

Garza presented Mr. Bishop a gift on behalf of the City Council and management staff as a token of appreciation for his dedication and years of commitment to public service.

Ms. Terry M. Brechtel, City Manager, spoke in gratitude for Mr. Bishop's continued leadership, involvement and dedication as a City employee.

City Council members thanked Mr. Bishop for his years of service and commitment to the City of San Antonio.

— — —

2003-39 **PRESENTATION OF PROCLAMATION FOR MARINE CORPS**
WEEK

Mayor Ed Garza read a Proclamation in commemoration of the 228th year of the United States Marine Corps. He declared the week of November 3 – 10, 2003 as Marine Corps Week. Mr. Oscar Alandez accepted the proclamation on behalf of the Marine Corps and the armed forces in San Antonio.

— — —

2003-39 **PRESENTATION OF PROCLAMATION FOR THE 4TH ANNUAL**
VETERAN'S PARADE DAY

Mayor Ed Garza read a Proclamation in recognition of the 4th Annual Veterans' Parade to take place on Saturday, November 8, 2003. Ms. Delia Guajardo, Chairman of the Veterans' Day Parade, and members of the City's Commission on Veterans' Affairs accepted the Proclamation.

Ms. Guajardo spoke to the unselfish commitment and sacrifices to secure peace and liberty made by our country's veterans in previous wars, and in recent attacks against our nation. She introduced members of the Parade Committee and Veterans Affairs Commissioners. She also thanked the City Council for their continued support for San Antonio veterans.

Sgt. Reuben Salas, Veterans' Day Parade Committee member, thanked the City Council for their continued support, and requested a moment of silence for those veterans who gave the ultimate sacrifice for their country.

Sgt. Major Benito Guerrero recited a poem recognizing the valor of armed forces veterans.

Ms. Elizabeth Ruiz sang "God Bless America" for all veterans and those serving in the military service.

Ms. Guajardo extended to all an invitation to attend the Veterans' Day Parade.

City Council members expressed their gratitude to Ms. Guajardo and the Parade Committee for their continued efforts in recognizing San Antonio's military veterans.

— — —

2003-39 **POINT OF PERSONAL PRIVILEGE – STUDENTS FROM SAN ANTONIO COLLEGE**

Mayor Garza recognized students from San Antonio College who are in attendance to observe the City Council proceedings.

— — —

2003-39 Minutes of the Regular City Council Meeting of September 18, 2003 were approved as presented.

— — —

2003-39 **SWEARING-IN OF INCOMING MAYOR PRO-TEM JOEL WILLIAMS**

Ms. Yolanda Ledesma, Acting City Clerk, administered the formal Oath of Office to incoming Mayor Pro Tem Joel Williams of District 2, and congratulated him.

Mayor Garza and other members of the City Council also congratulated Councilman Williams on his new duties.

— — —

2003-39 **CONSENT AGENDA – CITIZENS' COMMENTS**

Ms. Maria Dominguez, spoke to the issue of integrity and her opposition to the City Council granting funds for one program and using those funds on other items.

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to Item 10 and the \$55,000 appropriated from the 1994 Park Bond Funds. He stated his opposition relates to funds that were approved in 1980 still remain unexhausted.

— — —

2003-39 CONSENT AGENDA

Councilman Perez made a motion to approve Agenda Items 8 through 20C, constituting the Consent Agenda, except for Items 8, 9, 10, 11, 12, 13, 14, 15, and 16 which were pulled for individual consideration. Councilman Haass seconded the motion.

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

AN ORDINANCE 98360

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR PALO ALTO COLLEGE IN CONNECTION WITH THE TRI-PALO ALTO SPONSORED BY THE RUN AWAY STORE, WHICH WILL BE HELD ON SUNDAY, NOVEMBER 16, 2003 FROM 7:00 A.M. UNTIL 10:30 A.M.

* * * *

AN ORDINANCE 98361

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR JOSEPHINE STREET IN CONNECTION WITH THE RUN YOUR TURKEY OFF EVENT SPONSORED BY THE RUN AWAY STORE, WHICH WILL BE HELD ON SATURDAY, NOVEMBER 29, 2003 FROM 7:00 A.M. UNTIL 11:00 A.M.

* * * *

AN ORDINANCE 98362

APPROVING THE PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF PORTIONS OF CERTAIN STREETS NEAR JOSEPHINE STREET IN CONNECTION WITH THE HAPPY HOLIDAY 5K RUN SPONSORED BY THE RUN

AWAY STORE, WHICH WILL BE HELD ON SATURDAY, DECEMBER 27, 2003 FROM 7:00 A.M. UNTIL 11:00 A.M.

* * * *

AN ORDINANCE 98363

APPOINTING ADDISON QUIROGA (DISTRICT 1) TO THE SAN ANTONIO YOUTH COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 1, 2005.

* * * *

AN ORDINANCE 98364

REAPPOINTING ANDREW OZUNA (DISTRICT 7) TO THE TAX PHASE-IN ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON MAY 18, 2005.

* * * *

AN ORDINANCE 98365

REAPPOINTING RALPH ZENDEJAS (DISTRICT 3) TO THE CITY COMMISSION ON VETERANS AFFAIRS (DISTRICT 3) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 11, 2005.

— — — — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98366

ACCEPTING OFFERS FROM CAPCO COMMUNICATIONS; SBC COMMUNICATIONS; VERIZON; AND PRESIDIO CORPORATION, CATALOGUE INFORMATION SYSTEMS VENDORS, TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH COMPUTER NETWORKING EQUIPMENT AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED ANNUAL COST OF \$540,000.00.

* * * *

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

In response to Councilman Perez regarding the allocation to each of the four companies, Ms. Janie Cantu, Purchasing Director, stated there is no actual appropriation of funds being requested with the ordinance. She stated that depending on a project-by-project basis, each vendor would be asked to submit a price quote. She noted that the four companies would essentially be competing against each other for the projects. Ms. Cantu further noted this process could result in lower prices for the City.

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, Garza. **NAYS:** None. **ABSENT:** Flores, Haass.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98367

ACCEPTING THE LOW BIDS SUBMITTED BY RUSH TRUCK CENTER-SAN ANTONIO, BID NO. 4, ITEM 1 AND SANTEX TRUCK CENTER, LTD., BID NO. 2, ITEM 3 TO PROVIDE THE CITY OF SAN ANTONIO ENVIRONMENTAL SERVICES DEPARTMENT WITH REFUSE COLLECTION TRUCKS FOR A TOTAL AMOUNT OF \$2,327,710.00.

* * * *

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

In response to Councilman Perez regarding the number of trucks being purchased, Ms. Janie Cantu, Director of Purchasing Department, stated that out of the twenty (20) trucks that are being purchased, nineteen (19) are a 25 cubic-yard model for \$126,409.00 each. She also stated that the other truck is an eighteen (18) cubic-yard vehicle for \$66,689.00. Ms. Cantu added that the garbage trucks are established on an eight-year replacement life cycle. She further added that the price for the nineteen trucks is a comparable price to previously purchased vehicles, considering that the volume purchased and inflation are major pricing factors.

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.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98368

ACCEPTING THE LOW BID WITH BID ALTERNATES 1 THROUGH 4 BY VALEMAS, INC. TO PERFORM CONSTRUCTION WORK IN CONNECTION WITH THE WOODLAWN LAKE PARK LANDSCAPE PROJECT, LOCATED IN COUNCIL DISTRICT 7 FOR A TOTAL CONTRACT PRICE OF \$55,673.00; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONSTRUCTION CONTRACT; APPROPRIATING \$34,158.00 IN 1994 PARK BOND FUNDS AND \$33,000.00 IN 1999 PARK BOND FUNDS; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,485.00 FOR BID ADVERTISING/PRINTING EXPENSES, FOR A TOTAL AMOUNT OF \$67,158.00; AND PROVIDING FOR PAYMENT.

