





Mr. Jack M. Finger, P. O. Box 12048, spoke to the number of contracts that were being awarded to Pape Dawson Engineers for environmental consultant services and how this company's shareholders contributed to City Council members during their election campaigns. He asked that Item 22 be pulled and those members who received contributions in excess of \$100 abstain from voting to prevent conflict of interest.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Schubert.

AN ORDINANCE 98153

ACCEPTING THE LOW QUALIFIED BIDS THAT WERE SUBMITTED BY GLOBE ELECTRIC COMPANY, INC. (WBE), ITEMS 1, 3, 4, 5; AND GRAYBAR ELECTRIC COMPANY, INC., ITEM 2 TO PROVIDE THE CITY OF SAN ANTONIO ALAMODOME WITH STEP LIGHTING FOR A TOTAL AMOUNT OF \$147,416.50.

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AN ORDINANCE 98154

ACCEPTING THE LOW BID SUBMITTED BY ALAMO CITY CONSTRUCTORS TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE SEELING PARK IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 7 FOR A TOTAL CONTRACT AMOUNT OF \$71,500.00 FROM 1999 PARK BOND FUNDS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$13,200.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$300.00 FOR MANDATORY PROJECT FEES, FOR AN OVERALL TOTAL AMOUNT OF \$85,000.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 98155

APPROVING FIELD ALTERATION NO. 4 AND AUTHORIZING PAYMENT IN THE INCREASED AMOUNT OF \$33,206.25 FROM CERTIFICATES OF OBLIGATION PAYABLE TO CONSTRUCTORS & ASSOCIATES, INC. FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE MUNICIPAL PLAZA EXTERIOR RENOVATION PROJECT LOCATED AT 114 W. COMMERCE IN

COUNCIL DISTRICT 1; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 96695, NOVEMBER 7, 2002.)

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AN ORDINANCE 98156

ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID OF PRONTO SANDBLASTING & COATING & OIL FIELD SERVICE CO., INC. IN THE AMOUNT OF \$237,380.00 IN CONNECTION WITH THE GIVENS FROM I.H. 35 TO PRUETT MIDDLE SCHOOL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 5, AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$23,738.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$73,411.00 FOR SEWER AND WATER EXPENSES FOR A TOTAL AMOUNT OF \$261,118.00; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98157

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,712.00 PAYABLE TO PAPE DAWSON ENGINEERS, INC. FOR ENVIRONMENTAL SERVICES, UNDER AN ON-CALL PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL CONSULTING SERVICES, PASSED AND APPROVED ON FEBRUARY 28, 2002, BY ORDINANCE NO. 95384, IN CONNECTION WITH THE EVERGREEN STREET FROM McCULLOUGH AVENUE TO E. EUCLID AVE. AND EVERGREEN COURT FROM EVERGREEN STREET TO N. ST. MARY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 1; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95384, FEBRUARY 28, 2002.)

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AN ORDINANCE 98158

AUTHORIZING PAYMENT IN THE AMOUNT OF \$27,304.00 FROM 2002 CERTIFICATES OF OBLIGATION TO ATC GROUP SERVICES, INC., AKA ATC ASSOCIATES, INC., FOR ENVIRONMENTAL AIR QUALITY OVERSIGHT

SERVICES, UNDER AN ON-CALL PROFESSIONAL SERVICES AGREEMENT FOR ENVIRONMENTAL CONSULTING SERVICES, PASSED AND APPROVED ON FEBRUARY 28, 2002, BY ORDINANCE NO. 95384, NECESSARY TO THE SOUTHCROSS BOULEVARD FROM S. NEW BRAUNFELS TO PRESA PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95384, FEBRUARY 28, 2002.)

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#### AN ORDINANCE 98159

AUTHORIZING PAYMENT IN THE AMOUNT OF \$69,294.20 FROM 2002 CERTIFICATES OF OBLIGATION TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P., FOR ENVIRONMENTAL REMEDIATION SERVICES UNDER AN EXISTING ON-CALL PROFESSIONAL SERVICES ENVIRONMENTAL REMEDIATION AND CONSTRUCTION CONTRACT - 2002, PASSED AND APPROVED ON MAY 30, 2002, BY ORDINANCE NO. 95847, AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$42,828.53 TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L P , FOR ADDITIONAL CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$112,122.73 NECESSARY TO THE SOUTHCROSS BOULEVARD FROM S. NEW BRAUNFELS TO PRESA PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT. (AMENDS ORDINANCE NO. 95847, MAY 30, 2002 )

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#### AN ORDINANCE 98160

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,000.00 FROM 2002 CERTIFICATES OF OBLIGATION TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ, FORMERLY THE TNRCC) FOR AN APPLICATION AND REVIEW FEE NECESSARY TO AN EDWARDS AQUIFER RECHARGE ZONE POLLUTION PREVENTION PLAN FOR THE THOUSAND OAKS INTERSECTIONS IMPROVEMENTS (MPO) PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98161

SELECTING CLAUNCH & MILLER, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE BLANCO FROM LULLWOOD TO SUMMIT PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$218,981.64 FROM 1999 G.O. STREET IMPROVEMENT BOND FUNDS; AUTHORIZING \$21,898.16 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$240,879.80; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98162

APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$52,683.50 FROM GENERAL OBLIGATIONS OF THE CITY TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION EXPENSES IN CONNECTION WITH THE PLEASANTON ROAD FROM MAYFIELD TO SOUTHCROSS MPO PROJECT, LOCATED IN COUNCIL DISTRICT 3; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98163

AUTHORIZING THE EXPENDITURE OF \$1,800.00 TO ECKMANN, GROLL, INC., FOR APPRAISAL SERVICES IN CONNECTION WITH THE EVERGREEN COURT: EVERGREEN STREET TO NORTH ST. MARY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT AND THE EVERGREEN STREET: McCULLOUGH AVENUE TO EAST EUCLID AVENUE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN CITY COUNCIL DISTRICT 1; APPROPRIATING FUNDS, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 98164

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH URBAN ICE, LTD., A LIMITED PARTNERSHIP, ACTING BY AND THROUGH ITS

GENERAL PARTNER, MILLENNIUM URBAN VILLAGE, INC., A CORPORATION ("LANDLORD") AND THE CITY ("TENANT") FOR THE SAN ANTONIO POLICE DEPARTMENT'S USE OF 30,000 SQUARE FEET OF WAREHOUSE SPACE LOCATED AT 1305 E. HOUSTON STREET FOR A TWO (2) YEAR TERM BEGINNING OCTOBER 1, 2003 AND ENDING ON SEPTEMBER 30, 2005, AT A MONTHLY RENT OF \$7,500.00, WITH A RIGHT TO RENEW, SUBJECT TO CITY COUNCIL APPROVAL, FOR TWO CONSECUTIVE ADDITIONAL PERIODS OF TWO YEARS EACH, UPON THE SAME TERMS AND CONDITIONS, EXCEPT THE MONTHLY RENTAL AMOUNT, WHICH WILL BE RENEGOTIATED AT THE TIME OF RENEWAL; AND AUTHORIZING PAYMENT. (AMENDS ORDINANCE NO. 96769, NOVEMBER 21, 2002.)

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AN ORDINANCE 98165

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE THE RENEWAL AND EXTENSION OF A CONTRACT WITH ALCOHOL AND DRUG TESTS, INC., TO PROVIDE RANDOM AND REASONABLE SUSPICION DRUG TESTING SERVICES FOR THE CITY'S POLICE DEPARTMENT, FOR AN AMOUNT NOT TO EXCEED \$50,000.00, FOR A ONE YEAR PERIOD FROM OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004.

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AN ORDINANCE 98166

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$300,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE SECOND YEAR OF THE TxDOT COMMERCIAL MOTOR VEHICLE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP), WHICH WILL BE USED TO CONTINUE THE FUNDING FOR AN OVERTIME PROGRAM TO PROVIDE INCREASED MONITORING AND ENFORCEMENT OF COMMERCIAL VEHICLES, FOR THE GRANT PERIOD OCTOBER 1, 2003 TO SEPTEMBER 30, 2004, AND AUTHORIZING A \$27,210.00 IN-KIND MATCH AND A CASH MATCH OF \$6,132.00.

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AN ORDINANCE 98167

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO ACCEPT A \$500,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FOR THE THIRD YEAR OF THE TxDOT DWI SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP), WHICH WILL BE USED TO CONTINUE FUNDING OF AN OVERTIME PROGRAM FOR DWI ENFORCEMENT, FOR THE GRANT PERIOD OF OCTOBER 1, 2003 TO SEPTEMBER 30, 2004; AND AUTHORIZING A \$39,440.00 IN-KIND MATCH AND A CASH MATCH OF \$16,116.00. (AMENDS ORDINANCE NO. 96930, DECEMBER 19, 2002.)

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AN ORDINANCE 98168

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ACCEPT A GRANT FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN AN AMOUNT NOT TO EXCEED \$80,000.00, TO BE USED FOR OPERATING EXPENSES CURRENTLY FUNDED BY THE TECHNICAL ASSISTANCE NEGOTIATED GRANT, FOR THE GRANT PERIOD SEPTEMBER 1, 2003 THROUGH AUGUST 31, 2004; AND APPROVING A PERSONNEL COMPLEMENT. (AMENDS ORDINANCE NO. 97755, JUNE 12, 2003.)

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AN ORDINANCE 98169

AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT AND FIRST RENEWAL OF THE NOVELTY AND SOUVENIR CONCESSION CONTRACT FOR THE MUNICIPAL AUDITORIUM BETWEEN THE CITY OF SAN ANTONIO AND RIVER CITY MERCHANDISING, THEREBY EXERCISING THE FIRST AVAILABLE TWO (2) YEAR RENEWAL OPTION AND AMENDING THE PAYMENT TERMS OF THE ORIGINAL CONTRACT AUTHORIZED BY ORDINANCE NO 94611, APPROVED ON SEPTEMBER 27, 2001, WHICH PROVIDES FOR PAYMENT TO THE CITY OF 58% OF ALL CONCESSIONAIRES' RECEIPTS AFTER TAXES GENERATED THEREUNDER, WITH PROJECTED COMMISSION REVENUE OF \$36,778 FOR THE TWO (2) - YEAR RENEWAL TERM. (AMENDS ORDINANCE NO. 94611, SEPTEMBER 27, 2001.)

