

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, MARCH 20, 2003.**

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2003-11 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) **Staff Presentation on Parks Bond Projects.** (Presented by Malcolm Matthews, Director, Parks and Recreation.)
  
- B) **Staff Presentation on All Facility Related Bond Projects.** (Presented by Thomas G. Wendorf, Director, Public Works.)

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

The "B" Session adjourned at 11:40 A.M.

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2003-11 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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2003-11 Invocation by Father Paul Raaz, Resurrection of the Lord Catholic Church.

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2003-11 Pledge of Allegiance to the flag of the United States.

**2003-11 RECOGNITION OF THE DELEGATION OF 16 MAYORS FROM PUEBLA, MEXICO.**

Mayor Garza welcomed a delegation of mayors from Puebla, Mexico that was visiting San Antonio to study our City's public administration and various programs. He then introduced the Honorable Luis Paredes Moctezuma, Mayor of the City of Puebla, who spoke on behalf of the group and asked the members of the delegation to introduce themselves.

The City Council members welcomed the group to San Antonio.

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**2003-11 PROCLAMATION FOR THE 7<sup>TH</sup> ANNUAL CESAR E. CHAVEZ MARCHA DAY.**

Mayor Garza invited Mr. Jaime Martinez to come forward to accept a Proclamation in honor of the 7<sup>th</sup> Annual Cesar E. Chavez Marcha Day on March 29, 2003.

Mr. Martinez accepted the Proclamation and spoke to Mr. Chavez' work for human rights. He added that a postage stamp in honor of Mr. Chavez will be dedicated April 23, 2003 recognizing his life and the legacy that he left. He invited everyone to participate in the march.

A group of representatives spoke of the scholarships that will be awarded in Mr. Chavez' honor and of his work.

The Council members thanked Mr. Martinez and the Cesar Chavez March Foundation for all their efforts to honor the memory of Mr. Cesar Chavez. Several noted that they would be attending the event.

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**2003-11 RECOGNITION OF PARTICIPANTS IN THE DISTRICT 6 COMMUNITY HEALTH FAIR.**

Mayor Garza invited Councilman Barrera to join him in recognizing organizations that had participated in the District 6 Community Health Fair on January 25, 2003. Representatives from each organization were presented plaques acknowledging their participation.

Councilwoman Conner thanked Councilman Barrera for the work that he had done to bring this fair to his district.

Councilman Barrera advised the Council that over 55 organizations displayed their products and services to approximately 400 citizens who came to the daylong fair from throughout the City. He stated that the success of the fair encouraged him to hold one again next year.

Mayor Garza congratulated Councilman Barrera for his work on this event and added that he was confident that next year's fair would be a bigger success.

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2003-11      **MOMENT OF SILENCE IN HONOR OF U.S. TROOPS IN IRAQ.**

Mayor Garza called for a moment of silence for our servicemen & servicewomen who are fighting in the war in Iraq. He spoke to extending our thoughts and prayers not only to those in the military but also to those who are supporting those in the military.

He stated that the City of San Antonio would be distributing a preparedness red sheet that will contain suggested recommendations and tips for individual preparedness. He added that the red sheets would be available at various public facilities. Mayor Garza further added that the City would be working with other organizations and companies to try and get this out to as many individuals as possible. He thanked the Office of Emergency Management for coordinating this effort and for preparing the one-page summary.

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2003-11      **CONSENT AGENDA**

Councilwoman Moorhouse made a motion to approve Agenda Items 7 through 16, constituting the Consent Agenda. 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, Moorhouse, Martin, Herrera, Barrera, Castro, Conner, Schubert, Garza. **NAYS:** None. **ABSENT:** Perez, Carpenter.

AN ORDINANCE 97336

RATIFYING THE SINGLE SOURCE CONTRACT FROM MULTI-CULTURAL BOOKS AND VIDEO TO PROVIDE SPANISH LANGUAGE BOOKS AND

VIDEOCASSETTES FOR THE CITY OF SAN ANTONIO LIBRARY DEPARTMENT FOR A TOTAL SUM OF \$27,996.33.

