

**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, JANUARY 13, 2010 AND THURSDAY, JANUARY 14, 2010, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **January 13, 2010**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

**1. BRIEFING ON THE 2010 FEDERAL LEGISLATIVE PROGRAM OF THE CITY OF SAN ANTONIO**

Carlos Contreras stated that the City of San Antonio had identified the following to be included in the 2010 Federal Legislative Program: 1) Funding Initiatives; 2) Joint Funding Initiatives; and 3) Policy Initiatives. He outlined the City of San Antonio Funding Initiatives, noting that they would be requesting additional funding for an Early Childhood Development Center and the College Access and Opportunity Center. He reported that they would solicit funding for Green Jobs Weatherization and Energy Sector Training Programs; Mission Verde; and the Microlending Program. He mentioned that they would seek additional Surface Transportation Reauthorization Funds which had been approved by Council on January 29, 2009.

Mr. Contreras spoke of funding requests related to the Base Realignment and Closure (BRAC) noting that the City would endorse Congressional Legislation to support the implementation of BRAC 2005. He stated that there were many infrastructure needs surrounding Fort Sam Houston and that funding for Housing and Transportation consistent with Sustainable Communities Initiatives would also be sought. He added that funding would be requested for the Stinson Municipal Airport Taxi Lane Extension, for San Antonio International Airport Airfield Pavement Safety and Capacity Improvements. Additional funding for the Railway Safety Training Facility and for Mobile Laptop Computer Replacement Program would also be requested. Funds will also be solicited for Technology Improvements/In-Car Video Equipment, as well as the Motor Carrier Safety and Commercial Truck Inspection Program. Lastly, he reported that they would request funding for Public Works projects to address issues with ADA Compliant Sidewalks and Curb Ramp Access.

Mr. Contreras outlined Joint Funding Initiatives in the area of Transportation that include the VIA Primo Program, Inner-City Rail Streetcar, and Intra-City Light Rail High Capacity Transit. He noted funds for the San Antonio River Improvement Project to complete construction on the Mission Reach Ecosystem Restoration and Recreation Project and for the San Antonio Missions National Historic Park would also be requested. He stated that President Obama had hosted a White House Summit in December, 2009 that Mayor Castro attended. Subsequently, Mayor Castro held a Job Summit in San Antonio to gather input related to job creation and retainment.

Mr. Contreras spoke of the importance of ensuring a full count of San Antonio residents in the 2010 Census, as it would affect the amount of federal funding that the city could receive. He stated that Omnibus Policy would authorize the City of San Antonio to oppose unfunded mandates deemed

detrimental to municipal interests. He summarized next steps that would include developing a Comprehensive Strategic Plan on City of San Antonio funding initiatives and submission of Appropriation Request Forms. Additionally, a strategy will be developed in coordination with partners for joint funding initiatives such as VIA, San Antonio River Authority, and Bexar County. A strategy will also be developed in coordination with community partners to address EPA Air Quality rule changes.

Councilmember Rodriguez thanked staff for their planning and coordination and noted that it would be important for the plan to remain fluid. He asked of the Perimeter Rule. Mr. Contreras stated that Congress had passed a law restricting the departure or arrival of nonstop flights to or from airports that are farther than 1,250 miles from Reagan National Airport. He noted that there were exemptions available but awarded directly to airlines and San Antonio was working with American Airlines regarding an exemption. Councilmember Ramos thanked staff for their work and stated that she was pleased that the city was ahead of the curve on the Legislative Program. She spoke of reviewing the project list for surface transportation so that the shovel-ready projects could move forward. She noted the importance of BRAC Infrastructure, Parks, and River Improvement Projects.

Councilmember Chan recognized staff for their work and asked of the Travel Promotion Act. Tom Down representing Patton and Boggs stated that the bill established a non-profit corporation to better communicate US entry policies to international travelers and promote leisure, business, and scholarly travel to the United States. He added that it would be funded through private contributions and a \$10 fee assessed to foreign travelers by the Department of Homeland Security. Councilmember Chan requested information related to the percentage of formula-based versus competitive grants from American Reinvestment and Recovery Act funding for the City of San Antonio.

Councilmember Clamp asked of funding for two Harry Wurzbach Road projects. Mr. Contreras noted that the process could take over a year and that funding for the projects had been requested through a number of different funding sources. Majed Al-Ghafry added that they had received prior approval to use Proposition 12 funds for Harry Wurzbach Road. Councilmember Clamp noted the importance of supporting the military missions throughout the city. Councilmember Williams recognized city staff and the Intergovernmental Affairs Committee for their work and spoke of the importance of funding for surface transportation. Mayor Castro thanked everyone for their work and stated that he looked forward to continued discussion regarding the Federal Legislative Program.

## **2. 2009 ANNUAL REPORT ON THE EDWARDS AQUIFER PROTECTION PROGRAM AND THE LINEAR CREEKWAY PROGRAM**

Dierdre Hisler, Chair of the Conservation Advisory Board (CAB) presented an update on the Edwards Aquifer Protection Program. She reported that Proposition 3 totaled \$45 million and the remaining balance of \$853,000 was projected to be spent in 2010. She stated that of the \$90 million authorized through Proposition 1 funding, \$84 million had been utilized. She noted that the CAB has voted on a recommendation for the remaining funds and acquisitions should be complete by the first quarter of 2010. She provided a map outlining the Contributing, Recharge and Artesian Zones of the Edwards Aquifer and presented a video of the Seco Sinkhole. She mentioned that the Seco Sinkhole was 150 feet deep and contributed to the Edwards Aquifer.

