

**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, FEBRUARY 13, 2013, AND THURSDAY, FEBRUARY 14, 2013, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **February 13, 2013**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

**1. BRIEFING AND POSSIBLE ACTION REGARDING THE “3 PLUS 9”, THE CITY’S FY 2013 BUDGET AND FINANCE STATUS FOR THE FIRST THREE MONTHS, UPDATED ESTIMATES FOR REVENUES AND EXPENDITURES FOR THE REMAINING NINE MONTHS, AND THE RECOMMENDED FY 2014 BUDGET CALENDAR.**

Sheryl Sculley presented an overview of the FY 2013 Three Plus Nine (3+9) Budget and Finance Report and stated that the FY 2013 Consolidated Budget totaled \$2.3 billion. She highlighted FY 2013 First Quarter Results, noting that the General Fund is \$580,000 better than projected and estimates that it will be \$2.6 million better than projected for the entire year. She noted that while the forecast for FY 2013 was positive, the city faces significant budget challenges for FY 2014. She reported a \$50 million challenge and \$14.45 million in new funding requests for FY 2014.

Maria Villagomez presented Property Tax Revenues for the first quarter were \$150,000 better than projected. She reported that Sales Tax Revenues were \$1.6 million ahead of budget and estimated being \$3.5 million above budget for the year. She noted that CPS Revenues were \$2.1 million below budget and had been down for 10 of the past 16 months. She spoke of the factors that affect CPS Revenues including decreased gas and electric sales due to mild weather conditions. She stated that there were \$220,000 less General Fund Expenditures and estimated savings of \$360,000 for the year.

Ms. Villagomez reported that Development Services Fund Revenues were \$390,000 above budget and that new residential permits were projected at 10% higher than the FY 2013 Budget. She stated that Hotel Occupancy Tax Collections were \$400,000 higher than projected and Aviation Fund Revenues were \$790,000 above budget. She noted that Solid Waste Management Fund Revenues were \$334,000 less than budgeted due to changes in recycling commodity prices.

Ms. Villagomez provided an overview of FY 2013 Budget Initiatives noting that resources had been added to the Animal Care Services Department to increase the Live Release Rate. She reported that five Code Enforcement Officers had been hired and two Supervisors would be hired by the end of the month to increase inspections. She highlighted Wellness Initiatives for FY 2013 that include the Virgin Health Miles Program which rewards physical activity. She spoke of the Employee Clinic that opened in 2008 to serve city employees and noted that the contract expires on April 30, 2013. She reported that a Request for Proposals (RFP) for these medical services had been released in December 2012 and four proposals were received. She stated that the proposals would be reviewed in February and a recommendation would be provided to the City Council in April. She noted that the Innovation and Reform Team was created in 2007 and had identified \$16 million in efficiency savings. She mentioned

that they were in the process of reviewing Municipal Court Services and anticipated savings in operational costs. She indicated that their FY 2014 Work Plan included a review of the City's Fleet.

Ms. Villagomez presented an overview of the FY 2014 Budget Calendar in which Community Budget Meetings are scheduled to be held from June 17-20, 2013. She stated that the City Council Major Policy and Budget Goal Setting Worksession for FY 2014 was scheduled for June 25, 2013 with an initial presentation of the budget scheduled on August 8, 2013. She noted that City Council Budget Work Sessions would be held from August through September and that the FY 2014 Budget was scheduled for adoption on September 12, 2013.

Mayor Castro asked of the decrease in recycling commodity prices. Ms. Villagomez replied that they anticipated receiving an average of \$40 for commodities sold but were only receiving \$12. David McCary added that the price fluctuated and increased to \$20 for the first month of the second quarter. Mayor Castro asked of the Property Tax Revenues. Ms. Villagomez replied that Property Tax Revenues were consistent with the budget and would not fluctuate greatly but hoped to see an increase in the five-year projections.

