

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

**A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, SEPTEMBER 12, 2012, AND THURSDAY, SEPTEMBER 13, 2012, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 9:00 am Wednesday, **September 12, 2012**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** D. Medina.

**1. STAFF PRESENTATION AND POSSIBLE CITY COUNCIL ACTION ON POTENTIAL CITY COUNCIL AMENDMENTS TO THE FY 2013 PROPOSED BUDGET.**

Ms. Sculley reviewed the list of budget amendments and provided the recommended funding for Delegate Agencies. She stated that a fee increase was not recommended for the Storm Water Fee and that staff would study the methodology in coordination with the community over the next year.

Mayor Castro thanked City Staff for their work on the budget and stated that he believes that the amendments reflect the priorities of the City Council.

Councilmember Williams expressed concern with the \$375,000 requested for a Senior Center in District 7, noting that the Bob Ross Senior Center would be moved to District 7 through the redistricting process. He also stated that he was not supportive of providing additional funding to Project Quest at this time. He added that he hoped that the costs for Siclovía would be reduced and not increased. He spoke in support of the additional \$106,441 requested by Communities in Schools. He requested that additional funds be placed in the Reserve Fund noting that there would likely be a recession in the future. Ms. Gloria Hurtado clarified that funding was not recommended for new delegate agency programs and that the \$106,441 requested by Communities in Schools was for a new program.

Councilmember Saldaña asked of the Storm Water Fee. Ms. Sculley replied that they would conduct an in-depth analysis of the rate methodology over the next year and was not being increased at this time. Majed Al-Ghafry stated that there are currently four mowing cycles for creekways and two sweeping cycles for residential areas.

Mayor Castro stated that he was convinced that Project Quest was doing a good job and was supportive of the additional \$200,000 for Project Quest. He noted that Project Quest was a unique initiative that achieved successful, long-term results. He spoke of the many individuals in need of their training and resources due to the challenging economic conditions. He added that Project Quest had exceeded their match requirements. Regarding Siclovía, Mayor Castro stated that they were soliciting more sponsorships and hoped to expand it to other areas in the city.

Councilmember Chan stated that she was pleased with the additional funding for International Economic Development that would benefit the city as a whole. She asked if the funding was included in FY 2014. Ms. Sculley confirmed that it was included in the FY 2014 Budget. Councilmember Chan asked how delegate agencies were informed that they were not recommended for funding. Ms. Hurtado replied that

she would contact each of the agencies and follow up with an official letter. Councilmember Chan expressed concern with the new programs and agencies that were not recommended for funding.

Councilmember Taylor excused herself from the meeting at this time.

Councilmember Soules stated that he was pleased that the Storm Water Fee was not being increased and noted that the two funding requests he made were revenue neutral. He expressed concern with the delegate agency funding process and suggested that the recommendations be vetted at one of the City Council Committees. He asked if the funding for Enhanced Bicycle Planning was necessary. Maria Villagomez replied that the funds would be utilized for one staff person to assist with the 2012 Bond Program and that the position was partially funded with Bond Funds. Mike Frisbie added that the position was previously grant funded and that the city was no longer receiving the grant.

Councilmember Lopez stated that it was important for Project Quest to continue their momentum and expressed support for their funding request. He highlighted the Code for America Program, a national program that utilizes interns to assist with computer code issues. He stated that the benefits outweighed the costs. Councilmember Ozuna spoke of the success of Code for America in New Orleans and Austin and noted that the participants of the program were thoroughly vetted. She added that they build IT Infrastructure for the city. Councilmember Lopez stated that he was pleased with the additional funding provided to the Girl Scouts of Southwest Texas.

Councilmember Ozuna spoke in support of funding for the Code for America Program and the Girl Scouts of Southwest Texas. She noted that she was pleased with the dual partnership among the Customer Service/3-1-1 and Library Departments.

Councilmember Bernal explained his request for additional security at Market Square during Fiesta noting that the footprint was too small and that the event could be safer. He expressed support for the Code for America Program since it would leave the city with a quality product for a small amount of money. He added that he was comfortable with the funding for delegate agencies but noted concerns with de-funding a program that is the only one providing a specific service. He added that he would like to have a more detailed discussion regarding the delegate agency process.

Councilmember Saldaña requested that the Spark Program be funded with Certificates of Occupancy and that the \$50,000 in General Funds be allocated toward Communities in Schools.

