

**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, APRIL 10, 2013, AND THURSDAY, APRIL 11, 2013, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **April 10, 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. A MONTHLY UTILITY BRIEFING BY THE SAN ANTONIO WATER SYSTEM ON STRATEGIC CONSIDERATIONS AND INITIATIVES TO INCLUDE THE FOLLOWING: DROUGHT MANAGEMENT PLAN, WATER SUPPLY PROJECTS, RATE STRUCTURE REVIEW AND RATE ADVISORY COMMITTEE, EFFICIENCY STUDIES, AND IMPACT FEE STUDY.**

Robert Puente, President and CEO of San Antonio Water System (SAWS) presented an overview of Key Initiatives for 2013. He spoke of the successful merger with BexarMet which increased operational efficiencies and enhanced their financial position. He stated that hot, dry weather was predicted for the remainder of 2013 and that significant supply reduction was possible during a drought period. He noted that the Water Management Plan calls for new supplies and outdoor conservation to help meet the demand. He highlighted the potential 2013 Supply and Demand, as well as Water Management Strategies to fill the supply needs. He outlined the Brackish Desalination Project in which eight production wells and one injection well was complete. He reported that Phase I Design was scheduled for completion in 2013 and that Zachry-Parsons was selected as the Construction Manager At Risk. He added that water delivery from the Brackish Desalination Project was scheduled to be online by Fall 2016.

Mr. Puente stated that for the Regional Water Supply Project, SAWS had amended its Request for Competitive Sealed Proposals (RFCSP) to request up to 50,000 acre-feet by 2018. He noted that responses were due in June 2013 and would be selected on a Best Value Determination. He provided an update of Sanitary Sewer Overflow (SSO) Reductions from January-March 2013. He outlined other initiatives to include the creation of an Efficiency Initiative Team which would realign staff positions to address emerging needs. He spoke of initiated Self-Reviews by the SAWS Leadership Team and Employee "U-Talk" Sessions. He stated that the customers per employee had increased from 2009 to 2012. He reported that a Rate Study would be conducted to determine the appropriate allocation of costs among customers. He noted that nominations for the Rate Advisory Committee would be solicited from the SAWS Board, City Council and the community. He noted that Rate Advisory Committee Members would be appointed by the SAWS Board in June 2013. He reported that a Request for Proposals (RFP) would be issued in April for a Rate Study Consultant.

Mr. Puente provided an update on Impact Fees and stated that the City Council appoints members of the Capital Improvements Advisory Committee to review fee development and make recommendations to the City Council and SAWS Board. He noted that the process was underway and would be brought for City Council Consideration in May 2014. He indicated that Impact Fees were one-time charges imposed on new development designed to recover capital costs associated with providing water and wastewater

services. He added that existing ratepayers did not pay further Impact Fees unless service demand increased.

Mr. Puente spoke of SAWS' Bond Rating Upgrades that were reflective of their strong management and planning. He outlined 2013 Focus Areas in which they hoped to achieve a significant reduction in SSOs and plan for Drought Management. He stated that they would continue development of alternative water supplies and improve the operational efficiency of the organization. He added that they would focus on rate design, affordability programs, and implement a new Customer Information System.

Mayor Castro thanked staff for the presentation and asked of the timeline for Water Supply Projects. Mr. Puente replied that the Regional Carrizo Project would be online by the end of the year in 2013 and the Brackish Desalination Project was scheduled for completion by 2016. He added that responses to the RFCSP for the Regional Water Supply Project were due in June 2013 and would provide up to 50,000 acre-feet of water by 2018. Mayor Castro asked of the potential 2013 Supply and Demand. Mr. Puente stated that the projected available supply was 252,035 acre-feet of water, while the demand was 261,000 acre-feet. He noted that the shortage would likely trigger water restrictions. Mayor Castro asked of the Consultant that would be hired to review the organizational structure. Mr. Puente replied that they had received two proposals for same and would be conducting interviews the following week. He stated that the proposal incorporated a 90-day timeframe to review SAWS' organizational structure and staffing.