Councilmember Saldaña asked how the funding gap for FY 2014 was identified. Ms. Sculley replied that they estimated based on Property Tax, Sales Tax, and CPS Revenues and compared them to assumed costs for the current level of service. Councilmember Saldaña asked of the driving factor for the \$50 million challenge for FY 2014. Ms. Sculley replied that expenses were growing at a much faster rate than revenues and mentioned the operating costs associated with approved capital improvements.

Councilmember Chan asked if the \$14.45 million was requested after the budget was approved. Ms. Villagomez confirmed that the requests were made after the FY 2013 Budget was adopted. Ms. Sculley added that the funding had been requested but had not been approved by the City Council.

Councilmember D. Medina spoke of the Senior Nutrition Sites that closed and asked of the city's plan to address the needs of Seniors. Ms. Sculley replied that they were working to ensure that Seniors that wanted a meal received one whether it was provided at a Nutrition Site or delivered to their home. Gloria Hurtado added that they were working with partner agencies to deliver meals to the Seniors that qualified and had also transferred some Seniors to other Nutrition Sites. She noted that a few additional Senior Nutrition Sites were approved through the 2012 Bond Program. Councilmember D. Medina stated that there should be a plan to address future closures. He noted that he was pleased with meals being delivered but would also like for Seniors to be able to visit a site to interact with others. Ms. Sculley stated that there was a plan in place and that staff would continue to solicit input from the City Council to ensure the needs of Seniors were addressed. Councilmember D. Medina requested the number of Seniors that were having meals delivered versus those that were attending Nutrition Sites. He also asked of the Aviation Fund Revenues. Ms. Villagomez replied that they were \$790,000 above budget due to increased International Flights and parking revenues. Ed Belmares added that from November 2011 to November 2012, International Flights had increased by 208%. Councilmember D. Medina requested the overall economic impact of the increased International Flights. He asked if the decreased revenue within the Solid Waste Fund would not have an impact to service delivery. Mr. McCary confirmed same and stated that they would identify operational efficiencies and reduce expenditures.

Councilmember Bernal spoke of an issue with the Senior Nutrition Site at Sacred Heart Church and spoke of the importance of strengthening partnerships to ensure advocacy and open communication.

Councilmember Ozuna expressed concern with the large funding gap identified for FY 2014 and stated that she would like to get a better idea of the new funding requests and CPS Energy Revenues.

Councilmember Lopez asked of the reduction in funding from the Alamo Area Council of Governments (AACOG). Ms. Hurtado replied that the reduction totaled \$400,000 last year and AACOG had not notified the city until after the budget was adopted. She stated that staff was able to make adjustments after receiving grant money later in the year and that the service impact was minimal.

Mayor Castro thanked staff for the presentation.

## **2. A BRIEFING ON DOWNTOWN GROCERY STORE STUDY RECOMMENDATIONS AND NEXT STEPS.**

Ms. Sculley introduced representatives from HR&A Advisors that worked on the Center City Supermarket Study, Kate Coburn and Ryan LeVasseur. Ms. Coburn stated that they were economic development consultants with retail experience and spoke of their work on supermarket studies throughout the US. She noted that they had worked on the Center City Strategic Framework Plan that was adopted in 2012 which included new housing units and high quality development. She stated that a supermarket in the Center City Area would support the area's economic development goals and anchor further retail growth. She outlined the methodology utilized for the Supermarket Study which included identifying supply, demand, appropriate store format, assessing site criteria, and providing recommendations to the city.

Ms. Coburn stated that they had identified three consumer segments that would support a supermarket: Residents, Office Workers, and Hotel Guests. She reported that there were 7,000 households with \$15.2 million in total grocery spending potential per year. She noted that there were 69,000 Office Workers with \$1,775 grocery spending potential per worker per year. She stated that there were six million Center City Hotel Visitors with \$38.8 million in total grocery spending potential per year. She added that there was \$10.1 million in annual untapped demand for groceries. Mr. LeVasseur reported that there was sufficient existing demand for a proven scale of supermarket and that the market could support a 19,800 square foot-size facility.