Ms. Hisler provided a list of the Scientific Evaluation Team (SET) that includes Texas Parks & Wildlife, SAWS, and the San Antonio River Authority. She spoke of the Land Acquisition Team and noted that it was composed of non-profit land trusts that reported the availability of certain tracts to the CAB. She read a letter from Former Councilmember Bonnie Conner regarding "Water for Tomorrow" in support of continuing the programs to protect San Antonio's water source. Ms. Hisler stated that the properties in Medina and Uvalde Counties were very important because they encompassed over 400,000 recharge acres. She mentioned that the Edwards Aquifer Authority (EAA) monitored the easements through an Interlocal Agreement that was approved in March, 2008. Lastly, Ms. Hisler reported that the total acreage protected by the City was 93,061 acres which was 11.61% of the total Recharge Zone.

Former Mayor Howard Peak, Chair of the Linear Creekway Parks Advisory Board spoke of the Linear Creekway Parks Development Program and provided an overview of the project scope. He noted that it was a continuous system of shared-use paths that totaled 17 miles on Leon Creek; 15 miles on Salado Creek; and 11 miles on the Medina River.

Mayor Peak noted that approximately 1,100 acres of creekway property had been acquired to date. He reported that 16 miles of trail construction were complete and that two trail segments along the Salado Creek Greenway were under construction. He stated that Proposition 3 had provided \$20 million toward the program and that Proposition 2 had provided \$45 million for the program. He added that the Linear Creekway Parks Advisory Board was looking toward enhancing bike and pedestrian connectivity and new off-road trails. Lastly, he noted that existing programs would be closed out in September, 2011. He stated that they had received two Resolutions recommending support of a voter initiative to continue the collection of sales tax funds for the Linear Creekway Parks Development Program.

Mayor Castro expressed support for the programs and stated that he looked forward to supporting future funding efforts. He spoke of the West Side Creeks that would be added to the program in 2010 and noted they were great resources for citizens and visitors. Councilmember Chan thanked Mayor Peak for his leadership and expressed her support. Councilmember Clamp highlighted construction along the Salado Creek and thanked everyone involved in the program. Councilmember Lopez thanked everyone that has worked on the programs over the years. Councilmember Williams stated that they were very important projects and that San Antonio compares well to other cities regarding the Linear Creekway Program. Councilmember Medina expressed his support and noted the great potential on the West Side.

### **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 3:50 pm to convene in Executive Session for the purposes of:

- A. DELIBERATE COMPETITIVE MATTERS REGARDING CPS ENERGY; DISCUSS LEGAL ISSUES RELATED TO CPS ENERGY V. NRG ENERGY, ET AL; AND DELIBERATE THE APPOINTMENT OF A CPS ENERGY PUBLIC OFFICER OR EMPLOYEE PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.086 (COMPETITIVE MATTERS), 551.071 (CONSULTATION WITH ATTORNEY), AND 551.073 (PERSONNEL MATTERS).**

**B. DISCUSS LEGAL ISSUES RELATED TO COLLECTIVE BARGAINING AND MEET AND CONFER AGREEMENTS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

**C. DISCUSS LEGAL ISSUES RELATED TO ALBERT MORAN, ADMINISTRATOR V. CITY OF SAN ANTONIO IN THE 150<sup>TH</sup> DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2009-CI-06269, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 5:07 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. There being no further discussion, Mayor Castro adjourned the meeting at 5:07 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **January, 14, 2010** at 9:00 am in the City Council Chambers.

### **ROLL CALL**

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

**Item 1.** The Invocation was delivered by Father David Floyd-Archibald, Rector, St. Andrews Episcopal Church, guest of Councilmember Justin Rodriguez, District 7.

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

### **Item 3. MINUTES**

Councilmember Cisneros moved to approve the Minutes for the Regular City Council Meetings of November 5, 2009, November 19, 2009, and December 3, 2009. Councilmember Ramos seconded the motion.

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

### **Item 4. OATH OF OFFICE – MAYOR PRO-TEM**

Mrs. Vacek administered the Oath of Office to Councilmember Elisa Chan, District 9, whose term as Mayor Pro-Tem becomes effective January 18, 2010 through March 29, 2010.

### **POINT OF PERSONAL PRIVILEGE**

Councilmember Ramos recognized Andrew M. Aguiano on his appointment as the District 3 Representative on the Zoning Commission and thanked him for his willingness to serve.

Mayor Castro announced that Item 5 would be addressed at 1:00 pm today.

**CONSENT AGENDA: Items 6-29**

Consent Agenda Items 15, 17, 18A, 18B, 19B, 20, and 25 were pulled for Individual Consideration. It was noted that Item 19F was pulled from the agenda by city staff. Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Wayne Ashabraner stated that he was a horse-drawn carriage operator and spoke in opposition to Items 18A and B. He expressed concern that if additional permits were authorized, he would go out of business.

Anne Van Dyke stated that she was in opposition to Item 18A but in favor of the City Code Amendments on Item 18B. She noted that the authorization of additional permits would have a negative impact to the industry and horse-drawn carriage drivers.

Nazirite Ruben Flores Perez stated that he was in favor of the amendments to clarify information regarding peddling (Item 17). He expressed concern with too many horse-drawn carriages in the Downtown Area (Item 18A).

Philip Moorman stated that he had been a carriage driver for two years and has become very familiar with the Downtown Area. He noted that business had suffered due to the economic conditions and expressed concern with the timing of authorizing additional carriage permits.

Noah Tillman-Young stated that he had recently graduated from college and was a horse-drawn carriage driver. He noted that the job was his main source of income and expressed concern that additional carriage permits would cause a safety hazard. He added that he was in support of the amendments to Chapter 33 of the City Code.

Robert Gonzales stated that he served on the Transportation Advisory Board (TAB) and that horse-drawn carriage drivers were struggling with the lack of business due to the economic conditions. He spoke of the traffic and safety issues with adding horse-drawn carriages and expressed concern with the lack of parking and areas for animals to rest.

Cheryl Shaw stated that she was the Chair of the TAB and had voted in favor of approving the permit applications. She stated that there was more than enough space in the Downtown Area and expressed support for the Chapter 33 amendments to the City Code.

Amy Solly stated that she was a horse-drawn carriage driver and had many concerns with adding permits. She noted that she had experienced a 65% income drop in business. She added that she was in favor of a study before authorizing additional permits.