* * * *

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

In response to Councilwoman Radle regarding the decision to outsource projects, Mr. Malcolm Matthews, Director of Parks and Recreation, stated that the some types of projects are cheaper to contract due to the specific nature of the project. He stated this particular project involves a great deal of irrigation and landscaping. Mr. Matthews pointed out that there are private companies who own the right type of equipment, material and professional staff to complete the project at a cheaper price than City crews. He also pointed out that one of the main issues is the cost rental of equipment to the City, as opposed to those companies who own their own equipment.

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

2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98369

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$270,000.00 WITH SAN ANTONIO FOOD BANK, INC. FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004 TO EXPAND FOOD SECURITY TO SENIOR RESIDENTS THROUGH PROJECT HOPE.

* * * *

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

In response to Councilman Perez regarding the status of the contract, Mr. Dennis Campa, Director, Community Initiatives Department, stated the contract was a part of the directive by the City Council during the budget process. He stated the Department of Community Initiatives (DCI) implemented the highly successful program to serve over 3,500 seniors with twenty-five (25) pounds of food every two weeks. He further stated that DCI is now requiring that the San Antonio Food Bank enroll those seniors into the food stamp program as another part of the City Council directive.

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.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98370

AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH HUMANA HEALTH PLAN OF TEXAS, INC. ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO BE REIMBURSED IN AN AMOUNT UP TO \$22,500.00 FOR PROVIDING INFLUENZA IMMUNIZATION SERVICES TO HUMANA HEALTH INSURANCE ENROLLEES FOR THE PERIOD OCTOBER 1, 2003 THROUGH JANUARY 31, 2004.

* * * *

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

In response to Councilman Haass regarding an explanation of the Letter of Agreement, Dr. Fernando Guerra, Director, San Antonio Metropolitan Health District, stated that it is a part of the City's influenza vaccine campaign. He also stated there are managed care organizations that in order to comply with the regulations, they have to maintain certain levels of immunization coverage with their enrolled population. He noted that for some of these organizations, it is easier to contract out those services, and because the City has a system in place to immunize large numbers, several organizations contract with the City. Dr. Guerra provided information on the number of doses provided to the community in the past.

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.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98371

AUTHORIZING THE ACCEPTANCE OF TWO (2) CLINICAL STUDY AGREEMENTS WITH SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE (GSK), FOR THE PERIOD OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2005 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PARTICIPATE IN TWO (2) STUDIES OF A VACCINE ADMINISTERED TO CHILDREN FIFTEEN (15) MONTHS OF AGE AS FOLLOWS: PROVIDING \$46,284.00 TO STUDY THE EFFECTIVENESS AND SAFETY OF GSK'S INACTIVATED HEPATITIS A VACCINE WHEN CO-ADMINISTERED WITH PNEUMOCOCCAL VACCINE AND ACCEPTING \$47,880.00 TO STUDY THE EFFECTIVENESS AND SAFETY OF GSK'S INACTIVATED HEPATITIS A VACCINE WHEN CO-ADMINISTERED WITH MEASLES-MUMPS-RUBELLA VACCINE AND VARICELLA VACCINE; AUTHORIZING THE EXECUTION OF THE TWO (2) CLINICAL STUDY AGREEMENTS; ESTABLISHING FUNDS; ADOPTING PROGRAM BUDGETS; APPROVING PERSONNEL COMPLEMENTS; AND AUTHORIZING PAYMENTS FOR CONTRACTUAL SERVICES.

* * * *

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

In response to Councilman Perez, Dr. Fernando Guerra, Director of Metropolitan Health District gave a brief history on the Health District's initiatives to conduct vaccine studies since 1994. He stated that as a result of these studies, the District has generated \$1.5 million for a special revenue fund used to expand public health capacity. He stated there are currently twenty (20) on-going vaccine studies, four (4) of which are targeted for the adult population to prevent herpes.

Councilman Perez commended Dr. Guerra for his efforts and accomplishments that are making improvements to the quality of the lives for the citizens of San Antonio.

In response to Councilman Schubert regarding liability, Dr. Guerra explained that the contract clearly specifies that the City is held harmless and that the vaccine companies cover the liability.

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

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98372

AMENDING ORDINANCE NO. 97927, PASSED AND APPROVED ON AUGUST 7, 2003, WHICH AUTHORIZED THE ACCEPTANCE OF A CONTINUATION GRANT FROM THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT (JAIBG) BY THE DEPARTMENT OF COMMUNITY INITIATIVES' YOUTH SERVICES DIVISION, BY SPECIFYING THE AUTHORIZED OFFICIAL AS REQUIRED BY THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION.

* * * *

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

In response to Councilman Perez regarding the allocation of funds for this grant, Mr. Dennis Campa, Director of Community Initiatives, stated there are two programs that are particularly served by these funds. He outlined the Neighborhood Conferencing

Committee Program where trained volunteers counsel with troubled youth in an effort to redirect their behavior, and expunge the youth's record in Municipal Court. Mr. Campa also outlined the START Program that works with youth who have been identified as children destined for further involvement in the juvenile justice system, unless someone intervenes.

Councilman Perez stated he will provide the name and address of a family in need of these services to Mr. Campa's staff.

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.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98373

ACCEPTING THE PROPOSAL OF SMARTE CARTE, INC. AND AUTHORIZING THE EXECUTION OF A FIVE (5) YEAR AGREEMENT FOR THE CONTINUED OPERATION OF THE LUGGAGE CART AND LOCKER CONCESSION AT SAN ANTONIO INTERNATIONAL AIRPORT EFFECTIVE NOVEMBER 1, 2003 FOR TOTAL MINIMUM ANNUAL GUARANTEE REVENUES OF \$25,000.00 PER YEAR, FOR A TOTAL CONTRACT AMOUNT OF \$125,000.00.

* * * *

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

Councilman Barrera, spoke to the subject of baggage carts made available in other airports free of charge, and also recognized that San Antonio may not, at this time, be prepared to offer that service to travelers due to budget constraints. He added that given the current improvements at the Airport, and support by advertising revenues upon completion of that construction, the idea of offering free baggage carts to travelers may be a possibility.

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.

2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98375

REAPPOINTING THOMAS REEDY (DISTRICT 1) TO THE RIVERWALK CAPITAL IMPROVEMENTS ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 19, 2005. (CATEGORY: DOWNTOWN RESIDENT – NOT A RIVERWALK LESSEE)

* * * *

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.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98376

APPOINTING SANDEE TAYLOR (MILITARY REPRESENTATIVE – NON VOTING MEMBER CATEGORY – MAYOR) TO THE AIR TRANSPORTATION ADVISORY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON MAY 4, 2005.

* * * *

Councilman Flores 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, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Castro.

2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98377

APPOINTING ORALIA SALAME (DISTRICT 5) TO THE ADVISORY BOARD OF HEALTH OF SAN ANTONIO METROPOLITAN DISTRICT FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2006.

* * * *

Councilman Haass 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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98378

REAPPOINTING FRANK RASCOE (PROFESSIONAL ARCHITECT CATEGORY – DISTRICT 1) AND APPOINTING RONALD ROCHA (CONSUMER REPRESENTATIVE CATEGORY – DISTRICT 3) TO THE MARKET SQUARE COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON AUGUST 11, 2005.

* * * *

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, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle.

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98379

APPOINTING RICHARD LEAL (DISTRICT 2) TO THE SOUTH FORT SAM HOUSTON DEVELOPMENT ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 28, 2005.