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AN ORDINANCE 97337

ACCEPTING THE LOW BID SUBMITTED BY FREEMAN DECORATING SERVICES, INC. TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME DEPARTMENT WITH RENTAL AND INSTALLATION OF EVENT/EXHIBIT EQUIPMENT FOR A TWO (2) YEAR PERIOD FOR A TOTAL SUM OF \$54,873.50.

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AN ORDINANCE 97338

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH MATERIALS & LABOR TO MAINTAIN & REPAIR HEATING AND A/C SYSTEMS AT THE POLICE SUBSTATIONS, TRAINING ACADEMY AND HEADQUARTERS BUILDINGS, WIRTGEN RECLAIMER & MILLING MACHINE PARTS & SERVICE, AND MEDICAL SUPPLIES-DISPOSABLE MEDICAL EXAMINATION PRODUCTS ON AN ANNUAL CONTRACT BASIS FOR FY 2003-2004 FOR A TOTAL OF APPROXIMATELY \$103,673.00.

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AN ORDINANCE 97339

AUTHORIZING THE APPROPRIATION AND ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$27,000.00 AND 1999 PARK BOND FUNDS IN THE AMOUNT OF \$147,175.00 FOR CONSTRUCTION WORK IN CONNECTION WITH THE SOUTHSIDE LIONS PARK IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 3; AUTHORIZING THE PERFORMANCE OF CONSTRUCTION WORK BY THE DEPARTMENT OF PARKS AND RECREATION PARK CONSTRUCTION CREW IN THE AMOUNT OF \$172,085.00; AUTHORIZING THE TRANSFER OF PROJECT ARCHITECT SAVINGS FEES IN THE AMOUNT OF \$5,500.00 TO THE CONSTRUCTION BUDGET; AUTHORIZING \$4,290.00 FOR PROJECT CONTINGENCY EXPENSES;

AUTHORIZING \$3,300.00 FOR MANDATORY PROJECT FEES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97340

AUTHORIZING A FIVE (5) YEAR LEASE AGREEMENT WITH CLIFF CROOM D/B/A AMAYA DELI AND YOGURT HOUSE FOR USE OF THE CITY'S HEMISFAIR PARK BUILDING NO. 531, THE DUGOSH HOUSE, LOCATED IN COUNCIL DISTRICT 1, FOR USE AS A RESTAURANT FOR ANNUAL RENTAL INCOME OF \$7,487.52 IN YEAR ONE; \$7,684.56 IN YEAR TWO; \$7,881.60 IN YEAR THREE; \$8,078.64 IN YEAR FOUR; AND \$8,275.68 IN YEAR FIVE.

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AN ORDINANCE 97341

AUTHORIZING THE EXECUTION OF A TWO (2) YEAR LICENSE AGREEMENT WITH THE LITTLE COWBOYS NORTH AMERICAN JUNIOR INDEPENDENT FOOTBALL ORGANIZATION FOR THE USE OF A SPORTS FIELD IN JOE WARD PARK IN CITY COUNCIL DISTRICT 7 FOR RECREATIONAL PURPOSES IN CONSIDERATION FOR THEIR MAINTENANCE OF SAID AREA.

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AN ORDINANCE 97342

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY WHICH ESTABLISHES CERTAIN TERMS BY WHICH THE CITY OF SAN ANTONIO WILL CONSENT TO THE CREATION OF EMERGENCY SERVICE DISTRICT #3 WITHIN THE CITY'S ETJ FOR THE PROVISION BY THE DISTRICT OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES FOR INDIVIDUALS RESIDING WITHIN ITS BOUNDARIES.

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AN ORDINANCE 97343

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$54,890.00 WITH LAMBERTH CONSULTING, L.L.C., TO PROVIDE A STATISTICAL ANALYSIS AND INTERPRETATION OF DATA COLLECTED BY THE SAN ANTONIO POLICE DEPARTMENT PURSUANT TO SENATE BILL 1074, COLLECTION AND REPORTING OF CERTAIN DATA RELATING TO RACIAL PROFILING IN TRAFFIC AND PEDESTRIAN STOPS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 97344

AUTHORIZING THE ACCEPTANCE OF A GRANT, WHEN OFFERED, IN AN AMOUNT NOT TO EXCEED \$120,500.00 FROM THE TRANSPORTATION SECURITY ADMINISTRATION ("TSA") FOR REIMBURSEMENT OF EXPENSES RESULTING FROM PARTICIPATION IN THE TSA EXPLOSIVES DETECTION CANINE TEAM PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS AND ESTABLISHING A BUDGET.