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AN ORDINANCE 98170

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT AND, IF AWARDED, THE ACCEPTANCE OF A GRANT IN AN AMOUNT NOT TO EXCEED \$25,000.00 BY THE CITY OF SAN ANTONIO'S DEPARTMENT OF COMMUNITY INITIATIVES TO PURCHASE SPORTS AND CAMPING EQUIPMENT AND COORDINATE OUTDOOR ACTIVITIES FOR PROGRAMS OF THE YOUTH SERVICES DIVISION; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND ADOPTING A BUDGET, PENDING AN AWARD OF GRANT FUNDING.

— — —  
2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98171

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE FOLLOWING ITEMS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2003-2004 FOR AN ESTIMATED ANNUAL COST OF \$1,320,114.00. PAGERS, TEMPERATURE MANAGEMENT CONTROL SYSTEM MAINTENANCE AT SAN ANTONIO INTERNATIONAL AIRPORT; E-MAIL SCAN EQUIPMENT; KVS SOFTWARE & SUPPORT, FIBRE CHANNEL SWITCH EQUIPMENT; ESRI MAPPING APPLICATION SERVICES; MATERIALS & LABOR TO MAINTAIN HEATING & AIR CONDITIONING SYSTEMS AT FIRE STATIONS; FIRE INTERCOM SYSTEMS; AUTO & LIGHT TRUCK DRUMS & BRAKE PADS; AND SAFETY SUPPLIES.

\* \* \* \*

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

Responding to a question from Councilman Perez, Ms. Jamie Cantu, Director of Purchasing & General Services, stated that this ordinance referred to 570 numeric and 2,000 alpha pagers.

Councilman Perez requested that he be provided with the breakdown by department of pager utilization and whether individuals utilizing these pagers also had cell phones.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98172

APPROVING AND ACCEPTING COMPENSATION OF \$196,406.00 FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR ACCESS RIGHTS FOR WATSON ROAD ADJACENT TO MEDINA RIVER PARK IN CITY COUNCIL DISTRICT 4; AMENDING THE MEDINA RIVER PARK IMPROVEMENTS PROJECT BUDGET TO APPROPRIATE THESE FUNDS; ACCEPTING THE LOW BID WITH BID ALTERNATES 1 THROUGH 5 BY VW BROOKS INCORPORATED TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE MEDINA RIVER PARK IMPROVEMENTS PROJECT, FOR A TOTAL CONTRACT COST OF \$749,000.00; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT, ALLOCATING \$46,556.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$37,200.00 FOR ARCHITECT/ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$25,000.00 FOR BUILDING RELOCATION EXPENSES; AUTHORIZING \$9,000.00 FOR PARK MATERIALS, FOR AN OVERALL TOTAL AMOUNT OF \$866,756.00; AND PROVIDING FOR PAYMENT.

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

Responding to questions by Councilman Perez, Malcolm Matthews, Director, Parks and Recreation, stated, in part, that all funding received for this project was limited to this particular site.

Councilman Perez then requested a more detailed plan of the project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro,

Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98173

ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT IN THE AMOUNT OF \$600,198.75 IN CONNECTION WITH THE FLOOD BUYOUT PROGRAM 2002; APPROPRIATING THE SUM OF \$600,198.75 FROM FEMA APPROVED FUNDS, REPRESENTING FEMA'S 75% SHARE; AND APPROPRIATING THE SUM OF \$200,066.25 FROM 2003 STORMWATER REVENUE BONDS, REPRESENTING THE CITY'S 25% MATCH, TOTALING \$800,265.00 TO ACQUIRE FEE SIMPLE TITLE TO CERTAIN PROPERTIES IN SEVERAL COUNCIL DISTRICTS; AUTHORIZING THE PURCHASE OF THE PROPERTIES; AND PROVIDING FOR PAYMENT.

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

Councilman Joel Williams explained to Mr. Leon Thomas that Agenda Items 20 & 21, the items regarding the Federal Emergency Management Agency (FEMA) Flood Buyout Program, did not affect the neighborhood that he spoke of earlier. Councilman Williams stated that his office would work with Mr. Thomas when his area came before the Council for discussion.

Mr. Thomas stated that he now understood that his item was not being considered today and would like to be apprised of when his area would be scheduled for consideration by the Council.

Councilman Williams further added that Mayor Garza had responded to State Representative Ruth Jones McClendon regarding the buyout program.

In response to questions by Councilman Perez, Thomas G. Wendorf, Director, Public Works Department, spoke to the State of Texas Hazard Mitigation Grant program and to the monies that the City could possibly be reimbursed.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98174

ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT IN THE AMOUNT OF \$450,525.00 IN CONNECTION WITH THE FLOOD BUYOUT PROGRAM PHASE III; APPROPRIATING THE SUM OF \$450,525.00 FROM FEMA APPROVED FUNDS, REPRESENTING FEMA'S 75% SHARE; AND APPROPRIATING THE SUM OF \$150,175.00 FROM 2003 STORMWATER REVENUE BONDS, REPRESENTING THE CITY'S 25% MATCH, TOTALING \$600,700.00 TO ACQUIRE FEE SIMPLE TITLE TO CERTAIN PROPERTIES IN SEVERAL COUNCIL DISTRICTS; AUTHORIZING THE PURCHASE OF THE PROPERTIES; AND PROVIDING FOR PAYMENT

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98175

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH GOODWILL INDUSTRIES OF SAN ANTONIO WHICH WILL ADD \$75,000.00 FROM THE U.S. DEPARTMENT OF LABOR WELFARE-TO-WORK GRANT FOR THE PROVISION OF ADDITIONAL SERVICES.

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

In response to questions by Councilman Perez, Dennis Campa, Director, Community Initiatives Department, spoke to the Welfare-to-Work Program. He explained that the function of the program was to prepare people for work, the types of jobs that participants received, and their average hourly earnings. He further advised that the target area had been expanded to include practically all of San Antonio and added that he would notify Councilman Perez of the number of people from District 4 that had participated in the program.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98176

AN ORDINANCE APPOINTING JONATHAN J. GUTIERREZ (DISTRICT 4) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2005.

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

Councilwoman Radle requested, and the Council concurred, that staff be given direction to extend the application process for one more week since the at-large work session had been postponed for several weeks and that the Bexar Appraisal appointment be considered at the October 2<sup>nd</sup> session because of its time sensitivity

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None

2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98177

AN ORDINANCE AMENDING ORDINANCE NO. 98043 DATED AUGUST 21, 2003, TO REFLECT CHANGING THE CATEGORY FOR MS. IRENE A. CRUZ FROM "BUSINESS" TO "FORT SAM HOUSTON REPRESENTATIVE." (AMENDS ORDINANCE NO. 98043, AUGUST 21, 2003.)

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 **PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING AND ABANDONING IMPROVED PORTIONS OF SOUTH MITTMAN AND WALEETKA STREETS, PUBLIC RIGHTS OF WAY LOCATED BETWEEN MINNETONKA STREET AND FAIR AVENUE ADJACENT TO NEW CITY BLOCKS 3832 AND 3836.**

Mayor Garza opened the Public Hearing.

Rebecca Waldman narrated a slide presentation (a copy of which is filed with the papers of this meeting) which detailed the petitioner's request to close, vacate, and abandon portions of South Mittman & Waleetka Streets and to incorporate the closures with the petitioner's abutting property to construct 20 single family market-rate homes. She further spoke to the notification process, the financial impact to the City and the petitioner's compliance with the City's policies.

(Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Schubert presided.)

Ms. Julie Iris Oldham spoke to several issues, including her opposition to this closure, to the cost of the 2,000 pagers that were referred to in a previous ordinance, and to the cost of garage sale permits. She asked the City Council to be cognizant to the wishes of the City's citizens.

(Mayor Garza returned to the meeting and presided.)

Mayor Garza closed the Public Hearing.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98178

CLOSING, VACATING AND ABANDONING UNIMPROVED PORTIONS OF SOUTH MITTMAN AND WALEETKA STREETS PUBLIC RIGHTS OF WAY LOCATED BETWEEN MINNETONKA STREET AND FAIR AVENUE, ADJACENT TO NEW CITY BLOCKS 3832 AND 3836, AS REQUESTED BY BILMAR CONSTRUCTION, L.P., A TEXAS LIMITED PARTNERSHIP, FOR THE CONSIDERATION OF \$9,922.00, WHICH INCLUDES A FIFTY PERCENT (50%) REDUCTION OF THE CLOSURE FEE AS PROVIDED BY THE DEVELOPMENT INCENTIVE TOOLKIT, PASSED AND APPROVED BY CITY COUNCIL ON MAY 29, 2003.

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Councilman Haass made a motion to approve the proposed Ordinance. Councilman Williams seconded the motion.

Councilman Segovia spoke to the proposed closure. He stated that his office and the developer had worked with the neighborhood association and residents of the area on this issue for quite a while and the residents were in favor of the closure.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98179

AUTHORIZING THE AMENDMENT OF THE GENERAL OPERATING AGENCY AGREEMENT BETWEEN THE CITY AND THE GREATER KELLY

DEVELOPMENT AUTHORITY (GKDA) EXECUTED PURSUANT TO ORDINANCE NO. 96693 BY REDIRECTING \$491,000.00 OF PROJECT FUNDING AND EXTENDING THE COMPLETION DATE OF THE AGREEMENT FROM SEPTEMBER 30, 2003 TO SEPTEMBER 30, 2004; AND AUTHORIZING THE AMENDMENT OF ORDINANCE NO. 96693 TO REFLECT SAID CHANGES. (AMENDS ORDINANCE NO. 96693, NOVEMBER 7, 2002.)

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Councilman Segovia made a motion to approve the proposed Ordinance. Councilman Flores seconded the motion.

