

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

**SPECIAL CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO, HELD IN THE MUNICIPAL PLAZA BUILDING
CITY HALL COMPLEX, TUESDAY, JANUARY 4, 2005.**

The City Council convened at 6:00 P.M. in a Special Called Meeting in the Municipal Plaza Building, City Hall Complex, 103 Main Plaza for the following purposes:

Staff presentation regarding proposed revisions to a non-annexation agreement between the City of San Antonio and Lumbermen's Investment Corporation (commonly referred to as the "PGA Tour Agreement").

Public hearing on the proposed PGA Tour Agreement.

The meeting was called to order by the Presiding Officer, Mayor Edward D. Garza, with the following members present: Flores, Williams, Segovia, Perez, Radle, Barrera, Castro, Hall, Schubert, Haass. **ABSENT:** None.

Mayor Garza declared the public hearing to be open.

Mayor Garza welcomed all audience members to the Public Hearing and noted the procedure for speakers would be 3 minutes for individuals and 9 minutes for groups.

Mr. Chris Brady, Assistant City Manager, narrated a slide presentation regarding the Lumberman's Investment Corp. non-annexation agreement, a copy of which is on file with the Office of the City Clerk. He presented background information on the agreement with Lumberman's, and amplified on the land, noting Lumberman's was the owner of approximately 2,856 acres of property. He spoke to the golf course provisions, and discussed the hotel requirements. He noted end of hotel construction must occur by January 2007. He discussed the terms as they currently stood, and spoke to the amendment, which would provide for a 25 year non-annexation term commencing on the earlier of hotel completion. He discussed the wage standards and the amendment affecting these terms. He cited the payment to San Antonio Water System.

Mr. Scott R. Halty, representing San Antonio Water System (SAWS) narrated a slide presentation regarding the Cibolo Canyon Environmental Management Plan, a copy of

which is in on file with the Office of the City Clerk. He discussed the management plan, and spoke to the hydrogeology map, plan criteria, and operational plans.

The following individuals appeared to speak:

Mr. Vernon Kelley, President of the PGA Tour spoke in favor of this agreement, and stated the facts relating to the PGA Tour. He further spoke to the positive benefits of this tour, and noted the events were extremely successful in other locations. He further cited community involvement, and indicated this new proposal was more beneficial than the last agreement.

Mr. Jerry Fuentes, representing the Hispanic Chamber of Commerce, indicated his organization strongly supported the PGA Tour for San Antonio. He cited the benefits of this development for the City of San Antonio. He encouraged Council to support this agreement.

Mr. John Monford spoke on behalf of the Greater San Antonio Chamber of Commerce, and urged Council to support this agreement. He indicated San Antonio's water supply was important to them, and cited the PGA Tour's commitment to the 15% impervious cover. He stated supporting this project was the right thing to do.

Mr. Henry Cisneros applauded the Council's attention to the economy, and noted this agreement would be instrumental in furthering San Antonio's economy. He cited the jobs it would create, as well as revenue.

Ms. Kelly Larson, urged Council to support this development.

Ms. Cindy Holliday, expressed her support for this agreement, and cited the positive impact it would have on the community.

Mr. J.R. Howard, representing the Greater San Antonio Builders Association, urged Council to support this agreement. He stated San Antonio depended on the continued growth and development of infrastructure. Mr. Rick Montelongo indicated his organization strongly supported this project. He cited the potential of the economic impact. He stated San Antonio continued to need good paying jobs. He urged Council to vote in favor of this development.

Mr. Gary Ploetz spoke in favor of this agreement. He cited other development in the area, and urged Council to support this agreement.

Mr. Milton Guess, spoke in favor of this agreement. He spoke to the 700 acres of land that would be reserved for open space, and urged Council to support this agreement.

Mr. Ben Brewer, Downtown Alliance, spoke in favor of this agreement. He outlined the reasons for supporting this project.

Ms. Maria Antonietta Berriozabal narrated a slide presentation regarding the decision of the Council to approve the PGA Tour decision. She cited other decisions made by the Council regarding other developments across the City. She spoke to the growth of the City, and cited the importance of protection over the Edwards Aquifer. She discussed the enforcement of the Aquifer protection ordinance, and outlined the reasons this development was not beneficial to San Antonio. She spoke to the importance of balanced growth, and cited the democratic process. She urged Council to consider how their decision would affect the future of San Antonio.

Mr. Tony Piazzzi, President of Golf San Antonio, indicated golf was a growing industry beneficial to tourism. He cited the debate of this project, and noted this project was about vision. He spoke to the PGA Tour, and cited their community involvement and charitable donations. He spoke to the growth of the sport of golf, and urged Council to support this agreement.

