

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

**A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO  
WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING,  
WEDNESDAY, JANUARY 10, 2007 AND  
THURSDAY, JANUARY 11, 2007**

The City Council convened in an informal "B" Session at 3:00 pm, Wednesday, January 10, 2007 in the Municipal Plaza Building "B" Room with the following Councilmembers present: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Wolff, Haass, and Mayor Hardberger. The following members were absent: Hall.

1) Staff Briefing and update, including possible Council action, regarding various aspects of the 2007-2012 General Obligation Bond Program, to include updates on Community Bond Committee meetings.

City Manager Sculley updated the City Council on the 2007 Bond Program based on the findings of the various committees. She mentioned that a Tour of the proposed Drainage Project site took place on Saturday, January 6, 2007. She noted that all the information regarding the bond committee meetings was available on-line. The power point presented by Ms. Sculley is on file with the Office of the City Clerk.

2) A Briefing by the San Antonio Water System (SAWS) concerning updates to the Drought Management Ordinance, overview of SAWS Key Performance Indicators, and delivery of the 2006 Annual Report on the Water Supply Fee and Water Resource Plan.

Ms. Karen Guz, Director of Conservation, presented the SAWS Drought Period Management Update. Ms. Guz stated that the SAWS Drought Ordinance was last revised in 2000. For this reason, SAWS was recommending for the clarification and expansion of current water restrictions during periods of drought.

Ms. Janele Okorie, Vice President, presented the SAWS Annual Report: Water Resources Plan. As part of the presentation, Ms. Okorie explained the company's water conservation plan and strategy for effective drought management.

Mr. David E. Chardavoyne, President/CEO, presented Performance Indicators as a Management Tool. Mr. Chardavoyne explained to the City Council that the main objective of SAWS was to provide the best customer service. In order to achieve this goal, SAWS planned to implement performance indicators.

The power point presented by SAWS is on file with the Office of the City Clerk.

The "B" Session adjourned at 4:28 pm.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, January 11, 2007 at 9:00 am.

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

The Invocation was delivered by Minister Belinda Stevens, Economic Development Director, New Covenant Missionary Baptist Church, guest of Councilmember Sheila McNeil.

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

### **POINT OF PERSONAL PRIVILEGE**

Councilwoman Herrera spoke on Item 26, which is an ordinance renaming Chestnut Springs Park to "Officer John Randolph Wheeler Park." Officer Wheeler was shot in the line of duty in 2003 and was then killed in 2005 by a drunk driver. The Mayor and City Council recognized the dedication and bravery of Officer Wheeler and San Antonio Police Officers.

Mr. Teddy Stuart, SAPOA and Ms. Kim Wheeler, widow of Officer Wheeler, thanked Councilwoman Herrera and the City Council for the renaming of Chestnut Springs Park.

### **The following citizen(s) appeared to speak:**

Mr. Jack M. Finger, P.O. Box 12048, addressed the Council relating to Items 18, 19, 20, 21, 22, and 23. For Item 23, Mr. Finger stated that the City was "giving-away" money for the maintenance and capitals needs of Arts and Culture organizations. Mr. Finger said that for Item 18, the City was giving \$8,000 for dance therapy classes while for Item 18 the City Council was authorizing new funding criteria as it relates to the issuance of Human Development Services Fund money.

### **APPROVAL OF MINUTES**

Councilmember Perez made a motion to approve the minutes of the December 14, 2006 City Council Meeting. Councilmember Haass seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

### **CONSENT AGENDA: Items 7 – 27E (Item 27A was pulled from the agenda)**

Consent Agenda Items 13, 14, 22, 23, and 25 were pulled for individual consideration. The remaining items were approved upon the motion made by Councilmember Perez and seconded by Councilmember Haass.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

2007-01-11-0047

Item 7. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006-2007 FOR A COMBINED ESTIMATED COST OF \$710,000.00, INCLUDING: REINFORCING STEEL & WIRE MESH; HVAC MAINTENANCE AT FIRE STATIONS; PROPANE MOTOR FUEL; AND TESTING & MAINTENANCE OF THE FIRE SUPPRESSION SYSTEM AT THE ALAMODOME.

