

A RESOLUTION **2008-01-31-0006R**

ACCEPTING THE NOMINATION BY THE CITY PUBLIC SERVICE (CPS) ENERGY BOARD OF TRUSTEES AND APPOINTING MR. DERRICK HOWARD AS A TRUSTEE OF THE CPS ENERGY BOARD OF TRUSTEES REPRESENTING THE SOUTHEAST QUADRANT FOR A TERM OF OFFICE TO COMMENCE FEBRUARY 1, 2008 AND EXPIRE ON JANUARY 31, 2013; AND APPOINTING HIM TO THE SA ENERGY ACQUISITION PUBLIC FACILITY CORPORATION FOR A TERM COMMENCING FEBRUARY 1, 2008 AND EXPIRING JANUARY 31, 2010.

* * * * *

WHEREAS, the CPS Energy System is subject to bond covenants related to the management of the System, including the requirement that nominees for vacancies on the CPS Board of Trustees be approved by a majority vote of the San Antonio City Council as evidenced by ordinance or resolution; and

WHEREAS, the bond covenant that requires approval of new CPS Energy Board members by City Council ordinance or resolution was most recently sanctioned by Ordinance No. 2007-05-17-0568 at Section 19; and

WHEREAS, pursuant to Ordinance No. 87009, dated November 20, 1997, CPS Energy Board membership is distributed by city quadrant; and

WHEREAS, on April 19, 2007, the City Council approved Resolution No. 2007R-04-19-0455, which created SA Energy Acquisition Public Facility Corporation and appointed the members of the CPS Board of Trustees to the board of the new public facility corporation; and

WHEREAS, on January 7, 2008, the CPS Board of Trustees unanimously agreed to submit the name of Mr. Derrick Howard to the City Council as a nominee for service on the CPS Energy Board of Trustees as a representative of the Southeast Quadrant for a five-year term commencing February 1, 2008; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The nomination of Mr. Derrick Howard by the CPS Energy Board of Trustees is accepted and Mr. Howard is appointed to a five-year term on the CPS Energy Board of Trustees, commencing on February 1, 2008 and expiring on January 31, 2013.

SECTION 2. Mr. Howard is also appointed to the Board of Directors of the SA Energy Acquisition Public Facility Corporation for a two-year term commencing February 1, 2008 and expiring January 31, 2010.

SECTION 3. This Resolution is effective immediately upon the receipt of eight affirmative votes.

PASSED AND APPROVED, *this 31st day of January, 2008.*



MAYOR

ATTEST:

PHIL HARDBERGER



City Clerk

APPROVED AS TO FORM:

for 

City Attorney

Agenda Item:	4						
Date:	01/31/2008						
Time:	09:34:01 AM						
Vote Type:	Motion to Approve						
Description:	A Resolution accepting the nomination by the City Public Service (CPS) Energy Board of Trustees and appointing Mr. Derrick Howard as a Trustee of the CPS Energy Board of Trustees representing the Southeast Quadrant for a term of office to commence February 1, 2008 and expire on January 31, 2013; and appointing him to the SA Energy Acquisition Public Facility Corporation for a term commencing February 1, 2008 and expiring January 31, 2010. [Leticia M. Vacek, City Clerk]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Sheila D. McNeil	District 2		x			x	
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

Exhibit A

SouthCentral Surveyors of Texas

1514 S. Presa, San Antonio, Texas, 78210

PH: 210.534.6700 Fax: 210.534.9673

FIELD NOTES FOR A 0.224 OF AN ACRE TRACT OF LAND (9,765.81 SQUARE FEET)

October 3, 2006

Being a 0.224 of an acre tract of land (9,765.81 Square Feet), out of Lot 55, New City Block 7895, Melrose Gardens Addition, as recorded in Volume 105 Page 235, Deed & Plat Records, Bexar County, Texas, and being more particularly described as follows:

COMMENCING: at a TxDOT Monument found on the westerly right-of-way line of TxDOT Interstate Highway 35 South at it's intersection with the north right-of-way line of Harlan Ave., for the southeast corner of Lot A-2, as recorded in Volume 2222 Page 325, Deed & Plat Records, Bexar County, Texas. Thence, N 27°32'25" E, a distance of 141.32 feet to a ½" iron rod set for the southeast corner of Lot 99, as shown in Volume 2222 Page 232, Deed & Plat Records, Bexar County, Texas, and being the southwest corner of said lot 55 for the **POINT OF BEGINNING** and the south corner of this tract;