Mr. Mike Villyard president of the District 9 Neighborhood Alliance, urged Council to adopt the current plan. He stated this was the right thing to do, and was a result of a lot of debate and discussion. He stated it contained strict environmental controls. He cited the homes that would be built if this agreement did not come to fruition, and cited the revenue it would generate.

Mr. Joel Karin cited the signatures he obtained for the petition, and the various comments he received. He commented that the late Mr. Henry B. Gonzalez was in favor of protecting the Aquifer. He stated the PGA Tour should have a moratorium for building the Aquifer.

Mr. Rene Saenz and members of the Ad Hoc Committee presented a skit for Council.

Mr. Joe Perez complained about the minutes, and noted the comments of the citizens were no longer paraphrased.

Mr. Jay Forrest and a member of a homeowner's association urged Council to support development in San Antonio. He acknowledged his concern for protection over the Aquifer, and indicated in the 2 years the proposal arose, there had been very little extra space for other new development to arise. He urged Council to support this agreement.

Ms. Joleen Garcia stated she has come before Council several times, and indicated many people have been very hurt by the possibility of having the PGA coming back again. She stated many constituents were opposed to the PGA, and indicated she felt the opinions of the citizenry were not being taken into consideration. She urged Council to listen to

those who oppose this project. Several students spoke regarding this project, and its effect on the Aquifer, and urged Council to vote against this project.

Ms. Erin Zyko, representing Smart Growth San Antonio, indicated the proposal was incomplete. She cited the importance of the democratic process, and urged Council to delay the vote. She further recommended that the project be placed before the public through a vote. She stated the golf course would be a generator for a host of challenges against the Aquifer. She cited vested rights, and indicated the development did not have to comply with the 15% impervious cover. She then spoke to the environmental plan, and the legal restrictions regarding pesticides. She then urged Council to delay the vote, and deny vested rights to developers.

Mr. Faris Hodge commented the Council was on the hot seat. He cited SAWS went up on the utilities, and questioned why they needed another hotel if there was one being developed downtown.

Ms. Fabiola Torralva expressed her disappointment in the Council's decision to build over the Aquifer. She stated that learning about the PGA development has taught her more about City government. She cited the hidden agenda attitude being made with this issue, and the importance of honoring the community. She cited the importance of listening to the community's voice.

Ms. Ruth Lofgren expressed disappointment that the information available tonight was not available to them a month ago. She expressed concern that the taxes being given up from 15 years to 25 years would not benefit San Antonio or support the services that San Antonio needed. She urged Council to delay the vote, and consider the possibility of moving the tax exemption back to 15 years. She cited the lack of support for a lot of the roads and services.

Ms. Leticia Vela indicated she had been involved with the petition drive with the 1st PGA agreement, which she noted angered a lot of the community. She indicated this was still the same thing and the same threat to the water, and the same growth generator for the Edwards Aquifer. She cited comments made by Councilman Castro regarding the opportunity for a referendum.

Mr. Sabino Alarcon expressed concern that his right to vote had been taken away.

Ms. Mariana Ornelas commented that developers controlled this City. She spoke to the impervious cover, and how the public had been deceived. She cited the millions of tax dollars that would be lost with the 25 year tax abatement. She urged Council to do the right thing now and not approve this deal.

Mr. Jaime Martinez stated he supported tourism and economic development, but acknowledged this issue should be put up for a public vote. He cited the importance of democracy, and noted the Council was rushing this issue.

Mr. Larry Boudreau spoke to the problem they faced 2 years ago, and indicated the community does not oppose bringing the PGA to San Antonio, but questioned why they could not consider another area.

Ms. Stefanie Collins indicated she was disappointed with the Council's decision to consider bringing the PGA Tour to San Antonio. She stated they were being asked by their City government to give up their right to clean water so that the developers could benefit. She further expressed concern that PGA Tour would not have to pay taxes for the 25 years.

Mr. Mark E. Keumann spoke against this development. He gave his thoughts on why others would be against the PGA. He pointed out concerns people had against this development.

Ms. Brenda Roberts urged Council to vote for this agreement. She noted this project would enhance the land, and San Antonians could now share the benefits of the PGA Tour. She cited the comments people had been making regarding the right to vote, and noted had this occurred, she would not have been able to vote. She commented her family had protected this land for many years.

