

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, FEBRUARY 1, 2006 AND THURSDAY, FEBRUARY 2, 2006

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The City Council convened in an informal "B" Session at 3:00 p.m., Wednesday, February 1, 2006, Municipal Plaza Building "B" Room, for the purpose of:

Update on Destination SA, the Long-Range Strategic Hospitality Industry Growth Plan for San Antonio. [Introduction by Janis Schmees, Acting Director, Convention and Visitors Bureau; Presentation by John Kaatz, CS & L International; Roland Lozano, Assistant to the City Manager]

The Council members present were: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. ABSENT: Perez.

The "B" Session adjourned at 4:55 p.m.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, February 2, 2006 at 9:00 a.m.

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum with the following Council members present: Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. ABSENT: Perez.

The Invocation was led by Col. Gilley G. Richardson, Installation Chaplain, Fort Sam Houston, guest of Mayor Phil Hardberger.

Mayor Hardberger led the Pledge of Allegiance to the flag of the United States.

POINT OF PERSONAL PRIVILEGE

Councilmember McNeil requested a point of personal privilege for a moment of silence to recognize the passing of Mrs. Coretta Scott King.

She also acknowledged students of Wheatly Middle School, who were participating in the Shadow Program and attending the Council Meeting.

The minutes of the January 19, 2006 City Council meeting were approved as presented.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-02-02-0147

AMENDING THE ADOPTED ANNUAL CAPITAL BUDGET FOR FY 2006-2011 BY INCLUDING SELECTED ADVANCED TRANSPORTATION PROGRAM (ATD) PROJECTS IN THE AMOUNT OF \$9,830,400.00 FOR FY 2006 TO PROVIDE A BROAD RANGE OF IMPROVEMENTS IN ACCORDANCE WITH ATD OBJECTIVES TO REDUCE TRAFFIC CONGESTION AND IMPROVE TRANSPORTATION MOBILITY IN MAJOR TRANSIT CORRIDORS.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember McNeil seconded the motion.

Mr. Jason Cosby, Assistant Director of Public Works, made a presentation on the FY 2005-2006 Advanced Transportation District Capital Projects, a copy of which is on file with the Office of the City Clerk. He stated this ordinance would amend the adopted Annual Capital Budget for Fiscal Years 2006-2011 by including the proposed Advanced Transportation District (ATD) projects in the amount of \$9,830,400, citing the broad range of proposed improvement projects. He further amplified on the revenue allocation for VIA Metropolitan Transit, Texas Department of Transportation and the City of San Antonio. He spoke to the creation of the ATD in November 2004, the City's goals, ATD implementation, annual revenue, the FY 2005-06 ATD Budget status and the proposed FY 2006 ATD projects.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, addressed Council related to the ATD projects and the election, and noted that citizens were not aware of what was voted on. He stated that the ATD gave VIA buses priority on the roadways. He also cited certain Council members that received campaign contributions.

Mr. Faris Hodge, Jr., 140 Dora, addressed Council regarding the Main Plaza Project. He stated that people in wheelchairs or with walkers would be endangered by the proposed street closures. He stated that the concept of free parking for hybrid vehicles would not work. He also stated that several street lights are out of service.

Mr. Antonio Diaz, 507 Kashmir Pl., inquired if the contract for Item 6 will be inclusive of public access. He noted the City Department Programming and special events programming, but no public access. He requested that the Citizens to be Heard portion of Council Meetings be broadcast.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez.

POINT OF PERSONAL PRIVILEGE

Councilmember Wolff requested a point of personal privilege to introduce Sarah Thornsberry, a senior at Reagan High School and President of the Key Club and who was observing operations in his office for the day.

INDIVIDUAL ITEMS CONTINUED

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-02-02-0148

ACCEPTING THE PROPOSAL OF AND AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH 3D/INTERNATIONAL (3DI) TO PROVIDE FOR PREPARATION OF DESIGN MODIFICATIONS FOR THE NEW TERMINAL EXPANSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$913,544.78 WHICH REPRESENTS A 7.32% INCREASE IN FEES TO THE ORIGINAL CONTRACT AMOUNT OF

\$12,638,227.00; APPROPRIATING FUNDS; REVISING THE BUDGET, AND PROVIDING FOR PAYMENT UTILIZING FUNDS IN THE AIRPORT SYSTEM CONSTRUCTION FUND, AS WELL AS THE REIMBURSEMENT FROM CARTER BURGESS IN THE AMOUNT OF \$113,178.95 TO PAY FOR A PORTION OF THE DESIGN MODIFICATIONS.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

