court. He stated that he has not seen justice prevail nor was he being heard.

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MR. JACK FINGER

Mr. Jack Finger, P. O Box 10248, spoke to issues he had with Item 33 and to the City accepting grant monies from the Casey Foundation.

Councilman Barrera made a brief comment on the objectives of the school readiness program.
At this point, Mayor Pro Tem Conner recessed the regular meeting, reconvening at 5:00 P.M. for continuation of Citizens to be Heard.

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MR. JOSE GALLEGOS, JR.

Mr. Jose Gallegos, Jr., 214 W. Academy, spoke to the continued support of Mr. David Garcia by many of District 5 constituents who are appreciative of all his hard work during his term in office. He stated for the record that there continue to be fine, upstanding, hard working residents in District 5. He asked that as the City Council proceeds to appoint a representative to replace Councilman David Garcia they remember that the citizens of District 5 deserve and demand quality representation. He charged the Council to select someone who really has the best interest of District 5.

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MR. JIM KOCH

Mr. Jim Koch, 8214 Evert, commended the City Council for moving forward with the Land Use and Management Planning Guidelines for Natural Areas. He added that he would like for Council to take action on the tree protection ordinance.

Councilwoman Conner stated that the tree ordinance went before the committee on Monday and would now go before the Planning Commission.

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MR. JOE GILBERT CANDIA

Mr. Joe Gilbert Candia, 113 Lebanon, spoke to the resignation of Councilman Garcia as District 5’s representative. He commended Councilman Castro, his brother, and Councilman Barrera for their work.
MR. GENARO SOLIS

Mr. Genaro Solis, WIN for God, Inc. Ministries, stated that he would work for some of the City Council and work for the benefit of needy people in this world.

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MS. DIANE SMILGIN

Ms. Diane Smilgin, 940 E. Grayson, spoke to the delay in opening of the gates at Fort Sam Houston and to the damage the closure is doing to area businesses. She spoke to the lack of action by those in power and to possible tax abatements for business owners in the area.

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MR. AUGUST CUREL

Mr. August Curel, Government Hill, concurred with Ms. Smilgin’s comments on the closure of the Fort Sam Houston gate. He added that Councilman Sanders had agreed to attend a meeting but did not show up.

Councilman Sanders stated that he had not made that statement and explained that he had agreed to assist in setting up a meeting. He apologized if his recent comments had been misunderstood.

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MR. RICHARD WARKE

Mr. Richard Warke, Government Hill, spoke to the need of business owners in the Government Hill area to receive tax abatements because of the hardships they are experiencing with the closing of the Fort Sam Houston gate.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, LULAC, spoke to the possible war with Iraq. He asked for the City’s support of the President of the United States and for the need of citizens to be alert in the event of war.
2003-02 There being no further business to come before the Council, the meeting was adjourned at 5:31 P.M.

Attest:  
YOLANDA L. LEDESMA  
Acting City Clerk

APPROVED  
EDWARD D. GARZA  
MAYOR

2003-02  
January 16, 2003  
mlr/vi