

**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, SEPTEMBER 14, 2011 AND THURSDAY, SEPTEMBER 15, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **September 14, 2011**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. STAFF BRIEFING AND CITY COUNCIL DISCUSSION ON ELEMENTS ASSOCIATED WITH THE DEVELOPMENT OF THE PROPOSED 2012-2017 BOND PROGRAM TO INCLUDE A BOND PROGRAM IN THE AMOUNT OF \$596 MILLION ALLOCATED TO THE CATEGORIES OF STREETS/BRIDGES/SIDEWALKS, DRAINAGE, PARKS, AND FACILITIES/COMMUNITY INITIATIVES; THE ESTABLISHMENT OF GUIDING PRINCIPLES FOR PROJECT SELECTION; THE USE OF THE ROUGH PROPORTIONALITY CONCEPT IN THE BOND PROGRAM DEVELOPMENT; AND THE REVIEW OF CITY COUNCIL APPOINTMENTS TO THE FOUR COMMUNITY BOND COMMITTEES.

Peter Zaroni presented an overview of the 2012-2017 Bond Program, noting that the Bond Election was proposed for May 2012. He stated that the planned program totaled \$596 million and did not require a property tax rate increase. He noted the four recommended categories: 1) Streets, Bridges, Sidewalks; 2) Drainage; 3) Parks; and 4) Facilities and Community Initiatives. He indicated that meetings had been held with city departments to create potential project lists and priorities and a scoring model was created for streets and drainage.

Mr. Zaroni stated that the Bond Committees would recommend projects based on staff recommendations and citizen input. He noted that the City Council would approve the final list of projects for inclusion in the Proposed Bond Program Election. He spoke of the Guiding Principles for Project Selection that include coordination with other agencies; increase connectivity; and investment in major corridors. He mentioned that Rough Proportionality Methodology would be utilized to provide roughly equal improvement resources across the city. He stated that the four committees would be comprised of 32 members each and would begin meeting in October. He mentioned the Committee Co-Chairs and provided a list of the Committee Responsibilities.

Mayor Castro spoke of the success of the 2007 Bond Program and recognized Mayor Emeritus Lila Cockrell and Carri Baker Wells, two of the three Tri-Chairs of the Bond Oversight Committee. He thanked the 2012 Bond Committee Members for their willingness to serve.

Councilmember Williams spoke of the Guiding Principles for Project Selection and asked of the principle related to "Complete Streets." Mike Frisbie replied that staff looks for opportunities on city right-of-way to ensure full use of corridors. Councilmember Williams thanked staff for their work and noted that their recommendations were a good starting point for the Bond Committees. He asked that

the Bond Committees be made aware of the projects in the 5-Year Infrastructure Management Program.

Councilmember Chan asked why bridges were in a separate category from "Drainage." Mr. Frisbie replied that bridges had two components: 1) Streets, and 2) Drainage. Ms. Sculley stated that bridges were an issue of mobility and staff would try to leverage bond funds with State or Federal Funds to address structural integrity. Councilmember Chan asked of the allocation by category. Ms. Sculley replied that they utilized the 2007 Bond Program as a guide and the preliminary project list proposed by staff.

Councilmember Soules requested that staff provide tentative dates for Committee Meetings due to the short timeframe. He asked of the Guiding Principle of Environmental Sustainability. Mr. Frisbie stated that this concept applied to projects that were accepted and that staff looked to ensure that the project design incorporated environmentally-friendly components.

Councilmember Taylor asked of the Bond Committee Meetings. Mr. Zanoni outlined the meeting process, noting that Committee Members would be provided general information regarding the Open Meetings Act and the recommended project list at the initial meeting. He indicated that subsequent meetings would include discussion on project details and recommendation of a final project list to the City Council. Ms. Sculley added that the Committee could request tours of the project sites. She noted that it was important to make Committee Members aware of Ethics Requirements and information regarding Lobbyists. Councilmember Taylor requested that the Committees be provided with pertinent information such as the Library Strategic Plan to help them make informed decisions.

Councilmember Ramos commended the Bond Committee Members for their willingness to serve. She asked that the Committees be provided with cost estimates for both above ground and underground utilities for each project, noting that underground utilities had a much higher cost.

Councilmember Bernal asked of the city-wide projects. Mr. Zanoni replied that the projects identified as having a regional impact would not be included using the principle of rough proportionality.

Mayor Castro thanked staff for the presentation.

2. STAFF PRESENTATION AND POSSIBLE CITY COUNCIL ACTION ON POTENTIAL FY 2012 BUDGET AMENDMENTS.

Ms. Sculley provided the City Council a handout of potential amendments to the FY 2012 Operating and Capital Budget, noting that it had been revised based on the previous day's budget work session. She stated that the document was divided into four sections: 1) General Fund; 2) Employee Benefits Fund; 3) Solid Waste Fund; and 4) Six-Year Capital Budget. She indicated that there were three items on the General Fund list that were requested by the Mayor and Council that she did not recommend moving forward on at this time.

Mayor Castro thanked staff for their work on the budget.

Councilmember Taylor addressed the funding recommended for the Wheatley Heights Sports Complex and recognized members of the Eastside Christian Action Group (ECAG) for their oversight of the project. She stated that the majority of the funds for the project were provided by the Bexar County

Venue Tax and outlined the project components. She indicated that the project was close to completion but that funds were not provided for the maintenance and operations of the complex. She expressed support for additional funding for the Children's Museum.

Mayor Castro asked of the plan for operation of the complex. Xavier Urrutia replied that the voters had approved operations and maintenance to be provided by a non-profit organization. He stated that their concern was that a business plan was not in place and could not estimate expenses and revenues. Mayor Castro asked of the wide range of funds from \$0-870,000. Mr. Urrutia stated that the costs would be based on utilization and that the \$870,000 was estimated on hosting two events per week.

Councilmember Taylor recommended that \$650,000 be allocated and carried over to next year to help ECAG become self-sustained. Mayor Castro expressed support for funding for the Wheatley Heights Sports Complex but stated that an amount needed to be determined.

Councilmember Williams asked of the fixed cost budget for the Wheatley Heights Sports Complex. Frank Dunn of the ECAG replied that there were several Charter Schools that were interested in leasing the facility and estimate \$250,000 in maintenance costs per year. Councilmember Williams asked of the burn rate. Mr. Dunn replied that it was \$300,000 per year for three years. Councilmember Williams recommended the allocation of \$600,000 over two years for Wheatley Heights.

Councilmember Ramos stated that she wanted to be supportive of funding for the Wheatley Heights Sports Complex but expressed concern that fixed costs were not available. Mr. Urrutia stated that city rate for mowing is \$65 per acre and staff assumes that there will be 45 mows per year. Councilmember Ramos noted that entities such as Pony Leagues request funds from the city but she believed it was the responsibility of the non-profit to ensure funding. She asked of the partnership with SAISD. Mr. Dunn stated that they were negotiating with SAISD and that they could bring in more revenue with Pop Warner Teams compared to the school district. Reverend Biggs noted that they were finalizing their business plan using SAISD as the main tenant. He added that they were in a unique position because their organization did not previously exist and that is why start-up funds were necessary. Councilmember Ramos requested detailed financial data prior to the vote on the budget the next day.

