

**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, OCTOBER 10, 2007 AND THURSDAY, OCTOBER 11, 2007.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, October 10, 2007, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Cortez, Galvan, Herrera, Cibrian, Wolff, Clamp, and Mayor Hardberger. **ABSENT:** Gutierrez and Rodriguez.

2. DISCUSSION ON POLICE POLICIES AND PROCEDURES

Item 2 was presented by Police Chief William McManus and he provided an overview of Police Policies and Procedures noting that of 710,198 calls for service, only 49 were categorized as "Use of Force" complaints. He highlighted recent improvements to the Police Department within the last 18 months which included changing the composition of the Citizens Advisory Action Board, re-instituting a training review board, expanding the training regimen, amending certain search and seizure policies, quarterly audits and statistical reviews of racial profiling data. Additionally, the Chief noted that an overnight command presence had been added, as well as an enhanced crime scene investigation process, a Domestic Violence arrest policy, and improvements to the 911 system.

Chief McManus reported that the recommended improvements included the seeking of accreditation from the Commission on Accreditation of Law Enforcement Agencies (CALEA) and reviewing the Department's low frequency-high risk policies (proposing assistance from Police Executive Research Forum (PERF) to review policies and procedures). He stated that PERF was a national membership organization of progressive police executives from law enforcement agencies dedicated to improving policing through research and organizational studies. Chief McManus outlined the proposed research plan in which PERF would review Police Department policies, provide comparisons to other cities, and ensure that SAPD procedures were in-line with national best practices in various areas including Use of Force. He noted that the anticipated review completion date was February 1, 2008 and that meetings would be held with community stakeholders before, during and after the research process.

The Mayor and City Council thanked Chief McManus for his efforts and encouraged community input throughout the PERF process. Councilmember Herrera asked staff to provide the Council with a comparison of Use of Force complaints among other major Texas cities. Councilmember Clamp asked the Chief to provide any milestones accomplished prior to February 2008.

1. OVERVIEW OF THE SAN ANTONIO ECONOMIC OUTLOOK

Item 1 was presented by Economic Development Director Robert Peche who gave an Economic Overview of the San Antonio Economy. He stated that the overall economic outlook for San Antonio was good. Mr. Steve Niven highlighted the growth in U.S. Corporate Profits and the slight decrease in U.S. Nonfarm Employment Growth. He added that in comparison to the overall State's Unemployment Rate of 4.2%, San Antonio had an Unemployment Rate of only 3.8%. He provided a comparison of

Real Gross Regional Product from 2001-2007 among Austin, Houston, San Antonio, and Dallas/Fort Worth. San Antonio has continued to grow throughout this timeframe. Mr. Niven concluded the presentation by providing a comparison of Median Home Prices versus Months in Inventory among the four Texas cities. He added that the San Antonio Economy continues to grow despite current trends in the housing market.

Councilmember Clamp requested that staff provide a one-page overall outlook to the City Council to assist with policy decisions. Mayor Hardberger added that he would like for the Economic Development Department to get more involved in foreign visits to maximize visitors' time in San Antonio.

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:23 pm.

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

The Invocation was delivered by Rev. Chuck Collins, Rector, Christ Episcopal Church, Guest of Councilmember Mary Alice Cisneros, District 1.

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

Deputy City Clerk Leticia Saenz took the Roll Call and noted a quorum of the Council with the following present: Cisneros, McNeil, Cortez, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger.

MINUTES

Councilmember Herrera made a motion to approve the Minutes for the September 13, 2007 City Council Meeting. Councilmember Gutierrez seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Cortez.

ITEMS FOR INDIVIDUAL CONSIDERATION

Item 4. BRIEFING BY THE SAN ANTONIO RIVER AUTHORITY ON THE MUSEUM REACH URBAN SEGMENT OF THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT.

Ms. Suzanne Scott of the San Antonio River Authority provided a status report on the San Antonio River Improvements Project. She stated that the Museum Reach Project was on schedule and within budget. She noted that Phase I consisted of Lexington Street to Jones Street and should be completed in October 2008; Phase II from Jones Street to Camden Street with an estimated completion of May 2009; and Phase III from Camden Street to Josephine Street, also with an estimated completion of May 2009. Lastly, she noted that as of August 31, 2007, Zachry had completed 13% of the project.

Mr. Louis E. Rowe, Chairman of the San Antonio River Authority stated that the Army Corps of Engineers, The City of San Antonio, Bexar County, San Antonio Water Systems (SAWS), and the San Antonio River Authority worked together to ensure a successful project.

