

City Council Governance Committee Meeting Minutes

A meeting of the City Council Governance Committee was held on Wednesday, October 12, 2005 at 2:00 pm in the Media Briefing Room with the following present:

Council Present: Mayor Phil Hardberger
Councilmember Richard Perez, District 4
Councilmember Delicia Herrera, District 6
Councilmember Art Hall, District 8
Councilmember Kevin Wolff, District 9

Staff Present: Frances Gonzalez, Assistant City Manager; Roland Lozano, Assistant City Manager; Melissa Byrne Vossmer, Assistant City Manager; Jelyne LeBlanc Burley, Assistant City Manager; Leticia M. Vacek, City Clerk; Pat Major, City Auditor; Erik Walsh, Assistant to the City Manager; Dennis Campa, Community Initiatives Director; Milo Nitschke, Finance Director; Tom Wendorf, Public Works Director; Ramiro Cavazos, Economic Development Director; Trey Jacobson, Assistant to the Mayor; Larry Zinn, Assistant to the Mayor; Helen Valkavich, Assistant City Attorney; John Danner, Assistant City Attorney; Becky Bromley, City Attorney's Office; Katherine Ramos, City Attorney's Office; Leticia M. Callanen, City Manager Office; Lisa Todd, Finance; Jay Blackwell, Finance; Elizabeth Drouillard, Finance; Mark Swann, Assistant City Auditor; Denis Cano, Assistant City Auditor; Evan Bryant, Assistant City Auditor; Mark Bigler, Assistant City Auditor; Barbara Redding, Assistant City Auditor; Jean Chen, Assistant City Auditor;

Other's Present: Arthur Downey, Chair Ethics Review Board; Greg Jefferson, Express News

CALL TO ORDER

Councilmember Hall called the meeting to order.

I. Approval of minutes from the September 14, 2005 meeting.

Councilmember Herrera moved to approve the minutes of September 14, 2005. Councilmember Perez seconded the motion. Motion carried unanimously by those present.

II. Agenda Planning Related Items

- A. Discussion and consideration of a request to direct staff to bring forward for City Council consideration, a public hearing and ordinance for the**

consideration of naming the Medical Center Area Senior Multi-Service Health and Resource Center as the "Bob Ross Senior Multi-Service Health and Resource Center", as requested by Council Member Art A. Hall, District 8. [Presented by Dennis J. Campa, Director, Community Initiatives; Francis A. Gonzalez, Assistant City Manager]

Councilmember Hall asked for Council Concurrence in directing staff to provide for an exemption to Chapter 2, Article VI, Division 1 and 2, Section 2-215 through 2-225, for the purposes of naming the Medical Center Area Senior Multi-Service facility and to provide for the public hearing and ordinance consideration be posted on the same Council Agenda.

After a brief discussion, Councilmember Perez moved to forward said item to City Council A Session. Councilmember Herrera seconded the motion. Motion carried unanimously by those present.

B. Discussion and consideration of a request to direct staff to bring forward for City Council consideration a proposed underground conversion project at the intersection of Blanco Road and 1604 and along Blanco Road to the Camp Bullis property line, as requested by Council Member Kevin A. Wolff, District 9. [Presented by Tom Wendorf, P.E., Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

After a brief discussion, Councilmember Perez moved to forward said item to City Council A Session. Councilmember Herrera seconded the motion. Motion carried unanimously by those present.

C. Discussion and consideration of a request to direct staff to bring forward for City Council consideration an ordinance reimbursing GKDA in the amount of \$485,598 from the Community Infrastructure and Economic Development fund (CIED) for their part in providing funds to CPS Energy for the installation of the underground utilities related to the underground conversion project that was completed in July 2005 by CPS Energy for the installation of underground electrical supply lines on KellyUSA in support of the new Office Flex/Warehouse complex, as requested by Council Member Richard Perez, District 4. [Presented by Tom Wendorf, P.E., Director; Melissa Byrne Vossmer, Assistant City Manager]

After a brief discussion, Councilmember Perez moved to forward said item to City Council A Session. Councilmember Herrera seconded the motion. Motion carried unanimously by those present.

D. Staff briefing regarding bond project balances from pre-2000 Certificates of Obligations, as requested by Council Member Delicia Herrera, District 6. [Presented by Milo Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

Mr. Nitschke presented a Power Point entitled, Capital Projects Fund Balance Report.

Councilmember Herrera stated her three concerns. First, what is the City Council role. Secondly, what is the process of re-allocations of funds. Third, what are the costs associated with accruing balances. Councilmember Herrera stated we needed to be fiscally responsible.

Mr. Nitschke reported the City Council has the opportunity to allocate/re-allocate monies within certain guidelines. He further noted the fund balances are included in the Capital Budget book.

Mr. Walsh reported that the Capital Budget shows a plan and not the balances. The last update given to City Council was in September, 2004. He further stated Mr. Nitschke will not have another update until December, 2005. Councilmember Herrera requested a true balance regarding projects.