Mr. Mark H. Webb, Interim Director of Aviation, narrated a slide presentation on the Terminal Expansion Project amendment to a professional services agreement with 3D/International, a copy of which is on file with the Office of the City Clerk. He stated this amendment was for design modifications on the new terminal expansion project with funding to be provided by the Airport System Construction Fund. He spoke to the City's Five-Year Capital Program which identified a need to expand the San Antonio International Airport, noting that Marmon-Mok/Gensler had prepared the program and schematic design which served as the starting point for 3D/I. He delineated the costs associated with the various phases of the project, noting that the amendment represented a 7.23% increase to the original contract, the total fiscal impact and process improvements.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSTAIN:** Flores. **ABSENT:** Perez, Haass.

A RESOLUTION 2006R-02-02-0149

CONSENTING TO THE ISSUANCE OF UP TO \$5,000,000.00 IN TAX-EXEMPT BONDS BY THE FAYETTE COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION FOR THE BENEFIT OF THE BARRIO COMPREHENSIVE FAMILY HEALTH CARE CENTER, INC. TO PROVIDE FINANCING FOR THE DR. FRANK BRYANT HEALTH CENTER.

Councilmember McNeil made a motion to approve the proposed Resolution. Councilmember Hall seconded the motion.

Mr. Ramiro Cavazos, Director of Economic Development made a presentation on the tax-exempt Health Facilities Bond being financed by the Fayette County Health Facilities Development Corporation, a copy of which is on file with the Office of the City Clerk. He outlined background information on the Barrio Comprehensive Family Health Care Center (Barrio) which first began in 1972 and which has evolved into a full-service

family health center capable of handling all the basic health care needs of patients. He stated that the Barrio was requesting consent from the City Council to allow the Fayette County Health Facilities Development Corp. to issue \$5 million in qualified tax-exempt bonds to support long-term financing of the new clinic project known as the Dr. Frank Bryant Health Center. He added that because the project is located in the City of San Antonio, the consent of the City Council is required prior to the issuance of the bonds. He further addressed project information, project sources and uses of funding and fiscal impact.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Hardberger. **NAYS:** None. **ABSENT:** Perez, Haass.

AN ORDINANCE 2006-02-02-0150

AUTHORIZING THE EXECUTION OF A CONTRACT WITH MAVERICK VIDEO PRODUCTIONS, INC. FOR PRODUCTION SERVICES FOR CITY COUNCIL MEETINGS, CITY COUNCIL DISTRICT PROGRAMS, CITY DEPARTMENT PROGRAMS, AND SPECIAL EVENTS IN AN APPROXIMATE AMOUNT OF \$144,900.00 FOR THE REMAINDER OF FY 2006 WITH TWO (2) ONE YEAR RENEWAL OPTIONS IN AN APPROXIMATE ANNUAL AMOUNT OF \$161,700.00; ACCEPTING THE BID SUBMITTED BY VIDEO SERVICES OF AMERICA D/B/A V.S.A. TO PROVIDE THE CITY WITH VIDEO PRODUCTION EQUIPMENT AND INSTALLATION SERVICES FOR A TOTAL COST OF \$162,421.50; APPROPRIATING START-UP FUNDS IN THE AMOUNT OF \$100,000.00 RECEIVED THROUGH THE CITY'S FRANCHISE AGREEMENT WITH A CABLE PROVIDER; AND AMENDING THE GENERAL FUND BUDGET.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

Mr. Ben Gorzell, Jr., CPA, Acting Finance Director, made a presentation on the contract with Maverick Video Productions, a copy of which is on file with the Office of the City Clerk. He stated that on January 1, 2006 the City became responsible for the Public, Education, and Government (PEG) Channels, due to Senate Bill 5, adding that on December 15, 2005, staff presented plans to maintain all three PEG channels. He spoke on the formal invitation for bid for equipment and installation, staff evaluation of the bids submitted and recommendation to purchase equipment from Video Service of America. He outlined the capital expenditures, further expounded on the Vendor Services, and the "Request for Competitive Sealed Proposals." After staff review and evaluation, it was

recommended to have an agreement with Maverick Video Productions Inc. for a one-year period, including two (2) one-year renewals contingent upon funding appropriations.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez.

