

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, APRIL 22, 2004

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2004-16 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building "B" Room, to consider the following items(s):

Presentation on Municipal Golf Operations and Privatization Feasibility. Presented by Malcolm Matthews, Director, Parks and Recreation, Christopher J Brady, Assistant City Manager

The Council members present were: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. ABSENT: Garza.

The "B" Session adjourned at 12:46 P.M.

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2004-16 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Ed Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass, Garza. ABSENT: None.

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2004-16 Invocation by Chaplain Col. Edward Maney, Fort Sam Houston, guest of Councilman Joel Williams, District 2.

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2004-16 Pledge of Allegiance to the flag of the United States.

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2004-16 **PROCLAMATION: KING ANTONIO**

Mayor Garza introduced this year's King Antonio, Sam Bell Steves II, and invited him and his entourage to join him as he read a proclamation in his honor.

King Antonio introduced his entourage, which included local and out of town festival queens as well as his own delegation, and thanked the Mayor for the proclamation. He

added that monies had been presented to several charitable organizations in the name of the City Council.

Several Council members spoke to the work of the organization and welcomed everyone to the chamber.

2004-16 ALCALDE: DON ADAN MARTIN MENIS, PRESIDENT
THE CANARY ISLANDS, SPAIN

Mayor Garza introduced Ms. Beth Costello, Director, International Affairs, who in turn introduced Don Adan Martin Menis, President of the Canary Islands, Spain, who was in town to act as this year's Grand Marshall for the Battle of Flowers Parade. Also present was the Consul General of Spain in Houston Julio Montecino, Dr. Alfonso Chiscano, and other members of the delegation.

Dr. Chiscano spoke to San Antonio's efforts to renew our City's ties with the Canary Islands. He spoke to the honor of having the President of the Canary Islands visit our City and expressed appreciation to the Battle of Flowers Parade Association for inviting him to attend Fiesta festivities this year.

Mayor Garza then named President Menis an Honorary Alcalde of La Villita

President Menis thanked the Mayor for the recognition and noted he was delighted to be in San Antonio for the Fiesta activities. He spoke to the first Canary Island families that established San Antonio 273 years ago and to the great honor bestowed upon him by the Battle of Flowers Association. He committed himself to continuing to strengthen ties between San Antonio and the Canary Islands and to working with San Antonio through the office that the Canary Islands established locally. He then presented the Mayor with the flag of the Canary Islands.

Several Council members welcomed President Menis and spoke to the ties that bind our City with the Canary Islands.

2004-16 PRESENTATION: TEEN PREGNANCY PREVENTION MONTH

Mayor Garza invited Dr. Janet Realini, Project Worth, to come forward to accept a proclamation for "Teen Pregnancy Prevention Month" in San Antonio

Dr. Realini thanked Mayor Garza and the Council for the work they had done for young people. She spoke to the work of the project and then introduced Cindy Hill, from 98.5 The Beat, who spoke to the station's partnership with Project Worth. She further spoke to the station's efforts to promote prevention of teen pregnancy.

Dr. Realini spoke to radio spots on KABB and KRRT which were geared to educate our area's youth on why waiting was worth it.

Councilwoman Radle thanked Dr. Realini for her work and the media stations who had come together to educate and make the community more conscious of the issue.

Councilman Haass spoke to a special grant for scholarships that his district was pursuing that would target single mothers.

2004-16 SPECIAL PRESENTATION: VETERAN'S FIESTA MEDAL

Ms. Delia Guajardo, U.S. Military Veterans Parade Association, and other representatives of the association, unveiled and presented the first Fiesta medal in honor of all veterans, members of the military (former and current) and the men and women fighting the war in Iraq. Several representatives of the Association spoke to the organization's efforts and their annual parade. They then presented each City Council member with a medal.

Several Council members thanked the group for their efforts to make the Veterans' Parade a great event.

2004-16 PERSONAL INVITATION: WORLD CUP OF SOCCER

Mr. Mike Abington, Director, Alamodome, spoke to the World Cup of Soccer, the largest and most popular sporting event on the planet. He stated that the competition for the World Cup lasted for two years and would culminate with the finals in Germany in 2006. He added that over 200 countries throughout the world would participate in games leading up to the World Cup finals. Mr. Abington stated that one of the events would occur here in San Antonio in the Alamodome on June 19th with the National Team of Mexico playing against the team from the Island Nation of Dominica. He further spoke to the history of this soccer event and to the individuals who were sponsoring it.