Susan Kelly noted that she worked for Yellow Rose as a horse-drawn carriage driver. She stated that she came to San Antonio in 1999 and had stayed due to her love of the city. She noted that she was passionate about her job and horses and that carriage rides in San Antonio were inexpensive compared

to other cities. She spoke of her work as an ambassador for the city and asked that a study be conducted prior to adding permits.

Rich Van Dyke spoke of the many things that the horse-drawn carriage industry had done to promote tourism and referred to the city's coverage by Good Morning America and the Travel Channel.

Jack M. Finger expressed concern with the traffic caused by horse-drawn carriages in the Downtown Area. He stated that he was in support of entrepreneurship but not when it impedes traffic. He spoke in opposition to the Economic Development Grant and Loan Agreement with Site B Data Services, Inc. (Item 23).

Ray Dotson stated that he was the owner of Alamo Stage Line and if awarded permits, would be creating additional jobs in the city. He expressed support for the staff recommendation to authorize new permits and provided a photo of the state coaches that he would use to offer service. He spoke of their work with the Daughters of the Republic and stated that his company would sponsor fundraisers for the organization.

Steven Schreckhise stated that he was a part of Alamo Stage Line and also in support of the staff recommendation to authorize new permits. He noted that through the use of their stage coach design, they would bring back the authenticity of the past.

Faris Hodge Jr. submitted written testimony in opposition to the CPS Energy Board Appointment (Item 4) and expressed concern with the contract cost estimates in Item 6. He wrote in favor of Items 7-16 and 22-29. He wrote in opposition to the amendment to the Peddling Ordinance (Item 17), noting that people needed help.

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

#### **2010-01-14-0001**

Item 6. AN ORDINANCE ACCEPTING BIDS FOR THE FOLLOWING CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF \$956,000.00: (A) AIRGAS SOUTHWEST FOR OXYGEN, ACETYLENE AND WELDING SUPPLIES; (B) PARADIGM TRAFFIC SYSTEMS, INC., REQUISITE INC. AND PSI ACQUISITION, L.L.C. FOR TRAFFIC CONTROLLER CABINET ASSEMBLIES AND EQUIPMENT; (C) HIGH SIERRA ELECTRONICS, INC. FOR AUTOMATED FLOOD WARNING SYSTEM PARTS; (D) GRANDE TRUCK CENTER FOR TELMA BRAKE RETARDER PARTS AND SERVICE; (E) HEIL OF TEXAS FOR TOTER REAR TIPPER PARTS AND SERVICE; AND (F) SAP PUBLIC SERVICES, INC. FOR SAP PROCUREMENT AND BUDGET FORMULATION SOFTWARE MODULE MAINTENANCE.

#### **2010-01-14-0002**

Item 7. AN ORDINANCE ACCEPTING THE OFFER FROM AUTOMATED LOGIC TEXAS TO REPLACE THE HEATING, VENTILATION AND AIR CONDITIONING BUILDING CONTROL SYSTEMS AT CITY HALL AND MUNICIPAL PLAZA BUILDING FOR A TOTAL COST OF \$264,733.00 FUNDED WITH CERTIFICATES OF OBLIGATION.

**2010-01-14-0003**

Item 8. AN ORDINANCE AUTHORIZING THE PURCHASE OF A BRUSH COLLECTION TRUCK FROM FREIGHTLINER OF SAN ANTONIO, LTD FOR THE SOLID WASTE MANAGEMENT DEPARTMENT FOR A TOTAL COST OF \$92,624.00 UTILIZING A COOPERATIVE CONTRACT, FUNDED BY A TAX-EXEMPT LEASE PURCHASE AGREEMENT AND THE SOLID WASTE OPERATING FUND.

**2010-01-14-0004**

Item 9. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$70,170.24 TO THE \$292,376.70 CONSTRUCTION CONTRACT WITH HERSCHAP BACKHOE & DITCHING, INC. FOR PHASE II OF THE HEMISFAIR GROUNDWATER FORCE MAIN PROJECT, FUNDED IN THE FY 2010 BUDGET, LOCATED IN COUNCIL DISTRICT 1.

**2010-01-14-0006**

Item 11. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH THE CAMPUS OF THE SAN ANTONIO JEWISH COMMUNITY IN THE AMOUNT OF \$150,000.00 FOR THE INSTALLATION OF A TRAFFIC SIGNAL AND CONSTRUCTION OF A DRIVEWAY, AN AUTHORIZED \$30 MILLION TAX NOTE FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 8 AND 9.

**2010-01-14-0007**

Item 12. AN ORDINANCE AUTHORIZING TWO, ONE-YEAR LEASE AGREEMENTS TO CLEARWIRELESS L.L.C. FOR THE USE OF SPACE ON CELL TOWERS AT 4531 SOUTH ZARZAMORA STREET IN COUNCIL DISTRICT 5 AND AT 10100 BELGA DRIVE IN COUNCIL DISTRICT 8 FOR A TOTAL OF \$17,500.00.

**2010-01-14-0008**

Item 13. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE FROM GTM WASHINGTON SQUARE, LTD. FOR OFFICE SPACE AT 800 DOLOROSA STREET, SUITE 115, IN COUNCIL DISTRICT 1, FOR THE DEPARTMENT OF HUMAN RESOURCES' OFFICE OF MUNICIPAL INTEGRITY FOR AN INITIAL MONTHLY RENTAL RATE OF \$1,972.00 AND INCREASING TO \$2,135.00 IN YEAR FIVE.

**2010-01-14-0009**

Item 14. AN ORDINANCE AUTHORIZING RENEWAL OF A FIVE-YEAR LEASE FROM GTM WASHINGTON SQUARE, LTD. FOR OFFICE SPACE AT 800 DOLOROSA STREET, SUITE 402, IN COUNCIL DISTRICT 1, FOR THE SAN ANTONIO POLICE DEPARTMENT'S OFFICE OF INTERNAL AFFAIRS FOR AN INITIAL MONTHLY RENTAL RATE OF \$12,298.00 AND INCREASING TO \$13,312.00 IN YEAR FIVE.