AN ORDINANCE 2006-02-02-0151

AUTHORIZING THE EXECUTION OF A CONTRACT WITH KEEP SAN ANTONIO BEAUTIFUL (KSAB) FOR THE CONTINUED SUPPORT OF KSAB FOR THE PERIOD FEBRUARY 2, 2006 THROUGH SEPTEMBER 30, 2006; AND AUTHORIZING THE ALLOCATION AND EXPENDITURE OF HUMAN DEVELOPMENT SERVICES FUNDS, AS REQUESTED BY COUNCILMEMBER RICHARD PEREZ, DISTRICT 4.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

Mr. Dennis Campa, Director of Community Initiatives, narrated a presentation on the Human Development Services Fund for Keep San Antonio Beautiful, a copy of which is on file with the Office of the City Clerk. He spoke to the services provided by Keep San Antonio Beautiful, a non-profit organization, the previous funding levels provided by the City of San Antonio, and the current balances for each Council District and the Mayor as amended.

Councilmember Flores made a motion to amend the proposed Ordinance by increasing funds for District 1. Councilmember McNeil seconded the motion.

Through a friendly amendment, Councilmembers McNeil, Radle, Herrera, Hall and Wolff also increased the funding levels of their respective districts, bringing final funding amounts to: District 1, \$3,000; District 2, \$1,500; District 5, \$2,000; District 6, \$1,000; District 8, \$3,000; District 9, \$1,500.

After discussion, the motion to amend prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez.

After consideration, the main motion as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez.

CONSENT AGENDA

Consent agenda items 8 and 19 were pulled for individual consideration. The remaining items 9 through 24C were approved upon motion made by Councilmember Hall and seconded by Councilmember Herrera

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, spoke to Item 16 and recommended the City review past work done by the law firm before considering entering into another contract with the practice. He asked if taxpayers would be asked to support future development of commuter rail between San Antonio and Austin, related to Item 19. He also inquired as to why Council is considering waiving the State's One Mile Rule on Item 2.

City Clerk Leticia Vacek read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Mr. Faris Hodge, Jr., 140 Dora, stating his opposition to the 25-year rent-free land use agreement with South San Antonio Independent School District. He noted that with increased housing construction in the area, the school tax should decrease.

AN ORDINANCE 2006-02-02-0152

ACCEPTING THE LOW BID SUBMITTED BY INDUSTRIAL DISPOSAL SUPPLY TO PROVIDE THE PUBLIC WORKS DEPARTMENT WITH FOUR REPLACEMENT TRUCK-MOUNTED STREET SWEEPERS FOR A TOTAL OF \$576,924.00 FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

AN ORDINANCE 2006-02-02-0153

APPROVING FIELD ALTERATION NUMBER 13 IN THE AMOUNT OF \$51,087.00 PAYABLE TO W.G. YATES & SONS CONSTRUCTION COMPANY, IN CONNECTION WITH THE FIRE FIGHTING TRAINING ACADEMY PROJECT, AN AUTHORIZED 1999-2004 GENERAL OBLIGATION PUBLIC SAFETY IMPROVEMENT BOND FUNDED PROJECT, LOCATED IN DISTRICT 6.

AN ORDINANCE 2006-02-02-154

ACCEPTING THE LOWEST RESPONSIVE BID, APPROPRIATING FUNDS, AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$107,627.00

PAYABLE TO SANFORD, TAYLOR, TURK, L.P. GENERAL CONTRACTORS, AND AUTHORIZING \$10,762.00 FOR PROJECT CONTINGENCY, \$7,534.00 FOR CAPITAL ADMINISTRATIVE COSTS AND \$2,000.00 FOR ADVERTISING EXPENSES, FOR A TOTAL AMOUNT OF \$127,923.00 IN CONNECTION WITH THE HENRY B. GONZALEZ CONVENTION CENTER BOARD ROOM PROJECT LOCATED IN DISTRICT 1, FROM HOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE AND REFUNDING BOND FUNDS.

AN ORDINANCE 2006-02-02-0155

AUTHORIZING THE EXECUTION OF DEDUCTIVE FIELD ALTERATION NO. 3 TO REDUCE THE AMOUNT OF THE CONTRACT WITH YANTIS COMPANY FOR THE CONSTRUCTION SERVICES FOR THE EAST AIR CARGO PHASE II RAMP AND PARKING PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT IN THE AMOUNT OF \$173,014.00; REVISING THE PROJECT BUDGET AND TRANSFERRING FUNDS.