Mr. Jack M. Finger stated that the citizens of San Antonio had voted against the river project several years ago. He added that the citizens had not wanted their tax dollars going to the San Antonio River Improvements Project which included the Museum Outreach Segment. Mr. Finger stated that the money should go toward hiring more police officers or possibly a substantial tax cut.

Ms. Leticia Saenz, Deputy City Clerk, read two written testimonies from Mr. Faris Hodge Jr. for Items 4 and 6. He stated that SAWS and Bexar Met should consolidate to save money. He expressed his concern about paying his escalating water bill. The second written testimony from Mr. Faris Hodge Jr. expressed his concern with the current process on euthanizing animals. He spoke against releasing spayed and neutered cats into neighborhoods.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

CONSENT AGENDA: Items 5-24D

Consent Agenda Items 7, 11, 15 and 22 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

2007-10-11-1075

Item 5. 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 2007-2008 FOR A COMBINED ESTIMATED COST OF \$1,148,080.00, INCLUDING: (A) VIOLATION NOTICE FORMS; (B) CONTROLLED LOW STRENGTH CONCRETE MATERIAL & QUICK SET MIX; (C) SAND PRODUCTS; AND (D) TECHNICAL STAFFING SERVICES.

2007-10-11-1076

Item 6. AN ORDINANCE ACCEPTING THE BID FROM SHOR-LINE TO PROVIDE THE ANIMAL CARE SERVICES DEPARTMENT WITH ANIMAL CAGES AND VETERINARIAN EQUIPMENT FOR A COST OF \$120,330.00, FUNDED BY THE 2003-2007 GENERAL OBLIGATION PUBLIC HEALTH AND SAFETY IMPROVEMENT BOND.

2007-10-11-1078

Item 8. AN ORDINANCE APPROVING A TOTAL PROJECT AMOUNT OF \$176,000.00, TO INCLUDE AWARDDING A \$149,228.00 CONSTRUCTION CONTRACT WITH MOONLIT INVESTMENTS LLC D/B/A NOR LITE CONSTRUCTION, FOR THE CONSTRUCTION IN CONNECTION WITH THE SKYLINE PARK IMPROVEMENTS PROJECT, AN AUTHORIZED

PROJECT FUNDED THROUGH NAMP FUNDS AND HUD 108 LOAN PROGRAM IN DISTRICT 2; AND APPROPRIATING FUNDS.

2007-10-11-1079

Item 9. AN ORDINANCE APPROVING \$48,500.00 FOR IN-HOUSE CONSTRUCTION BY PARKS AND RECREATION STAFF OF A TRAIL EXTENSION, SIGNAGE, AND PARK AMENITIES AS PART OF THE LEE'S CREEK PARK IMPROVEMENTS PROJECT IN DISTRICT 7.

2007-10-11-1080

Item 10. AN ORDINANCE APPROVING AN AMENDMENT TO THE FUNDING AGREEMENT WITH THE SAN ANTONIO BOTANICAL CENTER SOCIETY IN DISTRICT 9, INCREASING FUNDING UP TO AN ADDITIONAL \$850,000.00, EXPANDING THE SCOPE OF WORK TO INCLUDE ACQUISITION AND DEVELOPMENT OF ADDITIONAL PROPERTY ADJACENT TO THE CENTER, AND RENOVATION OF THE EXISTING CONSERVATORIES AND KITCHEN FACILITIES, A PARK BOND FUNDED APPROVED PROJECT.

2007-10-11-1082

Item 12. AN ORDINANCE APPROVING A \$40,522.00 AMENDMENT TO A PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CADY & ASSOCIATES FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE GUILBEAU DRAINAGE AT FRENCH CREEK-PHASE II PROJECT, LOCATED IN DISTRICT 7, AND APPROPRIATING FUNDS.

2007-10-11-1083

Item 13. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL GRANT FUNDS IN THE AMOUNT OF \$60,000.00 AWARDED BY THE TEXAS STATE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FROM ADDITIONAL AVAILABLE FUNDS FROM THE 2005 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT TO PREVENT, RESPOND TO, AND RECOVER FROM ACTS OF TERRORISM AND NATURAL DISASTERS.

2007-10-11-1084

Item 14. AN ORDINANCE AUTHORIZING THE APPROVAL OF A CONTRACT RENEWAL FOR \$150,000.00 FOR THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO DENTAL SCHOOL TO PROVIDE COMPREHENSIVE DENTAL CARE SERVICES TO CHILDREN AT THE RICARDO SALINAS PUBLIC HEALTH CLINIC FOR THE PERIOD OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008.