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AN ORDINANCE 97345

REAPPOINTING DALE STRIPPELMAN (TAXICAB INDUSTRY CATEGORY - DISTRICT 10) TO THE TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 26, 2005.

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2003-11      The Clerk read the following Ordinance:

AN ORDINANCE 97346

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$40,905,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2003"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR

THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, ESCROW AGREEMENT AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS IMPOSED BY THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

Mr. Milo D. Nitschke, Director, Finance, narrated a slide presentation on Items 4A, 4B, and 4C, Refunding Bonds in the amounts of \$40,905,000, \$8,175,000 and \$3,255,000 (a copy of which is filed with the papers of this meeting). He spoke to the schedule of events for this bond sale, the underwriting syndicates headed by Ramirez & Company for the General Improvement Refunding Bonds and Morgan Stanley for the Airport System Revenue Refunding Bonds, and the transactions summary.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P. O. Box 12048, stated that some of the companies involved in these bond sales had omitted information on their ethics disclosure statements regarding campaign contributions that they had made to the Council and also spoke to litigation against some of these companies. He asked the Council to consider these lawsuits prior to voting on these items.

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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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2003-11 The Clerk read the following Ordinance:

AN ORDINANCE 97347

FIFTH SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE REFUNDING BONDS, SERIES 2003-A; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

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

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2003-11 The Clerk read the following Ordinance:

AN ORDINANCE 97348

SIXTH SUPPLEMENTAL ORDINANCE TO THE MASTER ORDINANCE AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE REFUNDING BONDS, SERIES 2003-B; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

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2003-11      **INDIVIDUAL ITEMS – CITIZEN COMMENTS**

Mr. Jack Finger, P. O. Box 12048, spoke to the six-signature memo that had initiated Item 19 and to Item 20, relating to the Earth Day 2003's theme, "Know Your Watershed." He spoke to concerns that he had with the U.S. Fish and Wildlife Department.

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2003-11      The Clerk read the following Ordinance:

AN ORDINANCE 97349

APPROVING A JOINT ELECTION WITH THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT AND THE EAST CENTRAL INDEPENDENT SCHOOL DISTRICT CONDUCTED BY THE BEXAR COUNTY ELECTIONS ADMINISTRATOR TO BE HELD ON MAY 3, 2003.

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

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

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2003-11      The Clerk read the following Ordinance:

AN ORDINANCE 97350

APPROVING A CONTRACT FOR ELECTION SERVICES WITH BEXAR COUNTY THROUGH THE BEXAR COUNTY ELECTIONS ADMINISTRATOR, SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND THE BEXAR COUNTY ELECTIONS ADMINISTRATOR, IN CONNECTION WITH THE MAY 3, 2003 ELECTION; AND AUTHORIZING PAYMENT FOR THESE SERVICES.

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

Acting City Clerk, Yolanda Ledesma, narrated a slide presentation in which she spoke to the contract with Bexar County for election services for the May 3, 2003 General and Joint Election (a copy of which is filed with the papers of this meeting). Ms. Ledesma spoke to the duties and responsibilities of the Bexar County Elections Administrator in connection with the City's Council member election and to the election's financial impact

In response to a question from Councilman Castro, Ms. Ledesma explained that originally the City was going to be using electronic equipment for early voting and paper ballots for the regular election. However, she stated that after recent communication with the Bexar County Elections Administration, she would bring an ordinance for consideration at next week's Council meeting amending the original ordinance to reflect that paper ballots would be used for both early voting and the regular election. She further stated that sharing the election with other entities would lower election costs.

In response to a question from Councilman Barrera, Ms. Ledesma stated that the cost for electronic voting versus paper ballot would be the same since the City was only going to use electronic equipment for early voting.