Ms. Coburn reported that an ideal downtown supermarket should include: 1) 15,000 square-feet; 2) 60+ parking spaces; 3) Adequate loading area; 4) Ground floor of residential/office development; and 5) Integration into the neighborhood. She highlighted successful downtown supermarkets in various cities throughout the US. She stated that a quality supermarket would provide a product range not currently available downtown which could capture additional spending. She noted that the SA2020 Plan for residential growth would unlock support for additional supermarket space. Mr. LeVasseur outlined site selection criteria of supermarket operators that includes population density, sufficient land, and ample parking. Ms. Coburn highlighted challenges of attracting a supermarket operator downtown such as higher land acquisition costs and higher operating costs.

Ms. Coburn recommended that the city utilize incentives such as fee waivers, expedited permitting, and integrated parking, and further recommended that the city issue a Request for Interest (RFI). She outlined key factors for a successful downtown supermarket noting that store size, financial strength, and ability to operate in an urban environment were important.

Lori Houston, Director of the Center City Development Office (CCDO) recommended that the city issue an RFI that states the following: 1) The city is interested in obtaining information from development teams interested in the concept of a downtown grocery store. The development team must include a grocery store operator and a developer. 2) The city has incentives available for a grocery store to include City Fee Waivers, SAWS Impact Fee Waivers, Tax Rebates, and up to \$1 million in grant funding. She indicated that this would allow the city to gauge serious interest and review all concepts and ideas for consideration. She stated that depending on the quality and number of proposals, city staff may recommend proceeding with a Request for Proposals (RFP).

Ms. Houston stated that the RFI Review Committee would be comprised of four city staff members and that HR&A would serve in an advisory capacity. She outlined key factors of a successful downtown supermarket that include financial strength, targeted product mix, and ability to operate in an urban market. She provided a timeline noting that the item would be brought before the City Council for action in September 2013.

Mayor Castro thanked staff for the presentation.

Councilmember Bernal stated that he was pleased with the recommendations and asked of the work of HR&A in areas similar to San Antonio. Ms. Coburn spoke of their recent success in St. Louis noting that an area did not need to be too dense. She stated that they had issued an RFI and that a local entity was in the process of negotiating a lease. Councilmember Bernal asked how staff would address a respondent that proposed a facility of 4,000 square feet. Ms. Coburn stated that they were looking to ensure that traditional grocery store offerings were provided and that they responded to the market demand. She noted that she did not believe that the needs of the market would be addressed with a 4,000 square-foot facility. She spoke of the need to develop a sense of space and get people excited about visiting the facility. Councilmember Bernal asked of the importance of brand recognition. Ms. Coburn responded that brand recognition and being part of the community were important but that execution would be important as well. Councilmember Bernal asked if the downtown grocery store would be part of a larger development. Ms. Coburn replied that it would be great to have a mixed-use space but a stand-alone project would be catalytic for other retail stores. Councilmember Bernal asked of potential partnerships between small and large companies. Ms. Coburn responded that she had not seen that done but that there could be opportunities for partnerships. Councilmember Bernal thanked everyone for their work.

Councilmember Williams stated that he was pleased to receive the Center City Supermarket Study prior to the B Session. He noted that the methodology was traditional and would like to see a model centered around various things to include reducing risk and providing scalability. He spoke of the need to encourage innovation, address a diverse customer base, and leverage existing investments. He stated that it was important to create something that drives growth and asked that staff look at something that allows multiple individuals to participate in a singular function. Ms. Coburn stated that this was called a deconstructed supermarket and the concept could be submitted as such through the RFI Process. Councilmember Williams stated that he would like to see a project that was more diversified.