2007-01-11-0048

Item 8. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH REGION 4, EDUCATION SERVICE CENTER TO ALLOW THE CITY TO PARTICIPATE IN THE COOPERATIVE PURCHASING PROGRAM, KNOWN AS THE COOPERATIVE PURCHASING NETWORK (TCPN), AND AUTHORIZING THE USE OF A CONTRACT PROCURED BY TCPN TO PROVIDE THE LIBRARY WITH SOFTWARE TO ASSIST BLIND AND VISUALLY IMPAIRED PERSONS.

2007-01-11-0049

Item 9. AN ORDINANCE RATIFYING A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PURCHASE ANTIVIRALS FOR A MAXIMUM COST OF \$44,127.00, FROM THE METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT.

2007-01-11-0050

Item 10. AN ORDINANCE APPROVING A TOTAL CONSTRUCTION PROJECT AMOUNT OF \$11,048.10 FOR IN-HOUSE CONSTRUCTION BY PARKS AND RECREATION STAFF OF THE HERITAGE DUCK POND GAZEBO PROJECT IN DISTRICT 4 INCLUDING \$6,000.00 FROM A DONATION RECEIVED FROM THE HERITAGE NEIGHBORHOOD ASSOCIATION FOR THIS PROJECT AND \$5,048.10 FROM REVENUES COLLECTED FOR THE UNIFIED DEVELOPMENT CODE (UDC) FEES IN LIEU OF PARKLAND DEDICATION FUNDS; AND APPROPRIATING FUNDS.

2007-01-11-0051

Item 11. AN ORDINANCE APPROVING A PORTION OF TOTAL ESTIMATED PROJECT COST OF \$5,429,728.61 AND AWARDING A CONSTRUCTION CONTACT IN THE AMOUNT OF \$3,982,285.60 TO CAPITAL EXCAVATION COMPANY, \$410,637 OF WHICH WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, IN CONNECTION WITH THE TIMBERHILL LOW WATER CROSSING #57 PROJECT, A 2005 STORM WATER REVENUE BOND FUNDED PROJECT, LOCATED IN DISTRICT 7 AND APPROPRIATING FUNDS.

2007-01-11-0052

Item 12. AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$53,350 TO AMERIPOINT TITLE SAN ANTONIO, AS ESCROW AGENT FOR HOIL KIM AND WIFE MIYOUNG KIM, FOR FEE SIMPLE TITLE TO ONE PARCEL OF LAND (\$52,500) AND TITLE FEES (\$850); AND \$19,300 FOR APPRAISAL FEES PAYABLE TO DUGGER, CANADAY, GRAFE, INC. IN CONNECTION WITH THE BLANCO – HILDEBRAND TO

SUMMIT, PHASE I PROJECT LOCATED IN DISTRICT 1, FOR A TOTAL SUM OF \$72,650; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

2007-01-11-0053

Item 15. AN ORDINANCE DECLARING 111 ANDERSON STREET (DISTRICT 2) AND 2914 S. LAREDO STREET (DISTRICT 5) AS SURPLUS AND AUTHORIZING THEIR SALE TO S.A. MILAGRO HOMES L.L.C., FOR A COMBINED, TOTAL PRICE OF \$8,475.00, THE CITY'S SHARE BEING \$3,983.25 AND THE BALANCE GOING TO OTHER TAXING AUTHORITIES.

2007-01-11-0054

Item 16. AN ORDINANCE AMENDING THE RULES AND PROCEDURES FOR THE SCHEDULING AND CONSIDERATION OF ITEMS AT CITY COUNCIL AND COMMITTEE MEETINGS.

2007-01-11-0055

Item 17A. AN ORDINANCE APPROVING THE PROJECT AGUA PLAN FOR CALENDAR YEAR (CY) 2007 TO PROVIDE UP TO \$85,000.00 IN UTILITY ASSISTANCE CREDITS FOR ELIGIBLE SAN ANTONIO WATER SYSTEM (SAWS) RATEPAYERS; AUTHORIZING EXECUTION OF A CONTRACT WITH SAWS TO IMPLEMENT SAID PLAN; AND AUTHORIZING THE EXECUTION OF MEMORANDUMS OF AGREEMENT WITH VARIOUS DELEGATE AGENCIES TO ASSIST IN THE IMPLEMENTATION OF THE PLAN.