Councilmember Soules thanked Ms. Sculley and Solid Waste Staff for providing the detailed information he requested. He proposed that all four drop-off centers be implemented and expressed concern that adding a bulky pick-up was too expensive. He spoke of his great experience with processing his son's passport in the Office of the City Clerk and requested that the service continue to be offered. He also recommended that a position be added at a cost of \$50,000 and dedicated to Passport Services.

Councilmember Saldaña asked of the rate increase for the 2nd Bulky Pick-up. David McCary replied that it was a net increase of \$0.35 cents. Councilmember Saldaña expressed support for the 2nd Bulky Pick-up, noting that it was a convenience for residents.

Councilmember Soules stated that his concerns with the 2nd Bulky Pick-Up were due to the high implementation costs.

Councilmember Bernal expressed support for the Proposed Budget and spoke of the great effect of programs including the Parks and Recreation Music Program and Prospects Courtyard on citizens' lives.

Councilmember Lopez asked of the Wheatley Heights Sports Complex. Councilmember Taylor stated that the project was already underway prior to implementation of the Eastside Initiatives. Councilmember Lopez expressed concern with figures provided on programs without validation by the Budget Office. He noted that residents in District 6 would be supportive of implementing a 2nd Bulky Pick-up. Councilmember Lopez asked of the \$70,000 requested by the Children's Museum, noting that he was supportive of same. Ms. Sculley replied that they were allocated \$70,000 through HOT Art Agency Funds and were requesting an additional \$70,000. Felix Padron spoke of their previous funding allocations and noted that they had received funding over the last three years.

Councilmember Williams asked of the funding for Prospects Courtyard. Mr. Zanoni stated that the funds would be utilized for an 80-unit mental health clinic; provide services for 100 additional individuals; and grant buy-out for the SAMM Shelter. Councilmember Williams expressed concern with the high costs associated with implementing a 2nd Bulky Collection and stated that he would like to see how the drop off centers would work. Councilmember Williams spoke of the start-up costs for the Wheatley Heights Sports Complex, noting that they were necessary.

Councilmember D. Medina expressed support for funding for Haven for Hope and the Children's Museum. He spoke of the great need for homeless services and thanked staff for their work.

Councilmember Chan noted that there were a great number of requests and limited funding. She asked how they would move forward. Ms. Sculley replied that they would provide an updated list of amendments in the morning based on today's discussion.

Mayor Castro asked if funding was available for the Cost of Living Adjustments and other executive benefits for the City Clerk, City Auditor, Municipal Court Judge, and City Attorney. Ms. Sculley confirmed that funding was available and will make sure it gets incorporated. She noted that the City Attorney is already covered under the executive group as he reports to the Manager. Mayor Castro thanked everyone for their work.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 4:40 pm to convene in Executive Session for the purpose of:

- A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**

CEREMONIALS

Mayor Castro reconvened the meeting at 5:32 pm and addressed the Ceremonial Items.

Mayor Castro presented a Proclamation to the City Clerk in recognition of the Office of the City Clerk participating in "Passport Day in the USA" on September 17, 2011. It was noted that this annual,

nation-wide event is sponsored by the U.S. Department of State in an effort to accommodate individuals' schedules. Mayor Castro noted that he and his wife would be taking their daughter to apply for her passport. Passport processing will be held at the Municipal Archives & Records Facility located at 719 S. Santa Rosa from 10:00 am - 3:00 pm.

Mayor Castro presented a Proclamation in recognition of the 21st Annual San Fernando Health and Safety Fair that will be held on Saturday, October 1, 2011. It was reported that more than 50 physicians and dentists; nearly 300 health care professionals; and over 150 volunteers will join together to offer a variety of screenings. The Health Fair will be held on the grounds of San Fernando Cathedral, Main Plaza, and the Municipal Plaza Building from 8:00 am-1:00 pm.

Mayor Castro recognized the Air Force Cyber Command who will celebrate National CyberSecurity Awareness Month during October 2011. The event is sponsored by the Department of Homeland Security, and the primary goal is to bring awareness to what home users, schools, businesses, and governments can do to protect their computers, data, and children.

Mayor Castro presented a Proclamation in recognition of "National Night Out" (NNO) which will be held on Tuesday, October 4, 2011, throughout the State of Texas. NNO is sponsored by the National Association of Town Watch and is designed to heighten crime awareness, generate support and participation of local anti-crime programs, and strengthen community-police partnerships and neighborhood spirit.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Philip Sevilla spoke in opposition to Domestic Partner Benefits (DPB) and funding for the San Pedro Playhouse. He stated that most organizations that provide DPB are private companies and spoke of the importance of the traditional family.

Yvonne Jones spoke in support of DPB and stated that she had served as the President for Parents, Families and Friends of Lesbians and Gays for 17 years. She noted that she was a Christian and that we should love one another.

Julia DeGrace addressed the City Council in favor of DPB and stated that it was important to support those that were in need of health care benefits.

Dennis Coleman stated that he was the Executive Director of Equality Texas and spoke in support of DPB. He noted that it was important to treat all employees equally and that the city's plan would promote employee satisfaction and retention.

Jay Morris spoke in support of DPB and stated that he receives these benefits from his partner's employer.

Randy Bear addressed the City Council in support of DPB.

Artemisa Cerda stated that she was in support of treating everyone fairly but expressed opposition to DPB and funding for the San Pedro Playhouse. She spoke against funding for pregnancy prevention programs, noting her opposition to contraception.

Adam McManus addressed the City Council in opposition to DPB. He stated that he did not believe that it was fair for taxpayers to subsidize the benefits, noting that 76% of Texas had affirmed that marriage was between one man and one woman. He indicated that approving DPB would not ensure that more talented individuals would be recruited to the city and could keep some away due to moral issues.

James Escamilla stated that he was a Graduate Student at St. Mary's University and in support of DPB. He noted that he was openly gay and served as the 1st Gay President of the Student Body. He added that gay rights are human rights and many are supportive of this policy.

Dee Villarrubia addressed the City Council in support of DPB and stated that she has endured hate for being gay. She spoke of the importance of equal rights and justice for all and added that the concept "Homosexual" did not exist until 1869.

Stanley Mitchell addressed the City Council and asked if CPS Renewable Energy decisions were economic or political. He spoke of the high cost of intermittent technologies that include wind and solar power and referenced California Solar Panel Manufacturer Solyndra that had filed for bankruptcy.

Pastor Gerald Ripley addressed the City Council and stated that he was in support of marriage between one man and one woman. He noted that he was opposed to DPB and felt that the proposal had not been thought through very well. He mentioned that it was difficult to make a good decision without all of the necessary information. He added that the city should be looking to cut expenses and not add costs.

Michael Knuffke stated that he was speaking on behalf of the San Antonio Family Association as an advocate for the family unit. He noted that he was opposed to DPB and that the funds could be used for more worthwhile objectives. He spoke of the potential lost opportunities if faith-based organizations decide not to come to San Antonio. He added that he was prepared to fight the issue with a referendum and expressed concern with the Corpus Christi Play at the San Pedro Playhouse.