Councilmember C. Medina stated that he appreciated the amendments presented and explained that he was requesting funds for a Multi-Service Senior Center to address the underserved Seniors within Loop 410. He noted that they would work with the CIMS Department to identify an existing facility.

## **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 10:20 am to convene in Executive Session for the purposes of:

- A. 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).**

- 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. DISCUSS LEGAL ISSUES RELATED TO *HEADWATERS COALITION, INC., ET AL V. CITY OF SAN ANTONIO*, CAUSE NO. 2011-CI-05299, IN THE 408<sup>TH</sup> JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- D. DISCUSS LEGAL ISSUES RELATED TO SEXUALLY ORIENTED BUSINESSES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 12:00 noon and announced that no action was taken in Executive Session.

### **RECESSED**

Mayor Castro recessed the meeting at 12:00 noon and stated that the meeting would resume at 2:00 pm.

### **RECONVENED**

Mayor Pro Tem Saldaña reconvened the meeting at 2:10 pm and continued the budget discussion on potential amendments.

Councilmember Chan spoke of the CIMS Department and referenced the eight positions being added for the Convention Center Expansion Project. She asked of the 17 employees that report to other departments. Mr. Frisbie replied that they are funded by \$2 million transferred from the General Fund for employees that are not working on Capital Projects. Discussion ensued regarding the process of charging employees to projects. Councilmember Chan expressed concern with the great amount of time charged to projects and asked to better understand direct versus indirect costs. She also stated that she did not agree with the approach being taken to hire eight new employees for the Convention Center Expansion Project. Discussion ensued regarding the CIMS Organizational Chart and employees assigned to Capital Projects. Mr. Frisbie highlighted the importance of hiring individuals with expertise for the Convention Center Expansion.

Mayor Castro entered the meeting at this time.

Councilmember Chan asked of the \$3.5 million allocated for the Convention Center Expansion Project. Mr. Frisbie replied that they had quantified the amount of efforts needed for the project and had compared it to the private sector. Councilmember Chan asked of the indirect costs. Mr. Frisbie replied that they took the employee loaded rate which includes benefits and multiplied it by 1.36. Debbie Sittre added that the city follows a specific OMB Circular Rate and that certain divisions are direct divisions and others are indirect divisions.

Councilmember Chan reiterated that she did not believe that staff augmentation was the best approach and advocated for a scope-defined approach. She stated that staff was procuring a Program Manager and not a Project Manager. Mr. Frisbie stated that it would be challenging and that staff's responsibility

was to ensure that the project is on time and on budget. Ms. Sculley stated that they stand by their recommendation. Councilmember Chan requested that the CIMS Department present their work plan to the City Council.

### **RECESSED**

Mayor Pro Tem Saldaña recessed the meeting at 3:10 pm to continue the Executive Session. Mayor Castro reconvened the meeting at 4:27 pm and announced that no action was taken in Executive Session. He recessed the meeting and announced that the meeting would resume at 5:30 pm for Ceremonials.

### **RECONVENED**

Mayor Castro reconvened the meeting at 5:30 pm and addressed the Ceremonial Items.

### **CEREMONIALS**

Mayor Castro presented a Citation to the San Antonio Ravens for winning the 2012 Youth Basketball of America (YBOA) Championship Tournament in the 3<sup>rd</sup> Grade Division. It was noted that YBOA is a premier youth membership organization that strives to provide opportunities for personal growth and development of young athletes, while reinforcing positive influences, self-confidence, and educational excellence.

A presentation was made by representatives of The American Association of Retired Persons (AARP) Magazine in recognition of San Antonio, Texas being chosen among the “Top Ten Places to Live” in the United States for Americans Age 50 and above. It was reported that the Alamo City will be profiled in its August/September Issue. In determining the list, the Editors looked at affordability, in particular Housing, Taxes, and Economic Stability. Other livable criteria included access to Parks and Recreation, Arts and Culture, Health Care, Hiking and Biking Trails, and other features that enrich life as one ages.

### **CITIZENS TO BE HEARD**

Mayor Castro called upon the individuals registered to speak.

Stanley Mitchell commended Mayor Castro for representing the City of San Antonio in a great manner during the Democratic National Convention. He referenced The Robles Report which he had previously provided to the City Council and stated that government had weakened the institution of families which is where Pre-K Education begins. He expressed concern with the continued increase in births to unwed Black and Hispanic Mothers. He asked if the shortage of education dollars in Texas were a result of Obamacare.