2007-10-11-1086

Item 16. AN ORDINANCE APPROVING AN AMENDMENT TO THE AIRPORT FINANCIAL CONSULTANT SERVICES CONTRACT WITH UNISON-MAXIMUS, INC. IN THE AMOUNT OF \$80,000.00 FOR A REVISED CONTRACT VALUE OF \$450,088.00 TO SECURE CONTINUING SERVICES AND EXTEND THE TERM UNTIL ALL SERVICES ARE COMPLETED AND ACCEPTED OR UNTIL ALL FUNDS ARE EXHAUSTED.

2007-10-11-1087

Item 17. AN ORDINANCE AUTHORIZING ARTISTIC PERFORMANCE CONTRACTS FOR THE CARVER COMMUNITY CULTURAL CENTER'S 2007-2008 SEASON OF EVENTS, THE NEGOTIATION AND EXECUTION OF AGREEMENTS WITH COMPARABLE CONTRACTORS IN THE EVENT OF NON-PERFORMANCE BY AN INTENDED CONTRACTOR, AND PROFESSIONAL SERVICES AGREEMENTS FOR RELATED TECHNICAL SERVICES AND THEATRE RENTALS; AUTHORIZING THE TRANSFER OF REVENUE FUNDS FROM THE COMMUNITY AND VISITOR'S FACILITIES FUND AND THE CARVER COMMUNITY CENTER TRUST FUND TO THE CARVER ORGANIZATIONAL SUPPORT PROJECT, AND AUTHORIZING THE ACCEPTANCE OF \$57,000.00 FROM THE CARVER DEVELOPMENT BOARD IN SUPPORT OF THE ARTISTIC PERFORMANCE FEES, IN THE AGGREGATE AMOUNT OF \$286,639.00; AUTHORIZING LICENSE AGREEMENTS FOR USE OF THE CARVER COMMUNITY CULTURAL CENTER (CARVER); APPROVING REVISED CARVER FACILITY USE POLICIES; AND ADOPTING A BUDGET.

2007-10-11-1088

Item 18A. RATIFYING AN AMENDMENT TO PROVIDE FOR THE PROCESSING OF CREDIT CARD TRANSACTIONS SOLELY AT THE AIRPORT PARKING SITE LOCATION BY UTILIZING AN APPROVED SUBCONTRACTOR AND ESTABLISHING PROCESSING FEES.

PULLED FROM AGENDA

Item 18B. APPROVING AN AMENDMENT TO EXTEND THE CURRENT MERCHANT BANKING SERVICES PROGRAM UNDER THE SAME TERMS AND CONDITIONS AND PRICING SCHEDULES TO MUNICIPAL GOLF ASSOCIATION-SAN ANTONIO UPON TRANSFER OF OPERATION AND MANAGEMENT OF GOLF COURSES TO MGA-SA.

2007-10-11-1089

Item 19. AN ORDINANCE APPROVING A FEE SCHEDULE FOR RENTAL OF THE SAN ANTONIO FIRE DEPARTMENT'S TRAINING ACADEMY TO OUTSIDE AGENCIES.

2007-10-11-1090

Item 20. AN ORDINANCE APPROVING A CONTRACT AMENDMENT TO THE INTERLOCAL SERVICES AND PLANNING AGREEMENT WITH UNIVERSITY HEALTH SYSTEM FOR LABORATORY SERVICES TO BE PROVIDED TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AT A COST OF UP TO \$173,000.00 BEGINNING OCTOBER 1, 2007.

2007-10-11-1091

Item 21. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH SAP PUBLIC SERVICES, INC (SAP), A SOLE SOURCE, TO PROVIDE THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT (ITSD) AN SAP UPGRADE ASSESSMENT, FOR AN ESTIMATED COST OF \$55,040.

2007-10-11-1093

Item 23. AN ORDINANCE SELECTING KIMBERLY-HORN AND ASSOCIATES, INC. FOR NEGOTIATION AND EXECUTION FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$336,000.00 FOR PROFESSIONAL

ENGINEERING SERVICES IN CONNECTION WITH FISCAL YEAR 2004 INTELLIGENT TRANSPORTATION SYSTEM DEPLOYMENT PROGRAM, LOCATED CITY WIDE AND APPROPRIATING FUNDS.

