

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

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, AUGUST 11, 2010 AND THURSDAY, AUGUST 12, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **August 11, 2010**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Ramos, Cortez, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Taylor and Medina. Deputy City Clerk Leticia Saenz noted that Councilmember Taylor was out of the state on business.

1. QUARTERLY PROGRESS UPDATE ON THE CITY'S 2007-2012 BOND PROGRAM.

Mike Frisbie, CIMS Director provided a status of the 2007 Bond Program and noted that 33 of the projects had been completed. He reported that 57 projects were in the construction phase and that \$220 million in Bond Funds would be spent in FY 2011. He spoke of the dashboard program that provides online information regarding the status of bond projects and mentioned the five projects that had completion dates past June 2012.

Mr. Frisbie stated that the Bond Program required the acquisition of 787 parcels of land in which 15 would be acquired through condemnation. He noted they had met with the Army Corp of Engineers prior to program implementation and received environmental clearance of 85% of the projects. He indicated that 15 of the 90 bond projects that were completed or in construction were below budget by \$16 million. He noted that although the current bidding environment was favorable, it could change in the future. Additionally, 33 projects are still in the design phase and represent \$240 million in Bond Funds. Therefore; staff recommends that the excess bond funds not be used until more projects have been bid to ensure provisions are made for all 2007 Bond Projects. City Manager Sheryl Sculley noted her concerns with the Council reprogramming Bond Funds since the City had not sought bids on all of the Bond Projects. Mr. Frisbie added that staff would re-evaluate the status during the FY 2011 Mid-Year Budget Review and FY 2012 Budget Process. Lastly, he mentioned that the following actions could be considered once project savings were identified: 1) Use excess funds to pay down debt service; 2) Add scope to current projects; 3) Move excess funds to another project within the proposition; or 4) Create additional projects.

Mayor Castro stated that he was pleased with the bids submitted and understands that the Bond Program is only halfway completed. He asked of the savings due to low bids. Mr. Frisbie replied that most savings had been identified in the Streets and Drainage Projects and there were only a few savings in the Library and Parks Projects. Councilmember Cisneros stated that she was pleased that most of the projects were on schedule and asked of the reprogramming of the Blanco Road Project. Mr. Frisbie stated that the projected Federal Funds had not been received and the length of the project had been shortened. Councilmember Cisneros requested the cost to continue the project to Loop 410. She also asked of the status of the Ave Maria Drainage Project. Mr. Frisbie replied that he would provide the information regarding the Blanco Road Project and confirmed that the Ave Maria Project was on target for completion in October. Councilmember Cisneros requested that staff work with the San Antonio River Authority (SARA), Bexar County, and the Midtown TIRZ.

Councilmember Williams stated that he concurred with staff recommendation that the Bond Program savings not be reallocated at this time. He spoke of the challenging economic conditions and noted the need to begin indentifying projects within each Council District if funds are available in the future. Councilmember Ramos stated that she was pleased that the majority of the projects were on schedule and referenced the \$3 million savings on the Rip Rap Project. She asked if the savings included contingency. Mr. Frisbie replied that the savings were in excess of the contingency. Councilmember Ramos noted that she also agreed that savings should not be reallocated at this time. She mentioned the land acquisition agreement with Santikos, noting the ownership issues with the marquee.

Councilmember Lopez asked of the contingency amount on projects. Mr. Frisbie responded that construction contingency was typically 10% but staff has built in 25% contingency. He noted that the delivery method for each project was determined based on individual projects. Councilmember Lopez asked of the Rogers Road Project. Mr. Frisbie noted that the project was being completed through a Developer Agreement. Councilmember Lopez asked if funds were designated to address realignment issues with State Funded Projects. Mr. Frisbie confirmed that funds were not set aside for this purpose but could be addressed through the Metropolitan Planning Organization.

Councilmember Rodriguez stated that he was also in agreement that savings on the Bond Program should not be spent at this time. He stated that there should be equity among the districts but requested that funding be allocated for older streets in need of total reconstruction that have not been repaired or replaced in over 50 years. Councilmember Chan expressed support for not reprogramming project savings at this time and asked of contingency in regard to the \$16 million savings that had been identified. Mr. Frisbie confirmed that the contingency was tied to the project bid. Councilmember Chan stated that she was pleased with the community process utilized for the Bond Program but requested that the Council have input on potential projects prior to distributing to the community for input. Councilmember Clamp concurred that project savings should not be reallocated at this time. He requested that a discussion occur with Council with regard to the methodology for the reallocation of Bond Project Savings and noted that repaying debt was a priority.