* * * *

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:** Flores, Williams, Segovia, Perez, Barrera, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Radle.

— — —
2003-39 **NOMINATIONS FOR THE FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION**

Acting City Clerk Yolanda Ledesma presented the nominations for the Firemen's and Policemen's Civil Service Commission from October 16, 2003 Work Session which included Mr. William B. Johnson, District 2 and 8, (reappointment), Mr. Leo Rodriguez, District 3, and Mr. Rudy Casias, District 8.

Councilman Williams nominated Mr. William B. Johnson. Councilman Flores seconded the nomination.

Councilman Segovia nominated Mr. Leo Rodriguez. Councilman Perez seconded the nomination.

After a roll call vote, Mr. Johnson received the majority of the votes and was selected to fill the slot.

Councilman Perez made a motion to approve the proposed Ordinance appointing Mr. William B. Johnson to serve on the Firemen's and Policemen's Civil Service Commission. 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.

AN ORDINANCE 98380

REAPPOINTING WILLIAM B. JOHNSON (DISTRICTS 2 AND 8) TO THE FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 19, 2006.

* * * *

2003-39 NOMINATIONS FOR THE METROPOLITAN TRANSIT
AUTHORITY

Acting City Clerk Yolanda Ledesma presented the nominations for the Metropolitan Transit Authority from October 16, 2003 Work Session which included Mr. Charles Munoz, Mayor, (reappointment); Mr. Hugo Rhodes, District 2; Mr. Thomas T. Moreno, District 1, (reappointment); and Ms. Laurie Gruenbeck, District 5.

Councilman Williams nominated Mr. Hugo Rhodes for the first of two slots. Councilman Perez seconded the nomination.

Councilwoman Radle nominated Ms. Laurie Gruenbeck. Councilman Hall seconded the nomination.

Councilman Flores nominated Mr. Charles Munoz. Councilman Segovia seconded the motion.

After a roll call vote, Mr. Munoz received the majority vote, and was selected for the first slot.

Councilman Flores nominated Mr. Tomas Moreno for the second slot. Councilman Segovia seconded the motion.

A roll call vote was taken with the remaining nominees and Mr. Moreno received the majority vote to fill the second position.

Councilman Perez made a motion to approve the proposed Ordinance that would reappoint Mr. Charles Munoz and Mr. Tomas Moreno. 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.

AN ORDINANCE 98381

REAPPOINTING CHARLES MUNOZ (MAYOR) AND TOMAS T. MORENO (DISTRICT 1) TO THE METROPOLITAN TRANSIT AUTHORITY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 2005.

* * * *

— — —
2003-39 **NOMINATIONS FOR THE SAN ANTONIO DEVELOPMENT**
AGENCY

Acting City Clerk Yolanda Ledesma presented the nominations for the San Antonio Development Agency from October 16, 2003 Work Session which included Ms. Ann B. Paddie, District 4, (reappointment); Ms. Linda Tippins, District 2; Mr. Tim Kelcy, District 10; Mr. Gilbert Murillo, District 2; and Ms. Diane Cibrian, District 8.

Councilman Perez nominated Ms. Ann B. Paddie for one of the available four slots as a reappointment. Councilman Castro seconded the nomination.

Councilman Haass nominated Mr. Tim Kelcy for the second slot. Councilman Schubert seconded the motion.

Councilman Williams nominated Mr. Gilbert Murillo for the third slot. Councilwoman Radle seconded the nomination.

Councilman Hall nominated Ms. Diane Cibrian for the last available slot. Councilman Barrera seconded the nomination.

The City Council unanimously approved the four nominations presented.

Councilman Haass made a motion to approve the proposed Ordinance reappointing Ms. Paddie, and appointing Mr. Kelcy, Mr. Murillo and Ms. Cibrian to serve on the San Antonio Development Agency. 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.

AN ORDINANCE 98382

REAPPOINTING ANN B. PADDIE (DISTRICT 4) AND APPOINTING TIM KELLCY (DISTRICT 10), GILBERT MURILLO (DISTRICT 2) AND DIANE CIBRIAN (DISTRICT 8) TO THE SAN ANTONIO DEVELOPMENT AGENCY FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 18, 2005.

* * * *

— — —
2003-39 **NOMINATIONS FOR THE NOISE ABATEMENT ADVISORY COMMITTEE**

Acting City Clerk Yolanda Ledesma presented the nominations for the Noise Abatement Advisory Committee from October 16, 2003 Work Session which included Mr. Jim Williams, District 9 (reappointment), and Ms. Donna Schneider, District 9, for the Neighborhood Association Category; Mr. Al Notzon, District 9 (reappointment) for the Alamo Area Council of Governments (AACOG) Category; and Mr. Neil Stone, District 9, (reappointment) and Mr. Allan Kramer, District 3 for the Chamber of Commerce Category.

Councilman Schubert nominated Mr. Jim Williams for reappointment to the first slot on the Neighborhood Association Category. Councilman Haass seconded the nomination.

Councilman Perez nominated Ms. Donna Schneider for the second slot on the Neighborhood Association Category. Councilman Segovia seconded the nomination.

City Council concurred to nominate Mr. Williams and Ms. Schneider to serve as the Neighborhood representatives.

Councilman Schubert nominated Mr. Al Notzon for reappointment to the AACOG Category. Councilman Haass seconded the nomination.

City Council concurred with Mr. Notzon's nomination.

Councilman Schubert nominated Neil Stone for reappointment to the Chamber of Commerce slot. Councilman Haass seconded the nomination.

Councilman Perez nominated Mr. Allan Kramer to the Chamber of Commerce slot. Councilman Segovia seconded the nomination.

After a roll call vote, Mr. Stone received the majority of the votes to represent the Chamber of Commerce and was selected to fill the slot.

Councilman Perez made a motion to approve the proposed Ordinance reappointing Mr. Jim Williams and appointing Ms. Donna Schneider to the Neighborhood Association; reappointing Mr. Al Notzon to the AACOG Category, and reappointing Mr. Neil Stone to the Chamber of Commerce slot . Councilman Schubert 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.

AN ORDINANCE 98383

REAPPOINTING JIM WILLIAMS (NEIGHBORHOOD ASSOCIATION CATEGORY – DISTRICT 9), AL NOTZON (AACOG CATEGORY – DISTRICT 9) AND NEIL STONE (CHAMBER OF COMMERCE CATEGORY – DISTRICT 9) AND APPOINTING DONNA SCHNEIDER (NEIGHBORHOOD ASSOCIATION CATEGORY – DISTRICT 9) TO THE NOISE ABATEMENT ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 15, 2005.

* * * *

— — —

2003-39 NOMINATIONS TO THE CONVENTION AND VISITORS COMMISSION

Acting City Clerk Yolanda Ledesma presented the nominations for the Convention and Visitors Commission brought forward from the October 16, 2003 Work Session which included Mr. Arthur Coulombe, District 3; Mr. Nick Ghawi, District 1; Mr. Pete Cortez, District 3 (reappointment); Mr. Dale Wood, District 3; Mr. Jim McNutt, District 9, (reappointment); Mr. George Cisneros, District 5; Mr. Charles Telles, District 7; and Ms. Christine Ortega, District 2.

Councilman Perez nominated Mr. Arthur Coulombe for the first slot on the Hotel/Motel Association Category. Councilwoman Radle seconded the nomination.

Councilman Flores nominated Mr. Nick Ghawi for the second slot on the Hotel/Motel Association Category. Councilwoman Radle seconded the nomination.

Councilman Segovia nominated Mr. Pete Cortez for reappointment to the Market Square Category. Councilman Perez seconded the nomination.

Councilman Schubert nominated Mr. McNutt for reappointment to the Arts and Cultural Community slot. Councilman Haass seconded the nomination.