Mr. Aaron Davidson, Traffic Sports USA, Inc., one of the promoters of the event, discussed and invited the City Council to support this event. He stated this was the first official international match played in San Antonio and the event would establish San Antonio as a soccer city and the Alamodome as a site for soccer matches. He thanked the City for its support and stated that he looked forward to working with the City Council and the City on this event.

Mayor Garza thanked Mr. Davidson for bringing this event to San Antonio and Mr. Abington and the San Antonio staff for the work they had done to put this together. He added that the City looked forward to a new generation of professional sports.

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2004-16 POINT OF PERSONAL PRIVILEGE: CESAR CHAVEZ SCHOLARSHIP

On a point of personal privilege, Councilwoman Radle introduced Mr. Jaime Martinez, Cesar Chavez March and Scholarship Committee, who thanked the Council for their participation in the Cesar Chavez March. Mr. Martinez then spoke to the life of Mr. Chavez, his humility, dignity and inner strength. He stated that his group had applied for participation in the Fiesta Flambeau Parade as this year's theme was "Heroes Across America." He added that his organization had wanted to include a float commemorating Mr. Cesar Chavez and his work but stated that they had been denied entry. He noted that this was the second year his organization had been denied, the first year for applying too late and this year because the Association advised them there were too many entries. He asked the City Council to intercede on their behalf.

Ms. Martha Allen Raider, Cesar Chavez March and Scholarship Committee, spoke regarding the float they had proposed and to the scholarships presented to area students. She reiterated Mr. Martinez's comments of their experiences with the Fiesta Flambeau Association. She added that the parade should honor all heroes and that it should be made more available to the people and less to commercial enterprises.

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2004-16 POINT OF PERSONAL PRIVILEGE: BRING YOUR DAUGHTER TO WORK DAY

Councilman Segovia noted that Councilman Perez had brought his daughter to the Council meeting to commemorate "Bring Your Daughter to Work Day."

AN ORDINANCE ACCEPTING RESIGNATIONS SUBMITTED BY CERTAIN MUNICIPAL COURT JUDGES; APPOINTING MUNICIPAL COURT JUDGES TO FULL-TIME AND PART-TIME POSITIONS; AND APPOINTING A PRESIDING JUDGE FOR THE MUNICIPAL COURT.

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

City Attorney Andrew Martin offered a slide presentation, a copy of which was filed with the papers of this meeting, in which he spoke to the selection process, the summary of recommendations, the resignations accepted, recommendations to fill the vacancies, reappointment of current full-time judges, recommendations to re-appoint current part-time judges, and the fiscal impact.

Councilman Flores thanked the members of the staff that were involved in the appointment process. He stated that the Council had been scheduled to appoint judges six months ago but that the Council subcommittee tasked with making recommendations to the entire Council had been concerned that they needed more time to study the roles and duties of the judges. He added that they concluded that they needed six more months to complete the process. He reported that the judges' terms of office had been moved forward six months so that future City Councils would not have to make selection decisions within two months after being elected to office. Councilman Flores asked his colleagues to move forward with this ordinance.

Councilman Hall thanked Councilman Flores for his leadership on the committee and spoke to the decisions the committee made. He thanked the judges for their work and stated that he wanted to make sure that the process served the public. He spoke to dedicating more funds to the municipal court system as they worked with the budget process, looking at the salaries of the current judges and how they compared to judges of other cities. He stated that he could foresee higher salaries for those judges who had served longer or been lawyers longer. He asked that the implementation of a direct filing system which Judge Bull had spoken of should be put in the budget process for discussion.

Several Council members spoke to the efforts and work of the Council subcommittee and commended the members for resolving the issues they had encountered during the appointment and reorganization process.

Councilman Flores spoke to the impact that all the judges had on the system and pointed out that within the ordinance being considered today there was the acceptance of the

resignation of Judge Tavera as presiding judge. He thanked Judge Tavera for his service and noted that he would continue to serve as a municipal court judge for the City.

Mayor Garza thanked the committee for the work they had done in the reorganization process and thanked the judges for their team effort. He congratulated Judge John Bull as the new presiding judge and stated that he looked forward to each judge continuing the quality of work that they had previously demonstrated as municipal court judges.

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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2004-16 ZONING CASES

4A.) CASE NUMBER Z2004076 C: The request of City of San Antonio, Neighborhood Action Department, Applicant, for Della B. Garcia, Elizabeth Gyaami, Angelita Ayala, Greg Ovelle, David and Jodi Carraway, City of San Antonio, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "R-4 H" Residential Single-Family Historic District to "R-4 C" Residential Single-Family District with conditional use for a non-commercial parking lot on Lots 6 through 10 and "R-4 H C" Residential Single-Family Historic District with conditional use for a non-commercial parking lot on Lot 11, 1, Block 51, NCB 2745, 207, 211, 215, 219, 223 and 227 Beal Street. Staff's recommendation was for approval.