Mayor Castro thanked staff for completing work on the Joe Ward Bathhouse. Councilmember Rodriguez asked if documentation was kept regarding the quality of work of contractors. Mr. Frisbie replied that a scorecard was completed and used for future reference. Councilmember Cortez thanked staff for their work and requested that staff continue to move forward with Texas Sterling on the Zarzamora Road Project. He stated that he looked forward to the groundbreaking for the Medina Base Road Project.

2. A BRIEFING AND UPDATE ON THE POLICE AND FIRE PUBLIC SAFETY HEADQUARTERS PROJECT.

Erik Walsh, Assistant City Manager stated that in 2008, the General Services Administration had accepted the offer from the city to utilize the current Police Department Headquarters and that the building must be available to them by December, 2012. He reported that the city had also entered into an agreement with the Bexar County Performing Arts Center to transform the Municipal Auditorium into a Performing Arts Center. He reported that the new Police and Fire Public Safety Headquarters Project goals were to provide a centralized location at 315 S. Santa Rosa for the Police and Fire Departments and ensure a state-of-the-art facility. He added that they hoped to create a positive

community image for the Fire and Police Departments. He stated that the Administration and Support Services for the Police and Fire Departments would be housed in the new headquarters. He stated that the first floor of the parking garage would be used for storage of Police and Fire Records.

Mike Frisbie provided a project update, noting that Ford, Powell, and Carson Architects and Planners, Inc. are finishing the documents. He reported that a Request for Qualifications had been released on July 18, 2010 and responses were due on August 20, 2010. He explained that staff would begin the process of selecting a Design/Build firm in August and construction would begin in February 2011. He provided a project budget totaling \$103,500,000 and showed renderings of the building. Lastly, he outlined the sustainability elements and noted that it would be a LEED Certified Silver Facility and include Solar Panels on the roof of the parking garage.

Mayor Castro stated that he was pleased that the building was addressing sustainability issues and would be pedestrian friendly. He asked of the color of the building and requested that a color be used that would make the building stand out, while take the city's rich history into consideration. Mr. Frisbie replied that they would take that into consideration. City Architect Betty Feldman stated that adding color could increase the heat level of the space. Councilmember Williams asked of the number of spaces in the parking garage. Mr. Walsh noted that there were 640 parking spaces and that the parking garage would be utilized by employees. Councilmember Williams asked of the relocation of the fueling station and radio tower. Mr. Walsh clarified that the new headquarters would not house the fueling station or the radio tower but their relocation to another site was included in the project budget. Mayor Castro asked of the Central Substation located on Frio Street. Mr. Walsh stated that the Central Substation would remain at its current location due to the needed space and the additional cost to move them to the Headquarters Building.

Councilmember Chan thanked staff and recognized Ms. Feldman for her work. She noted that she was pleased with the sustainability elements included in the building and confirmed that the parking garage would be utilized by Police and Fire Personnel. She asked of the square footage of the facility. Mr. Walsh stated that the building was 240,000 square feet and could accommodate future growth. He added that they had conducted a 10-year programming study and could change the layout to accommodate future needs. Councilmember Chan asked if the investigative units would be centralized. Mr. Walsh replied that the property crimes units would remain decentralized and all others would be relocated to the new facility. Councilmember Chan requested that small businesses be provided the opportunity to work on the project. Mr. Frisbie stated that the SBEDA requirements would be in effect and expected the bidding teams to be extremely diverse and competitive.

Councilmember Cisneros asked if a helicopter pad would be located at the facility. Mr. Walsh replied that the helicopters were located at Stinson Airport and that there would not be a helicopter pad at the new facility. Councilmember Cisneros asked of a gym and connectivity to the facility from the parking garage. Mr. Walsh stated that a gym was included in the design and that there were two access points to the building from the 2nd and 4th floors of the parking garage. Councilmember Cisneros asked of the inclusion of a Police Memorial. Mr. Frisbie noted that public art would be incorporated into the project and could include a Police Memorial.

There being no further discussion, Mayor Castro adjourned the meeting at 3:37 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 12, 2010** at 9:00 am in the City Council Chambers.

ROLL CALL

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Taylor. Mrs. Vacek noted that Councilmember Taylor was out of the state on business.

Item 1. The Invocation was delivered by Dr. Daniel Z. Rodriguez, Associate Pastor, La Trinidad United Methodist Church, guest of Councilmember David Medina, Jr., District 5.

Item 2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the June 24, 2010 City Council meeting. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Taylor and Cortez.