Nazirite Ruben Flores Perez stated that he was in support of education and requested VIA Bus Passes for Retired City Employees.

Artman Bland commended Councilmember Taylor and Mayor Castro for their efforts.

Esmeralda Perez stated that she was a Stablewood Homeowner and expressed concern with the poor condition of her home. She asked why DR Horton did not disclose the fact that the home was built over

a former sewer plant prior to selling the home. She spoke of the health issues she and her family have endured since moving into the home and asked the City Council for assistance.

Edward Gonzales stated that he was a Stablewood Homeowner and experienced many of the same concerns as Ms. Perez with his home. He noted that he and his wife suffer from allergies and worked hard to purchase their home. He requested assistance from the City Council in getting DR Horton to buy the homes back.

Gilbert Luevano, Stablewood Homeowner spoke of the terrible smell in his neighborhood and asked that DR Horton buy their homes back.

Delia Wilson, Stablewood Homeowner expressed concern that her home is falling apart. She stated that she should not have to live in those conditions and requested that the City Council hold DR Horton accountable.

Gizelle Luevano stated that she and her brother owned a Stablewood Home and expressed concern with the potential health effects on her future children. She expressed concern with the meeting held with Assistant City Manager David Ellison and asked the City Council for their assistance.

An individual named Laura stated that she was a Stablewood Homeowner and expressed concern with the structural issues of her home. She noted that she is experiencing health issues and requested assistance from the City Council.

An individual named Juan stated that he was also a Stablewood Homeowner and expressed concern with the terrible smell in his home and neighborhood. He urged the City Council for their assistance.

Antonio Diaz requested a Resolution recognizing October 12<sup>th</sup> as Indigenous Peoples Day. He stated that it was a Civil Rights Issue and spoke of the struggles that Indigenous People are experiencing. He expressed concern with the genocide of the Indigenous People. He stated that he would continue his cause and spoke of the meetings he attended of the National Parks Advisory Committee.

Faris Hodge, Jr. submitted written testimony and expressed concern that more Black Individuals were not hired as Park Police. He referenced an article entitled, "Voter will have final say on Pre-K" and requested that the Meals on Wheels and Senior Nutrition Program be combined. He wrote of the Metro Health efforts to reduce the incidence of West Nile Virus and highlighted the City's 4<sup>th</sup> Annual Historic Homeowner Fair. He expressed concern with the proposed toll roads in Bexar County and the proposed increase to CPS Energy Bills. He wrote of the injustices related to child support and asked why the Fire Department has not inspected the fire extinguishers at all Elementary, Middle, and High Schools. He referenced the Payday Loan Ordinance and the "Click It or Ticket" Campaign regarding the importance of wearing seat belts.

Written testimony was received from Mr. Sirianosac Thepsoumane noting that the average temperature of the city has risen over the past 30 years. He wrote that the city's green belts are not well distributed and requested that green plants with pedestrian-friendly walking and biking paths become better integrated into building construction.

## **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:32 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **September 13, 2012**, 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 Reverend Mike Sharrow, Chairman, The C12 Group, guest of Councilmember Reed Williams, District 8.

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

## **Item 3. MINUTES**

Councilmember Chan moved to approve the Minutes for the August 14, 2012 Budget Worksession and the August 15-16, 2012 Budget Worksession and Regular City Council Meetings. Councilmember Lopez 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.

Mayor Castro announced that Item 5 was pulled from the agenda by staff.

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Lopez recognized Government Students from Northwest Vista College and their Instructor, Former Councilmember Robert Marbut. He thanked them for being present.

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

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

Item 4. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO FISCAL YEAR 2013 AND FISCAL YEAR 2012 OPERATING AND CAPITAL BUDGETS:

### **2012-09-13-0696**

A. AN ORDINANCE ADOPTING THE ANNUAL CONSOLIDATED OPERATING AND CAPITAL BUDGETS FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR (FY) 2013; APPROVING THE PROJECTS INCLUDED IN THE FY 2013–FY 2017 5-YEAR INFRASTRUCTURE MANAGEMENT PLAN; APPROVING THE FY 2013–FY 2018 6-YEAR

CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO;  
AUTHORIZING PERSONNEL COMPLEMENTS; AND APPROPRIATING FUNDS.