AN ORDINANCE 2006-02-02-0156

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH THE FIRM OF PROFESSIONAL SERVICE INDUSTRIES, INC. (PSI) TO PROVIDE CONSTRUCTION AND MATERIAL TESTING SERVICES IN CONNECTION WITH THE REMAIN OVER NIGHT (RON) APRON PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR AN AMOUNT NOT TO EXCEED \$56,012.00; APPROPRIATING FUNDS, AMENDING THE BUDGET AND AUTHORIZING PAYMENT.

AN ORDINANCE 2006-02-02-0157

ACCEPTING DEEDS FOR SIGNALIZATION EASEMENTS FROM NORTHSIDE INDEPENDENT SCHOOL DISTRICT IN DISTRICT 6; AND STANLEY L. HELMKE IN DISTRICT 10; IN CONNECTION WITH THE HUD 108 CAPITAL IMPROVEMENTS DISTRICT WIDE ACCESS AND MOBILITY PROGRAM PROJECT.

AN ORDINANCE 2006-02-02-158

APPROPRIATING FUNDS PAYABLE TO GERRY RICKHOFF, COUNTY CLERK FOR FEE SIMPLE ACQUISITION OF AN 0.060 ACRE TRACT OF LAND (\$56,679.00) AND COURT COSTS (\$2,977.00), FOR A TOTAL OF \$59,656.00, IN CONNECTION WITH THE STAHL AT O'CONNOR AND JUDSON PROJECT, AN AUTHORIZED 1999-2004 GENERAL OBLIGATION STREET IMPROVEMENT BOND PROJECT LOCATED IN DISTRICT 10; REVISING THE BUDGET AND PROVIDING FOR PAYMENT.

AN ORDINANCE 2006-02-02-159

APPROPRIATING FUNDS IN THE AMOUNT OF \$13,513.66 PAYABLE TO BRACEWELL & GIULIANI, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH CAPITAL PROJECTS LOCATED IN VARIOUS CITY COUNCIL DISTRICTS FROM GENERAL OBLIGATIONS OF THE CITY AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

AN ORDINANCE 2006-02-02-0160

APPROVING AN INTERLOCAL AGREEMENT WITH THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR THE CITY'S TWENTY-FIVE (25) YEAR RENT-FREE NON-EXCLUSIVE USE OF 7.65 ACRES OF LAND ADJACENT TO ROYALGATE ELEMENTARY SCHOOL IN DISTRICT 4 FOR PUBLIC PARK PURPOSES.

AN ORDINANCE 2006-02-02-0161

AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD TOTALING \$416,283.00 FROM THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY FOR THE ENVIRONMENTAL HEALTH AND WELLNESS CENTER PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD SEPTEMBER 30, 2005 THROUGH SEPTEMBER 29, 2006; ADOPTING THE PROGRAM BUDGET; APPROVING THE PERSONNEL COMPLEMENT; AND AUTHORIZING PAYMENTS.

AN ORDINANCE 2006-02-02-0162

AUTHORIZING PAYMENT, IN THE AMOUNT OF \$29,199.00 TO AIRPORTS COUNCIL INTERNATIONAL, NORTH AMERICA, FOR 2006 ANNUAL DUES, SERVICES AND MEMBERSHIP FEES.

AN ORDINANCE 2006-02-02-0163

AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, ON BEHALF OF THE CITY OF SAN ANTONIO, TO ACCEPT THE DONATION FROM THE CESSNA AIRCRAFT COMPANY OF A SALVAGED AIRCRAFT FUSELAGE FOR USE AS A TRAINING AID FOR THE FIRE AND RESCUE PERSONNEL AT SAN ANTONIO INTERNATIONAL AIRPORT.

A RESOLUTION 2006R-02-02-0164

WAIVING THE STATE MANDATED "ONE MILE RULE" REQUIREMENT BY ALLOWING THE DEVELOPMENT AND CONSTRUCTION OF THE ARTISAN AT SALADO HEIGHTS PHASE II MULTI-FAMILY HOUSING CONSTRUCTION PROJECT, PURSUANT TO SECTION 2306.6703(B)(4) OF THE TEXAS GOVERNMENT CODE, AS REQUESTED BY COUNCILMEMBER SHEILA MCNEIL, DISTRICT 2.

TRAVEL AUTHORIZATION

CONFIRMATION OF A TRAVEL AUTHORIZATION REQUEST FROM COUNCILMEMBER RICHARD PEREZ, DISTRICT 4, TO TRAVEL TO WASHINGTON, DC AS A FEDERAL REPRESENTATIVE REGARDING BRAC AND OTHER CITY ISSUES FROM JANUARY 31, 2006 TO FEBRUARY 3, 2006.