Item 24. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE NOMINEES, FOR TERMS TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

- A. REAPPOINTING JOHN BELLETT (DISTRICT 9) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE OCTOBER 10, 2009.
- B. REAPPOINTING SUSAN WRIGHT (DISTRICT 9) TO THE ZONING COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JUNE 30, 2008.
- C. REAPPOINTING JULIA DIANA (DISTRICT 8) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.
- D. REAPPOINTING VICTORIA VENEGAS AND APPOINTING ANDREA MICHELE DE LA GARZA (DISTRICT 1) TO THE SAN ANTONIO YOUTH COMMISSION FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2009.

[CONSENT ITEMS CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized participants in the City Year Program who worked hard to improve San Antonio and the lives of San Antonio citizens. The Mayor noted that City Year participants had been part of his team for the Graffiti Wipeout Challenge.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The Deputy City Clerk read the following Ordinance:

2007-10-11-1077

Item 7. AN ORDINANCE AUTHORIZING EXECUTION AND DELIVERY OF A CONTRACT WITH MID-LOOP, INC., UNDER WHICH THE CITY IS TO ACQUIRE THE MISSION DRIVE-IN PROPERTY, 3100 ROOSEVELT AVENUE, DISTRICT 3, FOR APPROXIMATELY \$3,200,830.

Mr. Jack M. Finger spoke in opposition of the City purchasing the last Drive-In Theater in San Antonio. He stated that the City was going to pay \$3.3 million for the property when the Bexar County Appraisal District had only appraised the property at \$800,000.00. Mr. Finger stated that he understood the City would purchase the property and give it away to the National Park Service or the Hispanic Association of Colleges and Universities (HACU). He stated that the National Park Service and HACU should pay for the property themselves or reimburse the City of San Antonio. Mr. Finger spoke on Item 17 regarding whether or not 50% of patron attendance at the Carver Center came from outside of District 2.

Mr. Manuel Ruiz Landez thanked City Manager Sculley and Police Chief McManus for the external improvements that have been made to the City. Mr. Ruiz asked the Council to consider making the Mission Drive-In a memorial for all the servicemen in the area. He stated that the location was adjacent to Mission San Jose and could be preserved as a park with a memorial plaza to honor the veterans in San Antonio.

Councilmember Gutierrez moved to adopt the proposed Ordinance. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The Deputy City Clerk read the following Ordinance:

2007-10-11-1081

Item 11. AN ORDINANCE APPROVING SAWS CHANGE ORDER NO. 6 – [FINAL] DECREASING \$37,271.94 TO A \$1,432,458.37 CONTRACT WITH R.L. JONES, L.P., ADJUSTING FOR THE ACTUAL MATERIAL USED IN CONNECTION WITH THE ELSON (34TH ST. TO SAN JOAQUIN) & INEZ (34TH ST. TO SAN JOAQUIN) PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH THE HUD 108 LOAN PROGRAM IN DISTRICT 5; AND APPROPRIATING FUNDS.

Councilmember Galvan stated that she was excited about a cost savings and asked where the monies would go. Mr. Frisbie, Director of Capital Improvements, stated that this portion belonged to SAWS and the monies would be returned to SAWS.

Councilmember Herrera moved to adopt the proposed Ordinance. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Gutierrez and Cortez.

The Deputy City Clerk read the following Ordinance:

2007-10-11-1085

Item 15. AN ORDINANCE APPROVING AN AGREEMENT FROM WELLMED CHARITABLE FOUNDATION FOR THE DONATION OF \$350,000.00 TO THE CITY OF SAN ANTONIO FOR THE PURCHASE OF INFLUENZA VACCINE TO BE ADMINISTERED DURING THE 2007-2008 INFLUENZA IMMUNIZATION SEASON.

Councilmember Herrera recognized the Wellmed Charitable Foundation for their generous donation.

The Chief Medical Officer for Wellmed Charitable Foundation presented a check in the amount of \$350,000.00 to Mayor Hardberger.

Councilmember Herrera moved to adopt the proposed Ordinance. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, and Clamp. **NAY:** None. **ABSENT:** Gutierrez and Mayor Hardberger.

The Deputy City Clerk read the following Ordinance:

2007-10-11-1092

Item 22. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH PACE BUTLER CORPORATION TO IDENTIFY AND RETURN FUNCTIONING DONATED MOBILE TELEPHONES AND TO PURCHASE NON-FUNCTIONING PHONES FOR THE SAN ANTONIO POLICE DEPARTMENT'S VICTIMS ADVOCACY OFFICE, WITH FUNDS BEING DEPOSITED INTO THE VICTIMS ADVOCACY TRUST FUND, FOR THE CONTRACT TERM OCTOBER 1, 2007 TO SEPTEMBER 30, 2009.