Councilmember Williams spoke of the Aquifer Storage and Recovery (ASR) Project and noted that it was not a water source but a way to better utilize the Edwards Aquifer. Ms. Kelley Neumann, SAWS Senior VP of Strategic Resources stated that 95,000 acre-feet of water for the ASR Project was available from water rights that SAWS had in prior years. Councilmember Williams stated that it should be listed as part of the Edwards Aquifer as it was not a separate supply. He asked of the cost of water from the Edwards Aquifer per acre-foot. Mr. Puente replied that the cost was \$290 per acre-foot. Councilmember Williams asked of the cost of water from the Carrizo Aquifer. It was stated that the cost of water from the Carrizo Aquifer was \$600 per acre-foot. Councilmember Williams stated that he was pleased with the metrics and reduction in SSOs.

Councilmember Soules spoke of the Edwards Aquifer Authority (EAA) Drought Management Plan and asked of the Voluntary Irrigation Suspension Program. Chuck Ahrens, SAWS Vice President of Conservation replied that they were trying to secure agricultural permits and that there were water level triggers that had to be met in the Fall of each year. Councilmember Soules expressed concern that the Voluntary Irrigation Suspension Program was expected to generate 40,000 acre-feet of water and had only generated 6,000 acre-feet. Mr. Puente stated that the EAA could not collect more than what was needed for the program and that due to the lack of leases; ratepayers were not paying the high amount that was needed in 2011. Councilmember Soules asked of the plan by the EAA since the program had not been successful. Mr. Puente replied that he was not sure how the EAA would move forward and noted that the program had only been in existence for 18 months. Councilmember Soules asked of the lawsuit with the EAA. Mr. Puente replied that it was still in the Discovery Stage and believed that there would be a trial date in late Summer. Councilmember Soules stated that he did not believe that this was the right program and would like to see more engagement by SAWS on how the EAA addresses the issue. Mr. Puente indicated that they met regularly with the Bexar County Delegation of the EAA.

Councilmember Soules stated that the City Council had authority to approve rates and asked why they did not have the authority to appoint the Rates and Advisory Committee. Mr. Puente stated that it was

the City Council's prerogative to do so and would ask that those appointed be reflective of the entire community. Councilmember Soules asked of the Request for Proposals for Consultant Services. Mr. Puente replied that 800 e-mails had gone out and that only four proposals were received. Councilmember Soules mentioned the \$80,000 contract for customer surveys that was approved by the SAWS Board this week and needed to be revisited to conduct the survey internally for efficiency purposes.

Councilmember Saldaña asked of the Regional Water Supply Project. Mr. Puente replied that there were four finalists for the project and that each of them were located in a different geographic region. Councilmember Saldaña mentioned the internal politics within each geographic region and asked of the contractual requirements. Mr. Puente replied that the contract would ensure that they delivered the water as agreed upon and the risks would be placed on the entities. He added that they would only contract with an entity that could provide the water. Councilmember Saldaña asked of the Southside Sewer Project. Ms. Neumann responded that it had the potential to serve the equivalent of 105,000 homes and would allow SAWS to move the flow from their old treatment plant. She added that the project was scheduled for completion later this year.

Councilmember Williams spoke of the Regional Water Supply Project and stated that he did not want to portray that it was a risk-free deal. He mentioned that the city would have a significant amount of risk if the water was not sold.

There being no further comments, Mayor Castro thanked SAWS for their presentation.

EXECUTIVE SESSION

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

Mayor Castro announced that Executive Session would not be held. He recessed the meeting at 3:02 pm and announced that the meeting would resume at 5:15 pm for Ceremonials.

CEREMONIALS

Mayor Castro reconvened the meeting at 5:15 pm and addressed the Ceremonial Items.

Mayor Castro presented a Proclamation to the Texas Cavaliers and recognized King Antonio XCI (91). It was noted that this new member of royalty would reign over the Texas Cavaliers River Parade to be held on Monday, April 22, 2013. It was also noted that through the Texas Cavaliers Charitable

Foundation, funds were disbursed to support children's charities in the community. King "Tony" presented his official Fiesta Medal to the City Council.

