

**CITY COUNCIL GOVERNANCE COMMITTEE MEETING
Minutes**

**October 1, 2008
2:00 p.m.
Media Briefing Room**

Council Present:	Mayor Phil Hardberger, <i>Chair</i> Councilmember Mary Alice Cisneros, <i>District 1</i> Councilmember Delicia Herrera, <i>District 6</i> Councilmember Justin Rodriguez, <i>District 7</i> Councilmember John Clamp, <i>District 10</i>
Staff Present:	Sheryl Sculley, <i>City Manager</i> ; Sharon De La Garza, <i>Assistant City Manager</i> ; Michael Bernard, <i>City Attorney</i> ; Leticia Vacek, <i>City Clerk</i> ; Mike S. Frisbie, <i>Capital Improvements Management Director</i> ; Rod Sanchez, <i>Planning and Development Services Director</i> ; Susan Guinn, <i>Assistant City Attorney</i> ; Ted Murphree, <i>Assistant City Attorney</i> ; Ruby Perez, <i>Assistant to the Mayor</i> ; Larry Zinn, <i>Assistant to the Mayor</i> ; Jed Maebius, <i>Mayor's Office</i> ; Mandy Milam, <i>Office of the City Clerk</i>
Others Present:	Terrell McCombs, <i>Joint City/County Citizens Oversight Commission Chairman</i> ; William "Skip" Merten, <i>Applicant for appointment to the Joint City/County Citizens Oversight Commission</i> ; Margaret C. Winn, <i>Third Vice President of the San Antonio Conservation Society</i> ; Linda Vickers, <i>Scenic San Antonio Treasurer</i> ; Charles Mikolajczyk, <i>San Antonio Association on Building Engineers (SAABE) President</i> ; Tim Anderson, <i>Clear Channel</i> ; Frank Burney, <i>Martin and Drought, P.C.</i> ; Billy Chamberlin, <i>Electrical Supervisory Board Vice Chairman</i> ; Albert G. Cisneros, <i>Bexar County Electrical Association</i> ; Michael S. Copp, <i>SAABE</i> ; Ronald Dausin, <i>Citizen</i> ; Paul Davila, <i>Electrical Supervisory Board Chairman</i> ; Larry Douglass, <i>LD Lighting and Signs</i> ; Chris Fox, <i>FSG Signs</i> ; Michael D. Halnorsen, <i>SAABE Second Vice President</i> ; Nicholas Harris, <i>Comet Neon</i> ; Francisco Mateo, <i>Electrical Supervisory Board</i> ; Sammy Morris, <i>Budget Signs</i> ; Jim Rodriguez, <i>PEPP-AIA-DSD Focus Committee Chairman</i> ; Paul A. Roblfo, <i>Electrical Sign Association of San Antonio President</i> ; Tom Sandoval, <i>Bexar County Electrical Association President</i> ; Chuck Saxer, <i>North-side Neighborhoods for Organized Development (NNOD) President</i> ; Robert Steele, <i>SAABE</i> ; Teresa Z. Tuma, <i>San Antonio BOMA Executive Director</i> ; Ron Wilson, <i>CNP News</i>

CALL TO ORDER

Mayor Phil Hardberger called the meeting to order.

I. Approval of minutes from the meeting of September 3, 2008

Councilmember Herrera moved to approve the minutes September 3, 2008 as submitted. Councilmember Rodriguez seconded the motion. The motion carried unanimously by those present.

II. Items requiring individual briefing(s)

- A. Recommendation and possible action regarding an appointment to the Joint City/County Citizens Bond Oversight Commission (1 slot). Presented by Leticia M. Vacek.

Ms. Vacek noted that Mr. Joseph Mlodzianowski would not be in attendance and Mr. Dwayne E. Adams had been nominated by District 1, but staff had been unable to contact him. She stated that Mr. William "Skip" Merten was present.