Item 16. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO 2010 HOMELAND SECURITY GRANT PROGRAM FUNDS:

**2010-01-14-0011**

- A. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE, UPON AWARD, OF UP TO \$10,000,000.00 FROM THE OFFICE OF THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) FOR THE

2010 HOMELAND SECURITY GRANT PROGRAM (HSGP) TO PREVENT, RESPOND TO, AND RECOVER FROM ACTS OF TERRORISM AND NATURAL DISASTERS; APPROPRIATING FUNDS; AND AUTHORIZING A PERSONNEL COMPLEMENT OF 12 POSITIONS.

**2010-01-14-0012**

- B. AN ORDINANCE AUTHORIZING A CONTRACT WITH THE TEXAS ENGINEERING EXTENSION (TEEX) AGENCY FOR UP TO \$150,000.00 PER YEAR, FOR UP TO THREE YEARS, TO ASSIST IN COMPLYING WITH FEDERAL AND STATE HOMELAND SECURITY GRANT GUIDELINES AND REPORTING REQUIREMENTS.

**2010-01-14-0013**

- C. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL 2006 HSGP URBAN AREA SECURITY INITIATIVE (UASI) GRANT AWARD IN THE AMOUNT \$5,170.44; AND AUTHORIZING ANY ADDITIONAL FUNDING MADE AVAILABLE DURING THE PROGRAM YEAR.

Item 19. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011, TO BE EFFECTIVE AS LISTED BELOW OR IMMEDIATELY, UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT:

- A. APPOINTING MICHAEL K. WOLFE (AT-LARGE, CATEGORY: TAXI INDUSTRY) AND BARBARA L. LOOMIS (AT-LARGE, CATEGORY: COMMUNITY) TO THE AIRPORT ADVISORY COMMISSION FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MARCH 18, 2010.
- C. APPOINTING ANDREW M. ANGUIANO (DISTRICT 3) TO THE ZONING COMMISSION.
- D. REAPPOINTING DARRYL W. LYONS, II (MAYORAL, CATEGORY: FINANCIAL) AND ROBERT A. LARIOS (DISTRICT 8, CATEGORY: TECHNICAL/RESEARCH) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE NOVEMBER 4, 2010 AND NOVEMBER 4, 2011, RESPECTIVELY.
- E. APPOINTING SYLVIA A. ENRIQUEZ (DISTRICT 10) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.

**ITEM F – PULLED FROM THE AGENDA**

- F. APPOINTING BERTHA G. PEREZ (MAYORAL) TO THE SAN ANTONIO HOUSING AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE AUGUST 26, 2010.

G. APPOINTING ROSE M. MALDONADO (MAYORAL) AND GABRIELLA A. LOPEZ (MAYORAL) TO THE SAN ANTONIO YOUTH COMMISSION.

Item 21. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE AWARD OF ON-CALL PROFESSIONAL SERVICES AGREEMENTS:

**2010-01-14-0018**

A. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF FOUR ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH ALDERSON & ASSOCIATES, INC., JOSHUA ENGINEERING GROUP, INC., K.M. NG & ASSOCIATES, INC. AND O'CONNELL ROBERTSON, EACH IN THE AMOUNT OF \$500,000.00 PER YEAR FOR A TWO-YEAR CONTRACT WITH AN EXTENSION OPTION TO PROVIDE MECHANICAL, ELECTRICAL, AND PLUMBING DESIGN SERVICES FOR CAPITAL IMPROVEMENT PROJECTS.

**2010-01-14-0019**

B. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF THREE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH CONSULTING ENGINEERS, INC., JASTER-QUINTANILLA SAN ANTONIO, LLP., AND STRUCTURAL ENGINEERING ASSOCIATES, INC., EACH IN THE AMOUNT OF \$500,000.00 PER YEAR, FOR A TWO-YEAR CONTRACT WITH AN EXTENSION OPTION TO PROVIDE STRUCTURAL DESIGN SERVICES FOR CAPITAL IMPROVEMENT PROJECTS.

**2010-01-14-0020**

Item 22. AN ORDINANCE APPROVING A WAIVER OF \$27,464.40 IN SAWS IMPACT FEES FOR THE MISSION ROAD DEVELOPMENT CENTER AS AN EXCEPTION TO POLICY UNDER THE INCENTIVE SCORECARD SYSTEM.

**2010-01-14-0021**

Item 23. AN ORDINANCE AUTHORIZING AN ECONOMIC DEVELOPMENT GRANT AND LOAN AGREEMENT IN THE AMOUNT OF \$200,000.00 WITH SITE B SERVICES DATA SERVICES INC.

**2010-01-14-0022**

Item 24. AN ORDINANCE AUTHORIZING A SETTLEMENT AGREEMENT FOR THE AMOUNT OF \$225,000.00 IN A LAWSUIT STYLED *ALBERT MORAN, AS ADMINISTRATOR OF THE ESTATE OF FRANCISCA (FRANCIS) MORAN, DECEASED V. CITY OF SAN ANTONIO, ET AL* IN THE 150TH DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2009-CI-06269.

**2010-01-14-0024**

Item 26. AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT WITH THE MISSIONS BASEBALL CARE FOUNDATION FOR THE USE OF APPROXIMATELY 60.40 ACRES OF LAND ADJACENT TO HWY. 151, BETWEEN CALLAGHAN RD. AND ACME RD., IN CITY COUNCIL DISTRICT 6, FOR A FIVE-YEAR TERM COMMENCING JANUARY 1, 2010 WITH AUTOMATIC RENEWAL OPTIONS, FOR THE DEVELOPMENT AND OPERATION OF AN

ATHLETIC FACILITIES COMPLEX FINANCED BY THE BEXAR COUNTY VENUE TAX PROJECTS ELECTION HELD IN MAY 2008.