Patrick Von Dohlen addressed the City Council in opposition to DPB and referenced a book entitled, "The Catechism of the Catholic Church." He provided a handout to the City Council that outlined the importance of the family and noted that he was against contraception due to their carcinogens. He added that marriage was between one man and one woman.

Nazirite Ruben Flores Perez stated that he was a representative of the Southside and had taken an oath to respect the Constitution. He referenced 1st Corinthians in the Bible and noted that the unrighteous would not inherit God's Kingdom.

Gabriel Hernandez stated that he was a former city employee in support of DPB. He noted that they should have been approved a long time ago and that the cost was a small percentage of the overall budget.

Joe Arriola addressed the City Council and stated that he is a registered nurse and works for a non-profit organization. He noted that he was in support of DPB.

Alan Harman stated that he was very community-driven and spoke in support of DPB. He noted that he recognized individuals as human beings and asked that the City Council treat everyone equal. Natalie Harman indicated that they had been married for five years and asked the City Council not to judge on moral issues. She added that they had many friends that were gay and they contributed to society the same as other individuals.

Stephen Parker stated that he was Vice-President of the Business Council, an openly gay community of business leaders and in support of DPB. He spoke of the benefits that would be provided and noted that they were cost effective. He added that the Marriott Corporation offered these benefits to their employees.

Gary Peters stated that he was in support of DPB and had been in a committed relationship with his partner for 10 years. He noted that it was scary to live without health benefits.

Deborah Parrish requested that the citizens of San Antonio be given the opportunity to approve DPB and noted her opposition to DPB. She expressed concern with the lack of disclaimers at the San Pedro Playhouse and provided a handout with her recommendations where the disclaimers should be placed.

Heriberto V. Barrientes addressed the City Council regarding the second electrical meter that he had requested for his property. He expressed concern with the lack of cooperation and information from city staff and noted that he had been working on the issue since 1984.

George Rodriguez stated that he was the President of the San Antonio Tea Party and spoke in opposition to DPB. He asked why the City Council was not listening to the citizens and if it would take a recall election for their voices to be heard.

Madeleine Dewar stated that she was saddened to hear the great amount of hatred from individuals. She noted that there had been a great amount of lies and misrepresentation and that all of us were human beings.

Evan Bohl stated that he was a youth representing various Animal Rights Groups and spoke of the Animal Care Services (ACS) Strategic Plan. He expressed concern that the Plan did not address the operations of ACS and the deplorable conditions of the facility. He asked that an independent, private organization be created to handle intake and adoptions, as well as provide education and outreach.

Antonio Diaz representing the Texas Indigenous Council requested a Resolution to recognize the Indigenous people of Yana Guana which is now known as San Antonio, Texas. He stated that the Resolution would recognize the painful sacrifice and great contributions of the Indigenous people of the city. He added that he supported DPB since it was an issue of human rights.

Jesse Martinez ceded his time to Patrick Von Dohlen. Mr. Von Dohlen added that he would like for the City Council to do what is right for the common good and that they should not promote illicit behavior.

Faris Hodge, Jr. submitted written testimony noting his concerns that fire inspections at elementary, middle, and high schools were not being conducted in a timely manner. He expressed concern that restaurants are not being inspected as required and requested that overtime for Police be eliminated. He recommended that SAWS and BexarMet be combined into one entity. He wrote that increasing recycling in city parks would not be beneficial and provided an article entitled, "College students should get shots now." He referenced the resignation of the two Co-Chairmen of the VIA Commission to Study the Feasibility of Urban Rail. He reported that the First Black Secret Service Agent, Charles L. Gittens died on July 27, 2011. He referenced an article written by Former Councilmember Mario Salas entitled, "Black Indians Refused to Trust Government."

ADJOURNMENT

Mayor Castro announced that the City Council had been briefed in executive session but took no action.

There being no further discussion, Mayor Castro adjourned the meeting at 7:40 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **September 15, 2011** 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: Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Pastor Steve Stoner, Local Missionary, Grace Point Church, guest of Councilmember W. Reed Williams, District 8.

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

Item 3. MINUTES

Councilmember Lopez moved to approve the Minutes for the August 17-18, 2011 City Council Meetings. Councilmember Taylor seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos and D. Medina.

POINT OF PERSONAL PRIVILEGE

Mayor Castro stated that today was the deadline for all Base Realignment And Closure (BRAC) activity to be concluded and recognized Robert Murdock, Director of the Office of Military Affairs. Mr. Murdock stated that he had been working on BRAC for five years and spoke of the great collaboration between the city and the military.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following captions for Items 4A-E:

Item 4. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO FISCAL YEAR 2012 AND FISCAL YEAR 2011 OPERATING AND CAPITAL BUDGETS (EACH ITEM VOTED UPON INDIVIDUALLY):

2011-09-15-0749

- A. AN ORDINANCE ADOPTING THE ANNUAL CONSOLIDATED OPERATING AND CAPITAL BUDGETS FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR (FY) 2012; APPROVING THE PROJECTS INCLUDED IN THE FY 2012–FY 2016 FIVE-YEAR INFRASTRUCTURE MANAGEMENT PLAN; APPROVING THE FY 2012–FY 2017 SIX-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO; AUTHORIZING PERSONNEL COMPLEMENTS; AND APPROPRIATING FUNDS.

Ms. Sculley stated that she did not have a presentation but reported the City Council had been provided with an updated list of Potential Amendments to the FY 2012 Operating and Capital Budget.

Mayor Castro called upon the citizens registered to speak on Item 4.

Mike Phillips, Sister Gabriella and Father Walter representing COPS Metro addressed the City Council in support of funding for Project Quest. Father Walter spoke of the great work provided by Project Quest and stated that they were committed to accountability and transparency. He noted that they were seeking new partners and investments and would look to make the program more efficient and effective. Stephanie Penshorn spoke of her experiences as a participant at Project Quest and stated that she was the first in her family to graduate from college. She requested that the City Council continue to fund Project Quest.

Nazirite Ruben Flores Perez referenced the book of Leviticus in the Bible and stated that marriage was between one man and one woman.

James Keenan addressed the City Council and recommended that a non-partisan panel of experts study and develop policies to strengthen traditional families. He stated that San Antonio should be encouraging stable, heterosexual couples to have children and should not pay for contraception, sterilization, abortion, and benefits to same sex couples.

Angela Notzon expressed opposition to Domestic Partner Benefits (DPB) due to the challenging economic conditions. She requested that the City Council support the traditional family.

Patrick Burke stated that he was opposed to funding for the San Pedro Playhouse and requested that they be de-funded. He spoke against DPB, noting that the City Council should not condone temporary relationships. He added that approval of DPB would have negative effects on children.

Eduardo Juarez stated that he was a Civil Rights Attorney and spoke in support of DPB. He noted that the city should promote a workplace of fairness and equality and provided a list of numerous

businesses that provide DPB to their employees. He indicated that DPB accounted for a small portion of the budget and added that he had collected 3,000 signed cards of support.

Sallie Scott, ACS Advisory Board & Friends of ACS thanked the City Council for their support of Animal Care Services.

Kathy Gruber expressed her opposition to DPB and asked if the City Council had received input on same from their constituents. She requested that the issue be put to a vote and noted the challenging economic conditions. She added that the costs were too high and that taxpayers should not be responsible for funding DPB.