Mr. Art Lee expressed concern about the future of San Antonio and stated the water supply was of vital importance. He commented that *National Geographic Magazine* recognized the Edwards Aquifer in 1993. He stated that if contaminants enter the system, there would be no time to react. He urged Council not to let the only source of water be contaminated by a money making venture. He stated all greedy development could only lead to waste over the entire metropolitan area.

Mr. Nicholas Van Delist cited his opportunity to spend time in the hill country, and stated he opposed the PGA deal because it was unsustainable. He cited the hill country, and stated they have not been talking about what they are going to do if there is a leak. He noted there was not a contingency plan. He spoke to the ecosystem, and stated the South Side needed and could handle the development.

Mr. George Rice stated that only one study had been performed regarding golf courses and water quality, and emphasized the importance of this correlation. He contradicted a comment made by Mr. Scott Halty, and spoke to background concentrations. He stated the citizens of San Antonio earned the right to vote on the PGA, and if they move forward, they should call an election.

Mr. Timothy Roan emphasized the importance of an election regarding this issue. He urged Council to vote against this development, and suggested they zone the land and restrict such development.

Mr. Jack M. Finger cited the comments of the PGA supporters, and the comments regarding the landmine in the area. He cited the PGA village agreement and those who signed the petition, and how their voices were ignored. He spoke to the pollution that would be in the Aquifer after a long period of time

Mr. Jonathon Bryant spoke against this development. He cited violations made against Lumberman's by the Environmental Protection Agency and other environmental agencies. He urged Council to vote against this agreement.

Ms. Laura Stuart cited various cases of Temple Inland regarding asbestos. She cited the perspective that this development would be beneficial for tourism, and given the history of Lumberman's, they should not be given the opportunity to pollute the water. She urged Council not to vote against this agreement.

Mr. Chris Brown expressed concern that the community does not have enough time to review these documents. He stated the community deserved to have ample time to review these documents. He stated this was not a plan that met the current environmental standards, and cited a portion of the agreement regarding irrigation.

Mr. Greg Asvestas cited the comments made, and spoke in favor of what is being presented. He commented this was the reason the Council was elected – to make such decisions. He stated this agreement made sense for the environment and the economy. He indicated there were taxes that would be paid through the HOT tax and sales tax.

Mr. David Klar stated this contract was not good for San Antonio. He cited the wording regarding pesticides, and suggested the Council develop responsibly. He stated giving up annexation rights was not a good way to go. He stated the public comment needed to be extended, and it was undemocratic. He stated they need an agreement with the developer through a surety bond.

Ms. Deborah Wofforal stated that if one problem occurs with this plan, this city was finished. She noted the members of the Council were elected. She cited the petition the Council ignored, and by ignoring the voices of the voters, the Council showed their opinions on the democratic process.

Ms. Annalisa Pease, representing AGUA, spoke against this agreement. She cited correspondence received from Lumberman's (a copy of which is on file with the Office of the City Clerk). Mr. Richard Alles urged Council to fight grandfathering claims, noting it would not be controversial and have a lot of community support. He further

noted they had to be more aggressive in enforcing ordinances regarding grandfathering. He then cited the issue regarding recycled irrigation water, and indicated Florida did not allow a closed loop irrigation system. He expressed interest in seeing how the EAA saw this plan. He stated all studies show these engineer structures have high failure rates. He stated 15% impervious cover was a good number. He cited the well in the Stone Oak area, which already had a high level of nitrates. He urged Council to take more time to review this agreement.

Mr. Elginio Rodriguez, spoke to the issue of "impervious." He cited the definition of this term *by Webster's Dictionary*. He cited a study regarding contamination, and urged Council to take this into consideration.

Mr. Antonio Diaz expressed concern as to whether the community knew this meeting is going on. He stated this was too important of an issue for people not to be made aware. He stated the new contract being offered should be treated as such, and not as an old contract. He stated it was too important to rush through.

Ms. Julie Iris Oldham questioned why Council was rushing. She indicated she did not support anything Lumberman's did, or what Mr. Chris Brady did. She outlined the reasons she was against the PGA Tour coming to San Antonio, and she thanked the Mayor for working her platform for 4 years.

Councilwoman Radle responded to one question – regarding the issue of time. Mayor Garza acknowledged this was an option for Thursday.

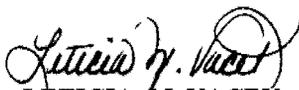
There being no further business to come before the City Council, the meeting was adjourned at 9:18 P.M.

A P P R O V E D



EDWARD D. GARZA
MAYOR

Attest:



LETICIA M. VACEK
City Clerk