Mayor Castro presented a Proclamation to LULAC Council #2 and recognized El Rey Feo LXV (65). It was stated that this member of royalty would represent the LULAC Scholarship Committee during Fiesta 2013. It was noted that the mission of the Committee was to financially support the aspirations of deserving high school seniors to obtain a college education regardless of race, color, or religion. "The Ugly King" presented his official Fiesta Medal to the Mayor and Council.

Mayor Castro presented a Proclamation to the Texas Department of Transportation (TxDot) San Antonio District Traffic Safety Office in recognition of their annual "Fiesta Safe Rides" Initiative. It was noted that their mission is to educate the community on the dangers of drinking and driving during Fiesta.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Monica Salyer expressed concern that she had not been able to receive assistance from District 1 and District 8 Staff. She noted that an incident had occurred with a Police Officer from another city and she needed information related to same. She expressed concern that she had visited the new Fire Station in District 1 and it had taken 15 minutes for someone to see her and her husband who happened to experience a blood clot.

Nazirite Ruben Flores Perez spoke of a meeting held at the San Antonio River Authority earlier in the week and stated that he was pleased with the creeks in San Antonio. He noted that there were issues with the Texas Commission on Environmental Quality.

Vincent Rydzak expressed concern that city crews had damaged pipes on his property when installing sidewalks. He stated that they had utilized his water and the damage to his pipes caused him to receive an extremely high water bill. He noted that there were other issues such as trash and asked why neighbors had received special privileges in providing beer to city crews.

Faris Hodge, Jr. submitted written testimony highlighting the Bexar County Satellite Office at 3505 Pleasanton Road where the first Bookless Library would be located. He wrote that the Environmental Protection Agency stripped the State of its permitting authority and that California Drivers were paying \$5.00 per gallon of gas. He wrote that Apple would be adding 3,600 jobs in Austin and noted that the controversial Street Car Plan had moved forward. He expressed concern that SAWS has too many projects occurring at the same time. He noted that the oil boom produced 4,000 new jobs in San Antonio. He requested that the ceiling and carpet be replaced at the Central Library. He requested that all Bexar County Reports be available on-line. He expressed concern with the cost of the copies at the Library.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:10 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **April 11, 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, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Pastor Miguel Herrera, Bread of Life Christian Center, guest of Councilmember David Medina Jr., District 5.

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

Item 3. MINUTES

Councilmember Taylor moved to approve the Minutes for the March 20-21, 2013 City Council Meetings. Councilmember Bernal seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

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 provided an update on City of San Antonio Initiatives noting that a hearing regarding Hemisfair Redevelopment was held in the House Urban Affairs Committee on April 10, 2013. He stated that a Committee Substitute had been introduced to remove hotel prohibition and add a requirement that 80% of improvements be mixed-use residential. He reported that the Hemisfair Park Area Redevelopment Corporation, Greater Chamber, Hotel & Lodging Association, San Antonio Conservation Society, and San Antonio Parks Foundation were supportive of the bill. He noted that HB 1553 and SB 773 related to Replatting were both voted out of Committee and were supported by the Texas Association of Builders, Greater San Antonio Builders Association, and Real Estate Council. He indicated that relating to Floodplain Enforcement Bills; HB 1154 was voted out of the House Urban Affairs Committee and SB 1087 was left pending in the Senate IGR Committee. He stated that for the Fire Eligibility List, HB 2986 was referred to the House Urban Affairs Committee and SB 1355 was left pending in the Senate IGR Committee. He added that HB 3447 related to the Land Bank would allow for acquisition of properties with uninhabitable structures and lot exchange with qualified developers.

Mr. Coyle spoke of the Bills of Interest:

- 1) Vested Rights – Letters in opposition from Mayor Castro and Mayor Hardberger. He noted that the bill was left pending in the House Land & Resource Management Committee.