2007-01-11-0056

17B. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$120,341.00 FROM THE SAN ANTONIO WATER SYSTEM TO ADMINISTER THE AFFORDABILITY DISCOUNT PROGRAM (ADP) FOR CALENDAR YEAR 2007; AUTHORIZING THE EXECUTION OF AN INTER-JURISDICTIONAL AGREEMENT WITH SAWS FOR A PERIOD ENDING DECEMBER 31, 2010; AUTHORIZING THE EXECUTION OF MEMORANDUMS OF AGREEMENT WITH VARIOUS DELEGATE AGENCIES TO ASSIST IN THE IMPLEMENTATION OF THE ADP; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

2007-01-11-0057

Item 18. AN ORDINANCE AMENDING THE HUMAN DEVELOPMENT SERVICES FUND (HDSF) AUTHORIZATION AND ELIGIBILITY CRITERIA AS ESTABLISHED BY ORDINANCE NO. 100192, PASSED AND APPROVED ON DECEMBER 16, 2004, TO CONFORM WITH THE PROVISIONS OF THIS ORDINANCE; ESTABLISHING A MINIMUM ALLOCATION RECOMMENDATION AND ADDITIONAL ELIGIBILITY CRITERIA; AMENDING BUDGET ORDINANCE NO. 2006-09-07-1014, PASSED AND APPROVED ON SEPTEMBER 7, 2006, BY ESTABLISHING A PLAN FOR USE OF THE ADDITIONAL \$10,000.00 HDSF ALLOCATION AUTHORIZED THEREIN; APPROVING THE PUBLIC PURPOSES FOR HDSF EXPENDITURES; AND AUTHORIZING THE EXECUTION OF CONTRACTS IN CONNECTION THEREWITH.

2007-01-11-0058

Item 19. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT IN THE AMOUNT OF \$24,262.00 TO AN EXISTING \$43,509.00 CONTRACT, BRINGING THE REVISED CONTRACT AMOUNT TO \$67,771.00, WITH ANTIOCH COMMUNITY TRANSFORMATION NETWORK TO INCREASE LITERACY, LIFE SKILLS AND WORKFORCE COMPETENCIES THROUGH ITS EACH ONE TEACH ONE ADULT LITERACY PROGRAM (EOTO) FOR A PERIOD FROM DECEMBER 1, 2006 THROUGH SEPTEMBER 30, 2007.

2007-01-11-0059

Item 20. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH SAN ANTONIO INDEPENDENT LIVING SERVICES (SAILS) IN AN AMOUNT NOT TO EXCEED \$95,000.00 FOR PROGRAM PLANNING, CASE MANAGEMENT AND OTHER SUPPORTIVE SERVICES FOR PARTICIPANTS IN THE GATEWAYS TO ABILITIES PROGRAM (GAP) FOR A PERIOD FROM FEBRUARY 1, 2007 THROUGH SEPTEMBER 30, 2007.

2007-01-11-0060

Item 21. AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENTS WITH ALAMO PUBLIC TELECOMMUNICATIONS COUNCIL (DBA KLRN), FAMILY SERVICE ASSOCIATION OF SAN ANTONIO, UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA), AND POSITIVE BEGINNINGS, INC. IN THE AMOUNT OF \$100,000.00, \$110,000.00, \$100,000.00 AND \$60,000.00, RESPECTIVELY; AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) IN AN AMOUNT NOT TO EXCEED \$80,000.00, ALL TO ASSIST IN FUNDING QUALITY IMPROVEMENTS ACTIVITIES FOR EARLY CHILDHOOD EDUCATION PROVIDERS.

2007-01-11-0061

Item 24. AN ORDINANCE AUTHORIZING EXERCISE OF THE FIRST OF TWO OPTIONS FOR ONE-YEAR EXTENSIONS TO AN AGREEMENT WITH TLI & ENVIRONMENTAL SERVICES, INC. (TLI), FOR STAND-BY ASBESTOS ABATEMENT / ENVIRONMENTAL CONSTRUCTION SERVICES TO BE PERFORMED FOR ANNUAL COMPENSATION NOT TO EXCEED \$330,000.00.