Zoning Commission recommendation pending the April 20, 2004 Zoning Commission Hearing. (Council District 1)

The following citizen(s) appeared to speak:

Mr. John Davis, 1343 W. Lullwood, stated that he looked forward to the completion of the parking lot and the Travis building and advancements of the Deco District. He urged the City Council to approve this ordinance.

Ms. Charlotte Kahn, Old Spanish Trail Association, stated that she would like to see the Deco District revitalized and spoke in favor of the zoning request

Mr. Paul Stahl, 325 Furr, stated that the parking lot was a major component of the project and requested favorable consideration.

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

AN ORDINANCE 99100

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6 THROUGH 11, BLOCK 51, NCB 2745 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "R-4 H" RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT TO "R-4 C" RESIDENTIAL SINGLE-FAMILY DISTRICT.

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4B.) CASE NUMBER ZC2004032 C: The request of Amado Hoffman Sr., Applicant, for El Tipico Enterprises, Owner(s), for a change in zoning from "R-5" Single-family Residential District to "C-2 NA C" General Commercial Nonalcoholic Sales District with conditional use for Auto and Vehicle Sales on Lot 6, Block 7, NCB 12903, 2414 Irwin Drive. Staff's recommendation was for denial.

Zoning Commission has recommended denial. (Council District 2)

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

AN ORDINANCE 99101

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION OF AND REZONING CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6, BLOCK 7, NCB 12903 FROM "R-5" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "C-2NAC" GENERAL

COMMERCIAL NONALCOHOLIC SALES DISTRICT.

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4C.) ZONING CASE NUMBER Z2004071: The request of Tex-Maier Development, Applicant, for Tex-Maier Development, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-3" General Commercial District on Lots 1 through 4, Block 1, NCB 10783, 2027 and 2031 Rigsby Avenue. Staff's recommendation was for denial of "C-3" General Commercial District and approval of "C-1" Light Commercial District.

Zoning Commission has recommended approval of "C-1" Light Commercial District. (Council District 2)

Zoning Case #Z20040471 was pulled from consideration.

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4D.) ZONING CASE NUMBER Z2004001: The request of Mission Park, Applicant, for Robert Tips, Owner(s), for a change in zoning from "R-6 H RIO-6" Single Family Residential Historic River Improvement Overlay District to "C-3 H RIO-6" General Commercial Historic River Improvement Overlay District on 3.037 acres out of NCB 11175, 1700 Military Drive. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 3)

Councilman Segovia made a motion to continue this rezoning case for 60 days until the City Council meeting of June 24, 2004. Councilman Haass seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote:

AYES: Williams, Segovia, Radle, Castro, Hall, Schubert, Haass, Garza.

NAYS: None. **ABSENT:** Flores, Perez, Barrera.

Zoning case Z2004001 was continued to the Council meeting of June 24, 2004.

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4E.) ZONING CASE NUMBER Z2004031 S C: The request of Lothry-Norstrum-Pfeifer House, Applicant, for Lothry-Norstrum-Pfeifer House, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-3 NA SC" General Commercial Nonalcoholic Sales District, with a specific use authorization for a mini

warehouse facility, exceeding 2.5 acres, and a conditional use for outdoor vehicle and boat storage on 20.3 acres out of Tract A, NCB 10835, 4312 Roland Avenue. Staff's recommendation was for approval with conditions.

Zoning Commission has recommended approval with the following conditions (Council District 3):

1.) Eastern portion with type "C" landscape buffer, 2.) Lights directed away from adjacent property, 3.) Outdoor storage (vehicles & boats) screened from public view on Roland Avenue.

Councilman Segovia made a motion to continue this rezoning case until the City Council meeting of June 24, 2004. Councilman Williams seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote: **AYES:** Williams, Segovia, Radle, Castro, Hall, Schubert, Haass, Garza. **NAYS:** None. **ABSENT:** Flores, Perez, Barrera.

Zoning Case Z2004031 S C was continued to the Council meeting of June 24, 2004.

4F.) ZONING CASE NUMBER Z2004034C: The request of Jerardo Cavazos, Applicant, for Jerardo Cavazos, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 C" Residential Single-Family District with conditional use authorization for a multi-family complex not to exceed 51 units on Lot 21, Block 2, NCB 6776, 1027 Kirk Place. Staff's recommendation was for denial.

Zoning Commission has recommended approval. (Council District 5)

(At this point, Mayor Garza was obliged to leave the meeting. Mayor Pro Tem Segovia presided.)