Item 27. CONSIDERATION OF THE FOLLOWING IN CONNECTION WITH THE 2010 MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANC OF AMERICA PUBLIC CAPITAL CORP:

**2010-01-14-0025**

- A. AN ORDINANCE APPROVING THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH BANC OF AMERICA PUBLIC CAPITAL CORP AND AN ACQUISITION FUND AND ACCOUNT CONTROL AGREEMENT WITH BANC OF AMERICA PUBLIC CAPITAL CORP AND THE FROST NATIONAL BANK, SAN ANTONIO, TEXAS; AUTHORIZING SCHEDULE A TO THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE AMOUNT OF \$7,494,456.00 FOR THE ACQUISITION OF EIGHT AUTOMATED REFUSE COLLECTION TRUCKS, ONE BRUSH COLLECTION TRUCK, AND 120,000 REFUSE CONTAINERS FOR THE SOLID WASTE MANAGEMENT DEPARTMENT; AND AUTHORIZING APPROXIMATELY \$4,124.00 IN AVAILABLE CITY FUNDS FOR THE BRUSH COLLECTION TRUCK.

**2010-01-14-0002R**

- B. A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF FUNDS PREVIOUSLY EXPENDED FROM THE PROCEEDS OF THE LEASE PURCHASE AGREEMENT ENTERED INTO BETWEEN THE CITY OF SAN ANTONIO AND BANC OF AMERICA PUBLIC CAPITAL CORP; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**2010-01-14-0026**

Item 28. AN ORDINANCE AUTHORIZING PAYMENT IN AN AMOUNT UP TO \$315,206.59 TO STERLING'S PUBLIC SAFETY, INC. FOR REMAINING MARKED INVENTORY FROM THE COMMISSARY CONTRACT WITH THE FIRE DEPARTMENT.

**2010-01-14-0027**

Item 29. AN ORDINANCE AUTHORIZING A FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR FEDERAL REPRESENTATION SERVICES WITH PATTON BOGGS LLP, EXTENDING THE TERM THROUGH APRIL 30, 2010.

**[CONSENT AGENDA ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinance:

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO HORSE DRAWN CARRIAGES:

2010-01-14-0015

- A. AN ORDINANCE APPROVING INTERIM PERMITS TO FIVE EXISTING HORSE DRAWN CARRIAGE OPERATORS THROUGH JUNE 30, 2010; GRANTING FIVE NEW INTERIM PERMITS TO A NEW COMPANY, ALAMO STAGE LINE; AND GRANTING FIVE ADDITIONAL INTERIM PERMITS TO AN EXISTING COMPANY, LONE STAR.

Councilmember Cisneros recused herself on Item 18A by excusing herself from the Council Chambers and noting that she submitted the recusal form for said item to the City Clerk.

Councilmember Cortez asked Erik Walsh to further detail said item. Mr. Walsh reported that the Police Department had not properly managed the horse carriage permit process for a number of years. The ordinance would approve the awarding of five temporary permits to Alamo Stage Line and five additional permits to Lone Star through June, 2010. He stated that Chapter 33 of the City Code would be amended to bring the horse carriage industry in line with other ground transportation industries within the Police Department. He noted that it would also authorize the Police Chief to issue future permits and adjust routes and stand locations. Mr. Walsh added that a study would be conducted by June 30, 2010 to review traffic and capacity.

Councilmember Cortez asked if any new permits would be authorized after today's recommendation. Mr. Walsh replied that no additional permits would be authorized until completion of the study and that they would work with the industry to determine the best method for distribution of future permits.

Councilmember Williams spoke in support of the Chapter 33 amendments and noted the importance of outlining the authority of the Police Department. He asked that staff carefully consider the number of carriages allowed to operate and the fees that carriages are authorized to charge. Councilmember Ramos expressed her support and asked of the study that would be conducted. Mr. Walsh stated that the Police Department would coordinate the study with various City Departments and Downtown Stakeholders. Councilmember Taylor expressed her support for the study that would be conducted and noted that it would be important to engage all stakeholders. Councilmember Clamp spoke in support of said item and asked that the appeal process to the TAB be included in the study. Councilmember Medina expressed his support and noted that he was aware of the impact to small businesses.

Councilmember Cortez moved to adopt the proposed Ordinance for Item 18A granting interim permits to the five existing horse drawn carriage operators – Yellow Rose Carriage Company, HRH Carriage Company, Lone Star Carriage Company, Bluebonnet Carriage Company and Lollypop Carriage through June 30, 2010 and to deny the five new interim permits to Alamo Stage Lines and to deny the five additional interim permits to Lone Star Carriage Company. Councilmember Medina seconded the motion.

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

2010-01-14-0016

- B. AN ORDINANCE AMENDING CHAPTER 33 OF THE CITY CODE TO MAKE ARTICLE I OF CHAPTER 33 APPLICABLE TO HORSE-DRAWN CARRIAGE OPERATIONS AND TO AUTHORIZE THE CHIEF OF POLICE TO ESTABLISH

HORSE-DRAWN CARRIAGE ROUTES; AND PROVIDING FOR CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS.

Councilmember Cisneros recused herself on Item 18B by excusing herself from the Council Chambers and noting that she submitted the recusal form for said item to the City Clerk.

Councilmember Cortez asked Mr. Walsh to summarize the amendments. Mr. Walsh explained that the amendments would apply Article I to horse-drawn carriage operations and authorize the Police Chief to make adjustments to the routes. He noted that staff was committed to working with the industry on routes, stands, rules, and regulations. Councilmember Ramos asked how often the results of the study would be reviewed. Mr. Walsh replied that they would work with the TAB for a periodic review process. Mayor Castro expressed his support and asked of the regulations of the industry within comparable US Cities. Mr. Walsh stated that it varied and some regulations were enforced by Police Departments, Public Works, or a dedicated Ground Transportation Department.