Councilman Segovia nominated Mr. Dale Wood to the San Antonio Restaurant Association slot. Councilman Perez seconded the nomination.

City Council concurred with the recommendations noted above.

Discussion ensued regarding approving an additional slot for the Arts and Cultural Community category for a more comprehensive representation from the community. City Council concurred for the expansion of the Commission by adding a representative for the Arts and Cultural Community, and a Taxicab Industry representative. City Council also concurred to consider an appointment to the Taxicab Industry category at a future Boards and Commissions Work Session.

Councilwoman Radle nominated Mr. George Cisneros for the second slot on the Arts and Cultural Community category. Councilman Perez seconded the nomination.

Councilman Williams then nominated Mr. Charles Telles for the one available slot as Airlines Representative. Councilman Segovia seconded the nomination.

Councilman Castro nominated Ms. Christine Ortega for the Airlines Representative Category. Councilman Barrera seconded the nomination.

After a roll call vote, Ms. Christine Ortega received the majority vote to serve as the Airlines Representative.

Councilman Perez made a motion to approve the proposed Ordinance appointing Mr. Arthur Coulombe and Mr. Nick Ghawi to the Hotel Motel Association Category; appointing Mr. Dale Wood, Restaurant Association Category; reappointing Mr. Jim McNutt, Arts and Cultural Community Category; appointing Mr. George Cisneros, Arts and Cultural Community Category; reappointing Mr. Pete Cortez, Market Square Category; and appointing Ms. Christine Ortega, Airline Representative Category. 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.

AN ORDINANCE 98384

AMENDING ORDINANCE NO. 93527 DATED MARCH 1, 2001 AND ORDINANCE NO. 93567, DATED MARCH 8, 2001, TO AMEND THE COMPOSITION OF THE CONVENTION AND VISITORS COMMISSION BY ADDING TWO (2) MEMBERS (ONE REPRESENTING THE ARTS AND CULTURAL COMMUNITY AND ONE FROM THE TAXICAB INDUSTRY), MAKING A TOTAL OF TWENTY SEVEN (27) MEMBERS (INCLUDING TWO EX-OFFICIO APPOINTMENTS CONSISTING OF CITY COUNCIL MEMBERS; APPOINTING ARTHUR COULOMBE (HOTEL/MOTEL ASSOCIATION CATEGORY – DISTRICT 3), NICK GHAWI (HOTEL/MOTEL ASSOCIATION CATEGORY – DISTRICT 1), DALE WOOD (S.A. RESTAURANT ASSOCIATION CATEGORY – DISTRICT 3), GEORGE CISNEROS (ARTS & CULTURAL COMMUNITY CATEGORY – DISTRICT 5) FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 2005, AND CHRISTINE ORTEGA (AIRLINES REPRESENTATIVE CATEGORY – DISTRICT 2) FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 2004, AND REAPPOINTING PETE CORTEZ (MARKET SQUARE CATEGORY – DISTRICT 3), AND JIM MCNUTT (ARTS & CULTURAL COMMUNITY CATEGORY – DISTRICT 9) TO THE CONVENTION AND VISITORS COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 2005.

* * * *

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98385

APPROVING THE APPOINTMENTS OF ROLAND PENA AND ARLENE RHODES TO THE ALAMO WORKFORCE DEVELOPMENT BOARD (AWDB) FOR THE PURPOSE OF FILLING VACANCIES IN THE ECONOMIC DEVELOPMENT CATEGORY AND THE PUBLIC ASSISTANT CATEGORY; AND APPROVING THE REAPPOINTMENT TO THE AWDB FOR NEW THREE (3) YEAR TERMS THE FOLLOWING MEMBERS: ANNE BOSWELL (LITERARY CATEGORY), MARILYN BULLOCK (COMMUNITY BASED ORGANIZATION CATEGORY), FERMIN GONZALES (PUBLIC EMPLOYMENT CATEGORY), FRED KIRKSEY (BUSINESS CATEGORY), DENVER MCCLENDON (BUSINESS CATEGORY),

SIMON SALAS (BUSINESS CATEGORY), AND VICKIE SPILLMAN (COMMUNITY BASED ORGANIZATION CATEGORY).

* * * *

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

Mr. Trey Jacobson, Assistant Director of Economic Development Department, narrated a slide presentation on the appointments to the Alamo Workforce Development Board (AWDB). A copy of this presentation is on file with these papers. He gave background information on the AWDB and noted board members are appointed jointly by a consensus of the three principal entities (City of San Antonio, Bexar County Commissioners Court and rural judges), through the "Committee of Six". He outlined the duties of the Committee, and also discussed the composition of the AWDB Board of Directors. He identified the individuals as the recommended candidates to fill the vacancies on the Board for another three-year term, and discussed the reappointment process.

Councilman Barrera spoke regarding his support of the recommendations made by the Committee of Six for the named candidates.

In response to Councilman Hall regarding a possible conflict with appointing Mr. Denver McClendon as an AWDB board member, Ms. Diane Quaglia, Sr. Project Manager, Department of Economic Development, stated that the Board was in compliance with the Conflict of Interest Policy. She further stated that to avoid any conflicts, Mr. McClendon was named Vice Chairman rather than Chairman of the Board.

Mayor Garza commended the Committee of Six on their efforts regarding the AWDB.

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

— — —
2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98386

AUTHORIZING PAYMENT OF THE CITY OF SAN ANTONIO'S ANNUAL MEMBERSHIP DUES TO THE AUSTIN-SAN ANTONIO INTERMUNICIPAL

COMMUTER RAIL DISTRICT IN THE AMOUNT OF \$49,500.00 FOR THE PERIOD
OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004.

* * * *

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

Mr. Jim Campbell, Director of External Relations Department, gave a presentation on the Austin-San Antonio Intermunicipal Commuter Rail District. A copy of the presentation is on file with these papers. Mr. Campbell spoke on the background and purpose of the district, which is to facilitate the creation of a regional passenger rail system, and thereby reduce congestion, lower traffic fatalities and improve mobility and economic development. He explained the composition of the government board of the commuter rail district, and identified those individuals, who were appointed in November, 2002. Mr. Campbell also defined the powers of the District that included the ability to make agreements with other public utilities on joint use of facilities, and issue revenue bonds and notes. He pointed out that the district has no taxing authority. He discussed the responsibilities of the District, and provided a breakdown of the fiscal impact.

In response to Councilman Perez regarding the project's status, Mr. Campbell stated that the project is presently staffed by the Austin/San Antonio Corridor Council, and that they are in dire need of administrative funds to hire additional staff.

In response to Councilman Perez regarding a future "B" Session in which to provide more information on the Rail District, Councilman Schubert stated that, as a member of the Corridor Council, he agrees that a "B" Session to discuss an alternative commuter/freight line.

(Mayor Garza was obliged to leave the meeting at 3:07 P.M. and Mayor Pro-Tem Williams presided.)

Discussion ensued with Mr. Schubert and Perez regarding the potential topics to be discussed at the "B" Session, such as considering the entire transportation system throughout the City, and its relation to the Regional Mobility Authority with other entities.

Mr. Campbell stated that there is a possibility of a comprehensive "B" Session where issues within the context and otherwise, may be brought forward at the first meeting in December, 2003.

Ms. Melissa Vossmer, Assistant City Manager, stated that a comprehensive discussion on the rail district and its relation to the Regional Mobility Authority on transportation, as well as air quality issues, will be discussed at the December "B" Session.

In response to Councilman Williams regarding the budget forecast for year one, Mr. Campbell stated that it is anticipated that these different individuals will be added as staff.