- 2) Tree Ordinance – Committee substitute introduced. He stated that the bill would allow cities to decide the types of trees to be protected and mitigation fee. He added that it exempts areas three miles outside of a military installation and does not allow for additional protection of heritage trees.
- 3) HB 397 – Helotes – Allows cities to annex Extra-Territorial Jurisdiction (ETJ) without COSA consent. He reported that the bill was voted out of Committee on March 26, 2013 and was set on the House Calendar for vote on April 22, 2013.

Mayor Castro thanked staff for the presentation and called upon the individuals registered to speak on Item 4.

Nazirite Ruben Flores Perez stated that 10% of land should be covered by trees and spoke of the cranes landing in Austin.

Jack M. Finger asked when the City Council would address the issue of toll roads which he was opposed to. He stated that discussions regarding same were occurring in the Legislative Session and would like to see language that protects consumers. He asked of the city's support for initiatives to improve education and noted his support for school choice vouchers.

Rhett Smith requested that the City of San Antonio approve a Resolution to encourage the State of Texas to also approve a Resolution apologizing for the treatment of Black Slaves and Indigenous Native Americans. He invited everyone to attend the quarterly meeting of the Americans United for Separation of Church and State that would be held on April 16, 2013 at 7:00 pm.

Fidel Castillo stated that he was a spiritual leader for Indigenous People and was supportive of the Franciscan Missions becoming a World Heritage Site. He requested that the burial grounds owned by the city be given back to the National Parks.

Councilmember Lopez thanked staff for their work on the Legislative Session.

Councilmember Williams asked of the status of the bill related to the City's Tree Ordinance. Mr. Coyle replied that they had worked with the author of the bill that allows property owners to clear trees that they believe are fire risks. He stated that the bill does not apply to property being developed and exempts communities with a Federal Military Installation within or adjacent to its ETJ. He added that the bill was left pending in Committee. Councilmember Williams asked of the other bill related to the City's Tree Ordinance. Mr. Coyle responded that it was pending the House and that there was not a Senate Bill related to same. He stated that the intent of the bill was to address unreasonable tree ordinances and that they were working with the author to address issues. He noted that the bill treats all trees the same and does not differentiate between species and size of trees. Councilmember Williams spoke of the importance of the City's Tree Ordinance and stated that the intent was to encourage reasonable thought for development.

Councilmember Soules asked if HB 397 was specific to Helotes. Mr. Coyle replied that it was not specific to Helotes and would include cities with a population of less than 7,500. Mayor Castro stated that the city had expressed opposition to HB 397 and asked of the stance of the Delegation. Mr. Coyle indicated that staff was working with the Delegation and hoped to include limitations in the bill to address the city's concerns. He stated that staff was also working directly with the City of Helotes and hoped to resolve the issue through the regular annexation process. Councilmember Williams asked why

the bill was being brought forward. Mr. Coyle stated that the City of Helotes hoped to capture a future commercial development and that residents of San Antonio Ranch had testified that they wanted to be annexed by the City of Helotes. Councilmember Williams stated that he preferred to have discussions with the City of Helotes as opposed to Legislative Action.

There was no action required for Item 4.

The City Clerk read the caption for Item 5:

2013-04-11-0249

Item 5. DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE REGARDING THE NEGOTIATION AND ACQUISITION OF REAL ESTATE FOR THE DISTRICT 9 NEW BRANCH LIBRARY LOCATED AT 2515 E. EVANS ROAD IN NCB 17600 IN COUNCIL DISTRICT 9.

Councilmember Chan made a statement prior to excusing herself from the dais and any discussion on said item. She stated that she wanted the vote on the new District 9 Library to reflect the fair selection process and based on its merits; free of questions or accusations about her participation. She exited the Council Chambers at this time.

Ramiro Salazar, Library Director made a brief presentation relating to the Library Board's process of selection for the District 9 Library Site. He cited a correction to the memo regarding said item, noting that the Library Board took action on February 27, 2013. He indicated that the selected area was underserved and added that \$7 million was allocated for the new Library through the 2012 Bond Program.