Councilmember Soules asked what format would work best in the environment using the data analyzed. Ms. Coburn stated that they did not study the mix of what a supermarket should offer in terms of specific price points. She noted that it would be up to the operator to determine what they would sell and their price points. Councilmember Soules spoke of the various expectations throughout the city and asked of the expectation for Downtown Residents. Ms. Coburn replied that they were opening it up

through an RFI and that the expectation was that they would serve multiple markets and not just Downtown Residents. Councilmember Soules asked of the \$2,200 grocery spending per household. Mr. LeVasseur replied that they had utilized Census Data based on the Consumer Price Index for the study area. Councilmember Soules expressed concern with the low number per household and stated that a 15,000 square-foot facility would be limited in offerings. Ms. Coburn stated that their residential calculation was conservative but was not the only component of the study. Councilmember Soules requested to review the data sets utilized.

Councilmember Saldaña stated that a Downtown Supermarket was long overdue and asked of the Downtown Supermarket in New Orleans. Mr. LeVasseur replied that the City of New Orleans had utilized a local Louisiana Operator to operate their Downtown Grocery Store and had rehabilitated an old car dealership with 30,000 square feet of space. Councilmember Saldaña asked of the main difference of having a small independent operator versus a larger chain and highlighted challenges in the City of Dallas. Mr. LeVasseur stated that there was a challenge with the smaller operator in providing quality and variety of food. He noted that there was not a large residential population in Downtown Dallas. Councilmember Saldaña stated that there was only one opportunity to get this right. He asked of the role of the Historic Design and Review Commission (HDRC). Ms. Houston replied that the HDRC would only be involved if a historic building was being proposed or if it was located within the River Improvement Overlay District.

Councilmember Taylor stated that in relation to the RFI, she would like to ensure that they were thinking outside of the box. She noted that she was frustrated with the poor quality of grocery services currently available in the inner city. She asked if it would be possible to design a business model to address diversity and choice and to be at the right price point. She stated that she did not want to incentivize an operator that would not meet the diverse needs in the market and hoped to do something new and different.

Councilmember D. Medina spoke of the importance of finding a good balance and stated that the inner city encompassed pockets of Districts 2 and 5. He noted that this was a good step in the right direction due to the future growth that would occur in the area.

Mayor Castro stated that this was a good opportunity for the city to review the various options and supported moving forward with the RFI Process.

## **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 4:40 pm to convene in Executive Session for the purposes 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).**
- B. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT AND 551.071 (CONSULTATION WITH ATTORNEY).**
- C. DISCUSS LEGAL ISSUES RELATED TO *CITY OF SAN ANTONIO V. HOTEL.COM, L.P., ET AL* IN THE UNITED STATES DISTRICT COURT,**

**WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION, CASE NO. SA06CA0381-OG, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

**D. DISCUSS LEGAL ISSUES RELATED TO SANITARY SEWER OVERFLOWS PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 6:00 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

**CITIZENS TO BE HEARD**

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez stated that many of the scriptures in The Bible referenced love and kindness. He spoke of The Pope and noted that many changes were coming that would not be good. He referenced issues with the water at Our Lady of the Lake and mentioned the fact that the US and China both had problems with North Korea.

Al Lindsey stated that he was a member of the Highland Park Neighborhood Association but was speaking on his own behalf. He expressed concern with the bonuses that were paid to CPS Energy Executives noting that the money could have been better used on meter reading. He asked that individuals hired by CPS Energy be paid the amount that was agreed to.

Kenneth Thomas stated that he had established a non-profit organization entitled Big Homie, Inc. and spoke of a clean-up project they had conducted for the Camelot II Neighborhood. He noted that he had received a Proclamation from Bexar County and was now requesting assistance from the City of San Antonio for some of their events. He mentioned that their goal was to create leaders amongst San Antonio and Bexar County Youth.