The following citizen(s) appeared to speak:

Mr. Carlos Sanchez, 619 Darby, spoke against the rezoning. He further spoke to a petition he circulated in the neighborhood and to those who lived within the 200' area and who did not approve of the rezoning. He stated that he did not see a benefit to the community.

Mr. Steve Flores, 1035 Kirk Drive, spoke against the rezoning. He spoke to an entrance to the development being located in the area where he lived and spoke to his concern that if the project did not succeed it could turn into Section 8 housing.

Ms. Sonia Sanchez, 619 Darby, spoke against the zoning stating that Darby is almost a dead end with very little traffic and very quiet. She stated that they were advised that an entrance to the project would be built on Kirk and not on Darby as Mr. Sanchez had informed them. She added that she would like the area to remain a nice quiet neighborhood.

Ms. Gloria Nava, 635 Darby, reiterated the comments of the previous speakers noting her exception to this rezoning request.

Mr. Jerardo Cavazos, 1027 Kirk Place, spoke to the need for this type of housing in the area. He further spoke to his intention to improve the quality of life in the neighborhood by enhancing this economically distressed area to a new level.

Mr. Charles Eden, consultant to Mr. Cavazos, the developer, 8801 Lackway, noted that he would agree to another continuance as recommended by Councilwoman Radle and was eager to meet in a public forum. He stated that many of the issues were caused by misinformation on the project and clarified some of the issues that had been brought up. He spoke to the egress and ingress into the neighborhood.

Councilwoman Radle spoke to a public forum and to her staff going out to the community to let them know of the meeting. She stated she wanted for the developer and consultant to explain the project.

Mr. Steve Flores stated that he knew the developer and questioned what would happen to the project if it did not succeed.

Councilwoman Radle stated that this would be discussed at the meeting.

Councilwoman Radle made a motion to continue this rezoning case until the City Council meeting of May 27, 2004. Councilman Williams seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote:
AYES: Williams, Segovia, Perez, Radle, Barrera, Hall, Haass, Garza. **NAYS:** None.
ABSENT: Flores, Castro, Schubert.

Councilwoman Radle asked citizens of San Antonio to look carefully at the notices they were sent when rezoning in their neighborhoods was proposed and to respond to them so that the Council could get a feel of the wishes of the community residents.

Zoning Case Z2004034C was continued to the Council meeting of May 27, 2004.

4G.) ZONING CASE NUMBER Z2003089: The request of Brown, P.C., Applicants, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on a portion of the Oakland Estates Subdivision being Lot 15, Block 5, NCB 14705 and a portion of the Gustav Eckherst Estates Subdivision being part of P-37K and P-64 and all of P-65, Block 2, NCB 14864, approximately 5.4 acres, located northwest of Huebner Road near the intersection Huebner Road and USAA Boulevard. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Councilman Hall made a motion to continue this rezoning case until the City Council meeting of June 10, 2004. Councilman Perez seconded the motion

After consideration, the motion to continue this case prevailed by the following vote:
AYES: Williams, Segovia, Perez, Radle, Barrera, Hall, Haass, Garza.
NAYS: None. **ABSENT:** Flores, Castro, Schubert.

Zoning Case Z2003089 was continued to the Council meeting of June 10, 2004.

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4H.) ZONING CASE NUMBER Z2003090: The request of Brown, P.C., Applicants, for Judith N. Morton; Contact: Sam Parnes, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District (22.44 acres) and "C-3R" General Commercial District, Restrictive Alcoholic Sales (3.47 acres) on 25.91 acres of land out of Block 2, NCB 14864, north of Huebner Road, south of Prue Road and west of the proposed New Prue Road. Staff's recommendation was for approval.

Zoning Commission has recommended approval. (Council District 8)

Councilman Hall made a motion to continue this case until the City Council meeting of June 10, 2004. Councilman Perez seconded the motion.

After consideration, the motion to continue this case prevailed by the following vote:
AYES: Williams, Segovia, Perez, Radle, Barrera, Hall, Haass, Garza. **NAYS:** None.
ABSENT: Flores, Castro, Schubert.

Zoning Case Z2003090 was continued to Council meeting of June 10, 2004.

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2004-16 CONSENT AGENDA

Councilman Williams made a motion to approve Agenda Items 6 through 10, constituting the Consent Agenda, except for Item 6 which was pulled for individual consideration. Councilman Hall seconded the motion.