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

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2003-11 The Clerk read the following Ordinance:

AN ORDINANCE 97351

APPROVING THE TERMS OF A LEASE AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY FOR THE USE OF 1,038 SQUARE FEET AT BROOKS CITY-BASE FOR THE DISTRICT 3 FIELD OFFICE AT A RENTAL RATE OF \$468 PER MONTH FOR THE PERIOD OF APRIL 1, 2003 THROUGH MARCH 31, 2004, SUCH LEASE PROVIDING FOR A 12-MONTH RENEWAL OPTION, SUBJECT TO CITY COUNCIL APPROVAL, AND CONTINGENT UPON ANNUAL APPROPRIATION OF FUNDS; AS REQUESTED BY COUNCILWOMAN ANTONIETTE MOORHOUSE.

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

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2003-11 The Clerk read the following Resolution:

A RESOLUTION  
NO. 2003-11-12

SUPPORTING EARTH DAY 2003 TO BE HELD ON SATURDAY, APRIL 19, 2003 AT WOODLAWN LAKE PARK.

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Councilwoman Moorhouse made a motion to approve the proposed Resolution. Councilwoman Herrera seconded the motion.

Councilman Castro invited everyone to attend the Earth Day observance on April 19<sup>th</sup>.

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

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2003-11      **CITY MANAGER'S REPORT**

City Manager Terry Brechtel introduced Mr. Jim Campbell, External Relations Director, who presented a legislative update to the Council.

Mr. Campbell narrated a slide presentation on the State Initiatives Program, 78<sup>th</sup> Legislature (a copy of which is filed with the papers of this meeting). He spoke to SB 15, SB 404, HB 1153/SB 642, and HB 1150. He further spoke to testimonies presented for and against various bills by Councilwoman Conner and staff from various City departments.

Mr. Campbell then responded to questions from various Council members.

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2003-11      **EXECUTIVE SESSION**

The City Council recessed its regular session at 2:17 P.M. in order to convene into Executive Session for the purpose of:

Discussing the lawsuit styled Hearst Newspapers Partnership L.P., Maro Robbins vs. City of San Antonio, Cause No. 2003-CI-01765, 408<sup>th</sup> Judicial District, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 3:00 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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2003-11      **PUBLIC HEARING AND ORDINANCE: CONSIDERATION OF AN ORDINANCE CLOSING, VACATING AND ABANDONING MOBERLY PLACE AND A PORTION OF AN UNIMPROVED SIXTEEN FOOT WIDE ALLEY AND ACCEPTING A SIXTEEN FOOT WIDE ALLEY DEDICATION.**

Mayor Garza declared the Public Hearing to be open.

Ms. Rebecca Waldman, Director, Asset Management, narrated a slide presentation on the proposed closure of Moberly Place and a portion of an unimproved alley and acceptance of an alley dedication (a copy of which is filed with the papers of this meeting). Ms. Waldman spoke to the purpose of the closure, the notification process, policy analysis, and staff's recommendation to approve.

In response to questions by Mayor Garza on the dairy's proposed expansion and how it would interact with the rest of the growth in the area, Mr. Jerry Arredondo explained the expansion and the area to be closed and stated that there were no plans to expand further north.

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

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The Clerk then read the following Ordinance:

AN ORDINANCE 97352

CLOSING, VACATING AND ABANDONING MOBERLY PLACE AND A PORTION OF AN UNIMPROVED SIXTEEN FOOT (16') WIDE ALLEY AND ACCEPTING A SIXTEEN FOOT (16') WIDE ALLEY DEDICATION ALONG THE WEST PROPERTY LINE OF LOT 5, NCB 3243, IN COUNCIL DISTRICT 1, AS REQUESTED BY THE PETITIONER, SOUTHERN FOODS GROUP, L.P., D/B/A OAK FARMS DAIRY, FOR THE TOTAL CONSIDERATION OF \$28,130.00.

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

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



**MS. ANNABELLE TIEMANN**

Ms. Annabelle Tiemann, speaking for Hongyi Pan, Zhiwan Dong, and herself, asked that the City of San Antonio join them in speaking out in defense of Dr. Charles Li, an American citizen and Falun Gong practitioner, who is being tried by the Chinese government. A copy of their letter detailing the group's request is filed with the papers of this meeting. She asked that the Council consider some official action protesting China's treatment of Dr. Li.