Mark Perez expressed concern with various City Employees within the Emergency Management Division and Development Services Department. He stated that there were many businesses that were operating and storing hazardous chemicals without the proper permits. He noted that Code Enforcement Officers were not aware of the International Building Codes.

Faris Hodge, Jr. submitted written testimony regarding the construction award for the Salado Creek Bridge that occurred in May 2012. He provided an article entitled, "Recognizing the artist behind the MLK Statue" and referenced the progress of Eastside Initiatives. He expressed concern that homeless individuals are fined \$500 for urinating in the Downtown Area noting the lack of restrooms downtown after 5:00 pm. He wrote that CPS Energy should not pursue coal or natural gas and that they should purchase more solar energy. He highlighted the city's efforts on small business outreach and provided copies of various agenda items for the Bexar County Commissioner's Court. He noted his support for paying the Mayor and City Council a full-time salary.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:19 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **February 14, 2013**, 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, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Chan, Soules, and Mayor Castro. **ABSENT:** Williams. Mrs. Vacek noted that Councilmember Williams would not be in attendance.

**Item 1.** The Invocation was delivered by Pastor David Thompson, Northside Community Church, guest of Councilmember Diego Bernal, District 1.

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

## **Item 3. MINUTES**

Councilmember Saldaña moved to approve the Minutes for the January 16-17, 2013 City Council Meetings. Councilmember C. Medina seconded the motion.

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

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 4:

### **2013-02-14-0107**

Item 4. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 83RD REGULAR STATE LEGISLATIVE SESSION, AN UPDATE ON THE STATUS OF PROPOSED STATE LEGISLATION AND ITS IMPACT ON THE CITY OF SAN ANTONIO.

Jeff Coyle, Intergovernmental Relations (IGR) Director presented a Power Point regarding the 2013 State Legislative Session. He highlighted dates of interest that include the deadline for filing bills on March 8, 2013 and the last day of the 83<sup>rd</sup> Regular Session being May 27, 2013. He reported that 1,937 bills and constitutional amendments had been filed and reviewed by IGR Staff. He stated that 700 bills were assigned to Department Liaisons and Legal Staff for evaluation of their impact on the City of San Antonio. He provided an overview of Bexar County Committee Assignments.

Mr. Coyle reviewed City of San Antonio Initiatives: Hemisfair Redevelopment, Floodplain Enforcement, Removal of Platted Restrictions, Land Bank, Fire Department Eligibility List, and Regulation of Location of Community Homes and Assisted Living Facilities. He spoke of the major issues within the 83<sup>rd</sup> Legislative Session that encompass Education, Water, and Transportation. In the Education Category, he noted that a recent court ruling deemed the State Public School Finance System unconstitutional. He reported that the estimated cost to implement the State Water Plan was \$53 billion and that several bills had been filed to appropriate \$2 billion from the Rainy Day Fund to support implementation of the State Water Plan. He stated that Governor Perry had proposed in his State

Address that \$1.7 billion from the Rainy Day Fund be used to fund transportation infrastructure projects. He highlighted a proposed amendment to the City's State Legislative Program to include the Mayor's Fitness Council 2013 Legislative Agenda. He reported that the amendment would support Physical Activity, Healthy Eating, Healthy Schools, and Healthy Worksites.

Mr. Coyle recommended approval to amend the 83<sup>rd</sup> State Legislative Program to include the endorsement of the Mayor's Fitness Council 2013 Legislative Agenda.

Mayor Castro thanked staff for the presentation and stated that he was pleased with the Committee Assignments of Local Legislators. He noted his support for the amendment to include the goals set by the Mayor's Fitness Council and commended the members for their work. He recognized Councilmember Lopez for his leadership as Chair of the Intergovernmental Relations Council Committee.

Councilmember Lopez thanked staff for their work on the Legislative Session. He stated that he had attended the Large City Mayor's Conference and that many other large cities had concerns identical to the City of San Antonio within Transportation and Water.