POINT OF PERSONAL PRIVILEGE

Mayor Castro presented a Citation to the San Antonio Police Department Special Weapons and Tactics (SWAT) Team who won Nationals this year and placed 2nd in the International SWAT Championships. Councilmembers expressed their support and congratulations.

Mayor Castro introduced Mr. Doyle Beneby, new CEO for CPS Energy. Mr. Beneby stated that he was pleased to be working in San Antonio and would be setting up meetings with the Council and stakeholders to chart a successful course for CPS Energy. Mayor Castro and the Councilmembers welcomed Mr. Beneby to San Antonio.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

2010-08-12-0685

Item 4. PRESENTATION OF THE CITY OF SAN ANTONIO 2011 PROPOSED BALANCED BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010 AND AN ORDINANCE SETTING THE DATE, TIME, AND LOCATION FOR THE PUBLIC HEARING ON THE FISCAL YEAR 2011 PROPOSED BUDGET.

City Manager Sheryl Sculley presented the city's proposed budget for FY 2011. She stated that the budget focused on the following five areas: 1) Public Safety; 2) Streets; 3) Code Enforcement and Animal Control; 4) Green Initiatives; and 5) Economic Development. She noted that the budget did not

include any increases to the property tax rate, garbage, or stormwater fees. She reported that \$12 million budget cuts were recommended through identified efficiencies and eliminating 202 positions, 78 of which are filled. She indicated that there was a \$38 million projected gap in FY 2012.

Ms. Sculley spoke of the San Antonio Economy and noted that local consumer spending remains weak and there has been a 2% overall decrease in Property Tax Values. She provided budget reduction strategies of the cities of Austin, Dallas, and Fort Worth, noting that San Antonio has fared well. She stated that the budgeted financial reserves would be maintained at 9% and would increase the city's credit worthiness. She noted that revenue adjustments totaling \$1 million were proposed for cost recovery which included increases to the Emergency Medical Transport and Service Fee and Rental of Facilities Fees at City Parks. She reported that comprehensive budget reviews had been conducted in the Public Works and Community Initiatives Departments in FY 2009 resulting in \$7.4 million in efficiency savings over FY 2010 and 2011.

Ms. Sculley reported that the FY 2011 Budget totaled \$2.36 billion and reflected an increase of 3.9% to the General Fund. She provided information on the sales tax from FY 2004 to present, noting a projected decrease of 0.8% for FY 2011. She stated that this was the second consecutive year of decrease in taxable property values for existing properties and that taxable property value from new construction had increased, but still less than in FY 2010. She indicated that the city would continue to provide tax relief to seniors and disabled property owners and those exemptions totaled \$31 million for FY 2011. She spoke of the current city property tax rate of 56.569 cents per \$100 taxable valuation, noting that the proposed budget maintains the current rate.

Ms. Sculley outlined the General Fund Improvements that include adding 22 Police Officers, In-Car Video Systems for all patrol vehicles, and TASER equipment for Police Officers. Additionally, the FY 2011 Budget fully funds 30 Firefighter positions for Fire Station 51 and three new Firefighters for the creation of an 8th Fire Battalion. She spoke of the \$6.5 million included for sidewalks and \$3 million for alley maintenance. She stated that \$700,000 would be redirected to re-engineer the Sweeps Program and create a Proactive Code Enforcement Team. She noted that \$250,000 was allocated for low cost and free spay/neuter surgeries. Also, \$250,000 was included in one-time resources for the Summer Youth Employment Program. She reported that \$1.5 million was included in the budget for the creation of a Land Bank and that the Brush Collection Program would be revised to achieve 100% brush recycling. She noted that funding was included to upgrade 78 administrative sedans to hybrids. Funding totaling \$5.5 million for Haven for Hope was also included in the budget. She added that the budget would create a new Planning and Community Development Department to consolidate functions including Comprehensive Neighborhood Planning, Housing Programs, and the Fort Sam Houston Community Development Office.

Ms. Sculley stated that the budget included a 2% cost of living increase for civilian and retired employees that was not an entitlement, and an increase in the living wage from \$10.19 to \$10.60 for hourly employees. She reported that the budget also continues the implementation of the tenure-based civilian Step Pay Plan that was initiated in FY 2008. She spoke of the modifications to the civilian health care premiums, noting that no employee would be negatively impacted. She provided an overview of the FY 2011 General Fund reductions totaling \$12 million that include the reorganization of the Parks and Recreation Department and realignment of six Parks Community Centers. She noted a reduction in funding for Human and Workforce Development Service Agencies in the amount of \$830,897 was recommended in the budget and that alternate funding strategies could be evaluated by the

City Council. She outlined the General Fund Mandates that include \$2.8 million in funding for operation and support of the newly implemented Police/Fire Computer Aided Dispatch and Records Management System, and \$1.7 million for operational and personnel funding for two new libraries.