The following citizen(s) appeared to speak:

Ms. Maria Dominguez, spoke in opposition to the Intermunicipal Commuter Rail District. She stated that citizens were not given an opportunity to speak against the issue.

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the Intermunicipal Commuter Rail District. He expressed his concerns that citizens would have to pay an additional tax to fund the project.

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

— — —

2003-39 The Clerk read the following Ordinance:

AN ORDINANCE 98387

APPROVING THE CONTRACT WITH, AND ADMINISTRATIVE BUDGET OF THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. IN THE AMOUNT OF \$235,300.00 FOR THE STAFFING AND ADMINISTRATION OF THE CITY OF SAN ANTONIO HOUSING TRUST FOR FISCAL YEAR 2003-2004; AUTHORIZING THE EXECUTION OF SAID CONTRACT; AND RATIFYING SERVICES RENDERED OCTOBER 1, 2002 TO DATE; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. David D. Garza, Director, Neighborhood Action Department, initiated a briefing on the San Antonio Housing Trust Operating Budget and Administrative Contract for FY 03-04.

A copy of the presentation is on file with these papers.

(Mayor Garza returned to the meeting at 3:34 P.M. to preside.)

He spoke to the purpose of the San Antonio Housing Trust (SAHT) which is to assist in financing and implementing programs that will provide housing for the people of low and moderate income in the City of San Antonio. He stated that SAHT was created to disburse awards of Trust assistance, manage Trust operations and provide administrative, staff, and research support for the SAHT and Board of Trustees.

Mr. John Kenny, Executive Director of the SAHT, reiterated the purpose and background of the SAHT. He identified staff members, and members of the Board of Trustees. Mr. Kenny discussed the strategic planning of the SAHT, and the current results to include a 6% decrease in budget and an increase in financial controls, reports and management. He also provided information regarding the agency's reorganization and the FY 03-04 proposed budget. Mr. Kenny gave the highlights of FY 02-03 and noted that the average loan size totals \$80,537 and a total of \$10,228,24 for FY 2002-2003.

Mayor Garza, as a former board member, expressed his concerns about the SAHT's inability to have a funding round as a result of the inadequate interest from the corporation to provide enough funds. He stated his concerns result from the inability of the Trust to carry on an integral part of their original mission.

In response to Mayor Garza regarding alternative funding sources, Mr. Tom Reedy, Treasurer of the SAHT, stated their efforts have not been as aggressive as they could be, and added that two sources of funding have been the Neighborhood Housing Partnership and Fannie Mae. He stated the SAHT would be receptive to direction from the City Council regarding this matter.

In response to Mayor Garza on potentially high-risk returns, Mr. Milo Nitschke, Director of Finance, stated that the Board had requested a study to increase the yield on the existing portfolio. He explained the process of increasing the average life of funds available, which resulted in an increase of 1% to 3% for a total of \$480,000 a year.

Mayor Garza reiterated his interest in alternative and creative investments, and/or partnerships with other agencies to reduce administrative costs. He directed the board to explore other options that the Trust could entertain to minimize the administrative overhead, and consider more options that may solve this problem and maintain the purpose of the Trust. He directed the Urban Affairs Council Subcommittee to meet with the SAHT to consider these options.

Discussion ensued on the ability of the SAHT to recover funds and regenerating to the point where developing loans have been successful.

In response to Mayor Garza regarding accountability, Mr. David Garza stated that performance measures have been identified for the SAHT for the coming year. He stated documents have been drawn and will be reviewed in one year to determine if the performance measures have been met. Mr. Garza stated he is aware of other opportunities for alternative funding, and will discuss these further with Mr. Reedy and Mr. Kenny.

Mayor Garza restated the important role SAHT is charged with, that being, to provide housing needs in the community, and noted that together with the Urban Affairs Committee, good solutions can be found.

In response to Councilman Perez, Mr. Garza reiterated the purpose of the SAHT.

In response to Councilman Perez regarding duplication of services, Mr. Kenny explained the duties of the San Antonio Development Agency (SADA), in contrast to the charge of the SAHT. He stated that the Neighborhood Action Department (NAD) also provides different forms of counseling for the first-time homebuyers. He noted the partnerships with SADA and NAD have resulted in excellent comprehensive services for the community without a duplication of efforts. He further stated that SAHT has City staff as oversight as well as input from NAD.

Ms. Terry M. Brechtel, City Manager, reiterated the findings of the Housing Summit that refined SADA's role. She added that the partnership with SAHT and other housing partners will continue to enhance each other's budget, and concurred with Mayor Garza's direction to streamline efforts.

Discussion ensued between Councilman Williams and Mr. Kenny on an overview of the functions of the Housing Trust.

In response to Councilman Williams regarding the number of participating families over a period of fifteen years, Mr. Kenny stated that in one year, SAHT assisted 900 families in securing home ownership, and does not charge for the services that include cleaning their credit history.

Discussion ensued between Mr. Garza and Councilman Williams regarding the issue of rehabilitating owner occupied homes.

Councilman Williams requested to meet with Mr. Garza regarding concerns on rehabilitation and perpetual liens.

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.

— — —

**2003-39 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE:
CLOSING, VACATING AND ABANDONING AN UNIMPROVED PUBLIC
RIGHT OF WAY KNOWN AS WOODRUFF AVENUE.**

Mayor Garza declared the Public Hearing open:

(Mayor Garza was obliged to leave the meeting at 4:02 P.M. and Mayor Pro-Tem Williams presided.)

Ms. Rebecca Waldman, Director, Asset Management Department, gave a presentation on a request to close, vacate and abandon an unimproved portion of Woodruff Avenue. A copy of this presentation is on file with these papers. She noted the petitioner plans to install additional landscaping and parking for the residents if the request is approved. Ms. Waldman described the steps taken to notify all interested parties and results of mailed notices. She discussed the financial impact and policy analysis of the request.

The following citizen(s) appeared to speak:

Ms. Julie Iris Oldham, P.O. Box 40263, asked for clarification on the location of the proposed street closure.

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

* * * *

The Clerk then read the following Ordinance:

AN ORDINANCE 98388

CLOSING, VACATING AND ABANDONING AN APPROXIMATELY THIRTY FOOT (30') WIDE PORTION OUT OF A FORTY FOOT (40') WIDE UNIMPROVED PUBLIC RIGHT OF WAY KNOWN AS WOODRUFF AVENUE LOCATED BETWEEN PECAN VALLEY DRIVE AND UTOPIA LANE IN COUNCIL DISTRICT 3, ADJACENT TO NCB 10976, AS REQUESTED BY THE ABUTTING PROPERTY

OWNER, TERRA VISTA PARTNERS, LTD., FOR THE TOTAL CONSIDERATION OF \$9,123.00.

* * * *

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. **NAYS:** None. **ABSENT:** Castro, Garza.

— — —

2003-39 **BRIEFING ON THE RECOMMENDATION FROM THE MAYOR'S COMMITTEE ON INTEGRITY AND TRUST IN LOCAL GOVERNMENT FOR MUNICIPAL CAMPAIGN FINANCE REGULATION**

Mr. Andrew Martin, City Attorney, introduced Ms. Helen Valkavich, Ethics Attorney, who conducted the briefing. A copy of the presentation is on file with these papers.

Ms. Helen Valkavich introduced members of the Mayor's Committee on Integrity and Trust in Local Government, Mayor Lila Cockrell, Chair; and Gen. William McBride, Chair of the Ethics Code Revisions. She also introduced Col. Arthur Downey, Mr. Benjamin Youngblood, Chair and Vice Chair, respectively, of the Ethics Review Board. She discussed Mayoral candidate and Council candidate contribution limits per election cycle. She explained contribution prohibition, as well as its application to minors. She reported the specifics to "In-Kind" contribution limitations and noted that a candidate may not accept or deposit any loan for more than \$500 total for all loans during election cycle. She further noted that candidates must repay a loan before the close of December 1 following election cycle, and that any loans not repaid, become a donation to the campaign. Ms. Valkavich described campaign account statements, campaign accounts, and contribution time limits. She highlighted an overview of the campaign finance recommendations made by the Committee.