Deborah Parrish requested that citizens be given the opportunity to approve DPB and noted her opposition to same. She expressed concern with the lack of disclaimers at the San Pedro Playhouse and provided a handout with her recommendations on where the disclaimers should be placed.

Patrick Von Dohlen addressed the City Council in opposition to DPB and referenced a book entitled, "The Catechism of the Catholic Church." He provided a handout to the City Council that outlined the importance of the family and noted that he was against contraception due to their carcinogens. He added that marriage was between one man and one woman.

Jill Thrift stated that she had been a childhood educator for 40 years and requested that city resources be utilized to support traditional marriage and family. She spoke of studies conducted which showed that children of traditional families performed significantly better in school.

Tim Horn expressed opposition to DPB and stated that he was concerned with fraud that would occur. He noted that the city should not reward lifestyles outside of the family spectrum and that the Bible did not condone sex outside of marriage.

Artemisa Cerda spoke in opposition to DPB, unplanned pregnancy services, and funding for the San Pedro Playhouse. She stated that the city should not be spending tax dollars on profanity and blasphemy. She added that life is a gift and that laws should include Christian Morals.

Pamela Taylor representing Dress for Success thanked the City Council for their support. She indicated that their organization did not receive funding from the Worldwide Office and that the money provided locally stayed in San Antonio. She reported that they have served 5,000 individuals since 2002 and highlighted the success of the program.

Peter Rowe expressed opposition to DPB and stated that he teaches the youth at his church. He asked that taxpayer funds not be utilized to fund lifestyles that are opposed by many. He spoke in opposition to funding for the San Pedro Playhouse and added that he does not hate anyone but hates sin.

Paul Comeaux spoke against DPB, noting that there were many other organizations that could utilize the funds. He requested that the San Pedro Playhouse be defunded.

Michael Knuffke stated that he was speaking on behalf of the San Antonio Family Association as an advocate for the family unit. He noted that he was opposed to DPB and that the funds could be used for more worthwhile objectives. He spoke of the potential lost opportunities if faith-based

organizations decide not to come to San Antonio. He added that he was prepared to fight the issue with a referendum and expressed concern with the Corpus Christi Play at the San Pedro Playhouse.

Richard Fuentes spoke in opposition to DPB and stated that there were many other worthy individuals that did not have benefits.

Edmundo Vargas stated that morality should supersede every action and that DPB and homosexuality are immoral. He noted that the Corpus Christi Play at the San Pedro Playhouse was extremely offensive and he loved everyone but hated sin.

Wesley Strackbein stated that he affirmed the Christian Culture in opposing DPB. He noted that it was a moral issue and that the city should not condone immorality. He spoke of the importance of supporting the traditional family and added that God opposes fornication.

Navarra Williams representing SAMM Ministries addressed the Council and noted that they provide shelter for homeless families in collaboration with Haven for Hope. He stated that they support the funding strategy but that elimination of the HUD Grant would make them less competitive when soliciting grants in the future.

Janice Flowers stated that she was the wife of a Pastor and opposed to DPB and funding for the San Pedro Playhouse. She asked the City Council to listen to their constituents and take a stand in favor of morality and traditional family values.

Charles Flowers thanked the Council for serving the citizens of the City of San Antonio but noted that they are not a private corporation. He stated that he did not feel that a brain drain would occur if DPB were not approved and would not discourage talented individuals from moving to San Antonio. He added that the City Council should not disregard the desires of their constituents and requested that the DPB line item be removed from the budget.

Natalie Hardy stated that the City Council should not vote in favor of DPB, citing the Texas Family Code and the Texas Constitution that this would go against. She asked that the institution of marriage not be undermined and that marriage was between one man and one woman.

Terelyn Santos spoke in support of the traditional family and stated that she was opposed to DPB and funding for the San Pedro Playhouse. She noted that she loved everyone but did not agree with all lifestyles. She asked that the City Council not support blasphemy and immorality. She expressed opposition to oral contraception which is linked to breast cancer and asked that programs be implemented to ensure the dignity and safety of women.

Frank Latson, Artistic Director of the San Pedro Playhouse stated that they may have displeased individuals but had not violated their lease with the city. He noted that individuals should not attend events that are not appealing to them.

Dr. Rich Lahaye thanked the City Council for their bravery and noted his support for DPB. He stated that it was important to treat all equally and felt that the budget addressed inequalities.

Cindy Peterson stated that she was in support of the institution of marriage and asked the City Council to uphold same.

Adam McManus addressed the City Council in opposition to DPB. He stated that he did not believe that it was fair for taxpayers to subsidize the benefits, noting that 76% of Texas had affirmed that marriage was between one man and one woman. He indicated that approving DPB could not ensure that more talented individuals would be recruited to the city but could keep some away due to moral issues.

Danyelle Daniel expressed opposition to DPB but noted that she was not homophobic. She stated that she has witnessed the destruction caused by homosexual lifestyles and the negative impact on family, friends, and children. She added that taxpayers should not bear the burden of the cost of DPB.

Joan Courtney stated that she had voted for Mayor Castro and Councilmember Chan and does not condone the lifestyle of homosexuals. She noted that she was opposed to DPB and concerned that it was placed on the agenda.

Jose Dejesa stated that he came from the Philippines and had gotten married and became a pastor in San Antonio. He noted that the Council should do the right thing and vote against DPB.

Albert Lucio stated that he was a pastor in the inner city and opposed to DPB. He stated that he teaches at the parole office and ministers at prisons about family values.

Becky Norrell stated that the issue of DPB was creating ill-will and controversy and expressed opposition to same. She added that this should not been brought upon the residents and noted that many domestic partners receive insurance through their own jobs.

Pastor Gerald Ripley addressed the City Council and stated that he was in support of marriage between one man and one woman. He noted that he was opposed to DPB and felt that the proposal had not been thought through very well. He mentioned that it was difficult to make a good decision without all of the necessary information. He indicated that he was speaking on behalf of many pastor groups in the city and that the city should be looking to cut expenses and not adding costs.

JoAnn Davis stated that the Council has a responsibility to the people and that she was opposed to DPB. She asked that the issue be put to a vote and that the San Pedro Playhouse be defunded.

Pete Ortega stated that the City Council should remove the line item for DPB and defund the San Pedro Playhouse. He noted that he chooses to be with God and that even though items were legal, they were not moral. He added that although some of the Councilmembers have already made up their minds; others should not follow suit.

Lupe Riojas, Isabel Flores and Delia Torres gave their time to George Rodriguez. Mr. Rodriguez stated that the electorate are the bosses and the Council needs to be listening to them. He noted his opposition to DPB and indicated that this was a moral issue. He added that the City Council should not continue to fund failed projects and that the issue of DPB should not be used as a stepping stone for political gain.

Dee Villarrubia thanked the City Council for their support and noted she was in favor of DPB. She asked that individuals not use the Lord's name for their causes.

Bob Martin thanked the people that pay taxes and noted their sacrifice to do so. He stated that monies designated for DPB could be given to the Alameda or to those that cannot afford to pay their CPS Energy bill.