AN ORDINANCE 2006-02-02-0165

APPOINTING JAN VAN DEN HENDE (DISTRICT 10) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE (CATEGORY: PERFORMING ARTS/MUSIC) FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-02-02-0166

REAPPOINTING CHERYL (SHERRY) SHAW (DISTRICT 9) (CATEGORY: CONSUMER) AND APPOINTING TOM DANIELS (DISTRICT 3) (CATEGORY: HORSE CARRIAGE/LIMOUSINE) TO THE TRANSPORTATION ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE MAY 31, 2007.

AN ORDINANCE 2006-02-02-0167

APPOINTING CHARLES BARTLETT (DISTRICT 3) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

CONSENT ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

AN ORDINANCE 2006-02-02-0168

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$893,906.00, INCLUDING: FERRARA FIRE TRUCK PARTS AND SERVICE; TOYOTA AUTOMOTIVE PARTS AND SERVICE; HONDA AUTOMOTIVE PARTS AND SERVICE; CISCO NETWORKING EQUIPMENT AND SERVICE; CONTRACT AND CONCESSION COMPLIANCE SOFTWARE; AND LAMP BALLASTS.

Councilmember Hall made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez, Herrera.

AN ORDINANCE 2006-02-02-169

AUTHORIZING PAYMENT OF ANNUAL MEMBERSHIP DUES, IN AN AMOUNT NOT TO EXCEED \$100,000.00, TO THE AUSTIN-SAN ANTONIO CORRIDOR

COUNCIL FOR THE PERIOD OF OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2006.

Councilmember Wolff made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

Councilmember Guajardo made a motion to amend the proposed Ordinance to change the City's membership contribution to \$50,000. Councilmember Herrera seconded the motion.

After consideration, the motion to amend failed by the following vote: **AYES:** Herrera, Guajardo. **NAYS:** Flores, McNeil, Gutierrez, Radle, Hall, Wolff, Haass, Hardberger. **ABSENT:** Perez.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Hardberger. **NAYS:** None. **ABSENT:** Perez.

EXECUTIVE SESSION

The Mayor recessed the Regular Session at 12:15 p.m. in order to convene in Executive Session for the purpose of:

Discuss legal issues related to *Alfred Castellano v. Chris Fragozo, et al*, Cause No. SA-96-CA-346, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to *Borden Park, L.P. dba Star Storage Downtown San Antonio v. City of San Antonio*, Cause No SA-03-CA-0941-RF, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to existing and possible litigation involving area cable providers, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Discuss legal issues related to CPS Energy's amendments to the Community Infrastructure and Economic Development (CIED) fund, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

The Mayor reconvened the Regular Session from Executive Session at 3:50 p.m., at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

The Mayor recessed the regular session at this time and stated Council would convene at 5 p.m.

CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

- Proclamation for Arbor Day 2006.
- Proclamation for Shrine Burn Awareness to Shriners of North American for burn prevention and safety week, February 6-12, 2006.
- Proclamation for Wear Red for Women Day, February 3, 2006, to the American Heart Association, to recognize the commitment to fighting heart disease.

CITIZENS TO BE HEARD

Mr. Faris Hodge, Jr., 140 Dora, stated that City employees need diversity training. He said that topless bars are a problem. He discussed the need for computer filtering in public libraries, and stated the Library overcharges for copies. He spoke to the City's new towing policy, and said the policy is not enforced on all violators. He requested the Alamodome be named in his honor.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke regarding the contamination at Kelly Air Force Base.

Ms. Julie Iris Oldham, 4523 Allegheny Dr., spoke about her electric utilities being disconnected. She read from a February 2, 2006 letter she sent to Council members and City staff, a copy of which is on file with the Office of the City Clerk, discussing numerous matters.

Mr. Paul Lex, 19585 Oil St., stated that as a Yellow Cab driver he implemented a program which introduced in San Antonio, Texas' first hybrid cab, making the City only one of four cities to employ hybrid cab use. He stated that he has experienced a 63 percent fuel savings with the vehicle. He stated that his cab is not eligible for a commercial use permit at San Antonio International Airport, as the vehicle wheelbase is

smaller than taxi regulations specify. He requested a meeting with Council staff to discuss modifying the regulations to be inclusive of hybrid car design.

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:22 p.m.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest: 
LETICIA M. VACEK
City Clerk