Ms. Sculley spoke of the \$15 million in reduction strategy proposals for FY 2012 in which \$3.5 million in efficiencies would result from additional Comprehensive Budget Reviews; \$6.3 million in additional revenue by increasing the City property tax rate to the effective tax rate; and \$4 million in lower contribution requirements with proposed Texas Municipal Retirement System (TMRS) Fund restructuring. She stated that the FY 2011 Budget maintains Arts Funding at a maximum 15% of Hotel Occupancy Tax (HOT) Revenues but lower HOT collections are resulting in a 13% decrease in Arts Funding. She noted that over the past three fiscal years, expenditures from the Development Services Fund were reduced by \$4.5 million and 69 positions were eliminated. She mentioned that \$250,000 will be transferred from the General Fund to cover the fee waivers related to the Inner City Reinvestment Infill Policy. She stated that the Capital Improvement Program totals \$1.1 billion over six years and that an efficiency review of the 563 city facilities will be conducted in FY 2011. Ms. Sculley introduced the Office of Management and Budget Staff and thanked them for their work on the proposed budget.

Mayor Castro recognized city staff for their work on the proposed budget and stated that he was pleased that San Antonio was faring well compared to other cities. He called upon the individuals registered to speak.

Nazirite Ruben Flores Perez expressed support for a 3% salary increase for city employees and noted his concern that Haven for Hope was not being operated by the city.

Maygen Brown stated that she was 17 years old and lived in the Eastside of San Antonio. She thanked the City Council for the funding to the Urban Leadership Council for the Summer Youth Program. She spoke of her positive experiences attending the program. She requested that additional funding be allocated for community centers, new skating rinks, and study halls to improve education.

Tierra Harris mentioned that she was 16 years old and had also participated in the Urban Leadership Council's Summer Youth Program. She thanked the City Council for funding for the program and noted that they had visited various college campuses and learned job skills. She requested that funding be allocated to bring bowling alleys and movie theatres to the Eastside in an effort to keep youth engaged and off the streets.

Ta'Quandria Taylor stated that she was concerned with the crime and gang activity on the Eastside and requested that more opportunities be provided for youth in the area.

Rachel Sawyer spoke of her positive experiences with the Urban Leadership Council and George Gervin Technology Center. She expressed concern with the limited funding for summer youth programs and requested that more opportunities be provided for youth.

DeVaries Moore stated that he was a youth leader at the Urban Leadership Council and appreciated the opportunities that had been provided by the City Council. He requested that additional funding be allocated for educational and recreational initiatives for the Eastside of San Antonio.

Taliq Pryor thanked the City Council for the opportunity to attend the Summer Youth Program of the Urban Leadership Council. He requested that the educational system be re-evaluated. He also asked that more productive programs be provided for youth during the summer in an effort to decrease crime.

Jerrica LaFond stated that she was a member of the Urban Leadership Council and thanked the City Council for the funding. She noted that she had learned many things during the three-week program and was encouraged to look past the negativity she encountered on the Eastside. She requested that funding continue to be allocated toward Eastside Initiatives and programs for youth.

Breana Pierce stated that she was also a member of the Urban Leadership Council and spoke of her great experiences in their Summer Youth Program. She expressed concern with the negativity on the Eastside and the lack of voices for their community. She asked that opportunities be made available for youth to make a difference in their future.

Ciara Hill stated that she was pleased to have participated in the Urban Leadership Council's Summer Youth Program and thanked the City Council for the opportunity to earn money over the summer. She noted that the program had made her more independent and would help her better her future. She expressed concern with the crime and gang activity on the Eastside and requested that funding be allocated for teen youth centers and other extracurricular activities.

Curtis Romero stated that he lived in District 3 and was pleased to have participated in the Urban Leadership Council's Summer Youth Program. He noted that more summer programs should be made available to youth and spoke of the need for an improved educational system. He added that they were the leaders of the future and needed help to grow to their highest potential.

Tazmine Tarver stated that she was also a representative of the Urban Leadership Council and was determined to make a change in her community. She noted that it was important to focus on the positives of the Eastside and spoke of the need for additional recreational activities in their community. She expressed concern with funding cuts to the educational system in the area.