Rev. Mick Hinson stated that he was a born again Christian and moved from South Carolina to San Antonio. He noted that he was a same sex partner and that he and his partner had been in a relationship for 19 years. He thanked the Police Chief for equally valuing everyone and added that he was born gay.

Betty Eckert stated that she was present to advocate for the seniors and requested that they receive more food. She noted that non-profits are not receiving the same amount of reimbursements; thus, centers are closing and they will no longer provide a food program. She stated that she loved animals, firefighters and police officers but needed to get the priorities in order. She referenced a senior center in need of funding for food to stay open. She asked the City Council for an increase in funding.

Allan Parker addressed the Council and distributed a copy of the law from the Texas Constitution Article 1, Section 32. MARRIAGE which states: a) Marriage in this state shall consist only of the union of one man and one woman; b) This state or a political subdivision of this state may not create or recognize any legal status identical or similar to marriage. He stated that there is no question that the Council is required to follow the law and would be violating this provision if benefits for domestic partners are passed.

Nancy Goettman addressed the Council stating that she was opposed to DPB. She stated that she was in support of marriage between one man and one woman and spoke of her ministry work.

Marion Thompson stated that he was present today in protest of the possible action relating to DPB. He expressed concern with individuals trying to remove the 10 Commandments from the Bexar County Courthouse and asked the City Council to honor God and not endorse abortion or homosexuality.

Margie Harris stated that she was speaking on behalf of seniors in opposition to DPB. She added that this was a very serious matter and that the City Council should listen to the seniors that voted for them.

Written testimony was received in support of Domestic Partner Benefits for Municipal Employees from Temple Beth-El and Madison Square Presbyterian Church.

Written testimony was received in opposition to Item 4 from Prunty Heusenger specifically to the DPB.

Councilmember Bernal thanked everyone for their work on the budget and stated that it reflects a commitment to the most vulnerable in the city. He spoke of the transformative projects in various communities that would drastically improve the quality of life for the residents. He noted the importance of treating all city employees the same.

Councilmember Bernal moved to adopt the proposed Ordinance for Item 4A with the exception of the funding for San Antonio Fighting Back. Councilmember Lopez seconded the motion.

Councilmember Chan thanked the Budget Department for their hard work on the budget and asked of the contract with the San Pedro Playhouse. Michael Bernard replied that the contract requires the

contractor to make the public aware of sensitive subject matter that may be performed. He added that city staff had indicated that they were fulfilling the terms of their contract. Councilmember Chan asked of the funding process. Felix Padron outlined the process, noting that they received input from the public and the Cultural Arts Board. The proposals are reviewed using four criteria and staff provides a recommendation on the amount of funding. Councilmember Chan recommended that the signage be improved at the San Pedro Playhouse. She expressed concern with the approval of domestic partner benefits, noting that this was not a good time to introduce new expenses into the budget. She added that the financial impact was not clear and that there were issues with verification.

Councilmember Chan stated that she would like to remove the line item for domestic partner benefits and asked that it be voted upon individually.

Councilmember Soules stated that he was not comfortable with domestic partner benefits and questioned the proposed verification process. He noted that he was concerned that a better process had not been reviewed to vet the issue.

Councilmember Saldaña stated that it was his responsibility to do what is in the best interest for the city and will support the domestic partner benefits provision in the budget.

Councilmember Taylor thanked everyone for being present today and for the revitalization projects for the East Side. She added that on the issue of domestic partner benefits, it was a matter of fairness.

Councilmember D. Medina thanked everyone for being present and recognized city staff for their work on the budget. He asked of the San Pedro Playhouse contract and if it has been followed. Mr. Padron confirmed that they were in compliance with their contract. Councilmember D. Medina asked what happens if they do not meet the letter of the contract. Mr. Padron stated that they have assigned staff to monitor the contract to ensure compliance and issues of noncompliance would be addressed. Councilmember D. Medina stated that the issue of domestic partner benefits was very challenging for him and that he had received more opposition than support from his constituents. He expressed concern with the verification process and cost, noting the economic conditions. He added that it was important to prioritize basic services and that he would not be able to support the domestic partner benefits item.

Councilmember Williams stated that domestic partner benefits were a small portion of the budget but paying for medical benefits was a big issue in society. He noted that the issue was provided to the City Council as a component of the budget. He added that he had a responsibility to the taxpayers to be consistent and provide the best benefits for city employees.

Councilmember Ramos commended the Budget Staff for their work on the budget and stated that it was important to ensure equity and consistency for all employees. She spoke of the improved budget process, noting that there had been many opportunities for citizen input.

Councilmember Lopez stated that there had been a scientific approach to the estimates provided for domestic partner benefits and believed that they were accurate. He noted that this does not set legal precedence and would not create a new status of marriage. He added that he was committed to doing what was best for the community and employees.

Councilmember C. Medina thanked city staff for their budget insight with regard to seniors, infrastructure, and libraries. He noted that the issue today has been domestic partner benefits and he has discussed the issue with his community. He indicated that it was important to represent city employees well and to treat them fairly and equally. He added that he respects the sanctity of the family unit but believes that the city should be inclusive and diverse.

Councilmember Chan noted that there was a budget shortfall in FY 2011 and that staff had identified efficiencies to overcome same. She expressed concern that the medical costs for domestic partner benefits were unknown.

Mayor Castro thanked Budget Staff for their work on the budget. He spoke of the great economy in San Antonio, noting low unemployment and foreclosure rates. He noted that over the last six years, the tax rate has been lowered three times. He mentioned the city's AAA Bond Rating and highlighted the great quality of life in San Antonio. He stated that the issue of domestic partner benefits had been discussed in great lengths, even though it only accounted for .014% of the budget. He expressed that all are created equal and that there are no second class citizens. He indicated that approving domestic partner benefits will make San Antonio an employer of choice and improve recruitment efforts. He referenced other companies that offer domestic partner benefits and added that this was not a new concept.

Councilmember Chan moved to amend the motion to exclude the domestic partner benefits and funding for San Antonio Fighting Back. Councilmember Soules seconded the motion.

The motion failed by the following vote: **AYES:** D. Medina, Williams, Chan, and Soules. **NAY:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina and Mayor Castro. **ABSENT:** None.

Councilmember Taylor moved to approve the funding for San Antonio Fighting Back. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSTAIN:** Ramos. **ABSENT:** None.

The main motion by Councilmember Bernal prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, and Mayor Castro. **NAY:** D. Medina, Chan and Soules. **ABSENT:** None.

RECESSED

Mayor Castro recessed the meeting at 1:22 pm to break for lunch and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:07 pm. The City Attorney announced that the items under Item 4 should be voted upon individually. At this time, Mayor Castro addressed Item 4B followed by 4C, 4D and 4E.

2011-09-15-0750

- B. AN ORDINANCE IN CONNECTION WITH THE ADOPTION OF THE CITY'S PROPERTY TAX RATE OF 56.569 CENTS PER \$100.00 OF VALUATION FOR FISCAL YEAR 2012; WHICH IS A PROPERTY TAX RATE THAT IS THE SAME RATE AS IN FY 2011 AND WILL GENERATE LESS REVENUE IN FY 2012 THAN IN FY 2011 DUE TO DECLINING PROPERTY VALUES AND ADOPTS THE AD VALOREM CITY PROPERTY TAX RATE FOR MAINTENANCE AND OPERATION (M&O) FOR THE CITY OF SAN ANTONIO AT 35.419 CENTS PER \$100.00 OF TAXABLE VALUATION.