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

AN ORDINANCE 99102

AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF A PARCEL OF PROPERTY DESCRIBED AS LOT RED 3, BLOCK 16, NEW CITY BLOCK 2641 A/K/A 804 GREEN STREET IN COUNCIL DISTRICT 5, THAT IS BEING HELD IN TRUST BY THE CITY OF SAN ANTONIO AS A RESULT OF A TAX FORECLOSURE IN 1970, TO ROLANDO M. REYES AND NORMA M. REYES, ABUTTING PROPERTY OWNERS IN THE SUBDIVISION, FOR THE TOTAL AMOUNT OF \$4,494.00, WITH THE PROCEEDS TO BE DISTRIBUTED PROPORTIONALLY TO THE PROPER TAXING ENTITIES PURSUANT TO CHAPTER 34 OF THE TEXAS TAX CODE.

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AN ORDINANCE 99103

AN ORDINANCE AUTHORIZING THE EXECUTION OF A SALES CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND JACK IN THE BOX EASTERN DIVISION, L.P., FOR THE SALE OF APPROXIMATELY 5.5 ACRES OF CITY-OWNED PROPERTY AT THE SOUTHWEST BUSINESS & TECHNOLOGY PARK (FORMERLY VAN DE WALLE PROPERTY IN COUNCIL DISTRICT 6) FOR A TOTAL MINIMUM PURCHASE PRICE OF \$375,298.00, SUBJECT TO A FORMAL APPRAISAL; AND AUTHORIZING PAYMENT TO PROVIDENCE COMMERCIAL REAL ESTATE SERVICES, INC./THE WEITZMAN GROUP JOINT VENTURE OF SIX PERCENT (6%) OF THE GROSS SALES PRICE FROM THE SALES PROCEEDS FOR THE PAYMENT OF REAL ESTATE BROKER'S FEES, PLUS AN AMOUNT NOT TO EXCEED \$2,500.00 FOR CLOSING COSTS AND ASSOCIATED FEES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT

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AN ORDINANCE 99104

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE URBAN LIBRARIES COUNCIL IN AN AMOUNT NOT TO EXCEED \$25,000.00, TO BE USED TO RECRUIT AND SUPPORT LIBRARY STUDENTS IN THEIR PURSUIT OF A MASTERS DEGREE IN LIBRARY AND INFORMATION SCIENCE.

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AN ORDINANCE 99105

AN ORDINANCE APPOINTING CONSUELO D. ROCHA (DISTRICT 5) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM OF OFFICE TO EXPIRE ON JUNE 27, 2005.

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2004-16 **INDIVIDUAL CONSIDERATIONS (CONTINUED)**

2004-16 The Clerk read the following Ordinance:

AN ORDINANCE 99106

AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY OF SAN ANTONIO WITH THE VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY2004-2005 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$206,792.00 TO INCLUDE CONTRACTS FOR MORGUE TRANSFER SERVICE, PROTECTIVE FOOTWEAR AND CHANGEABLE MESSAGE BOARDS.

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

In response to a question by Councilman Perez, Ms. Janie Cantu, Director, Purchasing Department, stated that the garbage collection staff, their supervisors and other people associated with Solid Waste were provided with two sets of boots per year.

Ms. Cantu, responding to a question by Councilman Perez, stated that she did not know the length of time that an employee had to work for the City before qualifying for the boots; however, she would obtain the information and forward it to him.

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

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2004-16 The Clerk read the following Ordinance:

AN ORDINANCE 99107

AN ORDINANCE RESCHEDULING THE CITY COUNCIL MEETINGS AND SUBCOMMITTEE MEETINGS OF JUNE 17, 2004; AND JULY 1, 8, AND 15, 2004.

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

Mr. Peter Zanoni, Acting Director of the Management & Budget Department, gave a slide presentation, a copy of which is filed with the papers of this meeting, in which he presented the budget overview, the FY 2005 Budget Calendar, the HUD Plan/Budget & Human Development Services Consolidated RFP, goal setting work sessions for the proposed budget, the current year fiscal update and five year financial forecast, proposed budget, Council work sessions/public hearings on the proposed budget, and the budget adoption.

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

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2004-16 The Clerk read the following Ordinance:

AN ORDINANCE 99108

AN ORDINANCE AUTHORIZING CERTAIN ACTIONS RELATING TO OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2003; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE.

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

(Mayor Garza returned to the meeting and presided.)

Mr. Ben Gorzell, Public Utilities Supervisor/Assistant Director of Finance, introduced Ms. Linda Dzierzanowski, City Public Service, who gave a slide presentation on this proposed ordinance, a copy of which is filed with the papers of this meeting. She reported on the Junior Lien Revenue Bonds, the variable rate team members, the Standby Bond Purchase Agreement (SBPA), the liquidity provider, the reasons for extending the SBPA, and the requested City Council action.