Mr. Ramiro Cavazos, Director, Economic Development Department, narrated a slide presentation (a copy of which is filed with the papers of this meeting) in which he stated that authorization of this amendment would extend the contract for one year and \$491,000 would be redirected from two scheduled capital projects to one new capital project. He spoke to the background of the six Kelly USA projects, their status and the new Cupples Road Extension

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke to the chemical contamination of Leon Creek and stated that the contaminants were finding their way towards Kelly USA. He stated that he was in favor of Kelly USA but would like to see them buy all the homes in the area so that the people were not exposed further to the contaminants

Councilman Perez urged his colleagues to approve this Ordinance

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Castro, Schubert.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98180

ACCEPTING THE BID FROM EXPRESS VIDEO, INC., FOR THE PURCHASE OF 293 GAMBLING DEVICES (EIGHT-LINERS) IN THE AMOUNT OF \$124,818.00,

SEIZED AS A RESULT OF CRIMINAL INVESTIGATIONS IN SAN ANTONIO AND  
SUBSEQUENTLY FORFEITED BY ORDERS OF THE COURTS.

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

Police Chief Albert Ortiz narrated a slide presentation (a copy of which is filed with the papers of this meeting) in which he spoke to the definition of 8-liners, the background of citizens' complaints, number of 8-liners seized, sale of machines to offset expenses incurred, 50/50 split of revenue between the San Antonio Police Department and the District Attorney's Office, expenses incurred to store machines vs revenue received, as well as the anticipated new lease beginning October 1, 2003.

Mr. Faris Hodge, 140 Dora, read from newspaper articles regarding 8-liners and to the situation which prevented the San Antonio Police Department from confiscating more gambling equipment He spoke to the need for the Police Department to be more aggressive in confiscating the 8-liners.

Mr. Jack Finger, P. O. Box 12048, stated that it is morally wrong to sell the gambling equipment to other states that permit gambling. He further stated that the equipment should be destroyed and the City should find some other means to recover its money.

In response to questions by Councilman Castro, Chief Ortiz stated that a new lease would take effect on October 1, 2003 that would provide the department with 30,000 square feet of storage space. He added that with the larger facility, the department would be more aggressive in closing out businesses that were operating illegally

In response to questions by Councilman Segovia, Chief Ortiz stated that when the machines are seized they have to be stored and secured until they go to trial. He added that the Department seizes the machines so that the businesses do not continue to use them.

Councilman Segovia asked the Chief to put a special priority to closing businesses that are operating close to elementary and middle schools.

Councilman Hall stated that he was not aware of the number of 8-liners in District 8 and added that he wanted to encourage the Department to rid the City of as many of these as possible.

Councilman Haass encouraged the Chief to have his Department aggressively pursue businesses that have 8-liners.

Councilman Perez echoed Councilman Segovia's concern with businesses that operate close to schools. He added his support to targeting these businesses

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Schubert.

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**2003-33 TRAVEL AUTHORIZATION - Granted:**

Ratification of Travel Authorization for Councilwoman Patti Radle, District 5, who traveled to Dallas, Southlake, Colleyville, Irving, Addison, Frisco, Plano, and Plum Creek to tour Tax Increment Reinvestment Zones (TIRZ) from Friday, September 5, 2003 to Saturday, September 6, 2003.

Councilman Perez made a motion to approve the proposed Travel Authorization. Councilman Segovia seconded the motion.

Councilwoman Radle stated that she wanted the record to reflect that no costs had been incurred by the City for this trip.

Councilman Perez requested information on why these types of trips had to be posted if no City monies had been used.

City Attorney Andrew Martin stated that it had been a long-standing Council policy to report these types of trips but that the policy could be reviewed for possible revisions.

Councilman Perez stated that he would like to see documentation on this policy for possible review.

After consideration, the motion, carrying with it the passage of the Travel Authorization, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Haass, Garza. **NAYS:** None. **ABSENT:** Barrera, Schubert.

**2003-33      SECOND PUBLIC HEARING ON THE FISCAL YEAR 2003-2004  
PROPOSED BUDGET.**

Mayor Garza declared the Public Hearing to be open.

Mr. Louis Lendman, Director of the Office of Management and Budget, narrated a slide presentation (a copy of which is filed with the papers of this meeting) on the FY 2004 Budget Adoption, including the amendments proposed by the Mayor. Mr. Lendman spoke to the budget process, amendments, changes to one-time expenditures with extraordinary CPS resources, added recurring costs in the General Fund and proposed supporting recurring sources, and proposed amendments to the Convention & Visitors Facilities Fund, the storm water fund, and the parking fund. He also spoke to the City's authorized positions (both civilian and uniformed), and the FY2004 budget adoption, indicating the proposed budget, amendments, and amended budget.

The following citizen(s) appeared to speak:

Representatives from COPS & Metro Alliance spoke in support of full funding for Project Quest. They spoke to the program's proven results and to the opportunities the program gave families for a better chance in life.

Various individuals representing Project Quest, 301 S. Frio, Suite 400, stated that Project Quest was a good investment and spoke to their individual experiences with the program. Mr. Tom Frost, Chairman of Project Quest, stated that participants had been placed in good paying jobs and noted that the training was effective and transformed lives.

Representatives from the Mayor's Task Force on Hunger spoke to the services they provided to those who needed food and asked for continued assistance to meet the needs of the hungry in our community. They stated that 30,000 citizens received food from the Christian Assistance Ministry last year and spoke to the monies needed by the Ministry to continue its work.

A Greater San Antonio Chamber of Commerce representative spoke to the Chamber's recommendations for the budget. He stated that the Chamber supported much of the debate and the City Manager's 2004 City Budget that maintained the current tax rate. He further stated that the Chamber supported establishing a 17% minimum share of the hotel occupancy tax to be spent on the Convention & Visitors' Bureau advertising budget and full funding for the San Antonio Sports Foundation. He noted that the Chamber recommended that the City develop funding plans for the Alamodome and the Tower of the Americas, which they considered important symbols of the City.

Mr. Mario Hernandez, San Antonio Development Foundation, spoke to the Foundation's support of the economic development incentive fund.

Representatives from the San Antonio Zulu Association, which hosts the annual Taste of New Orleans, spoke to their organization and to the monies it awards to non-profit groups and to deserving students in the form of scholarships. They asked for Council support and endorsement of their efforts and expressed concern that the City was proposing the closure of Sunken Garden, the venue they use to hold their annual event.

Representatives from the Family Service Association acknowledged the hard work and many hours that the City Council met on the budget and thanked them for their continued funding of the Association's programs. They assured the Council that their investment was a strong investment and provided character building.

(Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Schubert presided.)

Dr. Susan Blackwood, San Antonio Sports Foundation, thanked the Council for their ongoing support for the Foundation's efforts to make San Antonio a major sports city. She expressed appreciation for the monies that have been allocated to the Foundation and spoke to NCAA representatives visiting in San Antonio who had been impressed with the level of public support. She further stated that the NCAA representatives as well as the Foundation were hopeful that the cosmetic changes would be made to the Alamodome before the Final Four in 2004

Mr. Paul Buckholtz, 13702 Cedar Canyon, spoke to the importance of Sunken Garden as a place to go for art

(Mayor Garza returned to the meeting to preside.)

Mr. Phillip Villagran, 1868 West Avenue, stated that his group was scheduled to play Sunken Garden on October 10<sup>th</sup> and spoke to the need to keep the venue open. He suggested that a band concert could be held to raise monies for the Sunken Garden renovations.

Mr. Virgil Thompson, General Manager, KISS Radio, spoke to the many events that KISS had helped who have used the Sunken Garden Theater. He urged that Sunken Garden be kept a City facility as that would help the citizens of San Antonio and non-profit organizations. He stated that KISS would like for the City to take more time to weigh the issues of closing Sunken Garden Theater. He further stated that his station would like to talk about rallying the City, clients, and listeners to help raise funds for the preservation and non-privatization of the Sunken Garden Theater

Mr. Oren Dreeben, 9 Penny Lane, spoke of the McFarlin Center and its proposed operation only four days a week. He spoke to the City taking over the management of the facility a year and a half ago and to the resulting budget problems and decline in membership. He suggested that perhaps the City should consider going back to management by a private contractor so that the facility could remain open six days a week.

Mr. Bert Pfiester, Executive Director, Respite Care, thanked the City for the funds it had provided to Respite Care and noted that the organization was applying for the basics for Davidson Respite House.

Ms. Patricia Castillo, Executive Director, Peace Initiative, spoke to domestic violence and how it was plaguing the City in alarming rates. She requested that the Council be committed to allocating funds for domestic violence programs on a permanent basis. She further requested that crisis response teams in the Police Department be doubled, police training be enhanced, and work with young people in the schools be improved. She commended the Council for the work that had already been started

Ms. Debbie Nipper, advisory board member of the San Antonio Parks and Recreation Therapeutic Program, asked the City Council to reconsider the cuts they had made to the therapeutic program. She stated that this program teaches life skills, independent living skills, money and time management, social skills, personal hygiene, nutrition and physical fitness to mentally retarded adults. She added that many of their clients participate in the Special Olympics.

Mr. Anthony Hargrove, Executive Director, Ella Austin Community Center, commended Dennis Campa and his staff for all that they do for the City and the delegate agencies. He stated that he also wanted to thank the City Council members for their work. He cautioned the Council about the cumulative effect that continued budget cuts would have on organizations providing services and those that are served

Ms. Rosa Rosales, Executive Director, National Association of Public Employees, spoke about the City's non-uniformed employees and the need to do more for them. She spoke to the need for employees to be upgraded, implementation of allocated step increases, and seniority pay.

Numerous students and parents spoke to their support of the various Parks and Recreation Department's programs such as Miss Recreation, Fandango and Alamotion. They added that Ford Motor Company had requested that Fandango appear in one of their spots. They asked the Council to support these programs for the benefit of the City, its visitors and the youth of San Antonio.

Ms. Betty Eckert, Vice Chairman of the City County Joint Commission on Elderly Affairs, read a letter written by Bob Ross, Chairman, that stated that the group would endeavor to identify leveraging opportunities that would compound benefits accrued from Council actions. She then introduced members of the Commission that were present in the chamber.