(Mayor Garza returned to the meeting at 4:10 P.M. to preside.)

Mayor Garza stated that the briefing is another step by the Committee on Integrity and Trust in Local Government and its recommendations dealing with campaign finance. He further stated that the Governance Committee has been meeting regarding these recommendations, and staff has given input and identified questions that the City Attorney's Office has addressed.

In response to Mayor Garza regarding availability of that information, City Attorney Andrew Martin stated the information has been gathered, but was not available for the presentation.

Ms. Valkavich stated information regarding campaign finance provisions from other communities was available in a matrix attachment to the presentation.

Mayor Garza stated the specific recommendations, presented for Council feedback, relate to changes to campaign finance for candidates for the City of San Antonio, i.e., City Council, and Mayoral, with a focus on contribution limits. He noted he would be requesting staff to bring forward an ordinance from the provisions for campaign finance as part of the elections cycle for candidates.

In response to Councilman Haass regarding a timeframe, Mr. Martin stated that depending on the direction from the City Council as to what components of the recommendations are to be included in the draft ordinance, it may be within the next week or two to return it to the City Council. He added that to insure what has been provided at that time as a set of regulations of the City Council's intent, more time would be needed to return with a final version.

In response to Councilman Haass regarding future public hearings on the issue, Mayor Garza stated that four public hearings had been held as part of the basis for the recommendations.

Councilman Haass recommended that once a draft ordinance is presented to Council, a minimum of two public hearings be held for the community to analyze the recommendations.

Discussion ensued between Councilman Haass and Mr. Martin regarding loans. Mr. Martin explained that with current Texas law, there are no contribution limits.

Councilman Haass stated he would be acting to make it clear that contributions are not loans.

In response to Councilman Haass, Ms. Waldman described high-risk contracts, and the criteria used to identify those types of contracts.

Discussion ensued between Mr. Martin and Councilman Haass regarding the age limits for contributions. Mr. Martin suggested amplifying the language that is currently the law in Texas that says one person could not make a contribution through the conduit of another person. He provided other conditions to the ordinance, and stated that if the

Supreme Court rules it is appropriate to bar contributions from people younger than 18 years of age, the City could then amend the ordinance at that time.

Councilman Haass urged his colleague to support campaign contribution limits in amount of \$500 for City Council races, and \$1,000 for the Mayoral race.

In response to Councilman Haass regarding research on publicly financed campaigns in other cities, Mr. Martin stated he would provide that information to the City Council.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, agrees with Councilman Haass regarding campaign contributions and additional public hearings. He also discussed City Council salaries and trustworthiness in the political arena.

Ms. Julie Iris Oldham, P.O. Box 40263, spoke regarding ethics in City government. She also spoke regarding the neighborhood of Glen Oaks and Dreamland Estates is in need of street repairs after her vehicle suffered damage on the roads.

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the PGA Village. He also stated there should be no limit on campaign contributions, but requested City Council members abstain from voting on issue that may present conflicts of interest.

Mr. Nazirite Ruben Flores Perez, 627 Hearne, spoke to political ethics and extending term limits.

* * * *

Councilman Hall concurred with Councilman Haass on ethical issues and voluntary limits on campaign contributions. He stated he would be supporting all of the recommendations as submitted by the Committee.

In response to Councilman Hall regarding contemplating loopholes, Mayor Emeritus Lila Cockrell, Chair of the Mayor's Committee on Integrity and Trust, spoke regarding the background, membership composition and the charge of the Committee. She introduced Dr. Charles Cottrell, Chairman of the Campaign Finance Task Force.

Dr. Cottrell summarized the overlay undertaken by the Task Force, dealing with disclosure, transparencies and access by citizens to those records. He further stated they dealt with limits and limitations with enforcement recommended through an audit by an independent auditor. Dr. Cottrell also noted that much depends on citizen willingness to monitor the election process and integrity of the system. He stated the contributions

would include the employment of an individual, thereby increasing a potential conflict of interest.

Councilman Hall spoke regarding some key points on the recommendations. He stated he would support a campaign-reporting period of six months, and the regulation of the loan process, which is yet to be determined by the City Attorney. He also stated he will support campaign account statements. He reiterated his concern for closing loopholes used to avoid the system.

Councilman Perez expressed gratitude to the Mayor's Committee on Integrity and Trust for their efforts on the recommendations. He spoke in favor of campaign contribution limits and stated he self-imposed a \$500 limit during his campaign.

In response to Councilman Perez regarding clarification on high-risk contracts, Ms. Valkavich explained the provision that if someone made a contribution to a campaign, then the City could not award a high-risk contract to that business.

Councilman Perez expressed his concern regarding high-risk contracts to his colleagues, and asked them to reconsider this recommendation before moving forward. He spoke in support to all the recommendations with the exception of an account statement twice a month.

(Mayor Garza was obliged to leave the meeting at 5:05 P.M. and Councilman Flores presided.)

Dr. Cottrell explained the reasons for the recommendation and stated that monitoring by citizens mandates frequent reporting. He stated that one idea was for universities to coordinate with the City's initiative to educate new candidates in terms of all provisions. He further stated he would be interested in taking part in that initiative.

Councilman Flores stated more public forum is needed regarding the issue of raising money for campaigns. He stated the issue of paying loans back is very important.

(Mayor Garza returned to the meeting at 5:14 P.M. to preside.)

In response to Councilman Schubert, Ms. Valkavich stated that the recommendation to disallow cash contributions was inadvertently not included in the presentation, but it is a valid recommendation. She noted that banks issue monthly account statements, but may issue more statements upon request.

In response to Councilman Schubert regarding a grandfather clause on campaign funds, Ms. Valkavich affirmed that funds might not be transferred under State law. She also

stated that there is no specific recommendation on the issue of a person using prior funds from a City Council race for a future State Representative election.

Ms. Valkavich also clarified the grandfathering clause with regards to bank accounts, and distinctions between campaign accounts and officer holder accounts.

In response to Councilman Schubert, Dr. Cottrell stated that (Political Action Committee) registration recommendations were included to make sure that PACs and other sources of contributions were covered in the regulations.

Discussion ensued between Dr. Cottrell and Councilman Schubert regarding electronic filing, and Dr. Cottrell stated that the requirement remains that people must still file by paper with the City.

More discussion took place between Dr. Cottrell and Councilman Schubert regarding the premise of a Citizen Trustee. Dr. Cottrell stated the Committee recommended that before any Citizen Trustee is created, that there be an auditor who would administer enforcement and check the validity of the reports during an electoral season.

Dr. Cottrell restated there were complex reports, and the idea about a partnership between universities and the City, in terms of educating new candidates to the new and existing provisions in all levels of government, is very crucial.

Discussion ensued regarding public perception regarding previous willful violations of campaign finance laws and the solution of having an auditor conduct spot checks on those filings.

Mayor Garza reiterated his preference to finish the dialogue for a consensus and bring back as soon as possible, an ordinance that the Council can respond to and have an opportunity for a vote before the end of the year. He requested staff get as much of the input as possible and bring back an ordinance, separating those items that require further discussion.

Councilman Segovia spoke to the recommendation of personal loans and stated he proposed to raise the limit between \$20,000 and \$25,000 for new candidates. He also noted his support to raising the family loan amount.

In response to Councilman Segovia regarding transfer of funds, Ms. Valkavich clarified that the recommendation pertains to only a single campaign account.