Mayor Castro called upon Nazirite Ruben Flores Perez to speak on Item 4.

Mr. Nazirite Ruben Flores Perez stated that he had been in Austin to address water issues and spoke of his concerns with the water supply in Medina Lake.

Faris Hodge, Jr. submitted written testimony in opposition to Item 4 and asked why backup documentation was not included in the agenda packet.

Councilmember Lopez moved to adopt the amendment to the City's Legislative Agenda. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Chan, and Mayor Castro. **NAY:** Soules. **ABSENT:** Williams.

The City Clerk read the caption for Item 5:

**2013-02-14-0108**

Item 5. AN ORDINANCE ADOPTING THE UPDATED ANNEXATION POLICY.

John Dugan presented a Power Point denoting the benefits of the Annexation Policy. He stated that the policy would facilitate proactive decision making for future growth and promote orderly growth and development. He noted that it would also allow for the efficient delivery of municipal services. He provided an outline of the Annexation Policy Document that would include background, history, strategies, and policy statements to guide and provide rationale for consideration of areas for annexation. He reported that it would provide a process for identifying areas for potential annexation and a formal plan required by State Statute to initiate full purpose annexation proceedings. He explained that the previous policy did not include strategies to address growth nor did it consider undeveloped land. He stated that the updated policy would evaluate planned growth areas and ensure protection of military

missions. He noted that factors would be identified for the evaluation of special districts or incorporations and that a 10-year annexation program would be included in the new policy.

Mr. Dugan provided an overview of the Policy Categories: Level of Development/Projected Growth; Service Delivery Needs; Public Health, Safety, and Welfare; Intergovernmental Relations; Fiscal Impact of Annexing and Not Annexing; and Non-Annexation Agreements. He stated that the Annexation Program identifies areas where the city may choose to initiate annexation proceedings in the future and that the 10-Year Annexation Program would be updated every two years. He mentioned that it would estimate the proposed year for each annexation but would not obligate the city to annex. He reported that the Annexation Plan would include Limited Purpose and Full Purpose Annexation and that general provisions would ensure that the properties were within the Extra-Territorial Jurisdiction (ETJ) and contiguous to the city limits. He explained the 3-Year Plan Process for Annexation in which property owners would be notified and an Inventory of Services would be compiled. He stated that staff would further prepare a Service Plan and conduct two public hearings. He indicated that annexation could only occur after the 37<sup>th</sup> month after the plan was adopted. He reported that there were currently three ETJ Release Requests, One Municipal Boundary Adjustment Request, and One Request for Incorporation. He stated that the Department of Planning and Community Development recommended approval of the new policy document.

Mayor Castro thanked staff for the presentation and work. He called upon the individuals registered to speak.

Jack M. Finger addressed the Council in opposition to the new Annexation Policy. He stated that he did not believe that new areas were needed to support old areas and asked how soon the city would have to provide services to the annexed areas.

Nazirite Ruben Flores Perez stated that the city should have 12 City Council Districts and be balanced.

Mayor Castro stated that San Antonio was one of the fastest growing cities and counties in the US and spoke of the importance of having an Annexation Policy in place. He noted that there was a considerable amount of growth right outside the borders of the city and an increasing need for services. He noted that action would adopt an Annexation Policy but would not identify specific areas for annexation.

Councilmember Lopez stated that there had been a great amount of discussion on the Annexation Policy over the past year and believed it would also be important to identify areas that would not be annexed. He asked of a communication plan to engage the community regarding annexation. Mr. Dugan replied that they would engage community stakeholders to include property owners, other municipalities, and developers that could potentially be affected by annexation. He stated that they would work on sections at a time and provide information regarding the pros and cons of annexing the area. He added that the City Council would be able to provide feedback and select projects that make sense.

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

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

## **CONSENT AGENDA ITEMS 6-15**

Consent Agenda Item 8 was pulled for Individual Consideration. Mayor Castro announced that Item 11B was pulled from the agenda by staff.