A representative from the Holy Spirit Catholic Church Homeless Task Force stated that the Task Force was very impressed with the resourcefulness and variety of changes to increase the allocation for feeding the homeless and hungry of the City. She encouraged the Council to look for sources of funding next year in the general budget.

Representatives from La K.A.S.A., Inc. spoke of their use of the Sunken Garden Theater throughout the year to hold fundraising events for their charitable activities. They noted that moving their events to another location would not be feasible and would impede their ability to raise needed funds for their annual charitable events

Mr. Dave Arrellano spoke against privatizing the Sunken Garden Theater and also urged the Council to reconsider closing the theater.

Ms. Meghan Beavin spoke in support of keeping Sunken Garden Theatre open and stated that the impact of closing the theater would be immeasurable.

Mr. Bill Lee, Lone Star Attractions, asked that Sunken Garden be allowed to continue to operate. He proposed the addition of a \$1 facility fee to every ticket sold to help with the costs of running the facility and asked the Council to give the people that use the facility an opportunity to hold a fundraiser to fund needed improvements and repairs at the Theater. He spoke to the Theater as being a historical facility and asked that the Council give its closure more consideration.

Ms. Michelle Dooley, Mr. Joseph Rother, Mr. Matthew Dooley, Ms. Nora Rother and Mr. Joe Pino spoke in support of the McFarlin Tennis Center and the need for it to remain open more than 4 days a week. They asked the City Council to reconsider closing McFarlin on Mondays and Tuesdays.

Ms. Mary Cantu, Project Learn to Read, spoke to the program and the awards it has won at the national, state, and local level. She asked that the Council fund the program and one of the students spoke on behalf of all the students that availed themselves of the services the program provided.

Mr. Keith Hanson, Dreams Come True, spoke against closing Sunken Garden Theater and to the monies that non-profit organizations were able to realize in their fund-raising efforts.

AFSCME representatives spoke to the proposed 3% raise for non-uniformed employees and noted that employees were being asked to take on more job duties without additional compensation. They stated that City employees should be given priority and that they needed good wages, affordable health benefits, good work environment, increased training and career ladders.

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

Mr. Ben Brewer, Downtown Alliance/San Antonio, thanked the City Council and staff for the work that had been done with the City budget. He further expressed his appreciation for their consideration of an amendment not to change the times for the downtown parking meters. He noted that the change would send a very negative message to the citizens and added that his organization had worked very hard to attract more locals to the downtown area. He stated that the key reason given for not coming downtown was the cost and availability of parking.

SEIU Local 1967 representatives spoke to employee compensation and then introduced City employees from various departments who spoke to their individual experiences as employees with relation to their pay. The group noted that employees were behind in compensation, with no merit or bonus pay. They stated that they were requesting a permanent voice in the budget process and submitted over 1,137 cards signed by individuals asking that the City fix the broken pay system, award bonuses, and support a fair pay raise.

Mr. Ken Wolf, H.B. Zachry Company, spoke in support of the Convention and Visitors Bureau's advertising and marketing fund. He urged the City Council to continue to support this fund and to direct into that fund additional advertising monies.

Mr. Faris Hodge, 140 Dora, spoke to varied issues related to the City, including a 4% raise for City employees, foot patrols in the downtown area, replacement of the elevators at City Hall, sale of golf courses, no money allocation for the symphony for one year, and more money for the food bank.

Mr. Charles English, President of Jefferson Heights Neighborhood Association, spoke of his community being overlooked and showed some plats of Jefferson Heights. He expressed concern that his neighborhood was being neglected and questioned the reasons for the neglect. He noted that senior citizens could not get out of their homes and that ADA rules were not being adhered to in the neighborhood. He did speak in support Ella Austin, the food bank, nutrition centers and Sunken Garden Theater.

Mr. Bob Martindale, President and CEO of SAMM Ministries, expressed appreciation for the initiative the City Council had undertaken to allocate funds to deal with hunger and homelessness in the City. He then introduced Annie Alaniz who spoke about her homeless situation and her association with SAMM Ministries' transitional housing home. She stated that with their help, she had been able to go to college and would graduate shortly. She further stated that their assistance allowed her a better opportunity to provide for herself and her children. She asked that the City Council make shelter for families one of its top priorities.

Ms. Mary Jane Alvarado, 120 Camargo Street, spoke to two suggestions she wanted to offer the City Council. She suggested that the City partner with Habitat for Humanity to construct low income housing in places where land costs were not so high. She stated that she envisioned a Habitat Village South, Habitat Village East and Habitat Village West. Her second suggestion was for the police department to instruct its patrols to check for individuals performing work during hours when Code Compliance was not operational to assure that permits to operate had been issued

Ms. Julie Iris Oldham spoke to several issues associated with the budget, including raises for employees, Code Compliance, car repairs to policemen's and firemen's vehicles, tax abatements, homelessness, and the Sunken Garden Theater.

Mr. Jack Orbin, Owner and President, Stone City Productions, stated that, as a concert promoter, he had been producing shows at Sunken Garden for 33 years. He noted that his company did not use the Sunken Garden Theater as a profit center since nearly every show he produced at that facility benefited charity. He added that tens of thousands of dollars annually had been donated to non-profits and closing the Theater could spell doom to non-profits in the City. He further added that a serious public debate needed to be held and asked that he be allowed to provide some ideas, give feedback, and help tackle the issue of costs to the City. He stated that the City should seriously consider all options before closing the facility.

Mr. Richard Post spoke to cuts in the Parks & Recreation budget. He spoke to the youth that had participated in Fandango, a nationally-recognized dance group, and to the need for the City Council to continue funding this program.

Mr. Bob Martin, President of Homeowner-Tax Payer Association, thanked the taxpayers of San Antonio for paying their taxes thus allowing for the varied programs that receive funds from the City. He spoke to programs that provide free child care, free health care, and free tennis and dance lessons. He spoke to those taxpayers on fixed income that would lose their homes because they could not pay their taxes and added that the Council needed to consider a tax cut

Ms. Cynthia Hornsby, David-Scott YMCA, asked that the City Council not close the Sunken Garden Theater. She said that many of the organizations that held fund-raising events at the theater donate some of their funds to the David-Scott YMCA that helped the Center fund its programs.

Ms. Delia Guajardo spoke to the need for the City Council to listen to the needs of the people and spoke of her own personal support and passion for the San Antonio Police Department, Market Square, City employees, Crime Commission and the veterans that had served the country in various conflicts. .

Mr. Alfredo Aleman, President of the International Association of Firefighters, Local 4239, stated that he represented the mechanics and spoke to the services they provided for the City. He spoke to staffing cutbacks in last year's budget and to the increased injuries that resulted because of the decreased staffing. He invited the City Council to come to their facility and asked they listen to their complaints. He assured the Council they would continue to perform the work to the best of their ability.

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

Mayor Garza thanked the staff and the City Council members for the work that they had done on this year's budget. He noted that this was his seventh budget and it had been the most dynamic thus far. He stated that the new Council members had created a new standard on the budget process in terms of openness and dialogue. He acknowledged the work of the City Auditor and the role she and her staff had played in the budget process. He further spoke to the sales tax, lower property tax valuations, programs funded by the City, and CPS revenues. He noted that the needs of the community are many and the work on issues of equity and accountability would continue. He spoke to recent audits and, in particular, the audit of the Project Quest contract. He then asked Pat Major, City Auditor, to provide a summary of her department's findings on Project Quest as they were presented at the Governance Committee earlier in the day.

Mr. Pat Major, City Auditor, stated that several issues had been identified during the audit in March and two of the more important ones were issues with the employee flexible health benefits and the retirement monies. She reported that in the past some employees had elected to take the premiums from the flexible health benefits as deferred compensation and that retirement monies from individuals that quit before they became vested had not been returned to the City in accordance with the terms of the contract between the City and Project Quest. She added that her recommendation was for the City to get a legal opinion on how best to get recoup those funds.

In response to a question from Mayor Garza, Ms. Major stated that to her knowledge, since Project Quests' creation, there had never been a city audit conducted of the type that had been performed recently.

Mayor Garza stated there were other delegate agencies that also had some significant issues that needed to be addressed.

Mr. Tom Frost noted that Project Quest had taken the audit very seriously but added that it had not been an audit of Project Quest but an audit of the City and its management of the contract. He noted that the audit had been directed to the Mayor and City Manager and Project Quest had done and would do everything the City requested. He spoke of the two larger issues that involved benefits paid to employees over a period of 10 years. He stated that in looking at the audit, there was no malfeasance or any money that was inappropriately spent.

In response to questions by Mayor Garza, Mr. Dennis Campa, Director, Community Initiatives Department, spoke to the audit findings and the cuts in Project Quest's budget. He also spoke to the \$136,448.00 that should be returned to the City and to staff's recommendation. He added that the general consensus was that a legal opinion was needed.

Mayor Garza stated that he would support returning Project Quest's funding to the amount that was budgeted last year. He expressed appreciation to Mr. Frost and the San Antonio volunteers who believed in the program enough to give of their time. He added that the program was begun by the City and, as such, the City needed to find ways of making it better.

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The Clerk read the following Ordinance:

#### AN ORDINANCE 98181

ADOPTING THE ANNUAL CONSOLIDATED OPERATING AND CAPITAL BUDGETS FOR THE CITY OF SAN ANTONIO FOR FISCAL YEAR 2003-2004, BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004; APPROVING THE FY 2004 THROUGH FY 2009 CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO; APPROPRIATING FUNDS AND AUTHORIZING PERSONNEL POSITIONS IN ACCORDANCE WITH SAID BUDGET; SETTING THE FY 2003-2004 HOLIDAY SCHEDULE AND PAY PLAN FOR CITY EMPLOYEES; AUTHORIZING CONTRACTS WITH OUTSIDE

AGENCIES; AND SETTING CITY COUNCIL DISTRICT BUDGETS AND CITY COUNCIL HUMAN DEVELOPMENT SERVICES BUDGETS

\* \* \* \*

Councilman Barrera made a motion to approve the proposed Ordinance as presented with amendments. Councilman Hall seconded the motion.