Councilmember Ramos moved to adopt the proposed Ordinance for Item 4B. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Chan.

2011-09-15-0751

- C. AN ORDINANCE IN CONNECTION WITH THE ADOPTION OF THE CITY'S PROPERTY TAX RATE OF 56.569 CENTS PER \$100.00 OF VALUATION FOR FISCAL YEAR 2012; WHICH IS A PROPERTY TAX RATE THAT IS THE SAME RATE AS IN FY 2011 AND WILL GENERATE LESS REVENUE IN FY 2012 THAN IN FY 2011 DUE TO DECLINING PROPERTY VALUES AND ADOPTS THE AD VALOREM CITY PROPERTY TAX RATE TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT FOR THE CITY OF SAN ANTONIO AT 21.150 CENTS PER \$100.00 OF TAXABLE VALUATION.

Councilmember Bernal moved to adopt the proposed Ordinance for Item 4C. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Chan.

2011-09-15-0752

- D. AN ORDINANCE ESTABLISHING NEW FEES AND AMENDING FEES AS INCLUDED WITHIN THE FISCAL YEAR 2012 PROPOSED BUDGET WITHIN THE GENERAL FUND DEPARTMENTS OF FIRE AND HEALTH AND WITHIN THE RESTRICTED FUNDS OF AIRPORT, CONVENTION AND ENTERTAINMENT FACILITIES, MARKET SQUARE, PARKING, DEVELOPMENT SERVICES, AND SOLID WASTE; AND AMENDING THE CITY CODE TO REFLECT SUCH CHANGES.

Councilmember Ramos moved to adopt the proposed Ordinance for Item 4D. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Chan.

2011-09-15-0753

- E. AN ORDINANCE CARRYING FORWARD CERTAIN FISCAL YEAR 2011 FUNDS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; AND IF NECESSARY TO CONFORM WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES, AMENDING DEPARTMENTS AND FUNDS PRIOR APPROPRIATIONS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS.

Councilmember Ramos moved to adopt the proposed Ordinance for Item 4E. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Chan.

CONSENT AGENDA ITEMS 5-24

Consent Agenda Items 6, 8, 13, 15, and 20 were pulled for Individual Consideration.

Councilmember Ramos moved to approve the remaining Consent Agenda Items. Councilmember Bernal seconded the motion.

Mayor Castro called upon the individuals registered to speak on the Consent Agenda.

Bob Martin, President of the Homeowner Taxpayer Association addressed the City Council in opposition to the Downtown Transportation Study in Item 6. He expressed concern that the study would include light rail and stated that the voters had opposed same in 2001. He referenced the Advanced Transportation District Election that occurred in 2004 for better bus service and improvement of roads but a portion was used for Street Cars. He indicated that Street Cars were old technology and very expensive.

Faris Hodge, Jr. submitted written testimony in opposition to Item 6, noting that a Downtown Study was not needed. He submitted neutral written testimony for Items 7, 8, 11-13, 17, 18, 20, and 21. He wrote in favor of Items 9, 10, 14, 15, and 19.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Soules.

2011-09-15-0754

- Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) PARADIGM TRAFFIC SYSTEMS, INC. FOR CONTROLLER CABINET ASSEMBLIES AND (B) CONSOLIDATED TRAFFIC CONTROLS, INC. FOR AUDIBLE PEDESTRIAN SIGNALS.

2011-09-15-0756

Item 7. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$374,900.00 PAYABLE TO E-Z BEL CONSTRUCTION, LLC, FOR THE MISSION LOOP ROAD EXTENSION PROJECT, AN AUTHORIZED CERTIFICATE OF OBLIGATION, COMMUNITY DEVELOPMENT BLOCK GRANT, AND STORM WATER FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 3.

2011-09-15-0758

Item 9. AN ORDINANCE AUTHORIZING THE SUBMISSION, ACCEPTANCE, AND APPROPRIATION UPON AWARD, OF THE U.S. DEPARTMENT OF HOMELAND SECURITY 2011 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR FUNDS UP TO \$2,302,000.00 TO ENHANCE INTEROPERABILITY COMMUNICATIONS WITH OTHER AREA FIRE DEPARTMENTS, AND AUTHORIZING MATCHING FUNDS IN THE AMOUNT OF \$460,400.00.

2011-09-15-0759

Item 10. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS UPON AWARD FOR AN INTERLIBRARY LOAN GRANT FROM THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION IN THE AMOUNT OF \$417,311.00 FOR THE CONTINUING OPERATION OF INTERLIBRARY LOAN SERVICES.

Item 11. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013, 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; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING DAVID A. ARMENDARIZ (DISTRICT 1) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.
- B. APPOINTING ROSIE I. MALDONADO (DISTRICT 8) TO THE SAN ANTONIO HOUSING TRUST.

2011-09-15-0760

Item 12. AN ORDINANCE AUTHORIZING THE SECOND ONE-YEAR EXTENSION AND AMENDMENT OF THE FIRE DEPARTMENT UNIFORM COMMISSARY CONTRACT WITH GALLS, AN ARAMARK COMPANY LLC, TO PROVIDE UNIFORM ITEMS TO SAFD PERSONNEL BEGINNING OCTOBER 1, 2011 FOR AN AMOUNT UP TO \$829,000.00.

2011-09-15-0024R

Item 14. A RESOLUTION ADOPTING CRITERIA FOR USE WHEN REVISING CITY COUNCIL DISTRICT BOUNDARIES AND ESTABLISHING GUIDELINES FOR PERSONS SUBMITTING COMMENTS AND PROPOSALS DURING THE 2011 REDISTRICTING PROCESS.

2011-09-15-0025R

Item 16. A RESOLUTION ENDORSING THE 2011–2016 SAN ANTONIO PUBLIC LIBRARY STRATEGIC PLAN.

2011-09-15-0763

Item 17. AN ORDINANCE AUTHORIZING A CONSERVATION EASEMENT TO THE NATURE CONSERVANCY FOR SCENIC CANYON NATURAL AREA AND AUTHORIZING THE TRANSFER OF U.S. FISH AND WILDLIFE SERVICE ENDANGERED SPECIES MITIGATION CREDIT FOR THE USE AND BENEFIT OF FT. SAM HOUSTON ON THEIR CAMP BULLIS SITE.

2011-09-15-0764

Item 18. AN ORDINANCE AUTHORIZING PAYMENT IN THE AMOUNT OF \$102,977.79 TO CPS ENERGY FOR UNDERGROUND UTILITY RELOCATION SERVICES ASSOCIATED WITH THE SAN ANTONIO RIVER WATER TREATMENT FACILITY.

2011-09-15-0765

Item 19. AN ORDINANCE AUTHORIZING A TEMPORARY CLOSURE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ALLOWING THE TEMPORARY STREET CLOSURE OF SPECIFIED STATE RIGHT OF WAY ON BROADWAY FROM PARLAND TO MCCULLOUGH, IN CONNECTION WITH THE SÍCLOVÍA EVENT TO BE HELD ON OCTOBER 2, 2011, LOCATED IN COUNCIL DISTRICT 1.