Mike Frisbie presented the sites considered during the selection process and explained why other potential sites were eliminated. He stated that the recommended site was located at 2515 E. Evans Road. He reported that the site was selected by staff because it is an 8,000 square foot building and all infrastructure already exists including a detention pond, parking lot, concrete pads next door for possible expansion and landscaping. Additionally, he stated that the construction improvements would be reduced by one year to open in 2015. He stated that staff recommendation was to rescind April 4, 2013 Council Action and re-vote to approve the purchase of the recommended site with Councilmember Chan recusing herself from the vote.

Mayor Castro called upon the individuals registered to speak.

Mrs. Loyce Ince, Secretary of the Library Board of Trustees addressed the Council in support of the new District 9 Library. She stated that the Board was aware that the selected site was located next door to Councilmember Chan's property. She highlighted the benefits of utilizing the existing building and asked the City Council to vote in favor.

Jean Brady, Chair of the Library Board of Trustees spoke in support of the selected site for the new District 9 Library. She stated that the Board had a number of discussions regarding same and believed it had been a transparent process. She highlighted the benefits of the site noting the parking lot, detention pond, the concrete pads for expansion, and the one-year reduction in opening the Library. She urged the City Council to vote in favor.

Nazirite Ruben Flores Perez stated that he was supportive of the new Library and educational services.

Jack M. Finger thanked Councilmember Chan for her recusal noting that reusing the existing building would improve the tax rolls in the area. He expressed concern that the city was paying \$200,000 more than the building was appraised for.

Councilmember Bernal stated that he did not believe that re-voting with the abstention by Councilmember Chan would address the issue. He expressed concern that the City Council had not been given the opportunity to vet the issue and deliberate whether or not it was the best deal for the city. He stated that the City Council needed the opportunity to ensure due diligence on said project and would like additional time for same.

Councilmember Bernal moved to rescind the motion of April 4, 2013 and to vote on said item on May 16, 2013. Councilmember Saldaña seconded the motion.

In response to Councilmember Saldaña; Mr. Frisbie explained that the information regarding the proximity of Councilmember Chan's property should have been disclosed by staff. Councilmember Saldaña stated that he hoped that said issue would be corrected in the future and asked of the other potential sites. Mr. Frisbie replied that they looked at the total cost and square footage noting that the proposed location would provide 8,000 square feet of space.

Councilmember Soules asked if Councilmember Chan violated the City Charter. Michael Bernard replied that she did not. Councilmember Soules asked of the difference between direct and indirect interest. Mr. Bernard explained that a direct interest would be having a direct contract with the city, entering into a business relationship with the city. He stated that indirect interest would involve a member of your family entering into a business relationship with the city and has also been defined as having a subcontracting position with the city. Councilmember Soules stated that this was an issue of perception and reiterated that a violation of the City Charter had not occurred.

Councilmember Taylor asked why the staff did not inform the City Council of the proximity of Councilmember Chan's property. Mr. Frisbie replied that it did not come up in discussions regarding said process. Councilmember Taylor asked how staff would ensure that the City Council receives vital information going forward. Mr. Frisbie replied they would work on a process and be more proactive in the future. Councilmember Taylor asked what would occur between now and the time the vote was taken again. Mr. Frisbie replied that they were open to suggestions and could provide the information they had discussed with Councilmember Chan to the full City Council.

Councilmember Williams asked when the appraisal was obtained. Mr. Frisbie reported that the appraisal was obtained after deciding to move forward with the site. Councilmember Williams requested that staff obtain another appraisal. He stated that when credibility is lost; it is almost impossible to regain. He expressed concern that this has put the City Council and Councilmember Chan in a tough position and requested an apology. He stated that he hoped they could recover as a body, staff, and city.

Councilmember Ozuna stated that she was pleased that the Library Board had the opportunity to vet the issue; however, she noted that sitting between the Library Board and the recommendation is city staff. She stated that she would like to see a more formal communication process so that the City Council receives critical information.