In response to questions by Councilman Perez, Ms. Dzierzanowski stated that it was a requirement of the Standby Bond Purchase Agreement for City Public Service to return to Council to request an extension, that the proceeds were used for electric and gas distribution infrastructure projects, and that the proceeds were not for a specific purpose but rather a variety of projects.

Ms. Dzierzanowski stated that she would supply a list of the projects to Councilman Perez.

A brief discussion ensued on the bond purchase agreement.

Mr. Gorzell explained the process of the revenue bonds and noted that these had no connection to City's general fund.

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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2004-16 STAFF BRIEFING ON THE NEIGHBORHOOD COMMERCIAL REVITALIZATION PROGRAM ASSESSMENT

Mr. David Garza, Director, Neighborhood Action Department, gave a slide presentation, a copy of which was filed with the papers of this meeting, in which he spoke to the steering committee priorities, "on-going", "sure fire", radar screen, and parking lot recommendations, Austin Highway, Deco District, and CERA recommendations and EastTown @ Commerce boundary, New Braunfels Street boundary, New Light Village boundary, Midtown on Blanco boundary, Presa Real, Southtown, St. Paul Square and Ft. Sam Gateway recommendations, the fiscal impacts, benefits of extending financial assistance, and long term investment.

Mayor Garza thanked Mr. Garza for the presentation and spoke to corridors being very diverse and no one strategy being alike. He spoke to the effectiveness of the program and to the revitalization progress in older neighborhoods. He further added that the progress report and recommendations that the consultants offered gave the City some practical suggestions that the City could look at in terms of commercial corridors in San Antonio. He noted that he wanted the City to become focused in the priority areas so progress could be seen. He stated that it had been a good comprehensive analysis.

In response to a question by Councilman Hall, Mr. Garza stated that one of the recommendations had been to coordinate the process to maximize the City's leverage. He added that City Corps had provided monies to the City and that the Department would be building capacities so that different private sector partners, who could help, would be considered.

A brief discussion ensued on the Frederick Building in which it was noted that attempts were taking place to secure more monies.

Mr. Garza stated that he could brief the Council on the policy that the City had implemented and to review the program.

Councilwoman Radle thanked the staff for the work done on the Guadalupe NCR. She added that the staff understood the importance of neighborhood input and reiterated her concern with the bond programs.

In response to questions by Councilman Perez, Ms. Jelynn Burley, Assistant City Manager, spoke to the Request for Proposals process and to the evaluation process used by Mr. Andrew Cameron, Director of the Housing and Community Development Department, on CDBG allocations.

Ms. Burley further explained that Mr. Cameron was prepared to bring his recommendations for CDBG funds to the Management Team and then to the Council.

In response to question by Councilman Perez regarding monies made available to his district with regard to NCRs and to the concern that some districts may not be getting a proportionate share of the allocations, Ms. Burley stated that she would schedule a meeting with Councilman Perez so that Mr. Cameron could explain the scoring and the methods used to allocate funds.

Councilman Castro spoke to the NCR programs and their effect on the Deco District.

In response to questions by Councilman Williams, Mr. Garza further explained the NCR process and CDBG funds.

Councilman Williams stated that he would like to visit with Mr. Garza to discuss this further and that he would like to review the quarterly update reports.

Mr. Garza, responding to Councilman Williams, stated that each Council person was the eyes and ears in the community and staff depended on them to provide information.

Responding to questions by Councilman Williams, Mr. Jack Judson briefly spoke to the Austin Hwy recommendations, noting that the City was on target for a great number of these recommendations. He spoke to those that needed to be addressed further and stated that Austin Hwy was starting to come alive.

Mr. Garza spoke to the issues that needed to be resolved and stated that he would follow up with a timeline on the project.

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2004-16 The Clerk read the following Ordinance:

AN ORDINANCE 99109

AN ORDINANCE APPROVING A LEASE AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY FOR THE LEASE OF APPROXIMATELY 1,775 SQUARE FEET IN BUILDING 510 LOCATED AT BROOKS CITY BASE FOR CITY OF SAN ANTONIO CONSTITUENT ("DISTRICT NO. 3 ") OFFICE USE AT A RENTAL OF \$468.00 PER MONTH FOR A 2-YEAR TERM, WITH AN OPTION TO RENEW FOR 2 ADDITIONAL YEARS, SUBJECT TO CITY COUNCIL APPROVAL, AS REQUESTED BY COUNCILMAN RON SEGOVIA, DISTRICT 3.

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

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2004-16 TRAVEL AUTHORIZATION – Granted

Travel ratification for Councilman Christopher "Chip" Haass, District 10, who traveled to Monterrey, Mexico, on April 19-20 to meet with officials of the Tigres soccer team.