Councilmember Cortez moved to adopt the proposed Ordinance for Item 18B with the conditions that the Police Chief be authorized to establish horse-drawn carriage routes and that staff conduct a study to be completed by June 30, 2010 that includes a review of health and safety concerns, a traffic study, and input from Downtown Stakeholders. Councilmember Chan seconded the motion.

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

The City Clerk read the following Ordinance:

**2010-01-14-0005**

Item 10. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. IN AN AMOUNT UP TO \$334,667.00 FOR ENGINEERING SERVICES FOR DAM BREACH ANALYSIS AND EMERGENCY ACTION PLAN FUNDED BY THE FY 2010 - 2015 CAPITAL BUDGET.

Councilmember Chan recused herself on Item 10 by excusing herself from the Council Chambers and noting that she submitted the recusal form for said item to the City Clerk.

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

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

The City Clerk read the following Ordinance:

**2010-01-14-0010**

Item 15. AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF \$90,000.00 IN FEDERAL STIMULUS GRANT FUNDS FOR THE CONVERSION OF FIVE EXISTING CITY-OWNED HYBRID ELECTRIC VEHICLES INTO PLUG-IN HYBRID ELECTRIC VEHICLES USING CONVERSION KITS SUPPLIED BY A CERTIFIED THIRD-

PARTY BATTERY MANUFACTURER, AND INSTALLING FIVE DEDICATED ELECTRIC VEHICLE RECHARGING STATIONS TO PROVIDE ELECTRICITY FOR THE VEHICLES CONVERTED BY THIS PROJECT.

Lawrence Doxsey presented said item and stated that the grant would allow for the conversion of five existing City-owned Prius vehicles to run on electricity. He noted that the grant would also allow CPS Energy to understand the impact of charging vehicles on their grid and that additional vehicles would utilize the charging station once it was installed. Councilmember Rodriguez expressed support and noted that there would be a cost savings to the city. Councilmember Chan also expressed her support and asked of local companies that could perform the conversion. Mr. Doxsey replied that there were no companies in Texas that could perform the work at this time. He stated that he met with the primary manufacturer for conversion kits for Toyota and indicated interest in the Texas Market.

Councilmember Chan asked of the locations of the charging stations. Mr. Doxsey stated that the locations had not been identified but would work with the departments that would be utilizing them. Councilmember Chan asked of the connection to Mission Verde. Mr. Doxsey replied that this would provide the city with an opportunity to expand the goals of Mission Verde to increase the green sector of our economy. Councilmember Clamp expressed support and asked of the impact to CPS Energy. Mr. Doxsey stated that the impact had not been determined but CPS Energy would utilize the program as a pilot.

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

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

The City Clerk read the following Ordinance:

**2010-01-14-0014**

Item 17. AN ORDINANCE AMENDING CHAPTER 16 (LICENSES AND BUSINESS REGULATIONS) OF THE CITY CODE OF THE CITY OF SAN ANTONIO, TEXAS TO CLARIFY THE NUMBER OF TIMES PEDDLING IS ALLOWED AND TO HOLD PROPERTY OWNERS AS WELL AS PEDDLERS RESPONSIBLE FOR ACTIVITY IN EXCESS OF THE TIME PRESCRIBED.

Liz Garcia, Neighborhood Services Assistant Director presented said item and stated that the issue was being brought forth because several peddlers had circumvented the intent of the City Code; specifically, to limit the number of days of peddling at various locations. She noted that the purpose of the Ordinance was to clarify the number of times that peddling is allowed and to hold property owners and peddlers responsible for activity in excess of the time prescribed.

Councilmember Cortez thanked staff for their work and stated that he had asked staff to review the current ordinance due to the great amount of complaints he had received from new businesses. He asked of the Code Inspections that were authorized. Ms. Garcia stated that the amendments would assist Code Compliance staff in clarifying the number of peddlers allowed and reduce the number of continuous illegal sales on particular properties.

Councilmember Ramos thanked staff for moving said item forward. She expressed concern that unauthorized peddling would still occur since most Code Compliance Officers worked until 5 pm. Ms. Garcia stated that they would routinely extend staff hours so that they could monitor major thoroughfares and also work closely with the Police Department regarding enforcement.

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

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

The City Clerk read Item 19:

Item 19. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011, TO BE EFFECTIVE AS LISTED BELOW OR IMMEDIATELY, UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT:

B. REAPPOINTING MARY E. BRISEÑO (AT-LARGE) AND RICK A. PYCH (AT-LARGE) TO THE VIA METROPOLITAN TRANSIT AUTHORITY BOARD OF TRUSTEES AND DESIGNATING MARY E. BRISEÑO TO REPRESENT THE INTERESTS OF THE TRANSPORTATION DISADVANTAGED, FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE DECEMBER 31, 2011.

Councilmember Clamp recognized Mary Briseño and Rick Pych for their outstanding service to the VIA Metropolitan Transit Authority Board and thanked them for their continued interest in the City of San Antonio. The Mayor and Councilmembers also thanked Ms. Briseño and Mr. Pych for their time, dedication, and service to the citizens of San Antonio.

Councilmember Clamp moved to approve Item 19B. Councilmember Chan seconded the motion.

The motion to approve Item 19B prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**2010-01-14-0017**

Item 20. AN ORDINANCE AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE TEXAS HISTORICAL COMMISSION REGARDING THE PROPER RESTORATION, REHABILITATION AND ADAPTIVE REUSE OF HISTORIC ELEMENTS AT THE MISSION DRIVE-IN THEATER, LOCATED AT 3100 ROOSEVELT IN COUNCIL DISTRICT 3.

Mike Frisbie reported that the 26-acre site had some elements of historic significance and staff was working closely with the Texas Historical Commission regarding proper restoration and rehabilitation.