Councilmember Galvan encouraged citizens to donate used cell phones for this worthy project. Councilmember Galvan moved to adopt the proposed Ordinance. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, and Clamp. **NAY:** None. **ABSENT:** Gutierrez and Mayor Hardberger.

CITY MANAGER'S REPORT

Ms. Sculley stated that the Municipal Golf Association of San Antonio had assumed management of Cedar Creek Golf Course in District 8, effective October 1, 2007. The Municipal Golf Association is a private non-profit that includes community representatives to help improve Municipal Golf Courses within the community. She noted that Brackenridge Golf Course was scheduled for major reconstruction beginning January 2008 with an estimated completion of fall 2008.

Ms. Sculley presented the results of the City-Wide Employee Survey and distributed copies to the Mayor and Council. She stated that an Employee Survey had been conducted with all 12,000 City Employees. The survey solicited recommendations for improved communication tools between employees and their supervisors. Ms. Sculley reported that 21% of City employees participated and the information collected would be used to develop an improved communication plan. She noted that the future goal was to survey City Employees every two years to benchmark and identify areas for improvement.

Councilmember Cisneros asked the City Manager to review the option of having City employees park at the Alamodome and then shuttling them to their downtown offices.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Meeting at 11:21 am to convene in Executive Session for the purposes of:

- A. Discuss legal issues related to City parade and processions ordinances pursuant to Texas Government Code Sections 551.071 (consultation with attorney).
- B. Discuss legal issues related to towing services contract pursuant to Texas Government Code Section 551.071 (consultation with attorney). **ITEM PULLED BY CITY ATTORNEY**
- C. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney). **ITEM PULLED BY CITY ATTORNEY**

Mayor Hardberger reconvened the Regular Meeting at 5:36 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

CEREMONIAL ITEMS

Mayor Hardberger presented a Proclamation to the Cancer Center Council, in conjunction with local businesses that will sponsor the 8th Annual "Partners Shopping Card." The discount card would be valid October 26 – November 4, 2007. Shoppers would receive up to 20% off most purchases at restaurants, gift boutiques, fine clothing stores, national retailers and other businesses in the San Antonio area. All of the proceeds from card sales would go directly to the CTRC, a non-profit corporation whose mission is to conquer cancer through research, prevention, and treatment.

Mayor Hardberger presented an Official Congratulations to the Battered Women and Children's Shelter in celebration of 30 years of providing safety and hope to nearly 220,000 women, children and men. The Shelter is a program dedicated to breaking the cycle of family violence and strengthening families. The Shelter provides the necessary tools for self-sufficiency through delivery of emergency shelter, transitional housing, education, effective parenting and early intervention with children and youth.

CITIZENS TO BE HEARD

Bishop Rodney Armstrong spoke in opposition to the policies and procedures in place for the San Antonio Police Department (SAPD). He stated that officers undergo training at the San Antonio Police Academy to learn how to deal with the community and how to handle people with disabilities according to the Americans with Disabilities Act (ADA). He stated that when officers do not follow the rules governed by TCLEOSE, the officer violates Federal Law and should be held accountable.

Mr. Mark Perez addressed the Council stating that businesses in San Antonio were operating without permits. He stated that some businesses handled hazardous chemicals and were a hazard to the community. Mr. Perez stated that he was in contact with Environmental Protection Agency (EPA) to force those businesses to obtain permits.

Ms. Angie Garcia, Chief of Staff for Rosa Rosales of LULAC, spoke in opposition to the proposed review of the SAPD. She stated that the current polices in place should be reviewed by the community and that they should be allowed to provide input.

Mr. Jaime Martinez spoke in opposition to an outside review of the SAPD. He stated that the City should not allow an organization from outside of San Antonio to review San Antonio policies. Mr. Martinez added that the community should have input and be able to participate in reviewing SAPD's policies and procedures. He stated that the City of San Antonio should have an independent Citizens Review Board to oversee SAPD policies and procedures.

Mr. Nick Pena addressed the Council in support of Mr. James Myart, a Civil Rights Attorney who had been arrested at the previous City Council B Session. Mr. Pena spoke against the arrest and the fact that Mr. Myart had been placed in solitary confinement.

Ms. Dee Villarruba spoke in support of the Martin Luther King March and the First Amendment Coalition of which she is a member. She stated that she was a First Amendment Activist and was proud to be a member. Ms. Villarruba stated that the Citizens Advisory Board had four Board Members, all of which were Police Officers, which she did not feel was appropriate.