Karen Castillo thanked the City Council for the funding provided to the Urban Leadership Council and spoke of the activities she had participated in that included community service projects. She requested that additional funding be allocated in the future.

Councilmember Cortez asked if funding for youth programs were included in the budget. Ms. Sculley replied that \$250,000 was recommended to fund next year's Summer Youth Program. Councilmember Cortez recognized Mayor Castro for his leadership on Café College and stated that he was pleased with the cost of living increase recommended for city employees. He expressed support for the recommended funding for spay/neuter services and public safety, and asked of funding for senior citizens. Ms. Sculley replied that funding for senior services had been increased based on the priorities of the City Council. Councilmember Cortez spoke in support of the funding recommended for Inner City Revitalization efforts and sustainability initiatives.

Councilmember Cisneros thanked city employees for their work and expressed support for the cost of living increase for city employees. She stated that she was pleased with the enhancement to the Police and Fire Departments and recognized Judge John Bull for his work with the Juvenile Case Manager Program. She expressed concern with the great amount of stray animals in the community and asked if

the allocated funding for Animal Care Services was sufficient. Ms. Sculley replied that there would never be sufficient funding to address all of the needs of the community but staff was picking up more stray animals. She added that she was recommending an additional \$250,000 for low cost and free spay/neuter surgeries and that the goal of No-Kill by 2012 could only happen with the help of the community. Councilmember Cisneros expressed support for the funding allocated for the Summer Youth Employment Program, Land Bank, and Inner City Development.

RECESSED

Mayor Castro recessed the meeting at 11:45 am to break for lunch and announced that the meeting would resume at 2:00 pm with continued discussion on the proposed budget.

RECONVENED

Mayor Castro reconvened the meeting and continued with Item 4.

Councilmember Williams stated that he was pleased with the proposed FY 2011 Budget. He spoke of the need to highlight issues within each district at the Community Budget Hearings including the delay with Fire Station #51 and improvements to the 3-1-1 System. He noted that funding for delegate agencies was being increased by 5.2% and that there should be an extensive discussion regarding the Solid Waste Department. He asked and confirmed that a furlough was not being recommended for city employees and also requested an organizational chart for the Planning and Community Development Department. Councilmember Ramos stated that although it was difficult to raise property taxes, it should be reviewed as an option due to the decrease in city services. She expressed concern with the recommended cuts to operational hours at Parks Community Centers and Community Initiatives Learning Centers. She asked of the 0.83% growth in taxable property values. Maria Villagomez replied that it equated to \$1.5 million. Councilmember Ramos asked of the impact to property owners if the city collected the same amount as last year. Ms. Sculley replied that they would calculate that information and provide it to the City Council.

Councilmember Ramos spoke of the importance of Public Safety and Infrastructure, and expressed support for the recommended 2% cost of living increase for city employees. She asked if the 10% reduction for delegate agencies was not being implemented for all of the agencies. Ms. Sculley stated that three alternate funding strategies for delegate agencies could be evaluated by the City Council. Councilmember Ramos asked of the Summer Youth Employment Program. Ms. Sculley stated that it was intended to be implemented city-wide but the program had not been designed yet. Councilmember Ramos asked of the amount of funding spent on Eastside Initiatives and requested a larger map of city facilities. Councilmember Lopez requested a history of the property tax rate over the past few years and spoke of the need for a policy regarding property taxes. He requested that additional discussion be held regarding Land Banking and Infill Projects during the District 6 Community Budget Hearing. He spoke of the many investments that had been made throughout the city and the need for staff development and training to support the investments.

Councilmember Rodriguez expressed support for the significant investments made in the Police and Fire Departments and asked of the funding for truancy cases within Municipal Court. Ms. Sculley replied that they would utilize existing staff to accommodate the new truancy courtroom and that capital funds had been allocated for the courtroom on the second floor of the Municipal Court Building.

Councilmember Rodriguez stated that he was pleased with the additional funding allocated for libraries and maintaining fiscal reserves at 9%. He also expressed support for the commitment and funding for alley improvements. Councilmember Clamp stated that he was pleased that a property tax increase was not recommended and that a 2% cost of living increase was proposed for city employees. He expressed support for the increases for the Police and Fire Departments and asked of increasing the number of SAFFE Officers within the North Substation. He requested that funding for Literacy San Antonio be reviewed, as they had done a tremendous job in getting their organization to its current level. He also asked that staff look at incentives for the film industry since they have an effect on many other industries. He added that he was pleased with the information regarding the number of city facilities and efforts to consolidate when possible. Lastly, he asked that staff look at a plan to increase the number of alarm users in an effort to decrease the alarm permit fees, and that other fees not be increased due to the challenging economic conditions.