Councilman Castro thanked the City Manager and the staff for their hard work in preparing the budget during a very difficult budget year.

Councilman Castro made a motion to amend the main motion (Amendment #1) to include the restoration of the Adult Therapy Program funding (\$120,000) for two years, the Cultural Arts Program (\$180,000) for two years, the Ricardo Salinas Dental Clinic (\$150,000) for two years, and the Sunken Garden Theater for one year. He stated funding would come from one-time CPS economic development revenue for a total of \$1,000,000.00. Councilman Flores seconded the motion

Councilman Segovia thanked the staff for the budget and stated he supported Councilman Castro's amendments

Councilwoman Radle thanked everyone for the long hours and hard work and also spoke in support of the amendment. She asked that staff be directed that if money became available over the next few months that it be used to give a bonus to City employees, that the bonus be awarded on the basis of longevity rather than across the board, and that a permanent fund be established to be used for incentive and merit performance pay in the future. She also spoke in support of employees having a place at the table during budget discussions.

Councilman Williams thanked the City Manager and her staff for their assistance during the budget process and to the City Council members for their work. He spoke to monies that would go to his district for infrastructure. He thanked the employees who were present in the audience and stated that he would support some process to allow City employees to be at the table during budget discussions on a permanent basis. He also suggested that the budget be reviewed not once but at least twice a year. He further spoke to other issues that had been addressed, including economic development and the Sunken Garden Theater

Councilman Perez spoke in support of more dollars for street and drainage issues, the domestic violence program, for hunger and homelessness programs, and for the proposal on the table that gave employees raises. He stated that he would rather use dollars from

the Economic Development Fund and the employee benefit fund to fund the programs set out in the amendment proposed by Councilman Castro and the raises for employees.

Councilman Perez then offered an amendment (Amendment 2) which would cut the Economic Development Fund to \$10 million and cut the Employee Benefit Fund by \$2.15 million to fund the four programs set out in Councilman Castro's amendment and still provide each district with \$450,000 for street and drainage issues. Councilman Schubert seconded the motion.

Councilman Flores spoke to his support of a strong infrastructure, employee raises, strong economic development fund, Sunken Garden Theater, therapeutic services and cultural programs. He added that he would support Councilman Castro's amendment.

Councilman Schubert thanked supporters and family members of individuals enrolled in the Adult Therapy Program for offering to pay to help continue this program. He also spoke in support of Councilman Perez motion and to the need for people to work together to make the Sunken Garden Theater a success. He further spoke in support of the dental clinic and the City's infrastructure and streets.

Councilman Haass spoke of his support for providing funding for the four programs set out in Councilman Castro's and Councilman Perez amendment

In response to questions by Councilman Haass, Mr. Malcolm Matthews, Director, Parks and Recreation Department, explained that the \$180,000 budgeted for the cultural arts program this year had been used to fully fund the program for such expenses as paying for the teachers that teach the dance classes, etc. He added that participants had not been charged for classes but that staff had proposed to do cost recovery for the new fiscal year by charging a \$25 fee for each participant per class which would include several sessions.

Councilman Haass stated that he would like to see the City meet the community half way as much as possible and spoke to the need to take a close look at Sunken Garden to assure that the monies that would be allocated would be used to affect a solution.

Councilman Haass then proposed a friendly amendment to Councilmen Castro and Perez to add a \$1.00 surcharge fee to every ticket sold at the Sunken Garden Theater. The amendment was accepted by both Councilmembers.

Councilman Hall spoke to some of the issues that this new Council had undertaken during their first few months on the Council. He further spoke to the items that had been discussed during the budget hearing, i.e. the dental clinic, Sunken Garden Theater, employee raises, etc. He expressed support for allocating more money for streets and drainage but was opposed to using the employee benefit fund for this purpose. He asked

City Manager Terry Brechtel to comment on unfunded liability and how our bond rating could be lowered.

City Manager Brechtel spoke to the fund balances, how they affected the bond ratings, and how the City was working on reducing its unfunded liability

Councilman Hall then spoke in support of Councilman Castro's amendment.

Councilman Williams stated that infrastructure was not being neglected as it was in the bond package that was being offered to the voters in November

Councilwoman Radle stated that she was in favor of allocating a couple of more million dollars into infrastructure but not taking any funds away from the employee benefit fund.

In response to questions by Councilman Haass, Mr. Tom Wendorf, Director, Public Works Department, stated that the \$450,000 could be used for streets, sidewalks, ramps, school zone flashers, crosswalks and speed bumps. He further stated that the projects would need to be identified early in the budget year because Public Works would be at maximum capacity with its base work in house and this work would need to be contracted out.

Councilman Perez stated that he had thought very carefully and looked at the entire budget before proposing the utilization of \$2.15 million from the employee benefits fund for infrastructure. He further stated that he had consulted with Public Works about the feasibility of doing the projects this year. He added that he would like to incorporate Councilman Haass' friendly amendment into his amendment which would add a \$1.00 surcharge fee for each ticket sold at Sunken Garden.

Councilman Castro stated that he would likewise accept Councilman Haass' friendly amendment.

Responding to questions by Councilman Schubert, City Manager Brechtel spoke to the three-prong approach to financing increasing health care costs which included: monies would be taken from the general fund and all the other funds and contributed on behalf of the employees for the health care program; City employees would pay more next year, in addition to opportunities in the future to negotiate the same with police and fire; and restructuring the benefit program itself. She noted that the services of the TPA, PPO and third party administrator would be combined into one plan and the level of the plan itself would change. She added that all three components would bring the fund back into a positive. Ms. Brechtel further spoke to the whole City budget and how the bond houses looked at the City when deciding bond ratings.

Councilman Schubert stated that he would continue to support Councilman Perez amendment.

Mayor Garza spoke to the draft of amendments that he had distributed previously and noted that the two major areas addressed were infrastructure and work force development. He added that these dollars supported the top tier as set by the Council and stated that he was hopeful that the Council would consider these needs as top tier priorities.

Councilman Hall further spoke on the unfunded liability and how the rating agencies looked at the whole picture.

Councilman Williams spoke to the economy of Houston, Austin, Dallas, Corpus Christi and Ft. Worth and stated that San Antonio was in decent financial condition for a city its size.

After consideration, the second amendment offered by Councilman Perez which would cut the Economic Development Fund to \$10 million and cut the Employee Benefit Fund by \$2.15 million to fund the four programs failed by the following vote: **AYES:** Perez, Schubert. **NAYS:** Flores, Williams, Segovia, Radle, Barrera, Castro, Hall, Haass, Garza. **ABSENT:** None.

Councilman Barrera thanked the staff for the work done on the budget and to the citizens that came to speak. He spoke to the four programs that were proposed for continued funding and added that the City could not continue to fund Project Quest at the level that it had been historically funded. He added some other very deserving individuals had spoken today and noted that the City and its citizens had many needs.

Councilman Barrera offered an amendment that the City not fund the additional \$325,000 for Project Quest but that they be funded at the level that staff was recommending for this year and that the \$325,000 be dedicated to addressing the issues of compression with our own City employees. Mr Schubert seconded the motion.

(Mayor Garza was obliged to leave the meeting. Councilman Schubert then presided)

Councilman Schubert spoke to past experience with funding for Project Quest and asked Mary Pena, Project Quest, to explain how she proposed to raise additional funding for Project Quest.

Ms. Pena explained that there were four areas they were going to target for their fund raising efforts: (1) foundations, (2) employers, (3) alumni and (4) supporters in the form

of a pledge campaign. She added that the program hoped to develop these relationships in the next year.

Ms. Pena, responding to Councilman Schubert, stated that Project Quest could report in 90 days how the monies were found and where they were coming from

Councilman Schubert stated that he would support Councilman Barrera's amendment.

Councilman Castro stated that he could not support Councilman Barrera's amendment but he agreed that a reasonable schedule for all the delegate agencies should be developed. He also stated that the City needed a knowledgeable workforce that could handle incoming jobs.

Councilwoman Radle stated that she could not support the amendment and spoke to the need for better training and better pay for City employees. She further stated that monies did not have to be taken away from Project Quest and she supported developing guidelines for the delegate agencies so they would know what to expect when they came back for additional funding

Councilman Perez also stated that he could not support the amendment.

Councilman Haass stated that in the next 90 days the City needed to put in writing that if Project Quest was not at a certain level by next year; they would be cut at the next funding session.

Councilmembers Hall and Segovia agreed that some clear guidelines for delegate agencies were needed

After consideration, the third amendment offered by Councilman Barrera that the City not fund the additional \$325, 000 for Project Quest failed by the following vote: **AYES:** Barrera, Schubert. **NAYS:** Flores, Williams, Segovia, Perez, Radle, Castro, Hall, Haass, Garza. **ABSENT:** None.

Councilman Hall than proposed an amendment to reduce the economic development fund by \$2 million for street and drainage improvements. Mr. Perez seconded the motion.

After consideration, the fourth amendment, offered by Councilman Hall, failed by the following vote: **AYES:** Perez, Hall, Schubert. **NAYS:** Flores, Williams, Segovia, Radle, Barrera, Castro, Haass, Garza **ABSENT:** None.

After consideration, the amendment made by Councilman Castro to include the restoration of the Adult Therapy Program funding, the Cultural Arts Program, and the

Ricardo Salinas Dental Clinic prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

In response to a question by Councilman Schubert, City Manager Brechtel stated that there was additional language in the budget ordinance that specifically clarified the point that monies set aside for each of the City Council aides would be divided by 12 months and would be paid to them on a monthly basis.

Councilman Schubert spoke to the budget as a whole and stated that he felt adequate fiscal discipline had not been exercised. He spoke to the fact that he had advocated not spending all the CPS revenues but giving monies back to the ratepayers. He added that, in his opinion, this year's budget was not well founded and, therefore, could not support it.