Mr. Nazirite Ruben Flores Perez stated that the 2.21% COLA increase to City Employees would allow him to go fishing. He stated that the City of San Antonio was like a bullfrog and the State of Texas was keeping an eye on the bullfrog.

Mr. Leon Hernandez, former Bexar County Probation Officer and First Lieutenant in the Military, spoke of discrimination and the obstacles minorities had overcome throughout the years. He stated that the SAPD had some problems that needed to be addressed. Mr. Hernandez stated that overall, the Police Department overall had done a good job; however, there were some bad apples that needed to be removed.

Mr. Faris Hodge Jr. addressed the Council stating that Mr. James Myart should not have been removed from the podium at the previous City Council B Session. Mr. Hodge stated that he was going to speak to Bexar County Commissioners and the Justice Department to file a complaint on behalf of Mr. Myart. Lastly, Mr. Hodge sang "I Got a Feeling".

Mr. Luis Cintron addressed the Council in reference to the San Antonio Housing Authority (SAHA) and their buyback program. He stated that his house was eight years old and had major structural problems estimated to cost \$77,000.00 to repair. Mr. Cintron stated that the task force was not effective and that his wife was ill due to problems with their home.

Pastor Jennifer Armstrong stated that she supported Police Chief Bill McManus. She stated that he was the most visible Police Chief the City had ever had. She noted that he showed up at most violent crime scenes and was doing a good job. She added that she visited the SAPD website and that everything had been updated except for the Excessive Force Report and the Racial Profiling Report; neither had been updated since 2003. Pastor Armstrong cited statistics from the 2003 Excessive Force Report and stated that the numbers on the report only represented those who were brave enough to make a complaint.

Mr. Randy Zaragoza, a representative of the Mirasol Task Force, stated that construction was at a stand still because the Architect had resigned. He stated that he suspected the resignation had happened because there was not a solution to the widespread KB Homes issues. He added that he had received a report from SAHA which stated that his home was clear from mold remediation; however, the form was not signed. Mr. Zaragoza reported that over 300 families had been affected by the KB Home fiasco.

Ms. Catrina Jacobo addressed the Council regarding issues with her KB Home. Ms. Jacobo stated that the task force was not effective and was not helping the residents, nor offering suggestions to resolve their issues. She noted that SAHA should buy back the KB Homes at a fair market price.

Ms. Estefana Adame Battle, a representative of the Mirasol Task Force, reported that the Task Force was not a waste of time. She stated that the Task Force was created to help the community and provide a safe healthy environment for families. She noted that she had attended many Council Meetings and would continue asking for help until KB Homes was held accountable for the Mirasol Homes. She pleaded that the Council not authorize building permits for KB Homes until the Mirasol Homes issues were corrected.

Mr. Ed O'Campo addressed the Council and made note of his medical issues related to his Mirasol home. He stated that his home was condemned and was sinking because the home was built on a landfill. Mr. O' Campo added that mold was growing in and around his home and asked KB Homes to be held accountable.

Mr. Teddy Stewart addressed the Council regarding the audit of SAPD procedures. He stated that the study would not clear the political air because those that did not agree with current policies and procedures would not be satisfied with any outcome. Mr. Stewart stated the he welcomed any test of the department's character and integrity. He noted that every Police Officer had gone through testing, training, and screening to work for the SAPD. Mr. Stewart stated that if approved, the study should include and identify which shifts and types of calls are most dangerous. Lastly, he stated that officers needed to be trained on how not to be killed in the line of duty.

Ms. Julie Iris Oldham addressed the Council stating that she was honored to follow the "Union Boss". She stated that she had a case number alleging she had a gun and was going to harm the Mayor. Ms. Oldham stated that she would never harm anyone and would protest to the ACLU and the media.

Ms. Petra Maldonado addressed the Council and stated that she was upset about her Mirasol home. She expressed that the City had the power to resolve the housing issues relating to KB homes. She asked SAHA to be held accountable to the Mirasol Homeowners.

Ms. Mary Ann Rojas stated that SAHA would begin the process of foreclosing on her Mirasol Home the following day. She stated that she was unable to get copies of her lease or other documents relating to her Mirasol Home. Ms. Rojas stated that she was not employed at the time and needed assistance with her mortgage and utilities.

ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 7:47 pm.

A P P R O V E D



**PHIL HARDBERGER
MAYOR**

Attest:



**LETICIA Y. SAENZ
Deputy City Clerk**