2007-01-11-0062

Item 26. AN ORDINANCE RENAMING CHESTNUT SPRINGS PARK, LOCATED AT 10239 INGRAM ROAD IN CITY COUNCIL DISTRICT 6 TO "OFFICER JOHN RANDOLPH WHEELER PARK," IN ACCORDANCE WITH THE PROCEDURES ESTABLISHED BY CHAPTER 2, ARTICLE VI OF THE SAN ANTONIO CITY CODE.

**BOARD APPOINTMENTS: ITEMS 27A-E**

27. Consideration of the following District Board Appointments:

A. Appointing Jelynn LeBlanc Burley and Ben Gorzell to the San Antonio Development Agency (At-Large) for the remainder of unexpired terms of office to expire December 18, 2008.  
**PULLED FROM THE AGENDA**

B. Appointing Dr. Jeffrey Kantor (District 6) to the Brooks Development Authority (Category: Technology and Research) for the remainder of an unexpired term of office to expire November 4, 2008.

C. Appointing Roy Justin Aguillon (District 3) to the San Antonio Youth Commission for a term of office to expire May 31, 2007.

D. Appointing Lisa Cruz (District 9) to the Mayor's Commission on the Status of Women for a term of office to expire May 31, 2007.

E. Appointing Gustavo Gonzalez (District 10) to the Plumbing Appeals and Advisory Board for the remainder of an unexpired term of office to expire March 20, 2007, and waiving the category requirements for this term.

[CONSENT ITEMS CONCLUDED]

**ITEMS FOR INDIVIDUAL CONSIDERATION**

The items pulled for individual consideration were addressed in the following order: Item 14, 4, 5, 6, 13, 22, 23, and 25.

The City Clerk read the following Ordinance:

2007-01-11-0063

Item 14. AN ORDINANCE AMENDING PROVISIONS OF ARTICLE VII OF CHAPTER 16 OF THE CITY CODE OF SAN ANTONIO, TEXAS TO INCLUDE COPPER IN THE LIST OF REGULATED METAL PROPERTIES; AMENDING OTHER PROVISIONS OF ARTICLE VII; ESTABLISHING CRIMINAL PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF ARTICLE VII; AND PROVIDING FOR PUBLICATION.

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

The motion prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores and Herrera.

The City Clerk read the following Resolution:

2007R-01-11-0064

Item 4. A RESOLUTION CONFIRMING THE NOMINATION BY THE CITY PUBLIC SERVICE (CPS) BOARD OF TRUSTEES AND REAPPOINTING AURORA GEIS TO SERVE A SECOND AND FINAL FIVE-YEAR TERM AS A TRUSTEE OF THE CPS BOARD OF TRUSTEES REPRESENTING THE NORTHWEST QUADRANT FOR A TERM TO COMMENCE FEBRUARY 1, 2007 AND EXPIRE JANUARY 31, 2012.

Councilmember Perez made a motion to approve the Resolution. Councilmember Haass seconded the motion.

Ms. Geis was recognized for her dedicated service by Mayor Hardberger and the City Council.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** Herrera.

The following citizen(s) appeared to speak:

Mr. Jack M. Finger, P.O. Box 12048, addressed the Council relating to the appointment process for the CPS Board. Mr. Finger stated that the City advertises for board and commission openings. However, the City did not seek applications for the CPS Board.

City Clerk Leticia M. 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. The testimony stated that the CPS Board should have open elections. He added that he would contact the Texas Attorney General's Office to investigate the CPS Board for discrimination. A written testimony was also submitted for Item 5 by Mr. Faris Hodge, Jr.

#### **PUBLIC HEARING: DISANNEXTION FROM LIMITED PURPOSE STATUS**

The City Clerk read the following item:

Item 5. SECOND PUBLIC HEARING ON THE PROPOSED DISANNEXTION FROM LIMITED PURPOSE STATUS OF THE SOUTHSIDE ANNEXATION AREA 5. NO ACTION REQUIRED.

Mr. Emil Moncivais, Director, Planning Department, presented the City Council with background information relating to the disannexation of Southside Area #5. The power point presented by Mr. Moncivais is on file with the Office of the City Clerk.

Mayor Hardberger declared the Public Hearing open.

City Clerk Leticia M. Vacek read a written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Mr. Faris Hodge, Jr., 140 Dora. Mr. Hodge stated that he was in

support of the disannexation of Southside Area #5 due to the fact that it would be a cost savings to the taxpayers.