Mayor Garza spoke to some tough choices that the Council had made and added that next year, timelines would have to be extended. He stated that at the last election a strong mandate had been set by voters and that the budget was driven by that mandate. He added that he felt that the Council had made decisions in the best interests of the citizens of San Antonio.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Haass, Garza. **NAYS:** Schubert. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance

AN ORDINANCE 98182

SETTING THE AD VALOREM TAX RATE FOR MAINTENANCE AND OPERATION (M&O) OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO AT 36.704 CENTS PER \$100.00 OF TAXABLE VALUATION FOR THE TAX YEAR BEGINNING ON JANUARY 1, 2003, AND ENDING ON DECEMBER 31, 2003.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98183

SETTING THE AD VALOREM TAX RATE TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT OF THE CITY OF SAN ANTONIO AT 21.150 CENTS PER \$100.00 OF TAXABLE VALUATION FOR THE TAX YEAR BEGINNING ON JANUARY 1, 2003, AND ENDING ON DECEMBER 31, 2003.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98184

INCREASING THE GARAGE SALE PERMIT FEE FROM \$4.00 TO \$15.00 FOR EACH PERMIT SOLD; INCREASING THE NUMBER OF GARAGE SALES PER RESIDENCE PER CALENDAR YEAR FROM TWO SALES PER YEAR TO THREE SALES PER YEAR; CODIFYING THE MAXIMUM FINE OF FIFTY DOLLARS (\$50) FOR THE FIRST TWO VIOLATIONS AND FIVE HUNDRED (\$500) FOR EACH SUBSEQUENT VIOLATION, CHANGING REFERENCES FROM BUILDING INSPECTIONS TO CODE COMPLIANCE, AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH

CHANGES. (AMENDS CITY CODE, CHAPTER 16, ARTICLE XII)

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza **NAYS:** Radle. **ABSENT:** None.

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98185

ESTABLISHING AN EXTRA-TERRITORIAL JURISDICTION CERTIFICATE OF DETERMINATION FEE OF \$100.00 FOR EACH CERTIFICATE ISSUED; ESTABLISHING A NON-CONFORMING RIGHTS REGISTRATION FEE OF \$50.00 FOR EACH ADDRESS REGISTERED; INCREASING THE SIDEWALK PERMIT FEE FROM \$0.09 PER LINEAR FOOT ON CURB AND \$0.09 PER SQUARE FOOT ON FLAT WORK TO \$0.15 PER LINEAR FOOT ON CURB AND \$0.15 PER SQUARE FOOT ON FLAT WORK; AMENDING THE VALUATION SCHEDULE FOR RESIDENTIAL PLAN REVIEW AND BUILDING PERMITS WITH HOMES VALUED UNDER \$100,000.00 RECEIVING A 25% DISCOUNT APPLIED TO THE BUILDING PLAN REVIEW AND BUILDING PERMIT FEES AS FOLLOWS: FROM WOOD FRAME AT \$18.00 PER SQUARE FOOT, WOOD FRAME WITH MASONRY AT \$22.00 PER SQUARE FOOT, AND SOLID MASONRY AT \$26.00 PER SQUARE FOOT TO WOOD FRAME AT \$40.00 PER SQUARE FOOT, WOOD FRAME WITH MASONRY AT \$45.00 PER SQUARE FOOT, AND SOLID MASONRY AT \$58.00 PER SQUARE FOOT; ESTABLISHING A COMMERCIAL WALK-THROUGH FEE OF \$100.00 FOR PLANS OVER 500 SQUARE FEET; ESTABLISHING A COMMERCIAL PLAN RETRIEVAL FEE OF \$100.00 PER RETRIEVAL; ESTABLISHING A COMMERCIAL FIRE ALARM AND SPRINKLER RE-SUBMITTAL FEE OF \$75.00 PER HOUR WITH A ONE HOUR MINIMUM; ESTABLISHING A COMMERCIAL PROJECT MODIFICATION FEE OF \$75.00 PER REQUEST FOR ALTERNATIVE DESIGN; ESTABLISHING A COMMERCIAL CONDITIONAL PERMIT FEE OF \$200.00 PER PERMIT, ESTABLISHING A COMMERCIAL PLAN REVIEW BY APPOINTMENT FEE OF \$200.00 PER APPOINTMENT; INCREASING THE COMMERCIAL PROCESSING REFUND FEE

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FROM \$5.00 TO \$25.00 PER REQUEST; INCREASING THE INITIAL COMMERCIAL TEMPORARY CERTIFICATE OF OCCUPANCY FEE FROM \$234.00 TO \$500.00; INCREASING THE COMMERCIAL EXTENSION OF TEMPORARY CERTIFICATE OF OCCUPANCY FEE FROM \$26.00 TO \$50.00 PER EXTENSION; AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None

— — —  
2003-33 The Clerk read the following Ordinance.

AN ORDINANCE 98186

INCREASING THE BURNING PERMIT FEE FROM \$103.00 TO \$125.00 PER INSPECTION; INCREASING THE EXPLOSIVE HANDLER PERMIT FEE FROM \$51.50 TO \$100.00 PER EXAM; INCREASING THE ABOVE GROUND STORAGE TANK FEE FROM \$300.00 TO \$330.00 PER INSPECTION, INCREASING THE UNDERGROUND STORAGE TANK FEE FROM \$206.00 TO \$225.00 PER INSPECTION; INCREASING THE LABORATORY/CLINIC INSPECTION FEE FROM \$51.50 TO \$150.00 PER ANNUAL INSPECTION; INCREASING THE BONDED WAREHOUSE INSPECTION FEE FROM \$51.50 TO \$125.00 PER ANNUAL INSPECTION; INCREASING THE FIREWORKS DISPLAY PERMIT FEE FROM \$360.50 TO \$450.00 PER DISPLAY; INCREASING THE BONFIRE PERMIT FROM \$360.50 TO \$400.00 PER DISPLAY; INCREASING THE FIRE PROTECTION SYSTEM RE-TESTING FEE FROM \$103.00 TO \$125.00 PER INSPECTION UPON FAILURE OF THE INITIAL TEST; INCREASING THE FIRE PROTECTION SYSTEM RE-SCHEDULING FEE FROM \$103.00 TO \$125.00 FOR FAILURE TO PROVIDE FOUR HOURS NOTICE OF CANCELLATION; INCREASING THE FIRE

CODE RE-INSPECTION FEE FROM \$41 20 TO \$100 00 PER VISIT, AND AMENDING SECTION 11-16 OF THE CITY CODE TO REFLECT SUCH CHANGES

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** None

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2003-33 The Clerk read the following Ordinance.

AN ORDINANCE 98187

ESTABLISHING A RECORDS PRESERVATION FEE IN THE AMOUNT OF \$1.00 PER BIRTH OR DEATH CERTIFICATE SOLD, INCREASING THE TOTAL FEE FOR THE PURCHASE OF A CERTIFICATE FROM \$11.00 FOR BIRTH CERTIFICATES OF INDIVIDUALS BORN IN SAN ANTONIO/BEXAR COUNTY, \$12.83 FOR BIRTH CERTIFICATES OF INDIVIDUALS BORN ANYWHERE IN TEXAS AFTER 1925, \$9.00 FOR THE FIRST COPY OF A DEATH CERTIFICATE, AND \$3.00 FOR ADDITIONAL COPIES OF THE SAME DEATH CERTIFICATE TO \$12.00 FOR BIRTH CERTIFICATES OF INDIVIDUALS BORN IN SAN ANTONIO/BEXAR COUNTY, \$13.83 FOR BIRTH CERTIFICATES OF INDIVIDUALS BORN ANYWHERE IN TEXAS AFTER 1925, \$10.00 FOR THE FIRST COPY OF A DEATH CERTIFICATE, AND \$4.00 FOR ADDITIONAL COPIES OF THE SAME DEATH CERTIFICATE; AMENDING THE CURRENT RATE STRUCTURE FOR RABIES VACCINATION FEES TO ESTABLISH A \$20.00 FEE FOR EACH THREE-YEAR RABIES VACCINATION PROVIDED TO A DOG OR CAT; INCREASING THE ANNUAL BOVINE OR EQUINE LIVESTOCK PERMIT FEE FROM \$125.00 TO \$150.00 PER LOCATION AND THE ANNUAL FEE FOR KEEPING OTHER LIVESTOCK FROM \$40.00 TO \$50.00 PER LOCATION; INCREASING THE ANNUAL HORSE/HORSE DRAWN CARRIAGE INITIAL PERMIT FEE AND RENEWAL FEE FROM \$35.00 TO \$45.00 PER HORSE; INCREASING THE FEE FOR A DENTAL APPOINTMENT FROM \$6.00 TO \$10.00 PER APPOINTMENT; CONVERTING THE WATER TESTING FEE FROM ONE-TIER OF \$15.00 PER TEST TO THREE-TIERS WITH RATES AS FOLLOWS: \$15.00

PER TEST FOR ENTITIES PURCHASING LESS THAN 25 TESTS AT ONE TIME, \$12.50 PER TEST FOR ENTITIES PURCHASING 25 TO 50 TESTS AT ONE TIME, AND \$10.00 PER TEST FOR ENTITIES PURCHASING GREATER THAN 50 TESTS AT ONE TIME; INCREASING THE CROSS CONNECTION SURVEY FEE FROM \$75.00 TO \$95.00 PER SURVEY; INCREASING THE ASBESTOS DEMOLITION INSPECTION FEE FROM \$75.00 TO \$95.00 PER INSPECTION; INCREASING THE MOBILE LIVING PARK LICENSE FEE FROM \$25.00 TO \$30.00 PER SPACE PER YEAR; INCREASING THE AIR POLLUTION INSPECTION FEE FROM \$350.00 TO \$400.00 PER SOURCE; AND AMENDING CHAPTERS 2, 5, 15, 18, 26 AND 33 OF THE CITY CODE TO REFLECT THESE ADDITIONS AND CHANGES.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza **NAYS:** None. **ABSENT:** None