Mr. Merten noted that he had lived in San Antonio for six years. He stated that he applied for the Commission because it was of interest to him and he enjoyed serving the community. Ms. Vacek added that Mr. Merten was currently a member of the San Antonio Housing Trust Board of Trustees.

Councilmember Clamp asked Mr. McCombs if he had a recommendation. Mr. McCombs responded that he did not.

Councilmember Clamp moved to forward both Mr. Merten's and Mr. Mlodzianowski's names to the full Council for consideration. Councilmember Herrera seconded the motion. Motion carried unanimously by those present.

- B. Presentation by staff regarding a request from Councilmember Rodriguez, District 7, directing staff to develop a reasonable service level agreement arrangement for responses to concerns impacting both City and State right of way issues. Presented by Mike S. Frisbie.

Mr. Frisbie stated that this request had come to Governance in April with the recommendation not to have a formal service agreement with TxDOT due to the close relationship with them. The Committee approved the recommendation with the condition that Mr. Frisbie return to Governance with a status report on the relationship. He stated that he and Mr. Majed Al-Ghafry, Public Works Director, were meeting with TxDOT management every month and things were going well. He added that TxDOT was very proactive on City projects and he was not expecting any delays.

Ms. Sculley stated that there was a new process in place that needed to be worked some more, but tremendous progress had been made. She thanked Mr. Frisbie for his diligence and noted that many older uncompleted projects were being worked through, including the Sunset project which was scheduled to be completed by the end of November 2008.

Councilmember Rodriguez stated that he would like staff to look at troubleshooting in terms of what needs to be done systematically. He added that with personnel changes, relationships will

change, so monitoring the system and implementing measures from an institutional level will be important in preventing issues in the future. He thanked Mr. Frisbie and Ms. Sculley for their work and asked that the same be relayed to Mr. Al-Ghafry.

Councilmember Clamp asked if the new Design Guidance Manual helped in terms of procedure and overall scoping. Mr. Frisbie replied that it did. He stated that the TxDOT process for federally funded projects had a life of its own, but the Manual focused 100% on city funded projects and touched on TxDOT.

No action was necessary.

III. Council Consideration Requests

- A. Consideration of a request by the Mayor and City Council authorizing the allocation of CPS Energy Community Infrastructure Economic Development (CIED) funds in the amount of \$1,200,000 for repairs at Martin Luther King Park. Presented by Robert Peche.

The project did not meet requirements for CIED funding.

Ms. De La Garza stated that there was no presentation since the project did not meet the requirements for CIED funding. She noted that under the CPS guidelines of the CIED Fund policy the project must be an economic development venture and said project was primarily public improvement.

Councilmember Cisneros entered the meeting at this time.

Councilmember Herrera asked if Councilmember McNeil had been informed. Ms. De La Garza stated that she had. It was noted that said item would have been forwarded to the Economic and Community Development Council Committee if it was eligible to receive funds. Ms. Sculley suggested forwarding the item to said committee to allow Councilmember McNeil an opportunity to discuss.

Councilmember Cisneros noted that the CIED Fund requirements were very complex and discussed issues she was having in the King William Neighborhood. Councilmember Clamp concurred and noted that Council would have the opportunity to discuss and revise the guidelines soon.

Councilmember Herrera moved to forward said item to the Economic and Community Development Council Committee. She clarified that the motion did not advocate allocation of dollars, but was to allow Councilmember McNeil an opportunity to discuss the project and to have the reasons for why the project did or did not qualify for funding on record. Councilmember Clamp seconded the motion. Motion carried unanimously.

Councilmember Rodriguez stated that he would be issuing a Council Consideration Request regarding CIED funds and Fredericksburg Road in the near future.

- B. Reconsideration of a request by Councilmember Louis E. Rowe, District 9, directing staff to consider revising the administrative provisions of Chapter 10 Electrical Code.

Staff recommends referral of this item to the Infrastructure and Growth Committee.