Mayor Castro stated that it was in the best interest of the city to provide the City Council with an opportunity to review the recommendation in full.

Councilmember Lopez stated that more time would benefit the process but did not believe that the vote should be postponed until May 16, 2013.

Councilmember Lopez presented a friendly amendment to address said item on May 2, 2013. Councilmembers Bernal and Saldaña accepted the friendly amendment.

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

CONSENT AGENDA ITEMS 6-20

Consent Agenda Items 7, 12A, 12B, 12C, and 13 were pulled for Individual Consideration.

Councilmember Saldaña moved to approve the remaining Consent Agenda Items. Councilmember Lopez seconded the motion.

Mayor Castro called upon Jack M. Finger to speak on the Consent Agenda.

Mr. Jack M. Finger spoke in opposition to the amendment to the San Antonio Water System's Affordability Discount Program Guidelines (Item 15) and expressed concern with their high administrative and personnel costs.

Faris Hodge, Jr. submitted written testimony in opposition to Items 4, 15, 16, 19, and 20. He expressed concern with the Affordability Discount Program (Item 15) and asked of the members of the Workforce Solutions Alamo Board of Directors (Item 16). He requested that the city hire 150 Park Rangers (Item 19). He expressed concern with the \$50,000 contract for Clinical Nursing Services (Item 20). He wrote in favor of Items 6-9, 11, 14, and 17. He commended the Office of the City Clerk for their work (Items 17 and 18). He requested that backup documents be provided for the City Manager's Report.

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

2013-04-11-0250

Item 6. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT WITH J3 COMPANY, LLC IN THE AMOUNT OF \$6,837,934.50 FOR THE RUNWAY 4/22 PACKAGE 4 PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2013-04-11-0252

Item 8. AN ORDINANCE AWARDED A CONTRACT TO TCL CONSTRUCTION ENTERPRISES, INC. FOR ANNUAL LABOR AND MATERIAL CONTRACT FOR CONCRETE WORK IN SAN ANTONIO PARKS FOR AN ESTIMATED ANNUAL AMOUNT OF \$625,064.00, WITH TWO ONE-YEAR OPTIONS TO EXTEND.

2013-04-11-0253

Item 9. AN ORDINANCE AND AGREEMENT SUPERSEDING THE EXISTING "AGREEMENT FOR THE INSTALLATION AND REIMBURSEMENT FOR THE OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS WITHIN A MUNICIPALITY" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION BY INCREASING THE OPERATION AND MAINTENANCE OF ADDITIONAL INTERCHANGE TRAFFIC SIGNALS FROM 102 TO 175 AND RAISING THE REIMBURSEMENT COST PER TRAFFIC SIGNAL CONTROLLER FROM \$2,245.31 TO \$2,808.86 PER YEAR FOR A TOTAL MAXIMUM REIMBURSABLE AMOUNT NOT TO EXCEED \$491,550.50 ANNUALLY.

2013-04-11-0254

Item 10. AN ORDINANCE AUTHORIZING A JOINT USE AGREEMENT WITH NORTHSIDE INDEPENDENT SCHOOL DISTRICT FOR THE CONTINUED USE OF THE ANNEMARIE TENNIS CENTER LOCATED AT 7100 CULEBRA FOR A TERM OF TEN YEARS COMMENCING ON MAY 1, 2013, IN COUNCIL DISTRICT 6.

2013-04-11-0255

Item 11. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND ACCEPTANCE OF FUNDS UPON AWARD, FROM THE TEXAS DEPARTMENT OF AGRICULTURE FOR \$977,024.13 TO FUND THE 2013 SUMMER FOOD SERVICE PROGRAM OPERATED BY THE PARKS AND RECREATION DEPARTMENT FOR THE PERIOD OF JUNE 17, 2013, THROUGH AUGUST 23, 2013.