Councilman Castro spoke in support of the contribution limits remaining at \$500 and \$1,000 for City Council and Mayor races respectively. He stated he agrees to impose some loan limits. He also stated he will support Pay to Plan, unless it is a high-risk

contract where people who are civic minded may be penalized. He discussed favoring the election cycle formulation on reporting periods, or to adjust the amount per reporting cycle, if that formulation is used. He also spoke regarding loopholes and stated that the City is not going to be able to limit how individuals use their money.

Councilwoman Radle spoke in support of the giving some consideration to expanding the family contribution limit, but that there should definitely be a limit. She stated she understands the intent of the recommendation on contributions by minors and supports the alternative where they cannot be contributing in someone else's name.

In response to Councilwoman Radle, Councilman Hall clarified his proposal on the six-month report cycle versus the campaign cycle.

Councilwoman Radle concurred that the pay back time of December 1 may be stressful to new Councilpersons, and recommended the time be expanded.

Councilwoman Radle concurred with comments by Councilmen Perez and Castro regarding high-risk contracts that may not be awarded to those business owners who have demonstrated their support for public candidates.

In response to Councilman Barrera regarding his concerns on debts after an election, Ms. Valkavich stated that the recommendations were that there be a contribution time limit of 5:00 P.M. preceding the election day.

Discussion ensued between Dr. Cottrell and Councilman Barrera regarding retiring a debt after an election. Dr. Cottrell stated their concern was with the influence of contributions and the transparencies up until the actual election and the reporting after that period of time.

Councilman Barrera discussed the issue of a cash contribution in those cases where some citizens do not use checks for contributions, or when they prefer to make a \$25 cash donation. He stated he would like to look at these instances as part of the ordinance.

Dr. Cottrell stated that he would suggest restricting those to very low, transparent instances that would require reporting.

In response to Councilman Barrera regarding enforcement of the auditing reports, Ms. Valkavich stated that the City Manager may appoint an independent auditor, and if violations are found, they are reported to the Ethics Review Board, who has no jurisdiction to consider those types of issues.

In response to Councilman Perez regarding out-of-city contributions, Ms. Valkavich stated the recommendations did not address that issue.

Councilman Hall reiterated his concerns over some of the recommendations, and concurred with Councilman Perez on out-of-city contributions. He also stated that enforcement of the reports would be a costly effort, noting he looked forward to working out the details. He restated his concurrence on more public hearings as part of the ordinance and generated the recommendations from public ideas. He noted a balance must be considered regarding family member contributions.

In response to Councilman Schubert, Dr. Cottrell reiterated his suggestions regarding small donations by cash or check.

Councilman Schubert stated that he is not in favor of allowing family members to make large contributions other than the candidate or their spouse, and he stated he would like further discussion with the City Attorney regarding that issue.

Councilman Haass spoke regarding \$50 cash contribution and the need to report them and have a limit in place. He also spoke to the high-risk contracts and stated that if a \$500 limit is in place, either on a calendar year period or an election cycle period, he is less concerned that people will be getting contracts based on their \$500 contribution. He noted that regarding family contributions, he does not support increasing the amounts.

Councilman Radle stated that she would like to make sure that there is an option for low-income people to give their cash donation and that she would be respectful to reporting their contributions.

Mayor Garza thanked the members of the Mayor's Committee for their work on the recommendations, and stated he looked forward to staff bringing an ordinance before the Council in a week or two.

— — — — —

2003-39 BRIEFING ON THE RECOMMENDATION FROM THE MAYOR'S COMMISSION ON INTEGRITY AND TRUST IN LOCAL GOVERNMENT AND THE ETHICS REVIEW BOARD REGARDING AMENDMENTS TO THE ETHICS CODE PROVISIONS REGULATING LOBBYISTS

Ms. Helen Valkavich conducted a presentation on the recommendations from the Mayor's Commission on Integrity and Trust in Local Government and the Ethics Review Board regarding amendments to the Ethics Code provisions regulating lobbyists. A copy of the presentation is on file with these papers.

Ms. Valkavich defined "municipal question" within the lobbying provisions of the Ethics Code that currently excludes issues related to zoning from the city's lobbying regulations. She further defined a lobbyist and those requirements that apply to registration for lobbyists. Ms. Valkavich noted that the Committee proposes amending certain definitions, and amendment to the exception from registration for individuals acting on their own behalf. She reiterated the definition for the terms "municipal question", "compensation", "expenditure" and "individuals".

The following citizen(s) appeared to speak:

Mr. Art Downey, Ethics Review Board Chairman, stated the Board had met with the Governance Committee and with members of the Planning Commission, the Zoning Commission and other entities regarding the possibility of the changes being overly restrictive. He noted that it was determined that the Planning Commission and the Zoning Commission should not be exempt from general restrictions. He also noted that the recommendations of the Committee for campaign finance reform are worth addressing and should be so addressed in the context of the Ethics Code to include ethics and lobbying, as well as campaign reform. Mr. Downey also spoke to the changes with regard to the Gifts provisions, and stated the change does not strengthen the City's Code. He recommended revisiting this issue with the City Council.

Mr. Ben Youngblood, Vice-Chair of the Ethics Review Board, spoke on the issue of municipal question and provided a definition of a lobbyist as determined by the Ethics Review Board. He stated that description was omitted from the existing code and that the omission needs to be remedied. He also interpreted the Gifts code as a provision that weakens the City Code.

Mayor Garza solicited support from his colleagues to support these recommendations.

Discussion ensued between Councilman Schubert and Ms. Valkavich as to when does a permit issue constitute a municipal question.

In response to Councilman Schubert regarding persons who are not registered, Mr. Youngblood stated there are several professionals in occupations who are hired to assist in the process and who are not registered but should be, provided that they meet the other qualifications under compensation.

Ms. Valkavich reiterated the definition of lobbyist.

Discussion ensued between Councilman Haass and Mr. Martin on a timeframe for these recommendations to become effective. Mr. Martin estimated it would take more than the standard ten days in which to enact an ordinance.

In response to Councilman Haass regarding the status of the Planning Commission, Mr. Martin stated that they are currently excluded from the issue of municipal question.

Councilman Haass stated he is adamant to supporting the Zoning Commission be included in the changes, and noted he is reviewing which other City Boards and Commissions may also be included.

Councilman Castro concurred with Councilman Haass that the Zoning Commission be included in the guidelines. He spoke to tailoring the definition of a lobbyist. He stated that discussions in the Governance Committee have entertained the idea of a narrative that goes beyond the context of the ordinance that will explain its goals, and captures the extra group of people that are acting as lobbyists and frees those who do not qualify as lobbyists.

(Mayor Garza was obliged to leave the meeting at 6:45 PM and Mayor Pro-Tem Williams presided.)

Mr. Martin spoke to clarify the definition of municipal question and stated that all Boards and Commissions are currently covered if they are considering a municipal question of a discretionary nature.

— — —

2003-39

CITIZENS TO BE HEARD

DR. ROGER GOLD

Dr. Roger Gold, Professor of Entomology, Texas A&M University, spoke to his background and his concerns over the International Building Code adopted by the State legislature to be placed into effect. He further expressed his concerns about the action not being taken as a result of the International Building Code in terms of the amendments being made. He requested consideration be given for rejections of the amendments and acceptance of the building code as put forth by the legislature. He stated he is prepared to serve the City Council and to answer questions on the issue of termites and their impact on the City and to the county. He provided a letter of his biography to the City Council members for their review.

In response to Councilman Castro regarding his presentation to the Urban Affairs Committee, Dr. Gold stated he was informed by staff that he could not come before the Urban Affairs Committee.