No one appeared to speak in person on said item. The public hearing was declared closed. No action was necessary.

The City Clerk read the following Ordinance:

2007-01-11-0065

Item 6. AN ORDINANCE ADOPTING A NEW CHAPTER OF THE CITY CODE SETTING OUT PROCEDURES FOR THE ACQUISITION, USE, AND DISPOSITION OF CITY PROPERTY, INCLUDING INTRAJURISDICTIONAL AGREEMENTS, PERMITS, LEASES, LICENSES, AND SALES AND REPEALING OLD CODE SECTIONS AND ORDINANCES SUPERSEDED BY THE NEW CHAPTER.

Councilmember Hall moved to approve the proposed ordinance. Councilmember Guajardo seconded the motion.

Mr. Shawn Eddy, Director, Asset Management, made a presentation regarding the current code sections that would be incorporated into the new Chapter 37. Mr. Eddy stated that the new chapter would be administered by the Development Services Department. The power point presented by Mr. Eddy is on file with the Office of the City Clerk.

An amendment was made by Councilmember Flores that the City initiate the rezoning of the property prior to being sold for affordable housing. Council Perez made a friendly amendment that the property be zoned as single-family detached residential homes if a neighborhood plan was in place for the property. The friendly amendment was accepted by Councilmember Flores. Councilmember Wolff seconded the amendment.

The amendment prevailed by the following vote: **AYES:** Flores, McNeil, Perez, Radle, Herrera, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** Gutierrez and Guajardo. **ABSENT:** None.

The main motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2007-01-11-0066

Item 13. AN ORDINANCE APPROVING CHANGE ORDER NO.1 IN THE AMOUNT OF \$34,997.56 TO THE CONSTRUCTION CONTRACT WITH SALINAS CONSTRUCTION TECHNOLOGIES, INC. FOR CONSTRUCTION OF AN OUTFALL STRUCTURE IN CONNECTION WITH THE SINCLAIR ROAD AT ROSILLO CREEK PROJECT, LOCATED IN DISTRICT 2.

Councilmember Perez moved to approve the proposed ordinance. Councilmember Gutierrez seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2007-01-11-0067

Item 22. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH DANCE THERAPY DANCE YOUR DEPRESSION AWAY, INC. IN AN AMOUNT NOT TO EXCEED \$8,000.00 FOR THERAPEUTIC DANCE CLASSES AT SENIOR CENTERS THROUGHOUT THE CITY THROUGH MARCH 2, 2007.

Councilmember Perez moved to approve the proposed ordinance. Councilmember Gutierrez seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2007-01-11-0068

Item 23. AN ORDINANCE APPROVING GUIDELINES AND PROCEDURES FOR A CAPITAL GRANTS PROGRAM FOR ARTS AND CULTURAL ORGANIZATIONS THAT HAVE ELIGIBLE DEFERRED MAINTENANCE AND CAPITAL NEEDS, AS RECOMMENDED IN THE CULTURAL COLLABORATIVE.

Councilmember Perez moved to approve the proposed ordinance. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** McNeil

The City Clerk read the following Ordinance:

2007-01-11-0069

Item 25. AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING THE 2000 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE WITH 2001 SUPPLEMENT TO SAID CODE; PROVIDING FOR LOCAL AMENDMENTS TO SAID CODE AND SUPPLEMENT; AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

Councilmember Perez moved to approve the proposed ordinance. Councilmember Radle seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None

## 28. City Manager's Report

Sheryl Sculley reported on the following items:

1. Fire Department – The Fire Department has purchased equipment that was previously approved by City Council. Five pumper trucks have been received, 5 are pending delivery, and 9 are being manufactured. The purchase of said equipment would decrease the age of the fleet from 9 ½ to 4 ½ years and the amount of maintenance required.
2. Leaf Collection – At the request of citizens, the City Council will be presented with a proposed ordinance in late January or early February calling for free leaf collection during the winter months. Also proposed would be a decrease in the fees associated with additional leaf/lawn pick-ups.
3. Crime Response Unit – Chief McManus administered 2 pilot programs. Based on the results, a redefined program would be going into effect this weekend.
4. Compensation package for City Employees – Extensive feedback has been generated from employees as a result of meetings and focus groups conducted. Market data would also be analyzed to determine a compensation package.
5. The Library System – The San Antonio Public Library was one of 3 libraries selected annually as a recipient of the 2006 National Service Award. The San Antonio Library was recognized for its innovative programs and community partnerships.