THENCE: N 00°30'23" E, with the east line of the plat recorded in said Volume 2222 Page 232, passing at a distance of 132.79 feet the approximate centerline of an underground 10' X 7' drainage easement, continuing a distance of 63.69 feet to a ½" iron rod found for the northeast corner of Lot 96 of said plat and being the southeast corner Lot 54, being that certain tract of land conveyed unto Daniel D. Chavez in Volume 4522 Page 1056, Real Property Records, Bexar County, Texas. Thence, continuing for an overall distance of 227.13 feet to a ½" iron rod set on the east line of said Lot 54, being the southwest corner of a 0.439 of an acre tract of land recorded in Volume 11133, Page 901, Deed Records Bexar County, Texas, for the northwest corner of this tract;

THENCE: S 64°34'54" E, a distance of 94.81 feet to a ½" iron rod set on the westerly line of said Interstate Highway 35, and being the southeast corner of the said 0.439 of an acre tract, for the east corner of this tract. Said ½" iron rod being S 25°10'46" W, a distance of 269.50 feet from a TxDOT Monument found on the said westerly line of Interstate Highway 35 at it's intersection with the north right-of-way line of Stonewall Ave.;

THENCE: S 25°10'46" W, along the westerly right-of-way line of said Interstate Highway 35, passing at a distance of 39.53 feet the approximate centerline of said underground 10' X 7' drainage easement, and continuing for an overall a distance of 206.00 feet to the **POINT OF BEGINNING** and containing 0.224 of an acre of land, more or less, according to a survey made on the ground.

SouthCentral Surveyors of Texas



Peter A. Aguirre, R.P.L.S.

Registration No. 5464

Job # 6-0129-002

A drawing exhibit is also prepared.