Mr. Chris Brady provided an explanation, and stated that an agreement had been reached for the development community and the pest control community to bring their own expert for a presentation to the Committee.

Councilman Castro extended an apology to Dr. Gold and stated the Urban Affairs Committee is interested in obtaining the science of the matter and welcomed his presentation to the Committee.

— — —

2003-39 **MR. JOE MCBRIDE – ETHICS CODE**

At this time, Councilman Williams requested the City Council to hear Mr. Joe McBride speak to the Ethics Code.

JOE MCBRIDE

Mr. Joe McBride, Chair of the Subcommittee to review the Ethics Code, discussed the process employed in that charge. He noted that one of the recommendations included was putting emphasis on the appearance of impropriety. He further noted that the recommended Gift policy encourages the appearance of impropriety, and recommended that the Gifts issue be reviewed for consistency.

— — —

2003-39 **CITIZENS TO BE HEARD**

FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, provided copies of literature on the annexation process and discussed Council members' salaries. He discussed a six-signature memo by Councilman Castro to move citizens to be heard at 5:00 P.M. He discussed several other issues including the Texas Penal Code, the City Employees Union, and cellular phones.

* * * *

MARIA DOMINGUEZ

Ms. Maria Dominguez, (no address), spoke to the Housing Trust Fund credentials.

* * * *

CHARLES ENGLISH

Mr. Charles English, Jefferson Heights Neighborhood Association, spoke regarding the 2003 Health and Community Fair at the Jefferson Heights neighborhood. He also spoke in support of U.S. veterans.

* * * *

— — —
2003-39 **BRIEFING ON MERCURY INTERACTIVE TESTING STATUS**

Ms. Patricia Major, City Auditor, narrated a briefing on Mercury Interactive Testing Status. She stated that in a meeting to the Governance Committee, she reported that the Internal Audit Department was not able to conduct the required testing. She stated that since that time, Phase One is up and running. She noted that the project is a five phase testing project. She further noted that staff has been monitoring on-line, the daily activity and some aspects of the monitoring are evident on the Hansen System, COSA web page and COSA docs. She provided a timeline of the project for Phases One, Two and Three and stated that an initial report on two full weeks of activity will be submitted on Phase One by November 1. She stated that initial reports on Phases Two and Three would be submitted by December 4. She expressed concern regarding changes made to the infrastructure of the network and on the band width, and is interested in obtaining a good baseline of the scenario before the changes are made.

Ms. Major introduced Mr. John McCracken, representative of Mercury Interactive, who has recommended installing additional test parameters for improved information. She noted that in testing the Hansen transactions, the problem of a slow response time had been isolated.

(Mayor Garza returned to the meeting at 7:11 P.M. to preside.)

Mayor Garza stated his desire for an updated status on the charge given to Mercury Interactive as discussed last week.

Mr. John McCracken reported that while Mercury Interactive was late in getting in the results, they have recently implemented a significant amount of work. He stated the entire network is being monitored and that in two weeks, the City Council will know all the results from the gathered data regarding what the issues involve. He noted that from the business process, they would engage different scenarios to provide more accurate information. He further noted that the Audit Office would then have a better idea of what is happening to the infrastructure and application.

In response to Mayor Garza, Ms. Major stated that the next report would be on November 13 after two weeks of activity. She also stated that later in December, a report would be brought forward on Phase One.

Discussion ensued between Councilman Williams and Mr. McCracken regarding the City Council's concerns with the small population.

In response to Councilman Williams regarding returning to the December/January schedule, Mr. McCracken stated that the technology is up and running, and the City may now make decisions on the specific issues. He added that training is scheduled on how to read the information. He further added that their recommendation and support of the information would be factual on the recordings coming into the system.

In response to Councilman Perez regarding the timeframe, Ms. Major stated that the project has considerably improved from a week ago after heightened efforts were made to resolve the problems in terms of getting the installation done and observing the results.

— — —

At this time, Mayor Garza recognized students from Antonian High School, and called the group forward. Mr. Joshua Sandoval, President of The Antonian Advocate Society, spoke regarding the speech debate team, and introduced other members of the Society and the team's moderator, Mr. Joe Gonzales. He thanked the City Council for the opportunity to speak.

The Councilmembers expressed their favorable impression of the Antonian Advocate Society, and in particular to Mr. Sandoval's public speaking ability and encouraged him to pursue public speaking in the future.

— — —

FARIS HODGE, JR.

Mr. Faris Hodge, Jr., 140 Dora, spoke to his opposition to the Annexation Plan. He expressed his concerns over the lack of City services, and his problems in communicating with the 311 Office.

* * * *

PHILIP M. ROSS

Mr. Philip M. Ross, Attorney, Citizens Against South Side Annexation, spoke to his opposition to the Annexation Plan and noted that the previous City Council had not had the opportunity to personally meet the people who lived in the areas that were being annexed last Fall. He noted that there was universal opposition to the annexation. He further noted that those residents did not want City of San Antonio services or their representation. He advised the City Council against approving the proposed annexation. He pointed out that annexing the Southside is going to be a major expense, in that the majority of that area is agricultural land with little tax revenue. He stated that the citizens living in the City of San Antonio would have to pay for the types of services extended to the Southside if the annexation is approved. He further stated the funds would be used from the general fund for that purpose. He expounded on information regarding two public hearings where hardly any citizens attended. Mr. Ross stated the hearings were not valid because they were not held in the area to be annexed and they were not properly announced. He discussed that two individuals were not afforded an opportunity speak at the public hearings to oppose the annexation, thereby violating their rights of the First Amendment.

Mayor Garza stated that a large, graphic public notice was published in the San Antonio Express-News and in La Prensa, a Spanish language newspaper. Mayor Garza pointed out the existing policy afforded to citizens signed up to speak allows them three minutes in which they can provide input. He noted that Mr. Jack Finger, a regular speaker at City Council, although has had the opportunity to speak on three occasions at today's Council meeting, would be given the opportunity to speak one more time.

* * * *

KEN "TEX" CAREY

Mr. Ken "Tex" Carey, 2110 Sawgrass Ridge, President of the Summer Glen Property Owners Association, stated he would like to review the annexation plan and return in two weeks with his comments. He requested a copy of the slide presentation for his use.

* * * *

JACK M. FINGER

Mr. Jack M. Finger, P.O. Box 12048, spoke in opposition to the Annexation Plan. He referred to information regarding the fire facilities projected for the Southside. He also referred to the slide that discussed Southside annexation area development and the challenges posed in making service delivery projections.

* * * *

Mayor Garza stated that the limited purpose annexation is a "first" for the City of San Antonio to undertake as allowed by the State. He concurred with Mr. Ross regarding the number of concerns expressed by the property owners in the areas of the limited purpose annexation areas. He noted that as he attended the public hearings, he expounded on the benefits of developments that would encourage economic stability. Mayor Garza pointed out that Mr. Ross, as a representative of the respective property owners, knows the benefits of the Toyota investment in the Southside. He stated he would continue to communicate with those residents in an effort to preserve the vision of a consensus on how those areas should be developed. He stated he looked forward to the process and to receive input from the City Council. He described the diverse annexation plan as one that has been thought out, as the City moves forward.

Mayor Garza declared the Public Hearing closed:

— — —

2003-39 EXECUTIVE SESSION

The City Council recessed its regular session at 8:15 P.M. in order to convene in Executive Session for the purpose of:

- A) Discuss the lawsuit styled R. Robert Willman, Jr., et al., vs. City of San Antonio, No. 04-02-00853-CV, 285th Judicial District Court, Bexar County Texas.

The City Council adjourned the Executive Session at 8:40 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.

— — —

2003-39 There being no further business to come before the City Council, the Mayor then immediately adjourned the meeting at 8:45 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