Councilmember Rodriguez stated that previously it had been decided by the Governance Committee to create an Ad Hoc Committee to carry out a comprehensive review of all Boards and Commissions. Because this will be a very large task for the Ad Hoc Committee and may take months, he stated that he did not think it was appropriate to forward said item to the Committee. He added that there were already some pending issues with the Electrical Supervisory Board and that Councilmember Rowe's Council Consideration Request (CCR) needed immediate attention.

Councilmember Rodriguez moved to forward said item to the Infrastructure and Growth Council Committee and then return to Governance before forwarding to the full Council. Councilmember Cisneros seconded the motion.

Mayor Hardberger noted written testimonies from Ms. June Kachtik of Scenic San Antonio, Ms. Marcie Ince of the San Antonio Conservation Society, and Mr. Charles Mikolajczyk of the San Antonio Association on Building Engineers.

Councilmember Rodriguez stated that there may have been some confusion with what the Ad Hoc Committee was set up to do. He restated that it was specifically for the comprehensive review of all Boards and Commissions and would not be focused solely on the Electrical Supervisory Board.

Councilmember Herrera noted her opposition to the motion. She stated that the issue with forwarding the item to the Infrastructure and Growth Council Committee was the exclusion of certain segments of the industry in discussion and she was concerned with how this could negatively affect the small business community. She stated that she thought the issue could be better reconciled administratively.

Councilmember Clamp noted he was supportive of whatever measure would resolve the issues in the timeliest manner. He stated that whichever committee the item is forwarded to needed to understand the urgency of the matter and the importance of inclusiveness. He added that they should return several options to the Governance Committee for review.

Councilmember Rodriguez stated that he concurred with Councilmember Herrera's statement, but he felt that the discussion could take place at the Infrastructure and Growth Council Committee. He reiterated what he felt was the charge of the Ad Hoc Committee and stated that in the spirit of what was requested in the CCR, said item should be forwarded to the Council Committee. Mayor Hardberger noted that his understanding of the Ad Hoc Committee's charge had been the same.

Councilmember Herrera stated that she remembered emphasizing that the Electrical Supervisory Board would be one of the first boards reviewed by the Ad Hoc Committee. She added that it was difficult for her to separate the charge of the Committee and Councilmember Rowe's CCR.

The motion prevailed by the following vote: Ayes: Councilmembers Cisneros, Rodriguez, and Clamp. Nays: Councilmember Herrera.

IV. Audit Subcommittee Update

Councilmember Clamp noted that two Audits had been completed. He stated that the Cash Handling Phase I Audit reviewed \$220 million in revenues and no funds were missing. He added that staff had done a wonderful job and the results of the Audit were a credit to operations. The second was the Audit of Contract Clauses. He stated that in general, the legal contracts were standardized in such a way that they protected the City in terms of risk, accountability, and recovery of costs and revenues.

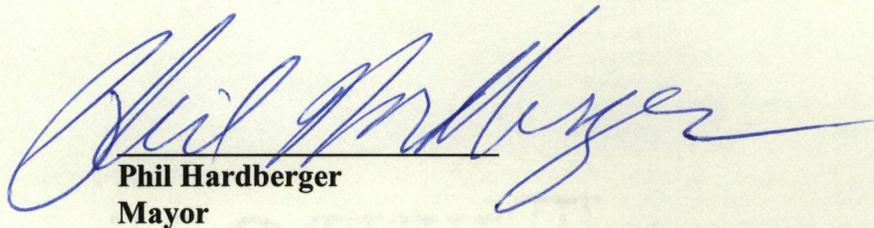
V. Consideration of items for future meetings

Item not addressed.

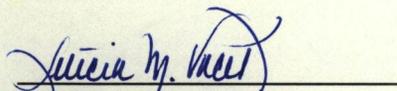
VI. Adjourn

There being no further discussion, the meeting was adjourned at 2:45 pm.

ATTEST:



Phil Hardberger
Mayor



Leticia M. Vacek
City Clerk