Councilmember Ozuna moved to approve the remaining Consent Agenda Items. Councilmember Taylor seconded the motion.

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

Jack M. Finger spoke in opposition to the five-year lease agreement with FSI Restaurant Development, Ltd. (Item 10) and expressed concern that the City Council had received campaign finance contributions from them. He also expressed opposition to amending the Self-Insurance and Risk Management Program by revising the composition of the Claims Board (Item 14). He stated that the City Council would give up their authority in judgments against the city.

Fred Parry asked of the logic with the city breaking up the contract for batteries and authorizing four vendors (Item 7). He added that he did not understand why the process was being revised. He noted that as a vendor, he tried to put the best program together as his submittal.

Faris Hodge, Jr. submitted written testimony in favor of Items 6, 8-12, 14, and 15.

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

### **2013-02-14-0109**

Item 6. AN ORDINANCE ACCEPTING THE BID FROM PARADIGM TRAFFIC SYSTEMS, INC. FOR THE PURCHASE OF 30 THERMAL TRAFFIC DETECTORS FOR THE DEPARTMENT OF PUBLIC WORKS FOR A TOTAL COST OF \$93,600.00, FUNDED WITH THE ADVANCED TRANSPORTATION DISTRICT FUND FY 2013.

### **2013-02-14-0110**

Item 7. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$616,000.00: (A) CAPP'S VAN & TRUCK RENTAL AND EAN HOLDINGS, LLC FOR RENTAL OF VARIOUS VEHICLES, (B) RIVER BIRCH WAY, LLC DBA BATTERIES PLUS, CONTINENTAL BATTERY, FULL SERVICE AUTO PARTS AND GENUINE PARTS COMPANY FOR AUTOMOTIVE, INDUSTRIAL, AND UTILITY BATTERIES AND (C) NEW ENGLAND FIRE EQUIPMENT & APPARATUS CORP. AND SIDDONS-MARTIN EMERGENCY GROUP FOR FIRE TRUCK WATER PUMP, PUMP PARTS & PUMP ACCESSORIES.

### **2013-02-14-0112**

Item 9. AN ORDINANCE AUTHORIZING AMENDMENTS TO THE FUNDING AGREEMENT WITH ALAMO COLLEGES FOR THE VETERANS OUTREACH AND TRAINING CENTER IN

THE INCREASED AMOUNT OF \$1,167,679.00, AND AMENDMENTS TO THE LEASE AGREEMENT FOR THE CENTER LOCATED IN THE 1600 BLOCK OF DAKOTA STREET IN COUNCIL DISTRICT 2.

**2013-02-14-0113**

Item 10. AN ORDINANCE AUTHORIZING A FIVE YEAR LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND FSI RESTAURANT DEVELOPMENT, LTD., DBA SALTGRASS STEAK HOUSE FOR 512.50 SQUARE FEET OF RIVER WALK PATIO SPACE.

Item 11. CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO BOARDS & COMMISSIONS:

**2013-02-14-0114**

- A. AN ORDINANCE ABOLISHING THE FORT SAM HOUSTON COMMUNITY ADVISORY BOARD, THE SAN ANTONIO COMMISSION ON LITERACY, AND THE COMMISSION FOR CHILDREN AND FAMILIES; REPEALING THE ORDINANCES ESTABLISHING AND APPOINTING MEMBERS TO THE RESPECTIVE BOARD OF DIRECTORS; CREATING THE SA2020 COMMISSION ON EDUCATION AND THE SA2020 COMMISSION ON STRENGTHENING FAMILY WELL-BEING; AND APPROVING THEIR RESPECTIVE BYLAWS.

**PULLED FROM THE AGENDA BY STAFF**

- B. AN ORDINANCE AMENDING CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY AMENDING ARTICLE IX "BOARDS AND COMMISSIONS" WHICH GOVERNS THE CREATION AND OPERATION OF BOARDS AND COMMISSIONS CREATED BY CITY COUNCIL, AND AMENDING ANY RELATED ORDINANCES.