Item 14. 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 GEORGE GARCIA (DISTRICT 3) TO THE TRANSPORTATION ADVISORY BOARD.
- B. APPOINTING AMY HARDBERGER (MAYORAL) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.
- C. APPOINTING JOHN R. LAFFOON (DISTRICT 8) TO THE HISTORIC AND DESIGN REVIEW COMMISSION.

2013-04-11-0259

Item 15. AN ORDINANCE APPROVING AN AMENDMENT TO THE SAN ANTONIO WATER SYSTEM'S AFFORDABILITY DISCOUNT PROGRAM GUIDELINES.

2013-04-11-0260

Item 16. AN ORDINANCE APPROVING APPOINTMENTS TO THE WORKFORCE SOLUTIONS ALAMO BOARD OF DIRECTORS AS RECOMMENDED BY THE COMMITTEE OF SIX.

2013-04-11-0261

Item 17. AN ORDINANCE AUTHORIZING A CONTRACT WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO ALLOW THE OFFICE OF THE CITY CLERK CONTINUED ON-LINE ACCESS TO BIRTH RECORDS FOR THE TERM OF SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2014.

2013-04-11-0262

Item 18. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH OPENTEXT TO DIGITIZE AND INDEX LOCAL BIRTH RECORDS.

2013-04-11-0263

Item 19. AN ORDINANCE AUTHORIZING SELF-MONITORING STANDARDS FOR THE PARKS AND RECREATION DEPARTMENT'S YOUTH RECREATION PROGRAMS TO COMPLY WITH TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES REGULATIONS.

2013-04-11-0264

Item 20. AN ORDINANCE AUTHORIZING AMENDMENTS TO AGREEMENTS WITH KAREN SVETZ AND JIMMY L. CONNER FOR CLINICAL NURSING SERVICES INCREASING THE AMOUNT FOR EACH AGREEMENT TO AN AMOUNT NOT TO EXCEED \$50,000.00 AND EXTENDING THE TERM FOR EACH CONTRACT THROUGH SEPTEMBER 30, 2013, WITH THE OPTION TO RENEW FOR UP TO TWO, ONE YEAR PERIODS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 7:

2013-04-11-0251

Item 7. AN ORDINANCE AUTHORIZING A CONTRACT WITH INX, LLC, A WHOLLY OWNED SUBSIDIARY OF PRESIDIO NETWORK SOLUTIONS, INC., IN AN AMOUNT NOT TO EXCEED \$1,400,000.00 FOR THE INSTALLATION OF A PUBLIC WIFI SYSTEM IN THE ALAMODOME PURSUANT TO THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES COOPERATION AGREEMENTS.

Councilmember Ozuna asked for an explanation on said service and partnership with the private sector. Mike Sawaya, CSEF Director stated that they had conducted a facility assessment of the Alamodome in 2012 and that 13 improvements were identified. He indicated that Wireless Internet Access and a Distributed Antenna System (DAS) ranked as a high priority. He reported that the City Council

authorized a contract with Verizon Wireless for the DAS on February 21, 2013 and they agreed to install fiber optic cables necessary for a WiFi System. He noted that they would provide the cables throughout the facility at no cost to the city. He explained the project objective in which they would deploy a WiFi Network to enhance customer experience for both visitors and event organizers. He stated that they would deliver connectivity throughout the main seating areas and field. He added that it would make the Alamodome a preferred venue by increasing its competitiveness among other state-of-the-art stadiums. He stated that the cost was \$1,400,000 and funds were available from previously issued Hotel Occupancy Tax Revenue Bonds. He reported that any reimbursements received from the State Events Trust Fund for the Triennial National Youth Gathering of the Lutheran Church would offset the costs of the project. Councilmember Ozuna expressed support and stated that she was pleased with the strategic investment.