Councilman Perez made a motion to approve the proposed travel ratification. Councilman Hall seconded the motion.

After consideration, the motion, carrying with it the passage of the Travel Authorization, 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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2004-16 CITIZENS TO BE HEARD

ROSA ROSALES

Ms. Rosa Rosales, National Vice President for the Southwest League of United Latin American Citizens, stated that the Cesar Chavez Scholarship Foundation had submitted an application for a float recognizing Cesar Chavez in the Fiesta Flambeau parade. She added that they had been turned down because the Association stated that there were already too many entries. She further added that the theme for this year's parade was "Heroes Across the Nation" and that the Foundation had felt that Cesar Chavez was a hero across the nation. She asked the City Council to support their efforts to be treated in a fair and just manner and asked them to intercede on their behalf by asking the Association to permit their participation either by allowing a float, car, banner or some sort of recognition of Cesar Chavez.

Ms. Rosales further stated that National Association of Public Employees and LULAC fully supported the NAACP with their endeavors to promote minorities.

In response to a question by Councilman Flores, Ms. Rosales stated that they did not have a float ready to go as they had been denied entry; however, they would like a car or even letting them walk with the Cesar Chavez banner.

In response to a question by Councilwoman Radle, Mayor Garza stated that Councilman Flores was the Council's Fiesta liaison and he could be contacted to determine whether the Council could do anything about this situation.

In response to a question by Councilman Perez on whether the Council could compel the Association to permit a float, City Attorney Andrew Martin stated that the Council could ask but cited a recent case, under the public accommodations law in Massachusetts, that give the first amendment right to an organization sponsoring a parade to include or exclude whomever would participate in the parade. He added that, based on the preliminary research that he had done, the courts upheld that the government would not have the power to force a private parade sponsor to include or exclude individuals in their parade.

Ms. Rosales interjected that the Fiesta Flambeau was a City-sponsored parade.

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ANGIE GARCIA

Ms. Angie Garcia, LULAC, echoed Ms. Rosales' concerns and stated that it was a sad state of affairs that these issues were being addressed in this day and time. She stated that the public should be very sensitive to our heroes of Hispanic origin and added that the float would serve as a vehicle to educate children on the struggles of Cesar Chavez.

Ms. Garcia then addressed another issue at Market Square. She spoke to some retaliation and harassment related to Fiesta food booths and the amount of monies charged for certain drinks. She stated that the treatment was unfair and should be investigated by the Council.

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BARBARA CONNERS

Ms. Barbara Connors, spoke to her work history in the administrative field and to her recent experience with the San Antonio Police Department. She stated that she had suffered financially, physically, mentally, and emotionally at the hands of the Police Department. She further stated that she could not leave her hotel room because she was trying to evade her husband and because the police had threatened to have her incarcerated. She stated that she had been beaten when she was in jail. She asked the Council to assist her.

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NAZARITE RUBEN FLORES PEREZ

Mr. Nazarite Ruben Flores Perez, 627 Hearne Avenue, spoke to several issues, including the Texas Municipal Retirement System and Proposition 3 which gave power to the Ethics Review Board with no appeal provision from the City Council. He stated that it was against constitutional law.

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FARIS HODGE, JR.

Mr. Faris Hodge Jr., 140 Dora, spoke to various issues, including his being against putting people in jail who are supporting their families for failure to pay child support,

Mayor's personal staff not being integrated, City employees doing the same job but getting different salaries and racial profiling in the City.

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JAIME MARTINEZ

Mr. Jaime Martinez, Cesar Chavez March and Scholarship Committee, thanked the City Council for their concern with the Fiesta Flambeau Association denying the Cesar Chavez float in its parade.

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JOSEPH CONTRERAS

Mr. Joseph Contreras, 7th grade student at St. Thomas More Catholic School and member of the planning committee for the Dia de los Ninos, spoke to Senator Hatch's Resolution 342 which would recognize April 30th as Dia de los Ninos. He asked City Council for its support.

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TERRY HILL

Mr. Terry Hill, stated that he had spoken at a meeting on September 2002 about a smoking ordinance in the City. He further stated that since then, things had not turned out the way they should have and he was having a problem with personal fears and his privacy. He added that unofficially he did not want to get into any mud slinging but that he just wanted to make his presence known to see if the City Council could address the issues of the civilian privacy act.