**2013-02-14-0115**

Item 12. AN ORDINANCE ORDERING THE GENERAL CITY ELECTION TO BE HELD ON SATURDAY, MAY 11, 2013 AND RUN-OFF ELECTION TO BE HELD ON SATURDAY, JUNE 15, 2013, IF NECESSARY.

**2013-02-14-0116**

Item 13. AN ORDINANCE RESCHEDULING THE MARCH 13, 2013 AND MARCH 14, 2013 CITY COUNCIL MEETINGS.

**2013-02-14-0117**

Item 14. AN ORDINANCE AMENDING THE SAN ANTONIO SELF-INSURANCE & RISK MANAGEMENT PROGRAM BY REVISING THE COMPOSITION OF THE CLAIMS BOARD AND AMENDING THE APPROVAL PROCESS FOR THE PAYMENT OF FINAL JUDGMENTS.

**2013-02-14-0118**

Item 15. AN ORDINANCE AUTHORIZING A CONTRACT WITH UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY FOR REIMBURSEMENT OF OVERTIME EXPENSES IN AN AMOUNT UP TO \$320,000.00 INCURRED BY THE SAN ANTONIO POLICE DEPARTMENT IN SUPPORT OF THE EASTSIDE PROMISE NEIGHBORHOOD PROGRAM.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 8:

**2013-02-14-0111**

Item 8. AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOB ORDER CONTRACT IN AN AMOUNT NOT-TO-EXCEED \$281,097.94 PAYABLE TO DAVILA CONSTRUCTION, INC., FOR CENTRAL LIBRARY BROADBAND TECHNOLOGY OPPORTUNITIES PROGRAM CENTRAL TECH CORRIDOR, A FEDERAL GRANT FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

Councilmember Ozuna commended the Library Department for identifying opportunities with the Broadband Technology Opportunities Program (BTOP). She asked how the grant would affect the Library System. Ramiro Salazar stated that this was the final phase of the BTOP Grant under the Federal Stimulus Program. He noted that it would allow the Library Department to create a technology corridor at the Central Library where they could consolidate public computers in one location. Additionally, they would have staff available to assist users and provide training on accessing digital information. He referenced the \$1.1 million grant received from the Texas State Library which allowed them to expand and address technology at 14 library locations.

Mayor Castro stated that this would make a big difference for libraries and students across the city.

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

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

**Item 16. CITY MANAGER'S REPORT**

**A. OFFICE OF SUSTAINABILITY UPDATE**

Ms. Sculley reported that the city was continuing efforts to promote environmental sustainability through cost-saving principles to foster the growth of the Solar Energy Industry. She stated that on February 15, 2012, the Department of Energy awarded the City of San Antonio's Office of Sustainability \$313,217 to be the lead for the Texas Solar Collaboration. She noted that it was a consortium of cities comprised of the Cities of San Antonio, Austin and Houston for a one-year project. She reported that the primary purpose of the project was to make the installation of Solar Photovoltaics easier, faster and cheaper for homeowners and businesses by developing and implementing streamlined

processes that will dramatically improve local solar market conditions. She indicated that a major milestone of the project was launched by the City's Development Services Department in which they expedited the process for solar permitting. She stated that this eliminated customer travel time by adding residential solar permits to its on-line permitting system. She reported that today, 62% of all permits are issued on-line. She noted that once solar installers' plans are approved, they can go on-line to pay their permit fees and schedule their inspections.

Mayor Castro stated that he was pleased with efforts to make San Antonio a leader in the Solar Energy Industry.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 10:12 am.

**APPROVED**



**JULIÁN CASTRO  
MAYOR**

Attest:



**LETICIA M. VACEK, TRMC/MMC  
City Clerk**