Councilmember Chan stated that she was pleased with the proposed FY 2011 Budget and that no increase in property taxes was recommended. She spoke in support of the cost of living increase for city employees and asked that information regarding the allocation of new Police Officers be addressed during the District 9 Community Budget Hearing. She expressed support for the funding for Library resources and equipment and asked that fees not be increased if possible due to the economic conditions. She spoke of the importance of attracting new businesses, creating jobs, and growing existing businesses. She asked of the recommended funding for the Development Services Department. Ms. Sculley replied that General Funds would be transferred to Development Services to help with outside contracting when needed and also to be utilized for fee waivers for inner city development. Councilmember Chan stated that it was important to maintain a basic standard of services and asked of the \$4 million in lower TMRS contributions. Ms. Sculley confirmed that there would be no reduction in pension benefits. She clarified that the reduction is the amount that the city is required to contribute to the fund.

Councilmember Medina requested that staff review the option of keeping the Parks Community Centers and Learning Centers open as long as possible since they were highly used by the community. Ms. Sculley stated that the six community centers recommended for reduced hours of operation had been selected by the Parks and Recreation Director based on usage. Councilmember Medina stated that he was pleased with the cost of living increase that was recommended for city employees, as well as the additional Police Officers and Fire Fighters.

Councilmember Cisneros moved to adopt the proposed Ordinance setting the date of August 31, 2010 for the public hearing on the FY 2011 Proposed Budget at 6:00 pm in the City Council Chambers. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

CONSENT AGENDA ITEMS 5-16

Consent Agenda Items 10 and 13 were pulled for Individual Consideration. Mayor Castro noted that Item 16 was pulled from the agenda by staff. Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

Written testimony was submitted by Faris Hodge, Jr. in support of Items 5-7, and 9-16. For Item 4, he wrote that city employees should receive a 10% pay raise. He expressed concern that the Farmer's Market was not ADA compliant in Item 8.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Cisneros, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Taylor.

2010-08-12-0686

Item 5. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO BALLENGER CONSTRUCTION COMPANY IN THE AMOUNT OF \$9,273,553.83 OF WHICH \$973,082.59 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$703,545.13 WILL BE REIMBURSED BY CPS ENERGY; AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$80,420.00 TO THE \$1,666,715.72 PROFESSIONAL SERVICES AGREEMENT WITH POZNECKI CAMARILLO, INC. FOR ENHANCED DRAINAGE DESIGN SERVICES; AND AUTHORIZING PAYMENT TO SAN ANTONIO WATER SYSTEMS FOR WATER LINE RE-DESIGN IN THE AMOUNT OF \$8,040.00, OF WHICH \$2,680.00 WILL BE REIMBURSED BY AT&T FOR THE DEZAVALA ROAD PHASE I (BABCOCK TO COGBURN) PROJECT, AN AUTHORIZED 2007-12 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 8.

2010-08-12-0687

Item 6. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO ASD CONSULTANTS, INC. IN THE AMOUNT OF \$412,000.00 FOR THE OFFICER JOHN WHEELER PARK IMPROVEMENTS PROJECT AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND PROJECT LOCATED IN COUNCIL DISTRICT 6 AND AMENDING THE FY 2010-2015 CAPITAL BUDGET TO APPROPRIATE \$76,895.44 IN UNIFIED DEVELOPMENT CODE (UDC) FUNDS FOR THIS PROJECT.

2010-08-12-0688

Item 7. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION, DEDICATION OR CONDEMNATION OF FEE SIMPLE TITLE OR EASEMENT INTEREST TO TWO PARCELS OF PRIVATELY OWNED REAL PROPERTY LOCATED AT AUSTIN HIGHWAY AND EXETER IN NCB 8693 IN COUNCIL DISTRICT 2, AND AUSTIN HIGHWAY AND MT. CALVARY STREETS IN NCB 9060 IN COUNCIL DISTRICT 10 AS PART OF THE 2009-2010 INFRASTRUCTURE MANAGEMENT PLAN TRAFFIC SIGNAL PROJECT; DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AND AUTHORIZING \$16,000.00 FOR THE ACQUISITIONS.

2010-08-12-0689

Item 8. AN ORDINANCE AUTHORIZING THE TRANSFER OF A LEASE FROM ANGIE'S TO ANGIE'S LEGACY, L.L.C. FOR USE OF RETAIL SPACE IN FARMERS MARKET.