Councilmember Ramos expressed support and noted that the work was being completed prior to the groundbreaking on January 26, 2010 of the Mission Branch Library. She added that she was pleased that the main marquee would remain on the property. Mayor Castro stated that he looked forward to the library and other enhancements to the area that would improve the quality of life.

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

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

The City Clerk read the following Ordinance:

**2010-01-14-0023**

Item 25. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$228,401.00 TO THE EVENTS TRUST FUND IN ANTICIPATION OF REIMBURSEMENT FOR ELIGIBLE EXPENSES RELATED TO THE 2009 ROCK N ROLL MARATHON AND THE 2009 NOTRE DAME VS. WASHINGTON STATE UNIVERSITY FOOTBALL GAME.

Councilmember Rodriguez asked of the reimbursement and improvements. Mike Sawaya stated that this was a continuation of the 2008 Capital Program to make building improvements and meet hosting obligations. He explained that for the City's 14% contribution to the trust fund; the City received 86% of the investment. He added that the amount was based on the economic impact to the state's tax collections. He stated that improvements were made to the ribbon boards for the Notre Dame Football Game and Rock N Roll Marathon, and that the video scoreboard display would be enhanced for the Women's Final Four. Councilmember Rodriguez expressed support and stated that it was a good opportunity to leverage State Funds. He asked that there be coordination with the Intergovernmental Affairs Department to develop State Legislative Priorities and advocate for continued funding.

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

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

**POINT OF PERSONAL PRIVILEGE**

Councilmember Clamp recognized the Church of Reconciliation located in Council District 10 for investing in 73 solar panels. He thanked Mayor Castro for attending their dedication ceremony and reported that they would realize a savings of \$3,500 per year in electricity costs. Mayor Castro commended the Church of Reconciliation's congregation for taking the initiative and embracing alternative energy.

**CITY MANAGER'S REPORT**

**A. UPDATE ON THE FEDERAL ECONOMIC STIMULUS FUNDING**

Sheryl Sculley reported that of the \$850 million American Recovery and Reinvestment Act (ARRA) funds awarded to the Bexar County Region, the City of San Antonio was managing \$161 million. She stated that the funding would be utilized for Infrastructure; Energy Efficiency; Health and Social Services; and Public Safety. She noted that regarding the funding for additional Police Officers, 24 individuals began the Police Academy in September, 2009, and 26 individuals had begun training in January, 2010. She spoke of the coordination among the CIMS Department and the Texas Department of Transportation for improvements to 281/1604 and added that 12 Neighborhood Street and Sidewalk Projects were scheduled for construction. She reported that the \$12 million Weatherization Program began with \$6 million in the first year and was being implemented in collaboration with CPS Energy. She stated that 1,544 additional children were participating in day care services and that new computers and playground equipment would be purchased for the Head Start Program.

Ms. Sculley stated that the management and oversight of ARRA Funds was being managed through the City Manager's Office and that weekly strategy sessions were held for future planning. She added that monthly ARRA Updates would be provided to the City Council and that there was communication among Agency, State, and Federal Representatives. She reported that of the \$380.4 million that had been requested, \$142 million were Formula Grants and \$238 million were Competitive Grants. She added that \$132.8 million had been awarded and was ready to be spent. Lastly, she mentioned that the City of San Antonio had been awarded the most Per Capita Stimulus Funds compared to other large Texas Cities.

Mayor Castro thanked staff for their work to ensure that San Antonio receives as much Stimulus Funding as possible. Councilmember Ramos asked how the additional child care slots would be funded in the future. Ms. Sculley stated that it was a fiscal policy decision that would be made by the City Council. Councilmember Ramos requested that staff provide the City Council with information on available grants in preparation for the Washington, DC trip that would take place in February. Councilmember Medina expressed his support for the improvements being made to 36<sup>th</sup> Street and the additional funding for Head Start.

Mayor Castro recessed the meeting at 11:25 am to break for lunch. Mayor Castro reconvened the meeting at 1:10 pm and addressed Item 5.

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Resolution:

#### **2010-01-14-0001R**

Item 5. A RESOLUTION APPROVING THE APPOINTMENT OF A MEMBER TO THE CPS ENERGY BOARD OF TRUSTEES.

Outgoing CPS Board Trustee Aurora Geis addressed the City Council and stated that the Board had undertaken a thorough process to fill the Northwest Quadrant position. She noted that the Board had voted affirmatively for Mr. Charles Foster and that he would bring a tremendous amount of experience, focus and determination to the Board. Mr. Foster addressed the City Council and thanked everyone for their support. He stated that he had lived in San Antonio since 1992 and had retired from SBC, now AT&T, eight years ago. He noted that he looked forward to serving on the CPS Board.

Mayor Castro thanked Mr. Foster for his willingness to serve and noted that he was confident that he was the right choice to fill the Northwest Quadrant position. Mayor Castro recognized Ms. Geis for her service on the Board over the past eight years and her work on sustainability initiatives. Councilmember Rodriguez also thanked Mr. Foster for agreeing to serve on the Board and noted that it was a critical role that would shape the energy direction of the city. Councilmember Rodriguez also recognized Ms. Geis for her many years of service on the Board. Councilmember Williams spoke in support of Mr. Foster and noted his great experience and qualifications. Councilmember Chan thanked Mr. Foster for his willingness to serve and also recognized Ms. Geis for her work in moving toward renewable energy. Councilmember Lopez congratulated Mr. Foster on his appointment and thanked him for his service.

Councilmember Ramos thanked Mr. Foster for agreeing to serve on the CPS Energy Board and recognized Ms. Geis for her many years of service. Councilmember Clamp thanked Ms. Geis for her service and work on renewable energy. He stated that he appreciated the work of all of the Trustees. Councilmember Cortez thanked Mr. Foster for willing to serve on the Board and recognized Ms. Geis for her service. Councilmember Medina also recognized Ms. Geis for her many years of service and thanked Mr. Foster for willing to serve. Councilmember Williams added that he was thankful for Ms. Geis' service and that she had served with honor and integrity.