Mr. Wendorf reported an increase in construction prices adding that estimates have exceeded the projected cost due to an increase in gas prices and other cost escalations.

Mayor Hardberger entered the meeting at this time.

Councilmember Perez stated he did not see the re-allocations. Mr. Nitschke stated that he did not bring those forward due to SAP implementation, but would have that information in December.

Councilmember Perez asked staff to look into the flexibility of each project to see how the funds can best be utilized. Mr. Walsh stated he will present what is flexible and what is not at the next scheduled Governance Meeting on October 26, 2005.

No action taken.

E. Discussion and consideration of a proposed ordinance in support of the desire of small business employers and employees to advocate for their parental and economic rights to provide family friendly practices in the workplace, as requested by Council Member Kevin A. Wolff, District 9. [Presented by Ramiro Cavazos, Director, Economic Development Department; Jelynn LeBlanc Burley, Assistant City Manager]

Mr. Cavazos gave some background information on the program which he stated, resides within the Department of Community Initiatives. He noted that Toyota and Chase Bank do offer in-house child-care.

Councilmember Wolff expressed concern stating that there is not a daycare program for small businesses. He asked which law applies to the nanny, small business, or corporate business. He also asked about the different rules should apply to different types of business. He also stated that a blanket rule cannot apply to all.

After a brief discussion, Councilmember Wolff moved to forward said item to the Quality of Life Committee. Councilmember Perez seconded the motion. Motion carried unanimously.

F. Discussion and consideration of a request to direct staff to bring forward for City Council consideration, proposed revisions to the City of San Antonio Ethics Code to address several issues outlined in the attached Council Consideration Request Memorandum, as requested by Council Member Art A. Hall, District 8. [Martha Sepeda, Acting City Attorney; J. Rolando Bono, City Manager.]

The City Clerk read items F and item G together which were addressed as one item.

Mayor Hardberger stated that the Council must be mindful of unintended circumstance. He added that some individuals may not want to perform the services because it will cost them (borrowed attorneys). Mayor Hardberger stated that the City does not want to cripple itself from getting good people to work.

Councilmember Hall stated there needs to be a greater focus on employees and hold them accountable. He added that employees are wined and dined and in some cases make decisions that City Council does not get to see. He further stated there is a need to reduce the \$500 gift amount to \$250. Aside from the gift amount, he agreed with the recommendations requested.

Councilmember Wolff stated that if the rules apply to the City Council members; then the rules need to apply to those people that the City does business with and City employees. Lastly, he stated that he is a huge proponent of being fair and apply rules across the board.

Councilmember Perez stated that he took exception when the \$500 gift amount was referred to as a loophole. He added that the gift amount is a reality that Councilmembers deal with each day. As far as "borrowed attorneys" he stated that they would think twice about doing business with the City if they read the Ethics Code; unless they are made exceptions. He agreed that the City needed to hold employees to the same standards as City Councilmembers.

Councilmember Herrera commented that as Councilmembers, they are provided with complimentary tickets to dinners and luncheons. She added that in the last 24 hours Councilmembers attended two functions (Toyota and UTSA) and raised concern with same.

Councilmember Hall added that the key for him is the two year rule, in order to prevent staff members from making decisions on City contracts.

Mayor Hardberger asked the board to re-visit the issue next week with the new City Attorney Mr. Michael Bernard. All board members were in agreement.

No action taken.

G. Discussion and consideration of a request to direct staff to include in the above-mentioned item that the Ethics Code include all personnel for outside contracted organizations that receive total or partial funding

from the City of San Antonio be included under the designation of "City Official", as requested by Council Member Kevin A. Wolff, District 9. [Martha Sepeda, Acting City Attorney; J. Rolando Bono, City Manager.]

Addressed with Item II F above no action taken.

III. Staff Briefing

- A. Accounts Receivable Reconciliation Status Report [Presented by Milo Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]**

Said item was not addressed.

- B. Staff briefing on Delinquent Property Tax Attorney Collection Contract [Presented by Milo Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]**

Said item was not addressed.

- C. Presentation on Proposed Debarment Policy [Presented by Mark Webb, Director, Contract Services; Erik J. Walsh, Assistant City Manager]**

Said item was not addressed.

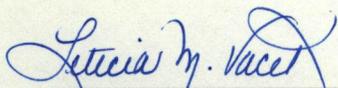
IV. Consideration of Scheduling of Items for Future Meetings.

Said item was not addressed.

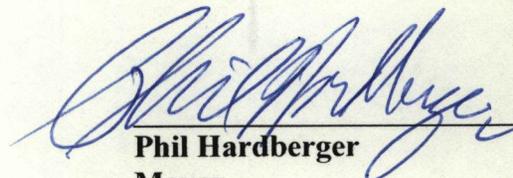
There being no further discussion, the meeting was adjourned at 3:15 pm.

Copies of these presentations are made part of the file and are available upon request

ATTEST:



Leticia M. Vacek
City Clerk



Phil Hardberger
Mayor