City Manager Sheryl Sculley announced that the FY 2013 Budget was balanced as proposed and represented a 3% increase over FY 2012. She stated that it included the amendments that had been discussed over the past few months and provided the City Council with the list of amendments. She noted that the budget incorporated community input from the 10 community meetings and two public hearings held.

Mayor Castro thanked city staff for their work on the budget. He called upon the individuals registered to speak.

Tim Ferrell, Chief Operating Officer for the Children's Museum stated that he appreciated the City Council's consideration of their increased funding request. He stated that the Children's Museum continues to grow and serves as a community educational resource. He added that their goals were in line with that of SA2020 and thanked the city for its support.

Teri Kilmer addressed the Council and requested a Senior Community Center in the Loma Park Neighborhood. She stated that Seniors need a place to go other than bingo halls and thanked the City Council for their consideration.

Paul Jimenez of the Hispanic Chamber of Commerce addressed the Council and commended Mayor Castro, City Council, City Manager, and the Budget Staff for their work on the FY 2013 Budget. He stated that they were supportive of the budget but were opposed to increasing fees that would burden small businesses.

Rosheila Motley, Comptroller for the Ella Community Center thanked the City Council for providing additional funding for their youth program.

Jack M. Finger expressed concern with the funding provided to delegate agencies and requested that funding be reduced within the Office of Cultural Affairs. He spoke in opposition to the funding provided to the San Pedro Playhouse noting that he was concerned with the content of their productions. He also expressed concern with the art exhibits provided by the Esperanza Peace and Justice Center and stated that taxpayer funds should not be utilized to fund said agencies.

Pamela Taylor representing Dress for Success introduced Board Members and staff that were present. She provided statistical information on Dress for Success and thanked the City Council for the additional funding that was recommended for their agency.

Mayor Castro commended city staff for their work on the budget and stated that he was pleased with the many opportunities for public input. He noted that he was pleased that the Property Tax had not been raised and that the city was fiscally sound.

Councilmember Taylor also thanked city staff for their work on the budget and stated that she was pleased that citizen input was provided prior to the presentation of the proposed budget. She expressed support for the additional funding allocated for Code Enforcement

Councilmember Taylor moved to approve the Budget as presented by the City Manager on August 9<sup>th</sup> together with the amendments considered today with the exception of funding for Big Brothers Big Sisters. Councilmember Ozuna seconded the motion.

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

Councilmember Taylor excused herself from the meeting to recuse herself from voting on funding for Big Brothers Big Sisters noting that she submitted the recusal forms to the City Clerk.

Councilmember Saldaña moved to approve the funding for Big Brothers Big Sisters. Councilmember Bernal seconded the motion.

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

Due to Councilmember Williams being absent during the first vote for Item 4A, a second vote was taken.

Councilmember Taylor moved to approve the Budget as presented by the City Manager on August 9<sup>th</sup> together with the amendments considered today with the exception of funding for Big Brothers Big Sisters. Councilmember Lopez 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.

#### **2012-09-13-0697**

B. AN ORDINANCE SETTING THE AD VALOREM TAX RATE FOR MAINTENANCE AND OPERATIONS OF THE CITY OF SAN ANTONIO AT 35.419 CENTS PER \$100.00 OF VALUATION FOR TAX YEAR BEGINNING ON JANUARY 1, 2012 AND ENDING ON DECEMBER 31, 2012.

Councilmember Lopez moved that property taxes be increased by the adoption of a Maintenance and Operation Tax Rate of 35.419 cents per \$100.00 of taxable valuation, which is effectively a 0.52 percent increase in the tax rate. Councilmember C. Medina 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.

#### **2012-09-13-0698**

C. AN ORDINANCE SETTING THE AD VALOREM TAX RATE TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT OF THE CITY OF SAN ANTONIO AT 21.150 CENTS PER \$100.00 OF VALUATION FOR THE TAX YEAR BEGINNING ON JANUARY 1, 2012 AND ENDING ON DECEMBER 31, 2012.