2010-08-12-0690

Item 9. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT RENEWAL APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES IN AN AMOUNT UP TO \$2,388,269.00

FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 FOR THE ONGOING IMMUNIZATION PROJECT OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT.

2010-08-12-0692

Item 11. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF UP TO \$75,000.00, UPON AWARD, FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) FOR A TICKETING AGGRESSIVE CARS AND TRUCKS (TACT) READINESS GRANT AND AN IN-KIND MATCH CONTRIBUTION OF \$18,750.00, FOR A TOTAL PROGRAM BUDGET OF \$93,750.00.

Item 12. APPOINTING CHARLES R. BEAR (DISTRICT 1) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 11, 2011, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT.

Item 14. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO INTERLOCAL AGREEMENTS FOR EMERGENCY RESPONSE SERVICES:

2010-08-12-0694

A. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO ESTABLISH A MECHANISM FOR THE UTILIZATION OF CITY OF SAN ANTONIO'S ASSETS PURCHASED WITH FEDERAL FUNDS IN THE EVENT OF AN EMERGENCY, DISASTER, OR TRAINING THROUGHOUT THE STATE OF TEXAS.

2010-08-12-0695

B. AN ORDINANCE AUTHORIZING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF HOUSTON TO PROVIDE ASSISTANCE TO EACH OTHER DURING TIMES OF DISASTER AND/OR CIVIL EMERGENCIES.

2010-08-12-0696

Item 15. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO SUPPORT THE PLANTING OF 4,700 NEW TREES AT THE IH 10/LOOP 410 AND SH 16/LOOP 1604 INTERCHANGES FOR AN AMOUNT UP TO \$73,000.00 FROM THE TREE MITIGATION PROGRAM OPERATING BUDGET.

PULLED BY STAFF

Item 16. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH BEXAR COUNTY FOR THE ADMINISTRATION OF THE COUNTY'S COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT (CIED) FUNDS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-08-12-0691

Item 10. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF A NEW PLAYScape AT AN ESTIMATED VALUE OF \$100,000.00 FROM KABOOM! FOR MARTINEZ PARK LOCATED IN COUNCIL DISTRICT 5.

Councilmember Medina asked for additional information on the project. Xavier Urrutia, Parks and Recreation Director stated that the city had an on-going partnership with Kaboom! and had completed a community build project last year in District 1. He noted that Kaboom! was a non-profit organization that promotes youth and play, and engages the community regarding playground structures. He added that they were working with San Antonio Alternative Housing, Immaculate Concepcion Church, and Collins Garden Neighborhood Association on the design, and planned to build the playscape on November 13, 2010. Councilmember Medina stated that he was excited about the project and looked forward to building the playscape.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

The City Clerk read the following Ordinance:

2010-08-12-0693

Item 13. AN ORDINANCE APPROVING "CAFÉ COLLEGE" AS THE NAME OF THE CITY'S COLLEGE ACCESS CENTER AS RECOMMENDED BY THE CONVENEED NAMING COMMITTEE IN ACCORDANCE WITH THE CITY'S CODE REGULATING NAMING CITY FACILITIES.

Mayor Castro announced the opening of Café College on Monday, September 27, 2010 that would be located in the Downtown Area. He noted that it would be an excellent resource center for all college bound students to be able to access financial aid information, as well as SAT preparation courses. He added that it would be a catalyst for getting young people to realize their full potential with respect to higher education. Councilmember Cisneros commended Mayor Castro for his leadership in providing college resources to students through Café College. She stated that she was pleased that the center would be located in District 1 and would assist anyone interested in attending college. Councilmember Medina also recognized Mayor Castro for his leadership on Café College and stated that it would help ensure that individuals from throughout the city had access to higher education.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

RECESSED

Mayor Castro recessed the meeting at 3:20 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Castro reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Larry Taylor referenced "One nation under God" from the Pledge of Allegiance and expressed concern with the proposed revisions to the Smoking Ordinance. He noted that small businesses would suffer and that many individuals in San Antonio were smokers by choice. He indicated that the city would lose tax revenues due to the revisions and negatively impact businesses.

Nazirite Ruben Flores Perez spoke of Yahweh and referenced Corinthians from the Bible. He spoke in support of a 3% Cost of Living Adjustment for city employees.