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CHRIS PITTRARD

Mr. Chris Pittrard, NAACP, introduced other members of the NAACP that were accompanying them and then spoke to racial discrimination by the City across several different departments. He spoke to the 2000 Affirmative Action Plan that indicated that the City had significant problems in hiring and promoting in upper levels of management. He added that the organization had become aware of the numerous EEO complaints filed by City employees and noted that he had requested, but had not been provided, an up-to-date Affirmative Action Plan. He spoke to various issues that concerned the NAACP and requested a meeting between the NAACP, the City Manager, and the Human Resources

Director to discuss the information derived from the updated version of the Affirmative Action Plan. He asked City Council members to become informed with the issues facing African American City employees and asked that they be treated fairly and equally.

Councilman Hall requested that the City Manager provide information from an updated Affirmative Action Plan and stated that he would like to see the numbers since 1999 to determine how the City was doing on those items that had been identified as problems. He added that he would like a "B" session on the Affirmative Action Plan.

City Manager Terry Brechtel stated that the last Affirmative Action Plan was adopted by the Council in 2000 and that the City had been working on updating it this year. She added that she could provide to the Council specifically what they asked for and noted that it had been included in the 2000 Plan.

Responding to questions posed by Councilman Hall, City Manager Brechtel spoke to some of the challenges the City faced in implementing the Affirmative Action Plan as well as some of its successes.

City Manager Brechtel, responding to a question by Councilman Hall, asked that she be given time to talk to the Human Resources Director to determine when the new Affirmative Action Plan would be completed.

Councilman Hall stated that he hoped the Plan would be completed by the end of the year.

Councilman Williams reported that he had been meeting with Mr. Pittrard and other individuals over the past several months. He requested that the City Manager respond to the letter from the NAACP dated April 13, 2004 requesting specific information and that she share her response with him and Councilman Hall.

A brief discussion ensued on scheduling a meeting between the Human Resource Director, the City Manager and Mr. Pittrard.

Ms. Sharon De La Garza, Human Resources Director, stated that the data from the 2000 census had just recently become available and the City would have to update the Affirmative Action Plan using the new data. She added that it was a priority for Human Resources to update the plan.

In response to a question by Councilman Williams on whether City Manager Brechtel could meet with Mr. Pittrard, Ms. Brechtel stated that Mr. Pittrard was supposedly representing some City employees in a law suit filed against the City and she would have to visit with legal counsel about whether a meeting could take place. Ms. Brechtel

further stated, that contrary to what had been said, she had not received a letter from Mr. Pittrard.

Councilman Williams asked Mr. Pittrard to copy the City Manager and the Human Resources Director on any correspondence that was sent to him.

Ms. Garza stated that she had not been aware of the pending litigation and that she would also need to consult with the City Manager regarding the requested meeting.

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GUILLERMO VASQUEZ

Mr. Guillermo Vasquez, Co-Director of Service Employees International Union (SEIU) 1967, spoke to the big focus on privatization of golf courses. He then asked Mr. Lorenzo Ramirez, City employee and SEIU member, to give his perspective on this type of privatization.

Mr. Ramirez stated that he had been working at the Olmos Basin Golf Course for 11 years maintaining golf carts. He added that in the last two years, conditions at the course had deteriorated and that now there were fewer employees and fewer parts for the carts. He reported on unsuccessful attempts by a group of employees last December to meet with Malcolm Matthews, Director, Parks and Recreation Department. He reported that a meeting had subsequently been held and the employees had an opportunity to discuss with management the problems they were encountering.

Mr. Vasquez stated that employees had been working hard to improve conditions but their ideas had been dismissed and management had not been working with them to provide better service to the community. He added that employees were frustrated and discouraged by their inability to secure the supplies they needed and that the labor/management process in place was not working properly. He stated that he would like for the City Council to consider the meet and confer ordinance and to work with SEIU to uphold the current living wage by ensuring that no City job was sold out to the lowest bidder. He noted that he would present SEIU's recommendations to the current contract policy and added that privatization was not the answer.

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JOE FOX

Mr. Joe Fox, Cesar Chavez Foundation, spoke to Cesar Chavez and stated that our community needed a hero. He stated that Cesar Chavez was a good example of an American hero and requested that next year City Council tell the members of the

Flambeau parade that they needed to allow commemoration of Cesar Chavez in the parade.

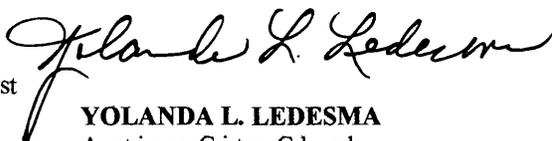
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2004-16 There being no further business to come before the City Council, Mayor Garza adjourned the meeting at 5:35 P.M.

A P P R O V E D



EDWARD D. GARZA
M A Y O R

Attest 
YOLANDA L. LEDESMA
Acting City Clerk