— — —  
2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98188

INCREASING THE FINE FOR AN EXPIRED PARKING METER FROM \$15.00 TO \$20.00; INCREASING THE FINE FOR OVERTIME PARKING FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR PARKING IN A LOADING ZONE FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED WITHIN TWENTY FEET OF A CROSSWALK AT AN INTERSECTION FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED WITHIN FIFTY FEET OF A RAILROAD CROSSING FROM \$25.00 TO \$30.00; INCREASING THE FINE FOR OBSTRUCTING THE FLOW OF TRAFFIC FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED FACING ONCOMING TRAFFIC FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR OVERLOADING A TAXI STAND FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED IN AN ALLEY FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING DOUBLE PARKED FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED WITHIN FIFTEEN FEET OF A FIREPLUG FROM \$35.00 TO \$40.00; INCREASING THE FINE FOR BEING PARKED IN AN EMERGENCY PARKING

RESTRICTED/SACKED METER DESIGNATED AREA FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BLOCKING A STREET FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BLOCKING A SIDEWALK FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BLOCKING A DRIVEWAY FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BLOCKING A FIRE LANE FROM \$35.00 TO \$40.00; INCREASING THE FINE FOR BEING PARKED MORE THAN EIGHTEEN INCHES FROM THE CURB/EDGE OF ROADWAY FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED WITH A TIRE ON OR OVER THE CURB/EDGE OF ROADWAY FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED DURING RESTRICTED HOURS FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR USING PUBLIC STREET FOR STORAGE FROM \$33.00 TO \$38.00; INCREASING THE FEE FOR BEING PARKED IN A NO PARKING ZONE OR NO PARKING THIS SIDE OF BLOCK ZONE FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR A HANDICAP PARKING VIOLATION FROM \$100.00 TO \$150.00; INCREASING THE FINE FOR BEING PARKED IN AN OVERSIZED VEHICLE IN RESIDENTIAL ZONE WITH NO SIGNS POSTED FROM \$20.00 TO \$25.00; INCREASING THE FINE FOR BEING PARKED ON THE FRONT LAWN/SIDE SETBACK FROM \$33.00 TO \$38.00; INCREASING THE FINE FOR OTHER VIOLATIONS FROM \$20.00 TO \$25.00; ESTABLISHING AN INTERNET CONVENIENCE FEE OF \$4.00 PER TRANSACTION FOR PAYMENT OF MUNICIPAL COURTS FINES THROUGH THE CITY'S INTERNET SITE; AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES (AMENDS CHAPTER NO 19 OF CITY CODE).

\* \* \* \*

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

Councilman Flores offered an amendment that would cancel the extension of the hours of operation for the parking meters and increase the cost for event parking at the Marina and Hemisfair parking garages from \$6 to \$8. Councilman Haass seconded the motion.

Councilman Perez offered an amendment to consider increasing the fine for handicapped parking violations from \$100 to \$150.00. Mr. Schubert seconded the motion.

After consideration, the amendment by Councilman Perez increasing the fine for handicapped parking violations, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Hall.

After consideration, the amendment by Councilman Flores cancelling the extension of parking meter operation hours and increasing cost of event parking at the Marina and Hemisfair garages prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro **(THE CHANGES IN THIS AMENDMENT ARE REFLECTED IN ORDINANCE 98194 on page 44. )**

After consideration, the main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None **ABSENT:** Castro.

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2003-33 The Clerk read the following Ordinance.

AN ORDINANCE 98189

AMENDING THE RATE STRUCTURE FOR THE ADULT LEAGUE PARTICIPATION FEE FROM \$6.00 PER PARTICIPANT PER LEAGUE SEASON TO \$8.00 PER PARTICIPANT PER LEAGUE SEASON; AMENDING THE RATE STRUCTURE FOR THE TENNIS PARTICIPATION FEE FROM \$5.00 PER PARTICIPANT PER LEAGUE SEASON TO \$8.00 PER PARTICIPANT PER LEAGUE SEASON; AMENDING THE RATE STRUCTURE FOR THE MCFARLIN TENNIS CENTER LEAGUE/TOURNAMENT FEE FROM \$35.00 PER PARTICIPANT OR \$175.00 PER TEAM TO \$45.00 PER PARTICIPANT OR \$200.00 PER TEAM; AMENDING THE RATE STRUCTURE FOR THE SPANISH GOVERNOR'S PALACE USER FEE FOR SPECIAL EVENTS FROM \$75.00 PER HOUR WITH A TWO HOUR MINIMUM TO \$150.00 PER HOUR WITH A TWO HOUR MINIMUM; AMENDING THE RATE STRUCTURE FOR ALAMO PLAZA AND FOR DOWNTOWN PARK USAGE FEES TO INCLUDE A PHOTOGRAPHY RESERVATION FEE OF \$200.00 FOR THE FIRST FOUR HOURS AND \$40.00 FOR EACH ADDITIONAL HOUR. AMENDING THE RATE STRUCTURE FOR THE SAN ANTONIO BOTANICAL CENTER ADMISSIONS FEE FROM \$4.00 FOR ADULTS, \$1.00 FOR CHILDREN (AGES 3-13), \$2.00 FOR SENIORS/MILITARY/STUDENTS, \$3.00 ADULT GROUP RATE, \$0.50 CHILDREN GROUP RATE TO \$5.00 FOR ADULTS, \$2.00 FOR CHILDREN (AGES 3-13), \$3.00 FOR SENIORS/MILITARY/STUDENTS, \$4.00 ADULT GROUP RATE, \$1.00 CHILDREN GROUP RATE; ESTABLISHING A KID QUEST PROGRAM REGISTRATION FEE OF \$5.00 PER PARTICIPANT PER YEAR; ESTABLISHING A YOUTH LEAGUE PARTICIPATION FEE OF \$5.00 PER PARTICIPANT PER LEAGUE SEASON, ESTABLISHING AN ARTS BASED INSTRUCTIONAL CLASS

REGISTRATION FEE OF \$25.00 PER PARTICIPANT PER CLASS; ESTABLISHING A LA VILLITA TEMPORARY VENDING PERMIT FEE OF \$20.00 PER DAY OR \$275.00 PER MONTH; ESTABLISHING PARKS AND RECREATION PLAT REVIEW FEES FOR PLAN REVIEW (SINGLE-FAMILY) OF \$140.00 PLUS \$25.00 PER PHASE, PLAN REVIEW (NON-SINGLE FAMILY) OF \$200.00 PLUS \$25.00 PER PHASE, PLAN AMENDMENT (SINGLE-FAMILY) OF \$100.00, PLAN AMENDMENT (NON-SINGLE FAMILY) OF \$160.00, SINGLE PHASE FEE OF \$140.00, VARIANCE FEE OF \$151.00, REISSUE OF EXPIRED LETTER OF CERTIFICATION OF \$25.00; ESTABLISHING A BOTANICAL GARDEN EDUCATION PROGRAM FEE OF \$30.00 PER PARTICIPANT PER CLASS; AND AMENDING THE CORRESPONDING SECTION OF THE CITY CODE TO REFLECT SUCH CHANGES.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro.

— — —  
2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98190

ESTABLISHING AN UNPERMITTED ALARM FEE IN THE AMOUNT OF \$25.00 FOR EACH CITY RESPONSE TO A FALSE ALARM WHEN A RESIDENCE OR COMMERCIAL ESTABLISHMENT DOES NOT HAVE A CURRENT ALARM PERMIT; INCREASING THE AUCTION PROCESSING FEE FROM \$5.00 TO \$10.00 PER AUCTION CONDUCTED BY THE CITY OF SAN ANTONIO POLICE DEPARTMENT; AND AMENDING SECTIONS 25-57 AND 19-55 OF THE CITY CODE TO REFLECT SUCH CHANGES. (AMENDS ORDINANCE 90498 OF SEPTEMBER 16, 1999.)

\* \* \* \*

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

Councilman Haass spoke to an advertisement in the Express-New reminding people about the public hearing on the tax rate. He stated that the wording gave citizens a false impression that the City was raising taxes.

City Manager Brechtel explained that state law dictates the wording for the ad and explained that the tax rate did not change but the effective tax rate was lower.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98191

ESTABLISHING A BASIC LIFE SUPPORT (BLS) TRANSPORT FEE OF \$350.00 AND INCREASING THE ADVANCED LIFE SUPPORT, LEVEL 1 TRANSPORT FEE FROM \$350.00 TO \$375.00; AND AMENDING SECTION 15-3 OF THE CITY CODE TO REFLECT SUCH CHANGES.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores.

— — —  
2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98192

INCREASING THE RATE STRUCTURE FOR THE PARKING FEE AT THE ALAMODOME FROM \$5.00 PER CAR TO \$7.00 PER CAR; ESTABLISHING AN ACCESS FEE SURCHARGE OF \$0.50 PER EVENT TICKET FOR EVENTS HELD AT NELSON W. WOLFF STADIUM; AND AMENDING THE CITY CODE TO REFLECT SUCH CHANGES IN PARKING CHARGES. (AMENDS ORDINANCE NOS. 78728, SEPTEMBER 20, 1993; ORDINANCE NO. 80118, MAY 5, 1994).

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza **NAYS:** None. **ABSENT:** Flores.

