

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

A EMERGENCY MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, THURSDAY, FEBRUARY 8, 2007

Mayor Hardberger called the Emergency Meeting of the City Council to order with all Councilmembers present except Councilmembers Gutierrez and Haass.

EMERGENCY MEETING OF THE CITY COUNCIL

1. CONSIDERATION AND ACTION CONCERNING THE HELOTES MULCH FIRE AND RELATED POSSIBLE ENVIRONMENTAL CONCERNS.

Mayor Hardberger called upon Mr. Alex Briseno, Chairman of San Antonio Water Systems (SAWS) to make a power point presentation. Mr. Briseno made a brief presentation and stated that SAWS' is in opposition to any water being placed on the fire due to the possible contamination to the Edwards Aquifer.

Mr. Greg Flores, Vice President of Communications and External Relations of SAWS' presented a PowerPoint which is attached and made part of the minutes as attachment I. Mr. Flores stated that it is the responsibility of the Texas Commission of Environmental Quality (TCEQ) to put the fire out and SAWS' responsibility to protect the Edwards Aquifer.

EXECUTIVE SESSION

Mayor Hardberger recessed the Emergency Meeting at 2:40 pm to convene in Executive Session for the purpose of:

1. Consideration and action concerning the Helotes mulch fire and related possible environmental concerns, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Emergency Meeting from Executive Session at 3:40 pm. He stated the City Council had been briefed on the above-styled matter and gave staff direction, but had taken no official action.

2007R-02-08-0152

AUTHORIZING THE CITY ATTORNEY AND THE SAN ANTONIO WATER SYSTEM (SAWS), AN AGENCY OF THE CITY OF SAN ANTONIO, TO EXERCISE ENFORCEMENT POWERS AUTHORIZED BY TEXAS WATER CODE SECTION 7.351 AND TAKE ANY ACTIONS NECESSARY TO OBTAIN INJUNCTIVE RELIEF AGAINST PERSONS WHO DISCHARGED, ARE DISCHARGING, OR ARE THREATENING TO DISCHARGE POLLUTANTS INTO THE EDWARDS AQUIFER OR ENGAGE IN ANY OTHER ACTIVITY WHICH MAY CAUSE IMPAIRMENT OF THE QUALITY OF THE

EDWARDS AQUIFER IN CONNECTION WITH THE SUPPRESSION OF THE DEBRIS PILE FIRE NEAR THE CITY OF HELOTES, TEXAS, AND FM 1560; AND FINDING THAT IMMEDIATE ACTION IS REQUIRED BECAUSE OF IMMINENT THREAT TO PUBLIC HEALTH AND SAFETY

Councilmember Flores moved to approve the Resolution as noted above. Councilmember Radle seconded the motion.

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

Councilmember Flores moved that the City Council officially contact the Environmental Protection Agency (EPA) of the United States to request assistance, guidance and counseling on how to proceed with this issue. Councilmember Herrera seconded the motion.

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

ADJOURNMENT

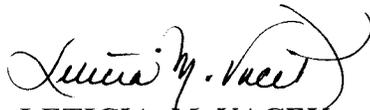
There being no further business to discuss Mayor Hardberger adjourned the Emergency Meeting at 3:44 pm.

A P P R O V E D



PHIL HARDBERGER
M A Y O R

Attest:



LETICIA M. VACEK
City Clerk