2011-09-15-0767

Item 21. AN ORDINANCE AUTHORIZING A CONTRACT WITH WEB-HED TECHNOLOGIES, INC. TO PROVIDE AND DELIVER A COMPREHENSIVE WEBSITE REDESIGN ANALYSIS FOR THE CITY FOR A TOTAL COST OF \$69,978.00.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-09-15-0755

Item 6. AN ORDINANCE AWARDED A PROFESSIONAL SERVICES CONTRACT TO PAPE-DAWSON ENGINEERS INC., IN THE AMOUNT UP TO \$1,250,000.00, FOR A DOWNTOWN

TRANSPORTATION STUDY, FUNDED FROM 2007-2012 BOND FUNDS AND 2007-2012 BOND SAVINGS.

Councilmember Saldaña asked for additional information regarding the Downtown Transportation Study. Mike Frisbie responded that the study would include a comprehensive review of downtown streets and determine a future design standard for vehicles and pedestrians to create a vibrant downtown. He spoke of the traffic issues in the Downtown Area and noted that there was a desire to have fewer buses.

Councilmember Williams stated that he endorsed the study and that it was very important that it be completed. He noted that downtown should be made more accessible for all citizens and requested that the results of the study be provided to the Infrastructure and Growth Council Committee.

Councilmember Ramos asked of the timeframe for the study. Mr. Frisbie replied that some deliverables would be identified in the next few months and should be completed in May 2012. Councilmember Ramos asked of the relation to VIA's two studies. Mr. Frisbie stated that the studies were different in that VIA was reviewing the transit component for downtown. Councilmember Williams added that the city should coordinate with VIA on the study.

Councilmember Taylor stated that she would like for the study to identify linkages from downtown to surrounding neighborhoods.

Councilmember Saldaña moved to adopt the proposed Ordinance. Councilmember D. Medina seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2011-09-15-0757

Item 8. AN ORDINANCE AUTHORIZING THE SUBMISSION, ACCEPTANCE, AND APPROPRIATION UPON AWARD, OF THE U.S. DEPARTMENT OF HOMELAND SECURITY 2011 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR FUNDS UP TO \$84,252.00 TO PURCHASE EXERCISE EQUIPMENT FOR FIFTY-ONE SAN ANTONIO FIRE DEPARTMENT FIRE STATIONS; AND AUTHORIZING MATCHING FUNDS IN THE AMOUNT OF \$16,850.40.

Councilmember D. Medina stated that he was pleased that staff was soliciting grant funds for health and fitness for the San Antonio Fire Department (SAFD). He asked of the placement of the equipment that would be purchased. Erik Walsh replied that they would provide fitness equipment throughout the 51 Fire Stations and was part of the Wellness Initiative to keep Firefighters in good condition.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2011-09-15-0761

Item 13. AN ORDINANCE AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH ARGO GROUP US, INC. (“ARGO”) AND RELATED PARKING AGREEMENT TO PROVIDE FINANCIAL INCENTIVES IN THE APPROXIMATE AMOUNT OF \$2,850,120.00 OVER 10 YEARS PROVIDED THAT THE COMPANY LOCATES A MINIMUM OF 200 CORPORATE LEVEL JOBS AT THE IBC CENTRE BUILDING AT 175 E. HOUSTON STREET NO LATER THAN JUNE 30, 2012.

Councilmember Chan stated that this is a good and positive story to tell and asked staff to outline the agreement. Pat DiGiovanni stated that it is a grant and related parking agreement and that staff had been working with Argo to keep jobs in San Antonio and locate in the Downtown Area. He noted that the 200 jobs were high level and that there was potential to create an additional 100 jobs in the future. He added that this would help with the revitalization of Houston Street and supports the efforts of SA2020 to bring employment downtown.

Councilmember Chan recognized representatives from Argo that were present and thanked them for their commitment to San Antonio. She confirmed that funding would be provided through the Houston Street Tax Increment Reinvestment Zone (TIRZ).

Councilmember Bernal stated that he was pleased that Argo would be moving to the Downtown Area and that their presence was very important to the efforts to repopulate the area.

Councilmember Soules asked of the ability for citizens to utilize the parking garage in the evenings and weekends. Mr. DiGiovanni confirmed that Argo would utilize the spaces during the day and the general public would have access in the evenings and weekends.

Mayor Castro thanked Argo for relocating to the Downtown Area and noted that it was important to create a vibrant Downtown.

Councilmember Chan moved to adopt the proposed Ordinance. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** D. Medina.

The City Clerk read the following Ordinance:

2011-09-15-0762

Item 15. AN ORDINANCE APPROVING THE FISCAL YEAR 2012 ANNUAL AUDIT PLAN.

Councilmember Chan thanked staff for meeting their goals and asked of the approval of the Audit Council Committee. Kevin Barthold replied that they had presented the FY 2012 Audit Plan to the Audit Committee the previous week and they had approved it as presented. He noted that they had

prioritized the list of audits based on Risk Assessment. Councilmember Chan asked why her input was not incorporated into the Audit Plan. Mr. Barthold stated that staff looks closely at revenue generating departments and prioritizes those. He added that 1,000 staff hours were allocated for special projects and same could be utilized on her recommendation.

Councilmember Williams stated that he was pleased to have received the draft audit plan prior to the budget adoption. He noted that the 3-1-1 System was deferred to due to the implementation of the new Customer Relationship Management System. He asked for Councilmember Chan's suggestion that was not included. Mr. Barthold responded that it was an audit of the City Attorney's Office.

Councilmember Ramos commended Councilmember Williams for his leadership on the Audit Committee and requested that she be kept abreast of the Telecommunications Audit.

Councilmember Chan moved to adopt the proposed Ordinance. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

The City Clerk read the following Ordinance:

2011-09-15-0766

Item 20. AN ORDINANCE ADOPTING ELEMENTS ASSOCIATED WITH THE DEVELOPMENT OF THE PROPOSED 2012 – 2017 BOND PROGRAM TO INCLUDE A BOND PROGRAM IN THE AMOUNT OF \$596 MILLION TO BE ALLOCATED TO THE CATEGORIES OF STREETS/BRIDGES/SIDEWALKS, DRAINAGE,PARKS, AND FACILITIES/COMMUNITY INITIATIVES; THE ESTABLISHMENT OF GUIDING PRINCIPLES FOR PROJECT SELECTION; THE USE OF THE ROUGH PROPORTIONALITY CONCEPT IN THE BOND PROGRAM DEVELOPMENT; AND THE APPROVAL OF CITY COUNCIL APPOINTMENTS TO THE FOUR COMMUNITY BOND COMMITTEES.

Peter Zanoni stated that the 2012-2017 Bond Program totaled \$596 million and would be utilized on four categories. He noted that based on the previous day's B Session, staff was recommending that the City Council approve 12 Guiding Principles and the utilization of the concept of rough proportionality. He provided a list of Community Committee Members by category as appointed by the City Council.