Councilmember D. Medina moved that property taxes be increased by the adoption of a Debt Service Tax Rate of 21.150 cents per \$100.00 of taxable valuation, which is effectively a 0.52 percent increase in the tax rate. Councilmember Lopez 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 captions for Items 4D and 4E:

**2012-09-13-0699**

D. AN ORDINANCE ESTABLISHING NEW FEES AND AMENDING FEES, AS INCLUDED WITHIN THE FISCAL YEAR 2013 PROPOSED BUDGET, WITHIN THE GENERAL FUND AND WITHIN THE RESTRICTED FUNDS OF AIRPORT OPERATING & MAINTENANCE, HOTEL OCCUPANCY TAX, DEVELOPMENT SERVICES, AND STREETS RIGHT OF WAY; AND AMENDING THE CITY CODE TO REFLECT SUCH CHANGES.

**2012-09-13-0700**

E. AN ORDINANCE CARRYING FORWARD CERTAIN FISCAL YEAR 2012 FUNDS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; AMENDING DEPARTMENTS AND FUNDS PRIOR APPROPRIATIONS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

Councilmember Lopez moved to adopt the proposed Ordinances for Items 4D and 4E. Councilmember Taylor 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.

**PULLED FROM THE AGENDA BY STAFF**

Item 5. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING A CUMULATIVE INCREASE OF 11.8% ACROSS ALL CUSTOMER CLASSIFICATIONS AND TIERS AND AMENDING SECTION 34-235(B) OF THE SAN ANTONIO CITY CODE.

**CONSENT AGENDA ITEMS 6-14**

No Consent Agenda Items were pulled for Individual Consideration.

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

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

Josh Jones of RL Jones, LP requested that the City Council postpone the recommendation for the construction of Creighton Street Improvements (Item 7). He noted that there was a span of \$197,933.07 between the lowest bidder and awardee. He stated that RL Jones, LP was a local, small business and qualified General Contractor for over 60 years. He expressed concern that their low bid was deemed

nonresponsive due to inaccurately completing their Good Faith Waiver Request Form concerning minority subcontractors. He stated that they had solicited numerous bids to minorities and small business entities prior to the project bid date and believed to be in compliance.

Michael Kirk stated that he was a resident of the Bel Meade Neighborhood and expressed concern with the street closures requested (Items 9A and 9B). He asked why the city would allow a few residents to close a street that affects many residents and also asked if a traffic study was conducted. He added that he did not believe that there was an issue with traffic in the area as many of the Bel Meade Residents were Retired Military.

Jack M. Finger spoke in opposition to the amendment of a lease agreement with The Witte Museum (Item 8) noting that they continued to request funding for operational expenses. He expressed concern with the street closures in the Bel Meade Neighborhood and asked if they were really necessary (Items 9A and 9B). He referenced the approval of the Audit Plan (Item 13) and asked when audits would be conducted of SAWS and CPS Energy.

Faris Hodge, Jr. submitted written testimony in opposition to Items 4A-4E, 5, 8, 12 and 15. He wrote in favor of Items 6, 7, 9, 10, and 11. He requested a copy of the FY 2013 Annual Audit Plan (Item 13).

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.

#### **2012-09-13-0701**

Item 6. AN ORDINANCE AUTHORIZING A CONTRACT WITH PHILPOTT MOTORS TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT WITH ONE EMERGENCY RESPONSE PRIME MOVER TURNKEY UNIT FOR A TOTAL COST OF \$81,945.00.

#### **2012-09-13-0702**

Item 7. AN ORDINANCE ACCEPTING THE LOWEST QUALIFIED RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT, INCLUDING ONE ADDITIVE ALTERNATE, IN THE AMOUNT OF \$1,776,450.57 AUTHORIZED PAYABLE TO EZ BEL CONSTRUCTION LLC, FOR CONSTRUCTION OF THE CREIGHTON STREET IMPROVEMENTS, A 2007 BOND SAVINGS FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 5; OF WHICH, \$651,581.32 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS (SAWS) AND \$343,428.00 WILL BE REIMBURSED BY CITY PUBLIC SERVICES (CPS) ENERGY FOR THEIR WORK; AND, AMENDING THE FY 2012–2017 CAPITAL IMPROVEMENT PROGRAM BUDGET WITH THE REALLOCATION OF \$171,000.00 IN 2007 GENERAL OBLIGATION BOND FUNDS TO THE CREIGHTON STREET IMPROVEMENTS PROJECT.