Revised: October 10, 2006



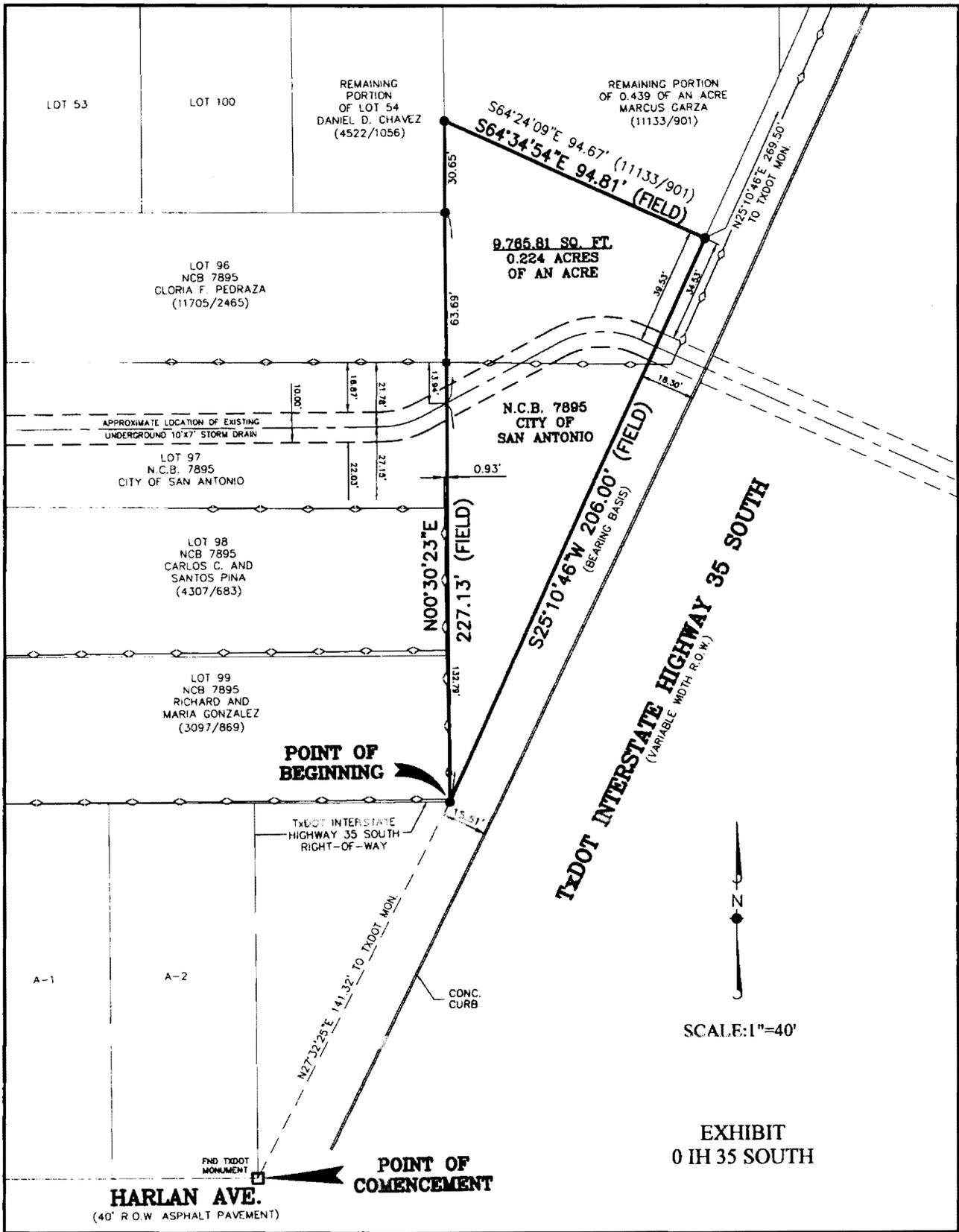


Exhibit B

SouthCentral Surveyors of Texas

1514 S. Presa, San Antonio, Texas, 78210

PH: 210.534.6700 Fax: 210.534.9673

FIELD NOTES FOR A 0.280 OF AN ACRE TRACT OF LAND (12,215.82 SQUARE FEET)

October 3, 2006

Being a 0.280 of an acre tract of land, (12,215.82 Square Feet) out of the Texas Department of Transportation Highway Right of Way, I. H. 10 West, and being more particularly described as follows:

BEGINNING: at a Texas Department of Transportation Monument, on the south Right of Way of El Monte Blvd., being the northwest corner of Lot 6, Block 6, New City Block 10378, Green Lawn Terrace, recorded in Volume 3850, Page 86, Deed and Plat Records of Bexar County Texas, for the Northeast corner of this tract;

THENCE: S 00°01'53" E, a distance of 110.00 feet, to a Texas Department of Transportation Monument, being the southwest corner of said Lot 6, for the Southeast corner of this tract;

THENCE: N 90°00'00" W, along the north Right of Way of I.H. 10 West, a distance of 81.00 feet to a ½" iron rod set, for an angle point of this tract;

THENCE: N 64°33'58" W, along the north Right of Way of said I.H. 10 West, passing at a distance of 22.45 feet a 15 foot drainage and access easement, and continuing for an overall a distance of 39.00 feet to a ½" iron rod set, for the Southwest corner of this tract;

THENCE: N 00°25'40" E, along an existing concrete drain, a distance of 55.00 feet to a ½" iron rod set, for an angle point of this tract;

THENCE: N 09°58'01" E, along said existing concrete drain, a distance of 20.00 feet to a ½" iron rod set, for an angle point of this tract;

THENCE: N 39°34'04" E, along said existing concrete drain, a distance of 24.00 feet to a ½" iron rod set, for the Northwest corner of this tract;

THENCE: N 89°58'07" E, along the south Right of Way of said El Monte Blvd., passing at a distance of 15 feet the said 15 foot drainage and access easement, and continuing for an overall a distance of 97.00 feet to the **POINT OF BEGINNING** and containing 0.280 of an acre of land, more or less, according to a survey made on the ground.

SouthCentral Surveyors of Texas



Peter A. Aguirre, R.P.L.S.

Registration No. 5464

Job # 6-0129-003

A drawing exhibit is also prepared.

Revised: October 10, 2006



EL MONTE BLVD.
(50' R.O.W. ASPHALT PAVEMENT)

CONC. CURB

CONC. WALK

HEADWALL

EXISTING
CONCRETE
DRAIN

N89°58'07"E 97.00'

15.00'

S00°01'53"E
5.40'

POINT OF
BEGINNING

15.19'

TEXDOT
MON.

N09°58'01"E
20.00'

N39°34'04"E
24.00'

S39°34'04"W
25.44'

S09°58'01"W
14.79'

15.00'

15' DRAINAGE AND
ACCESS EASEMENT

**0.280 OF AN ACRE
(12,215.82 SQ. FT.)
PARCEL NO. 114
BLK 6, N.C.B. 10378**

LOT 6
BLK 6
N.C.B.
10378

S00°01'53"E 110.00'

HEADWALL

EDGE OF
CONCRETE
DRAIN

N00°25'40"E 55.00'

S00°25'40"W 60.75'

5.65'

N64°33'58"W 39.00'

22.45'

6.09'

N90°00'00"W 81.00'

1.13'

SS MH

TEXDOT
MON.

TXDOT R.O.W

IH 10 WEST
VARIABLE WIDTH R.O.W. ASPHALT PAVEMENT

CONC. WALK

CONC. CURB



SCALE: 1"=20'

**EXHIBIT
PARCEL 114**