Councilmember Ramos asked of the amount that would be utilized for city-wide projects. Mr. Zanoni replied that an amount had not been identified and would work with each of the committees on recommended projects. Councilmember Ramos asked of the criteria for city-wide projects. Mr. Zanoni stated that they consisted of projects that had a regional impact such as Downtown Projects that would affect the entire city.

Councilmember Bernal moved to adopt the proposed Ordinance. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

At this time, Mayor Castro addressed the Zoning Items.

ZONING ITEMS

WITHDRAWN BY APPLICANT

Item Z-1 **ZONING CASE # Z2011170 (District 1):** An Ordinance amending the Zoning District Boundary from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial District and "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-1" Light Commercial District to "IDZ" Infill Development Zone District with uses permitted in "MF-40" Multi-Family District and "C-2" Commercial District on Lots A1, A7, A8 and 10, Block 4, NCB 2972 located at 1002, 1006, and 1020 South Flores Street & 302 West Guenther Street. Staff recommends approval of the zoning request. Zoning Commission recommends approval of "IDZ" Infill Development Zone District with uses permitted in "MF-40" Multi-Family District and "C-2" Commercial District on Lots A1, A7 and A8, Block 4, NCB 2972 (1002 and 1006 South Flores Street and 302 West Guenther Street) and "IDZ" Infill Development Zone District with uses permitted in "MF-40" Multi-Family District and "C-2NA" Commercial Nonalcoholic Sales District on Lot 10, Block 4, NCB 2972 (1020 South Flores Street).

Chris Looney reported that Item Z-1 had been withdrawn by the applicant. No action was necessary.

Items P-1 and Z-2 were addressed jointly.

2011-09-15-0768

Item P-1. **PLAN AMENDMENT #11014 (District 2) - AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE IH-10 EAST CORRIDOR PERIMETER PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 9.54 ACRES LOCATED AT 7304 AND 7380 IH-10 EAST FROM COMMUNITY COMMERCIAL LAND USE TO INDUSTRIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011168)**

2011-09-15-0769

Item Z-2. **ZONING CASE # Z2011168 (District 2):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on Lot 37, Tract 15 and the west 1/2 of Tract 16 and ARB Tract-15B, NCB 17994 located at 7304 and 7380 IH 10 East. Staff and Zoning Commission recommend approval pending the plan amendment.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 37, TRACT 15 AND WEST 1/2 OF TRACT 16 AND ARB TRACT-15B, NCB 17994 TO WIT:

FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "NP-10 AHOD" NEIGHBORHOOD PRESERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney stated that the Plan Amendment (Item P-1) would amend the land use plan contained in the IH-10 East Corridor Perimeter Plan. For Item Z-2, he reported that 14 notices were mailed with none returned in opposition and four returned in favor. He noted that staff and the Planning and Zoning Commissions recommended approval.

Mayor Castro called upon Sylvia Elguezabal to speak.

Ms. Elguezabal stated that she serves as the President of the Eastgate Neighborhood Association and they were in support of the changes. She noted that the property owner had agreed to add trees and shrubbery to the front of the property.

Councilmember Taylor asked the property owner of his intent to include greenery and fencing. The owner confirmed same. Councilmember Taylor thanked the property owner for working with the neighborhood.

Mayor Castro excused himself from the meeting at this time and Mayor Pro Tem Lopez presided over the meeting.

Councilmember Taylor moved to adopt the proposed Ordinances for Items P-1 and Z-2. Councilmember Bernal seconded the motion.

The motion to adopt the Ordinances for Items P-1 and Z-2 prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Soules. **NAY:** None. **ABSENT:** Ramos and Mayor Castro.

Items P-2 and Z-3 were addressed jointly.

CONTINUED TO OCTOBER 20, 2011

Item P-2. **PLAN AMENDMENT #11032 (District 4):** An Ordinance amending the land use plan contained in the United Southwest Communities Plan, a component of the Master Plan of the City, by changing the use of a 9.066 acre tract of land located at 8331 SW Loop 410 from Low Density Residential land use and Community Commercial land use to Regional Commercial land use. Staff recommends denial. Planning Commission recommends approval. (Associated Zoning Case: #Z2011117 S)

CONTINUED TO OCTOBER 20, 2011

Item Z-3. **ZONING CASE # Z2011117 S (District 4):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Storage-Outside (Screening from Public ROWs and Adjacent Property Required) on Parcel 74D, NCB 15248 located at 8331 S.W. Loop 410. Staff recommends denial. Zoning Commission (8-0) recommends approval pending the plan amendment.

Chris Looney stated that the Plan Amendment (Item P-2) would amend the land use plan contained in the United Southwest Communities Plan. He noted that staff recommended denial while the Planning Commission recommended approval. For Item Z-3, he reported that staff recommended denial and the Zoning Commission recommended approval pending approval of the Plan Amendment. He indicated that of 28 notices mailed; none were received in opposition and one was returned in favor from the subject property owner.

Councilmember Saldaña moved to continue Items P-2 and Z-3 to October 20, 2011. Councilmember Bernal seconded the motion.

The motion to continue prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Soules. **NAY:** None. **ABSENT:** Mayor Castro.

2011-09-15-0770

Item P-3. **PLAN AMENDMENT #11047 (District 6):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE WEST/SOUTHWEST SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.404 ACRE TRACT OF LAND LOCATED AT 539 OLD HIGHWAY 90 WEST FROM GENERAL URBAN TIER LAND USE TO REGIONAL CENTER LAND USE. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: # Z2011124S)

Chris Looney stated that the Plan Amendment would amend the land use plan contained in the West/Southwest Sector Plan. He noted that staff recommended denial and the Planning Commission recommended approval.

Mayor Pro Tem Lopez called upon the individuals registered to speak.

Patricia Burton addressed the City Council and stated that her family had operated a business since the 1920's. She noted that they were good stewards of their property and would like to operate a store front. She thanked Councilmember Lopez and staff for working with her.

Yvonne Ojeda stated that she was born and raised on the Westside and that the area needed help. She spoke of the available labor force in the area and thanked Councilmember Lopez for his support.

Councilmember Lopez moved to adopt the proposed Ordinance. Councilmember Soules seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Soules. **NAY:** None. **ABSENT:** Mayor Castro.

REFERRED BACK TO ZONING COMMISSION

Item Z-4. **ZONING CASE # Z2011124 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-3R S AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility on Lot 161, NCB 8237 located

at 539 Old Highway 90 West. Staff recommends denial. Zoning Commission recommends approval with site plan A, pending the plan amendment.

Chris Looney stated that staff recommended denial and the Zoning Commission recommended approval with Site Plan A and pending approval of the Plan Amendment. He reported that of 24 notices mailed; none were received in opposition and four were received in favor. He added that the Community Workers Council Neighborhood Association was in favor.

Councilmember Lopez moved that the item be sent back to Zoning Commission for consideration of the addition of the NA non-alcoholic sales designation for the requested zoning and that the rezoning case be expedited at no cost to the applicant. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, and Chan. **NAY:** None. **ABSENT:** Soules and Mayor Castro.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Lopez adjourned the meeting at 3:20 pm.

APPROVED



JULIÁN CASTRO
MAYOR

Attest:



LETICIA M. YACEK, TRMC/CMC
City Clerk