### **EXECUTIVE SESSION**

Mayor Hardberger recessed the Regular Session at 11:00 am in order to break for lunch and to convene in Executive Session for the purpose of:

- A) Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

The executive session concluded at 11:27 am and the Council had lunch at that time.

Mayor Hardberger reconvened the Regular Session from Executive Session at 5:15 pm, at which time he stated the City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

The City Clerk read the following Ordinance:

2007-01-11-0070

ADDENDUM. AN ORDINANCE AUTHORIZING A CREDIT AGREEMENT PERTAINING TO THE ISSUANCE OF OBLIGATIONS DESIGNED AS "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEM REVENUE REFUNDING BONDS, NEW SERIES 2006B"; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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

The motion prevailed by the following vote: **AYES:** McNeil, Perez, Radle, Herrera, Guajardo, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSTAIN:** Hall. **ABSENT:** Flores and Gutierrez.

### **CEREMONIAL ITEMS**

Mayor Hardberger presented the following honorariums:

- 1) A Proclamation to the MLK Commission for the Martin Luther King, Jr. Day Celebration and 20<sup>th</sup> San Antonio Anniversary March.
- 2) A Certificate of Appreciation to Mr. Al Notzon in recognition of his 40 years of service to the Alamo Area Council of Governments (AACOG).

Mayor Hardberger recessed the Regular Meeting at 5:45 pm.

Mayor Hardberger reconvened the Regular Meeting at 6:00 pm and addressed the Citizens To Be Heard portion of the meeting.

### **CITIZENS TO BE HEARD**

The following citizen(s) appeared to speak:

Ms. Jean Brady and Ms. Lucy Gale from the San Antonio Library Foundation addressed the council relating to the Award received by the San Antonio Library. A video clip narrated by First Lady Barbara Bush was presented.

Mr. Nazarite Ruben Flores Perez, 627 Hearne, addressed the council relating to a handout from the Book of Matthew.

Mr. Faris Hodge, Jr., 140 Dora, addressed the Council with regard to trash not being collected during the holidays even though citizens are being charged. Mr. Hodge also spoke on how Councilmembers have not hired Black staff members and how City departments and City boards/commissions have not been integrated. Mr. Hodge also addressed the council relating to the discrimination being undertaken by the City. Such acts include racial profiling, giving longevity pay to the Police and Fire Departments, and the illegal parking of Councilmember Flores.

Mr. Leon Thomas, 1206 Picardie, and T.H. Sargent, 1274 Holbrook, addressed the Council regarding their drainage concerns. Mr. Thomas read from a prepared statement, which is on file with the Office of the City Clerk. As stated by Mr. Thomas, debris that had collected along Leon and Salado Creeks had washed down stream resulting in water backing-up and rising above the 100-year flood plain. Mr. Thomas noted that it was the City's responsibility to clean and maintain the creekways in order to prevent flooding. Mr. Thomas requested that the City Council initiate a bi-annual maintenance program of Leon and Salado Creeks. Mayor Hardberger asked City Manager Sculley to clarify what creeks would be maintained by the City as part of the 2007 Bond Program. City Manager Sculley stated that creek maintenance was included in the City's 5-year infrastructure maintenance program.

Mr. Mark Perez, 119 Hardeman, addressed the Council relating to a permit issued by TCEQ to Mission Petroleum Carriers. Mr. Perez noted the concerns he had with the company. Such concerns included the company operating without a certificate of occupancy, the company storing fuel tanks illegally, and the City not regulating the amount of fuel being stored by the company. He provided several handouts to the City Council. Mayor Hardberger noted that the correspondence provided indicated that several agencies have already looked at the site and found no violation. Mr. Perez noted that the research he has undertaken has been on his own time because City departments have been unresponsive to his concerns.

**ADJOURNMENT**

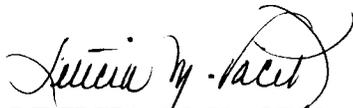
There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:34 pm.

A P P R O V E D



**PHIL HARDBERGER**  
M A Y O R

Attest:



**LETICIA M. VACEK**  
City Clerk