#### **2012-09-13-0703**

Item 8. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PARTIAL ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT FROM THE SAN ANTONIO MUSEUM ASSOCIATION D/B/A THE WITTE MUSEUM TO WITTE TITLE HOLDING COMPANY AND

AUTHORIZING AN AMENDMENT OF THAT PORTION OF THE LEASE AGREEMENT FOR PURPOSES OF SECURING NEW MARKETS TAX CREDIT FINANCING BY THE WITTE.

Item 9. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF PUBLIC RIGHTS OF WAY FOR A TOTAL FEE OF \$21,400.00 IN COUNCIL DISTRICT 9 AS REQUESTED BY THE BEL MEADE HOMES ASSOCIATION.

**2012-09-13-0704**

- A. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF A 0.217 ACRE PORTION OF IMPROVED PUBLIC RIGHT-OF-WAY LOCATED ON BRANDON DRIVE BETWEEN NCB 9130 AND NCB 9140 FOR A FEE OF \$10,800.00.

**2012-09-13-0705**

- B. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF A 0.215 ACRE PORTION OF IMPROVED PUBLIC RIGHT-OF-WAY LOCATED ON MEDFORD DRIVE BETWEEN NCB 9140 AND NCB 9141 FOR A FEE OF \$10,600.00.

**2012-09-13-0706**

Item 10. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE BLOOMBERG PHILANTHROPIES MAYORS CHALLENGE AND AUTHORIZING THE ACCEPTANCE OF FUNDS UPON AWARD IN AN AMOUNT UP TO \$5,000,000.00.

Item 11. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO GRANTS FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION:

**2012-09-13-0707**

- A. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO \$541,950.00 TO THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FOR A TICKETING AGGRESSIVE CARS AND TRUCKS ENFORCEMENT PROGRAM GRANT; AUTHORIZING ACCEPTANCE OF THE GRANT FUNDS, UPON AWARD; AND AUTHORIZING AN IN-KIND MATCHING CONTRIBUTION OF UP TO \$135,488.00.

**2012-09-13-0708**

- B. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO \$325,960.00 TO THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FOR A TICKETING AGGRESSIVE CARS AND TRUCKS PUBLIC INFORMATION AND EDUCATION PROGRAM GRANT; AND AUTHORIZING ACCEPTANCE OF THE GRANT FUNDS, UPON AWARD.

Item 12. 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 LINDA CHILD NAIRN (DISTRICT 10) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO COMMENCE OCTOBER 1, 2012, AND TO EXPIRE SEPTEMBER 30, 2013, AND APPOINTING GRACE MARENGO SANCHEZ (DISTRICT 3) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO COMMENCE OCTOBER 1, 2012 AND TO EXPIRE SEPTEMBER 30, 2015.
- B. APPOINTING GEORGE J. BALLIET (DISTRICT 10) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.

**2012-09-13-0709**

Item 13. AN ORDINANCE APPROVING THE FISCAL YEAR 2013 ANNUAL AUDIT PLAN.

**2012-09-13-0710**

Item 14. AN ORDINANCE AUTHORIZING THE EXECUTION OF A FOUR-YEAR SERVICE SUBSCRIPTION AGREEMENT WITH PASSKEY INTERNATIONAL, INC. TO MANAGE THE SAN ANTONIO CONVENTION & VISITORS BUREAU GROUP RESERVATION PROCESS FOR 2013 THROUGH 2016.

**[CONSENT ITEMS CONCLUDED]**

**Item 15. CITY MANAGER'S REPORT**

**A. PEOPLE EN ESPAÑOL UPDATE**

Ms. Sculley reported that the city's first People En Español Festival was held September 1-2, 2012 to celebrate the Hispanic Culture and had been very successful. She stated that the city had an agreement with People En Español for three years and had an option to renew the contract for one additional two-year period. She noted that the event was kicked off with a Sunrise Breakfast hosted by Councilmember D. Medina and daytime events took place at the Convention Center. She spoke of the significant media exposure throughout the US and Mexico with a preliminary value of earned media totaling \$7 million. She reported that 30,000 individuals participated in events over the two-day period and have a goal of 70,000 next year.

Mayor Castro stated that he was pleased with the first People En Español Festival and looked forward to the event next year.

**POINT OF PERSONAL PRIVILEGE**

Councilmember Taylor announced that Mayor Castro's birthday was on Sunday, September 16, 2012. The City Council sang Happy Birthday to Mayor Castro.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 10:00 am.

**APPROVED**



**JULIÁN CASTRO  
MAYOR**

Attest:



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