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

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

The City Clerk read the caption for Items 12A, 12B and 12C:

Item 12. CONSIDERATION OF THE FOLLOWING MATTERS RELATING TO HVHC:

2013-04-11-0256

- A. AN ORDINANCE AUTHORIZING AMENDMENTS TO THE ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH HVHC, INC. AND ASSOCIATED PARKING AGREEMENT WITH VISIONARY PROPERTIES, INC. TO INCREASE THE GRANT AMOUNT BY \$360,000.00 (PAYABLE IN THE AMOUNT OF \$72,000.00/YEAR OVER 5 YEARS), ADDING 150 FULL-TIME JOBS, AND AMENDING CERTAIN OBLIGATIONS OF THE CITY RELATED TO THE PROVISION OF PARKING SPACES.

2013-04-11-0257

- B. AN ORDINANCE APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH HVHC, INC. IN AN AMOUNT NOT TO EXCEED \$1,140,000.00 PAYABLE OVER 3-6 YEARS FOR HVHC TO ESTABLISH A MANUFACTURING FACILITY AND CREATE UP TO 600 NEW MANUFACTURING JOBS.

2013-04-11-0015R

- C. A RESOLUTION NOMINATING VISIONWORKS OF AMERICA, INC., A SUBSIDIARY OF HVHC, TO THE STATE FOR DESIGNATION AS A TEXAS ENTERPRISE PROJECT.

Councilmember Lopez recognized HVHC, Inc. for their investment and commitment to San Antonio. He stated that it was important to bring good corporate citizens to the Downtown Area and leverage the relationships to support the rest of the city. He noted that he was pleased with the many jobs created.

Councilmember Bernal expressed his appreciation to HVHC, Inc. for their investment in the City of San Antonio.

Mayor Castro thanked HVHC, Inc. for their previous and new investment in San Antonio. He stated that he appreciated their confidence in the city and was pleased with the jobs created.

Councilmember Chan added her thanks to HVHC, Inc. for their investment in San Antonio.

Councilmember Lopez moved to adopt the proposed Ordinances for Items 12A and 12B and approve the Resolution for Item 12C. Councilmember Bernal seconded the motion.

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

The City Clerk read the caption for Item 13:

2013-04-11-0258

Item 13. AN ORDINANCE AMENDING CHAPTER 13, "FOOD AND FOOD HANDLERS" OF THE CITY CODE OF SAN ANTONIO, TEXAS, RELATED TO THE REGULATION OF TEMPORARY FOOD ESTABLISHMENTS THAT PREPARE AND SELL FOOD AT FARMERS MARKETS WITHIN THE CITY, AND THE REGULATION OF MOBILE FOOD ESTABLISHMENTS OPERATING AT SPECIAL EVENTS, AND ESTABLISHING PERMITS AND FEES.

Councilmember Bernal thanked staff and stated that he believed this was a good compromise. He stated that this would send a great message to the rest of the state that San Antonio is a place that is easy to do business with.

Councilmember Williams expressed his support and stated that he was appreciative of the work of staff. He commended Councilmembers Bernal and Taylor for their work on said item.

Councilmember Saldaña thanked everyone involved in the process and stated that he was pleased with the positive feedback received thus far.

Mayor Castro stated that he believed this was a good change to the regulations to ensure flexibility and thanked everyone for their work.

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

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

Item 21. CITY MANAGER'S REPORT

A. PRE-K 4 SA UPDATE

Ms. Sculley reported that city staff had been working with the Pre-K 4 SA Board of Directors on the Pre-K 4 SA Initiative. She stated that they had been working diligently to formulate a program that centers on the goals of quality, quantity, and professional development. She highlighted successes-to-date that included hosting five job fairs in the San Antonio Area and three job fairs in Austin, Houston and Dallas. She indicated that some of the most important components of the program were being evaluated and finalized to include: curriculum, nutrition, and transportation. She added that they were continuing recruitment for Pre-K 4 SA Chief Executive Officer, Education Center Directors & Assistant Directors, Master Teachers, and other Administrative Personnel.

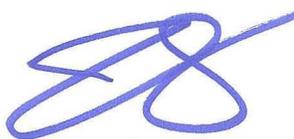
POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Councilmember Williams who celebrated his birthday the previous day, April 10, 2013. The City Council wished Councilmember Williams a Happy Birthday.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 11:17 am.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/MMC
City Clerk