Mayor Castro called upon those individuals registered to speak.

Nazirite Ruben Flores Perez spoke in support of the appointment of Charles Foster as the Northwest Quadrant Representative to the CPS Energy Board.

Jack M. Finger spoke in opposition to the appointment of Charles Foster to the CPS Energy Board. He expressed concern that he had not received a copy of Mr. Foster's application prior to the City Council Meeting.

Councilmember Rodriguez moved to approve the Resolution appointing Mr. Charles Foster to the CPS Energy Board. Councilmember Williams seconded the motion.

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

Mayor Castro recessed the meeting at 1:40 pm until 5:30 pm to address Ceremonials.

### **CEREMONIALS**

Mayor Castro presented a Proclamation in recognition of the Annual MLK March, which celebrates the accomplishments and legacy of Dr. Martin Luther King, Jr. The 3-mile journey will begin at the MLK Freedom Bridge (3500 MLK Dr.) and end at Pittman-Sullivan Park (1101 Iowa). It was noted that San Antonio hosts the largest march in the United States and is expected to draw more than 100,000 adults and children. A commemorative program is scheduled at the park immediately following the march, along with many activities and food booths. Other commemorative events are scheduled throughout the month of January to pay tribute to Dr. Martin Luther King, Jr.

Mayor Castro recognized the Real Estate Council of San Antonio and Keep San Antonio Beautiful to announce the winners of the Green Team Challenge Competition as follows: Grand Prize Winner – Barkley/Ruiz Academy, District 5; 1<sup>st</sup> Place – Herff Elementary, District 2; 2<sup>nd</sup> Place – Burlison Elementary, District 5; and 3<sup>rd</sup> Place – Encino Park Elementary, District 9. More than \$10,000 in landscape improvements and other prizes were awarded to the four elementary schools. Each Councilmember nominated schools from their district to participate. Students are provided with an opportunity to take part in a positive effort to benefit their community.

### **CITIZENS TO BE HEARD**

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez spoke in support of President Obama and his efforts to address hunger issues. He expressed concern with the Food Stamp Program in Texas.

Annette Beavers representing Freebirds Restaurant addressed the City Council regarding their current restaurant locations and noted that they would be expanding throughout the city. She stated that when they opened new restaurants, they partnered with two local non-profit organizations. She spoke of their work to bring awareness of non-profit organizations throughout the city and invited all to attend the grand opening of their Westpointe Location that would take place on January 27, 2010.

Mark Perez expressed concern with the lack of information provided by Planning and Development Services Staff and stated that he had not received responses to his requests. He spoke of the permits that had been provided to Tetco and noted that they were operating with hazardous chemicals.

Julie Iris Oldham stated that she had attended the Eastside Reinvestment Summit and expressed concern with the environmental issues related to sulphuric acid within the Eastside. She noted that she had attended a meeting at the San Antonio Housing Authority and was pleased with the efficiency of the meeting. She recommended that an individual from outside the organization be hired as the General Manager for CPS Energy.

Orlando Gutierrez of the Ratepayers Protection Coalition spoke of a lawsuit between the Ratepayers Protection Coalition and CPS Energy and expressed concern with the lack of information provided by CPS Energy regarding the costs of the nuclear project. He noted that there were still many unanswered questions and asked that CPS Energy be held accountable. He requested that there be more transparency among the organization.

Nick Calzoncit spoke in support of peace and recommended that a city department be created to work in partnership with the Harlandale School District on peace efforts. He asked that Stonewall Elementary School be renamed to the Cesar Chavez Elementary School of Peace.

Cynthia Weehler spoke in opposition to nuclear energy and expressed concern with the lack of information provided by CPS Energy. She spoke of water usage, lack of local jobs and other environmental concerns related to nuclear power. She requested a forum in which the local community can communicate directly with the City Council regarding nuclear energy.

Raymond Zavala expressed concern with nuclear energy and requested that the bylaws of the CPS Energy Board be revised. He commended Councilmember Clamp regarding the panhandling ordinance and asked that an ordinance be created to prohibit all vagrancy and panhandling. He stated that he was pleased with the new barrier that was installed at Monclova Street. He thanked SAPD for arresting two individuals in his neighborhood that were breaking into vehicles and noted that they had arrived within two minutes. He expressed concern with a driver that had been driving erratically in a San Antonio Housing Authority (SAHA) vehicle. When he called, he was told that the vehicle did not belong to SAHA. He asked that CPS Energy be held accountable and that there be more transparency to the community.

Barbara Murray spoke in opposition to nuclear energy and expressed support for renewable energy sources. She noted that other countries and cities in the US were already utilizing solar energy and that CPS Energy should invest in such opportunities. She expressed concern that CPS Energy had not been forthcoming with information related to nuclear energy and spoke of issues related to the disposal of nuclear waste.

Damon Mason spoke of issues with the Food Stamp Program and expressed concern that he was being retaliated against by a VIA Employee that he had complained about.

Faris Hodge, Jr. requested that the Alamodome be named after him and spoke of the retirement of Milton Lee of CPS Energy. He asked of the status of Lucky the Elephant at the San Antonio Zoo and spoke of concerns related to the use of body scanners. He noted that the Pope had denounced attacks on women and that the recent purchase of Police vehicles was a waste of money. He expressed concern that a Fire Station was being built next to a railroad track.

Joanna Hargrove-Conner spoke in opposition to nuclear energy and expressed concern with drug activity in the city. She spoke of issues with the Food Stamp Program and noted the lack of transparency at CPS Energy.

Elizabeth Perkins stated that she had been conducting a study regarding the stray animal population in the city. She requested that a pet tax be implemented to assist in addressing the issues with stray animals. She noted that there were many individuals that loved their pets would be willing to help with neighborhood sweeps to offer spay and neuter programs.

### ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:55 pm.

APPROVED



JULIÁN CASTRO  
MAYOR

Attest:



LETICIA M. VACEK, TRMC/CMC  
City Clerk