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**MR. JIM KOCH**

Mr. Jim Koch, District 7 citizen, spoke in favor of the tree ordinance. He spoke to the need to address those issues that were not addressed in the recently approved ordinance, i.e. root protection requirements, minimum quantity of trees that must be preserved, etc.

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**MS. MELISSA GALVAN**

Ms. Melissa Galvan, P.O. Box 120352, asked the Council to consider holding a candlelight vigil, proclaiming a "Day of Peace" and calling for a moment of silence to unite the community.

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**MR. DALE BARKALOW**

Mr. Dale Barkalow, 1322 O'Hara Dr., stated that he was a very frustrated KB Home owner. He invited the Council to visit him and his family to see firsthand the condition of his home.

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**MR. DAVID SOLORZANO**

Mr. David Solorzano, 1302 O'Hara Dr., stated that he was also a dissatisfied KB Home owner. He spoke to a visit he had at the State Capitol on March 11<sup>th</sup> with other members of the community to speak to their KB Homes.

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**MR. NAZARITE RUBEN FLORES PEREZ**

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to the war in Iraq and quoted scriptures.

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**KB HOMES - HOMEOWNERS**

Mr. Johnnie Ward - 8051 Cantura Mills; Ms. Carlota Neil - 8050 Cantura Mills; Mr. Jesse Fox - 8219 Cantura Mills; Mr. Billy Porter - 8227 Grimchester; Ms. Lisa A. Nogel - 8151 Chestnut Manor; Mr. Scott Arnold - Northampton Subdivision; and Ms. Patricia Middleton - Northampton Subdivision, spoke of their experiences as homeowners of KB Homes. They spoke to homes that are falling apart, roofs that are separating from the walls, garage doorframes that are pulling away from homes, and windows that leak. Some of the homeowners brought photographs of their homes and areas in their neighborhood that showed their problems. They asked the Council to intervene on their behalf and to advise them how they can stop KB Homes from continuing to build and sell homes.

Councilman Sanders explained that a small creek existed in the area where homes have now been built. He spoke to his support of the State Lemon Law and to the Council expressing their support of KB Home owners to the legislative delegation from San Antonio, legislators in Austin, and to agencies at the federal level.

Councilman Castro stated that the group's using the media to put public pressure on the developers is very effective. He also stated that change needs to occur at the state level and that, at the City level, Councilman Barrera had asked the City Attorney to research this issue and advise the Council of what, if any, action can be taken.

In response to questions by Councilman Castro, Mr. Michael Clack, Development Services Department, spoke to the types of foundations that the City inspects and those that require special inspections by engineers.

Mr. Andrew Martin, City Attorney, stated that the City can research what other cities have done in similar circumstances to hold builders accountable and penalize those that do not build sound homes.

Councilman Barrera spoke to a recent site visit to several KB Homes by Councilpersons Castro, Herrera and himself and Mayor Garza. He added that they had submitted the information they had gathered to the City Manager for her review and to see what action the City could undertake against the builder.

Councilwoman Herrera spoke to the Council exploring ways to assist the citizens.

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#### **MS. JANET AHMAD**

Ms. Janet Ahmad, Home Owner for Better Building Association, spoke to KB Homes and their faulty construction. She spoke to the Northampton neighborhood and to certifications related to its development that contained false information. She noted that the state does not regulate homebuilders and provided information on legislation being considered at the state level. She further spoke to a city that had stopped this builder from continuing to build homes in their area.

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#### **MR. PAUL BROCK**

Mr. Paul Brock, representing the Olmos Park Terrace Neighborhood Association, thanked the City Council for voting for the tree preservation ordinance stating that the City has shown remarkable foresight. He asked that the details that need to be finalized should further strengthen the ordinance by positively addressing vegetation, quantity of trees in suburban areas, the root protection zone and area of exemptions.

2003-11 There being no further business to come before the Council, the meeting was adjourned at 6:15 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