Maria Garcia, Robert Hernandez and Teresa Livengood representing SEIU addressed the Mayor and City Council with concerns of the proposed budget. Ms. Garcia stated that the Employee Management Committee did not have knowledge of the proposed health insurance increases and should not be caught off guard. She noted that as an organization, SEIU is committed to working with the Council and city staff and are proud to serve the community. Mr. Hernandez stated that he works as an Equipment Operator and is pleased that San Antonio has fared well during the challenging economic conditions. He spoke of the positive community survey results and noted that they were attributed to the great work of the city employees. He added that city employees were doing more with less and looked forward to working with the City Manager on the budget. Ms. Livengood spoke of Christine Wiatrek, a single mother that works as an Animal Care Services Employee that was not included in the STEP Pay Plan. She expressed concern with the increase in medical benefits and employees having to purchase their own work uniforms. Ms. Garcia added that SEIU still had areas of concern with the budget including the increase to health benefits; elimination of positions; and not including employees hired within 0-3 years in the STEP Pay Plan. Ms. Wiatrek stated that when the city proposes a 2% cost of living increase but increases health insurance at the same time; it is not an increase but a decrease in pay. She expressed concern with the ability to pay her bills and support her infant son.

Mark Perez addressed the Council and stated that he has been attending the Council Meetings for years and that the city has not responded to him. He expressed concern with the Kimberly Clark Facility at 4702 Goldfield as they did not have a Certificate of Occupancy or the proper permits to store hazardous chemicals. He also expressed concern with the lack of response from the Planning and Development Services Department and City Attorney's Office. He referenced an agreement signed in 1993 by Mission Petroleum, the City of San Antonio, City Water Board, and San Antonio River Authority to work together and that was not occurring.

Henry Rodriguez of LULAC expressed concern that all indications were that the City Council would vote favorably on the revisions to the Smoking Ordinance. He noted that he was aware that smoking was not healthy but was a choice made by individuals. He referenced a sign that he had noticed at a Senior Citizen Center that he visited recently which read, "Smoking Permitted" but also that "Smoking is Bad for your Health." He stated that the revisions to the Smoking Ordinance would greatly affect small businesses and that he was concerned for those without political clout. He asked the Council to reconsider and keep fairness in mind when making a decision on the matter.

Karl Hammerschmidt stated that the most rational idea to address immigration is to create various check-points along the border that can issue working visas immediately. He expressed concern with the militarization and hostile crisis zones along the border that have had a negative impact.

Nick Calzoncit stated that he would speak critically but respectfully of all and expressed concern with the lack of Councilmembers present. He mentioned that when certain individuals are speaking, some of the Councilmembers speak to one another; but if a wealthy person is addressing the Council, everyone listens.

He referenced a recent event in which Governor Perry was speaking and citizens were not allowed to attend. He added that a few years ago, he and others had lost access to the studio and cameras for their public access shows and asked if the City Council had encountered same.

Betty Eckert asked of the proposed cuts in city services and how they would affect seniors and city staff. She noted that the city should apply for more grants to serve seniors. She also stated that seniors were in need of a 2% cost of living increase, just as city employees would be receiving. She noted that there are not enough senior centers to accommodate all seniors and spoke of the lack of transportation. She mentioned that accreditation of the centers would help. She also spoke of the 28 senior centers that provide in-kind services through volunteers. She asked that the Council keep seniors in mind when making budget decisions.

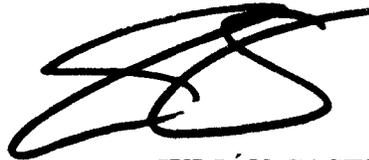
Faris Hodge, Jr. stated that individuals should be able to smoke out in the open and expressed concern that Blacks were being excluded from the Fire Department. He referenced the Open Meetings Act and noted that the City and Bexar County were violating same. He mentioned that in 2009, SEIU had been in favor of applying the pay freeze to City Manager Sculley. He stated that CPS Energy bills were supposed to shrink but his bill has continued to increase. He asked why the Frost Bank Building and City Council Chambers were not equipped with sprinkler systems.

Julie Iris Oldham spoke of an incident that occurred at KLRN in which she was not allowed to enter the facility and expressed concern with mold and mildew issues at the Bob Ross Senior Center. She added that she was very concerned due to her asthma.

ADJOURNMENT

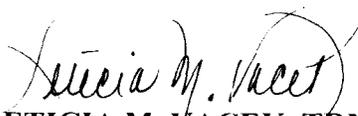
There being no further discussion, Mayor Castro adjourned the meeting at 6:48 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:


LETICIA M. VACEK, TRMC/CMC
City Clerk