— — —  
2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98193

AMENDING THE RATE STRUCTURE FOR THE JUNIOR PUNCH CARD FEE FOR A 12 ROUND CARD FROM \$54.00 TO \$60.00, AMENDING THE RATE STRUCTURE FOR THE SENIOR PUNCH CARD FEE FOR A 20 ROUND CARD FROM \$130.00 TO \$150.00; AMENDING THE RATE STRUCTURE FOR THE GOLF CART FEES FOR 18 HOLES REGULAR FEE FROM \$20.00 INCLUDING SALES TAX TO \$20.50 INCLUDING SALES TAX, 18 HOLES DISCOUNT FEE FROM \$18.00 INCLUDING SALES TAX TO \$18.50 INCLUDING SALES TAX, 9 HOLES REGULAR FEE FROM \$11.00 INCLUDING SALES TAX TO \$11.50 INCLUDING SALES TAX; 9 HOLES DISCOUNT FEE FROM \$10.50 INCLUDING SALES TAX TO \$11.00 INCLUDING SALES TAX, 18 HOLES WITH 9 HOLE RAINCHECK REGULAR FEE FROM \$11.00 INCLUDING SALES TAX TO \$11.50 INCLUDING SALES TAX, 18 HOLES WITH 9 HOLE RAINCHECK DISCOUNT FEE FROM \$10.50 INCLUDING SALES TAX TO \$11.00 INCLUDING SALES TAX; AMENDING THE RATE STRUCTURE FOR THE GREEN FEES WEEKDAY REGULAR FEE NON-CEDAR CREEK FROM \$17.75 TO \$18.50, REGULAR FEE CEDAR CREEK FROM \$25.75 TO \$26.50, DISCOUNT NON-CEDAR CREEK FROM \$13.75 TO \$14.00, DISCOUNT CEDAR CREEK FROM \$17.75 TO \$18.00;

WEEKDAY REDUCED FEES SENIOR CITIZEN REGULAR FEE NON-CEDAR CREEK FROM \$11.75 TO \$12.50, WEEKDAY REDUCED FEES SENIOR CITIZEN REGULAR FEE CEDAR CREEK FROM \$19.75 TO \$20.50, WEEKDAY REDUCED FEES SENIOR CITIZEN DISCOUNT FEE NON-CEDAR CREEK FROM \$7.75 TO \$8.00, WEEKDAY REDUCED FEES SENIOR CITIZEN DISCOUNT FEE CEDAR CREEK FROM \$11.75 TO \$12.00; WEEKDAY REDUCED FEES PHYSICALLY DISABLED REGULAR FEE NON-CEDAR CREEK FROM \$17.75 TO \$18.50, WEEKDAY REDUCED FEES PHYSICALLY DISABLED REGULAR FEE CEDAR CREEK FROM \$25.75 TO \$26.50, WEEKDAY REDUCED FEES PHYSICALLY DISABLED DISCOUNT FEE NON-CEDAR CREEK FROM \$7.75 TO \$8.00, WEEKDAY REDUCED FEES PHYSICALLY DISABLED DISCOUNT FEE CEDAR CREEK FROM \$11.75 TO \$12.00; WEEKDAY REDUCED FEES STUDENTS REGULAR FEE NON-CEDAR CREEK FROM \$7.75 TO \$8.50, WEEKDAY REDUCED FEES STUDENTS REGULAR FEE CEDAR CREEK FROM \$7.75 TO \$8.50; WEEKEND AND HOLIDAY REGULAR FEE NON-CEDAR CREEK FROM \$20.75 TO \$21.50, WEEKEND AND HOLIDAY REGULAR FEE CEDAR CREEK FROM \$28.75 TO \$29.50, WEEKEND AND HOLIDAY DISCOUNT FEE NON-CEDAR CREEK FROM \$16.75 TO \$17.00, WEEKEND AND HOLIDAY DISCOUNT FEE CEDAR CREEK FROM \$20.75 TO \$21.00, WEEKEND AND HOLIDAY REDUCED FEES SENIOR CITIZEN REGULAR FEE NON-CEDAR CREEK FROM \$16.75 TO \$17.50, WEEKEND AND HOLIDAY REDUCED FEES SENIOR CITIZEN REGULAR FEE CEDAR CREEK FROM \$21.75 TO \$22.50, WEEKEND AND HOLIDAY REDUCED FEES SENIOR CITIZEN DISCOUNT FEE NON-CEDAR CREEK FROM \$12.75 TO \$13.00, WEEKEND AND HOLIDAY REDUCED FEES SENIOR CITIZEN DISCOUNT FEE CEDAR CREEK FROM \$15.75 TO \$16.00; WEEKEND AND HOLIDAY REDUCED FEES PHYSICALLY DISABLED REGULAR FEE NON-CEDAR CREEK FROM \$20.75 TO \$21.50, WEEKEND AND HOLIDAY REDUCED FEES PHYSICALLY DISABLED REGULAR FEE CEDAR CREEK FROM \$28.75 TO \$29.50, WEEKEND AND HOLIDAY REDUCED FEES PHYSICALLY DISABLED DISCOUNT FEE NON-CEDAR CREEK FROM \$12.75 TO \$13.00, WEEKEND AND HOLIDAY REDUCED FEES PHYSICALLY DISABLED DISCOUNT FEE CEDAR CREEK FROM \$15.75 TO \$16.00; WEEKEND AND HOLIDAY REDUCED FEES STUDENTS REGULAR FEE NON-CEDAR CREEK FROM \$7.75 TO \$8.50, WEEKEND AND HOLIDAY REDUCED FEES STUDENTS REGULAR FEE CEDAR CREEK FROM \$7.75 TO \$8.50; AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Castro

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2003-33 The Clerk read the following Ordinance:

AN ORDINANCE 98194

AMENDING CHAPTER 19 OF THE CITY CODE TO INCREASE THE PARKING METER RATES FOR 941 PARKING METERS FROM \$0.75 PER HOUR MONDAY THROUGH SATURDAY WITH A TWO HOUR LIMIT TO \$1.00 PER HOUR MONDAY THROUGH SATURDAY WITH A TWO HOUR TIME LIMIT; INCREASE THE SALE PRICE OF VIA BUS PASSES TO CITY OF SAN ANTONIO EMPLOYEES FROM \$5.00 PER PASS TO \$10.00 PER PASS; INCREASING PARKING RATES AT RIVERBEND GARAGE FOR 1 1/2 HOURS FROM \$2.50 TO \$3.00, FOR 2 HOURS FROM \$3.50 TO \$4.00, FOR 2 1/2 HOURS FROM \$4.50 TO \$5.00, FOR EVENT RATE FROM \$6.00 TO \$7.00, FOR LATE KEY-IN FEE FROM \$2.00 TO \$7.00, FOR LOST TICKET FROM \$10.50 TO \$12.00, FOR MAG-CARD DEPOSIT FROM \$15.00 TO \$20.00, FOR MONTHLY FROM \$70.00 TO \$77.00; INCREASING PARKING RATES AT MARINA GARAGE FOR 1/2 HOUR FROM \$0.75 TO \$1.00, FOR 1 HOUR FROM \$1.50 TO \$2.00, FOR 1 1/2 HOURS FROM \$2.50 TO \$3.00, FOR 2 HOURS FROM \$3.50 TO \$4.00, FOR 2 1/2 HOURS FROM \$4.50 TO \$5.00, FOR 3 HOURS FROM \$5.25 TO \$6.00, FOR EVENT RATE FROM \$5.00 TO \$8.00, FOR LATE KEY-IN FEE FROM \$2.00 TO \$7.00, FOR LOST TICKET FROM \$10.50 TO \$12.00, FOR MAG-CARD DEPOSIT FROM \$15.00 TO \$20.00, FOR MONTHLY FROM \$50.00 TO \$55.00; INCREASING PARKING RATES AT MID-CITY GARAGE FOR 1 1/2 HOURS FROM \$2.50 TO \$3.00, FOR 2 HOURS FROM \$3.50 TO \$4.00, FOR 2 1/2 HOURS FROM \$4.50 TO \$5.00, FOR EVENT FROM \$6.00 TO \$7.00, FOR LATE KEY-IN FEE FROM \$2.00 TO \$7.00, FOR LOST TICKET FROM \$10.50 TO \$12.00, FOR MAG-CARD DEPOSIT FROM \$15.00 TO \$20.00, FOR MONTHLY FROM \$70.00 TO \$77.00, FOR MONTHLY BASEMENT FROM \$73.00 TO \$87.00; INCREASE PARKING RATES AT HEMISFAIR GARAGE FOR 1/2 HOUR FROM \$0.75 TO \$1.00, FOR 1 HOUR FROM \$1.50 TO \$2.00, FOR 1 1/2 HOURS FROM \$2.25 TO \$3.00, FOR 2 HOURS FROM \$3.00 TO \$4.00, FOR 2 1/2 HOURS FROM \$3.75 TO \$5.00, FOR 3 HOURS FROM \$4.50 TO \$6.00, FOR EXHIBITORS PASS FROM \$7.00 TO \$12.00, FOR EVENT RATE FROM \$5.00 TO \$8.00, FOR LATE KEY-IN FEE FROM \$2.00 TO \$7.00, FOR LOST TICKET FROM \$10.50 TO \$12.00, FOR MAG-CARD DEPOSIT FROM \$10.00 TO \$20.00, FOR

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MONTHLY FROM \$40.00 TO \$45.00; INCREASING PARKING RATES AT CENTER STREET LOT FOR EVENT RATE FROM \$4.00 TO \$5.00; INCREASING PARKING RATES AT SUTTON LOT FOR EVENT RATE FROM \$2.00 FROM \$3.00; ESTABLISHING A FEE FOR PARKING AT THE MUNICIPAL COURTS PARKING LOT OF \$3.00 PER VEHICLE PER DAY; AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Williams, Segovia, Perez, Radle, Barrera, Hall, Schubert, Haass, Garza. **NAYS** None. **ABSENT:** Flores, Castro.

(Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Schubert presided)

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2003-33      CITIZENS TO BE HEARD

**CHARLES ENGLISH**

Mr. Charles English, Jefferson Heights Association, spoke to his attendance in the City's Public Works Academy and stated it was a great opportunity to participate. He also spoke to CDBG monies and matching funds and to parking meter costs. He added that the Council members should consider bringing City Council and City Hall to the community as it might afford citizens an opportunity to participate

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2003-33      EXECUTIVE SESSION

The City Council recessed its regular session at 9:54 P.M. in order to convene in Executive Session for the purpose of

Discuss the lawsuit styled Matthew J. Jackson, et al, and other Similarly Situated Persons vs. City of San Antonio, Cause No 2002-CI-18233, 408<sup>th</sup> Judicial District Court, Bexar County,

Texas, and legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The City Council adjourned the Executive Session at 11:20 P M and there being no further business to come before the City Council, the regular meeting was also immediately adjourned.

A P P R O V E D



EDWARD D. GARZA  
M A Y O R

Attest



YOLANDA L. LEDESMA  
Acting City Clerk